



Request to Review UMD Policy X-3.06(A) on University Funded Cellular Telephones and Service (Senate Document #22-23-21)

TO Darryll J. Pines | President

FROM Christopher Jarzynski | Chair, University Senate

I am pleased to forward the accompanying legislation for your consideration and approval. Jeffrey Klauda, Chair of the IT Council, presented the Request to Review UMD Policy X-3.06(A) on University Funded Cellular Telephones and Service (Senate Document #22-23-21), which the University Senate approved at its meeting on December 5, 2023. Please inform the Senate of your decision and any administrative action related to your conclusion.

Approved:

**Darryll J. Pines
President**

Date:

12-18-2023

Copies of this approval and the accompanying legislation will be forwarded to:

- Jennifer King Rice**, Senior Vice President and Provost
- Veronica Marin**, Executive Secretary and Director, University Senate
- Jay Rosselló**, Vice President for Legal Affairs and General Counsel
- Dylan Baker**, Associate Vice President for Finance and Personnel
- John Bertot**, Associate Provost for Faculty Affairs
- Elizabeth Beise**, Associate Provost for Academic Planning & Programs
- Rhonda Smith**, Director, Division of Academic Affairs
- Michele Eastman**, Assistant President and Chief of Staff
- Jordan Sly**, Chair-Elect, University Senate
- Rochelle Newman**, Past Chair, University Senate



Proposal for the Change in UMD Policy X-3.06(A) on University Funded Cellular Telephones and Service

PRESENTED BY Information Technology (IT) Council, Chair: Jeffery Klauda

REVIEW DATES SEC – November 6, 2023 | SENATE – December 5, 2023

VOTING METHOD In a single vote

RELEVANT POLICY/DOCUMENT **Example:** University of Maryland Policy [X-3.06\(A\)](#) on University Funded Cellular Telephones and Service

NECESSARY APPROVALS Senate, President

ISSUE

In January 2023, a proposal was submitted to the Senate Executive Committee related to an update to the University Funded Cellular Telephones and Service. The proposal noted that the last update to this policy was October 2006 and significant changes to cell phone plans warranted an updated policy. Later in January, the SEC voted to charge the IT Council to review the proposal to update the policy by considering similar policies at Big 10 institutes, consultation with the Division of Information Technology, changes to outdated elements of the policy, align the policy to current use of cell phones, and thinking forward to future changes in mobile technology.

RECOMMENDATION(S)

The IT Council recommends that the updated policy on University Funded Cellular Devices and Service, as attached herein, be approved.

COMMITTEE WORK

The IT Council began investigating changes in this policy in February 2023. A sub-committee was charged to work on the policy review and its charge from the SEC (Augustus Sam (Chair), Pamela Duffy (Member), Axel Persaud (Member)). This sub-committee met on March 7th and looked at Penn State University and Northwestern as our Big10 institutes to compare with our cell phone policy. The committee found a common theme addressing the personal usage of university owned devices should be limited and if any additional charges over the standard plans would be covered by the University employee.

A first draft of the policy was developed in April and sent off to the Office of General Counsel for review. The policy was updated to focus more on security and remove the previous focus on minute use. Moreover, the updated policy also made it clear that the cell phone number is property of the university and that employees cannot take the number with them after leaving the University.

On May 8th, the near final draft of the policy was presented to the IT Council for review and vote. This expanded the scope to cellular data capabilities, approval of the devices at the unit or departmental level, devices should be used for business purposes, devices should be passcode protected, and must follow DNCA guidelines. This was unanimously approved in the form presented by the sub-committee at this meeting.

During late June 2023, CIO discussions at a meeting with the Vice Presidents suggested a change in cellular approval policy. It was decided to delegate approval of purchases for cellular devices to upper-level administrators (Vice Presidents, Academic Deans, Assistant President, or a designee in their office) rather than unit heads. This change proposed after the last IT Council meeting of the 2022-23 AY. It was determined that this change was sufficiently substantive that the revision needed to be reviewed and approved by new IT Council the following AY.

At the October 9th meeting of the IT Council, an updated policy with the changes was presented and discussed. This was voted by the IT Council after discussion the IT Council voted unanimously to recommend the revised policy be approved by the SEC and eventually the full senate .

ALTERNATIVES

The Senate could choose not to approve these recommendations. However, doing so would not align to current cell phone plans, preferred approval of such devices, and policies upon employee termination.

RISKS

There are no risks to the University in adopting these recommendations.

FINANCIAL IMPLICATIONS

There are no financial implications for this change in policy.



