

# Multnomah Education Service District

Code: **EGACA**  
Adopted: 11/15/05  
Revised/Readopted: 6/21/11; 8/14/13

## Cell Phones

The Board recognizes that the use of cell phones may be appropriate to provide for the effective and efficient operation of MESD and to help ensure safety and security of MESD property, staff and others while on MESD property or engaged in MESD sponsored activities. To this end, the Board authorizes the purchase and employee use of cell phones for work purposes, as deemed appropriate by the superintendent.

MESD-owned cell phones will be used for authorized MESD business purposes, consistent with MESD's mission and goals. Personal use of such equipment is prohibited except in emergency situations. Employees do not have any expectation of privacy with MESD-owned cell phones or any information stored on them; the cell phones may be confiscated and searched at any time. Employee use of an MESD-owned cell phones shall not violate Oregon's ethics laws.

If an employee's cell phone purchase is reimbursed by the MESD, or the employee is provided a stipend to purchase a cell phone, all phone records, text messages, emails to and from the cell phone, and other communications made with the cell phone may be public records.

Employees will not use cell phones, whether MESD-owned or personally-owned, for non-MESD related business while attending to and/or performing their job responsibilities.

Use of cell phones in violation of Board policies, administrative regulations and/or state and federal laws will result in discipline up to and including dismissal and/or referral to Oregon Government Ethics Commission and law enforcement officials, as appropriate.

The superintendent and cabinet will develop administrative regulations for the implementation of this policy, including a uniform and controlled system for identifying employee cell phones needs, monitoring use and reimbursement. Provisions may also be included for staff use of privately-owned cell phones for authorized MESD business.

END OF POLICY

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**Legal Reference(s):**

[ORS 244.010](#)

[ORS 244.040\(1\)\(a\)](#)

[ORS 334.125\(7\)](#)

[ORS 244.020\(15\)](#)

[ORS 244.120](#)

Davidson v. Or. Gov't Ethics Comm'n, 300 Or. 415 (1985)

OR. GOV'T STANDARDS AND PRACTICES COMM'N, ADVISORY OPINIONS 02S-020 (Aug. 2, 2002), 02A-1008 (July 12, 2002), 01A-1004 (June 1, 2001) and 98A-1003 (July 9, 1998).

**MESD Policy Cross Reference(s):**

DB - MESD Budget

DJ/DJC - MESD Purchasing and Bidding Requirements

DJG - Vendor Relations

EBAC - MESD Safety Committees

EBC/EBCA - Emergency Procedures and Disaster Plans

EDC/KGF - Authorized Use of MESD Equipment

GBC - Staff Member Ethics and Conflicts of Interest