Proposal for the Change in UMD Policy X-3.06(A) on University Funded Cellular Telephones and Service

2022-2023 Committee

Jeff Klauda, Chair
Yifei Mo (Faculty)
Julie Wright (Faculty)
David Dahl, Ex-Officio Dean
Ayeletter Halbfinger, Ex-Officio IT Student Advisory Committee
Jack Blanchard, Ex-Officio Provost's Rep
Jeffrey Hollingsworth, Ex-Officio VP IT/CIO
Dawn Roy (Exempt Staff)
Augustus Sam (Exempt Staff)
Mary Shelley (Exempt Staff)
Zhi-Long Chen (Faculty)
Pamela Duffy (Faculty)
Stephen Roth (Faculty)
Karolin Buchholz (Graduate Student)
Sriharsha Kolla (Undergraduate Student)

BACKGROUND

The goal of the IT Council the last several years has been to update existing policies that require changes based on policies that were developed with outdated practices. For the 22-23 AY, the IT Council decided to focus on the *Cellular Telephone and Service* Policy at the November 14, 2022 meeting.

In January 2023, the Senate Executive Committee (SEC) reviewed the proposal from the IT Council to update the Cellular Telephone and Service policy. Specifically, the UMD policy on University Funded Cellular Telephones and Service, X-3.06(A), has not been updated in over 15 years. Cell phones and their usage patterns have changed substantially in that period of time. For example, the current policy urges employees to not use a UMD provided cell phone if a landline phone is nearby due to the high cost of cell phone calls at the time the policy was adopted.

On January 27, 2023, the SEC officially charged the IT Council to review *UMD Policy X-3.06(A) on University Funded Cellular Telephones and Service* (Senate Document #22-23-21). This outlined 10 items to review and focus on developing an updated policy.

COMMITTEE WORK

The IT Council began investigating changes in this policy in February 2023. A sub-committee was formed from volunteers on the IT Council. At the February meeting this sub-committee was officially charged to work on the policy review and its charge from the SEC (Augustus Sam (Chair), Pamela Duffy (Member), Axel Persaud (Member)). This sub-committee met on March 7th to discuss the policy updates. The committee focused on all cellular services due to the change in technology. The policy updates addressed cell phones, tablets, and carrier plans. The committee reviewed cellular policies at Penn State University and Northwestern as model examples. The committee found a common theme addressing the personal usage of university owned devices should be limited and if any additional charges over the standard plans would be covered by the University employee.

In March and early April, a draft updated policy was developed by the committee. The policy was updated to focus more on security and remove the previous focus on minute use. Passcodes, encryptions, and other security best practices have been added to the policy. The management of

smartphones and other cellular enabled assets were addressed by adding information for the Designated Non-Capital Assets policy. Moreover, the updated policy also made it clear that the cell phone number is property of the university and that employees cannot take the number with them after leaving the University.

In early April, this updated policy was sent off to the Office of General Counsel for review.

On May 8th, the near final draft of the policy was presented to the IT Council for review and vote. This expanded the scope of the policy from cell phones to devices using cellular data capabilities. The approval of the devices would be done at the Unit of Departmental level. Focus on de minimis personal use and thus the devices should be used for business purposes. The policy focused on keeping the phone number with the university and that a phone number cannot be transferred to the individual after the employee leaves the university. For security, the policy notes that the devices should be passcode protected and must follow DNCA guidelines. This was unanimously approved by the IT Council in the form presented by the sub-committee at this meeting.

During late June 2023, CIO (Jeff Hollingsworth) discussions at a meeting with the Vice Presidents suggested a change in cellular approval policy. It was decided to delegate approval of purchases for cellular devices to upper-level administrators (Vice Presidents, Academic Deans, Assistant President, or a designee in their office) rather than unit heads. This change was proposed after the last IT Council meeting of the 2022-23 AY. It was determined that this change was sufficiently substantive that the revision needed to be reviewed and approved by the new IT Council the following AY.

At the October 9th meeting of the IT Council, an updated policy with the changes was presented and discussed. A short discussion on the updated policy yielded a question with regards to senior staff converting their personal numbers to the university phones and are concerned that when they retire or otherwise leave the university, that they retain their number. Hollingsworth noted that the clearest path forward is that those employees get their own numbers before leaving the university and the number they have is for university business. Hollingsworth noted that instead of carrying two cell phones there is technology called virtual SIM and others that can assist with that. You can also use the Webex app and forward calls to your cell phone.

A second concern was noted about the bullet point in the statement that reads *“Employees may be held liable for lost, stolen or damaged University-owned cellular device equipment”* and if that is common practice in such policies. Hollingsworth noted that the key words in that phrase are *“may be held liable”* in cases for gross negligence, for instance. There was another concern about the bullet point in the statement that reads *“Individuals found in violation of this policy will be billed for costs related to personal use of cellular devices and will be expected to reimburse the University”. Continuing abuse of the policy may lead to disciplinary action”*. The sub-committee chair noted that this phrase was stricken from the policy and that it should be removed from the current draft. After no further discussion, the IT Council voted unanimously to recommend the revised policy be approved by the SEC and eventually the full senate.



UNIVERSITY OF MARYLAND POLICY ON UNIVERSITY FUNDED CELLULAR DEVICES AND SERVICE

I. PURPOSE

The University of Maryland's ("the University") mission is to achieve excellence in teaching, research, scholarship, creative activities, and public service. As the State's flagship University, and one of the country's first land grant institutions, the University seeks to educate students and advance knowledge in areas of importance to the State, the nation, and the world, and to be a preeminent national center for research, innovation, and graduate and undergraduate education.

The purpose of this policy is to establish a University of Maryland, College Park policy regarding the purchase, issuance and use of University issued and/or funded devices using data plans such as cellular technology (e.g., Android tablets, iPads, Phones, and wireless mobile hotspots)

II. APPLICABILITY

University issued and/or funded cellular devices are provided to facilitate the effective and efficient performance of University of Maryland at College Park official business. Vice Presidents and Academic Deans are responsible for establishing the appropriate internal procedures to ensure compliance with this policy within their respective areas of responsibility. The Assistant President performs these functions for units reporting directly to the President that are not led by a Senior Vice President or Vice President.

III. POLICY AND PROCEDURES

- Vice Presidents, Academic Deans, Assistant President or a designee in their office shall approve the purchase and issuance of each cellular device.
- Cellular devices shall be assigned for business purposes only.
- UMD issued cell phones are the property of UMD.
- The phone number may not be transferred to the employee at the end of the employment with UMD.
- Cellular device service plans shall be selected based upon the lowest cost plan that meets the individual business needs of the unit. Service plans should be selected from the established University Master Contracts except when business needs justify the use of an alternate vendor (New Contracts must be approved by the relevant VP

and the AVP of Procurement). Service plans are to be evaluated and selected per cellular device to best match the usage patterns associated with employee responsibilities.

- A review of cellular device usage, plans, and continued necessity shall be conducted annually, at minimum. Each Vice President, Academic Dean, or Assistant President shall designate a person within their office to conduct the review. If indicated, changes in service plans and assignment of cellular devices shall be made following this review.
- Personal usage on a university funded cellular device should be restricted to de minimis use. If the cellular device is used for personal use, the employee shall reimburse the University for any additional cost associated with that use.
- Cellular devices are to be utilized in a responsible and safe manner, conforming to network etiquette, customs, courtesies, safety practices and any or all applicable laws or regulations. Abusive or inappropriate use of university funded cellular devices may result in disciplinary action.
- Cellular devices must be passcode protected and always secured.
- Lost or stolen devices shall be reported to both UMPD and DIT's Security Operations Center no later than the next business day after discovery of the loss.
- All UMD mobile devices are subject to the UMD IT acceptable use policy and all IT policies and standards. (IT policies and standards can be found at <https://it.umd.edu/about-dit/governance/it-policies-standards-guidelines>)
- Employees may be held liable for lost, stolen or damaged University-owned cellular device equipment.
- All records related to the purchase, issuance, and use of a university funded cellular device are the property of the University of Maryland at College Park. Records may include voice mails, text messages, photographs, and documents. Such records may be provided to appropriate officials both within and external to UMD as part of investigations. Any provision of these records will be done in a manner consistent with UMD's Acceptable Use and Privacy Policies. Records created in the transaction of university business may be considered public records and therefore, disclosable to the general public.
- Upon separation from the University, employees must return all University issued cellular equipment no later than the day employment ends with UMD. Separating employees are liable for replacement costs of unreturned devices.
- UMD owned cell phones must adhere to the DNCA (Designated Non-Capital Assets) procedures. Details for DNCA can be found: <https://finance.umd.edu/asset-management/designated-non-capital-assets>

UNIVERSITY OF MARYLAND, COLLEGE PARK POLICY ON UNIVERSITY FUNDED CELLULAR TELEPHONES AND SERVICE

(Effective October 19, 2006) I. ~~Purpose~~

PURPOSE

The University of Maryland's ("the University") mission is to achieve excellence in teaching, research, scholarship, creative activities, and public service. As the State's flagship University, and one of the country's first land grant institutions, the University seeks to educate students and advance knowledge in areas of importance to the State, the nation, and the world, and to be a preeminent national center for research, innovation, and graduate and undergraduate education. The purpose of this policy is to establish a University of Maryland, College Park policy regarding the purchase, issuance and use of University issued and ~~funded cellular telephones~~/or funded devices using data plans such as cellular technology (e.g., Andriod tablets, iPads, Phones, and wireless mobile hotspots).

II. ~~Policy Statement~~ APPLICABILITY

University issued and/or funded cellular ~~telephones~~ devices are provided to facilitate the effective and efficient performance of University of Maryland at College Park official business. ~~Departmental directors~~ Vice Presidents and ~~unit heads~~ Academic Deans are responsible for establishing the appropriate internal procedures to ensure compliance with this policy within their respective areas of responsibility. **The Assistant President performs these functions for units reporting directly to the President that are not led by a Senior Vice President or Vice President.**

~~Policy~~ III. POLICY AND PROCEDURES

- ~~Departmental chairs/directors~~ Vice Presidents, Academic Deans, Assistant Presidents or ~~their~~ a designee(s) in their office shall approve the purchase and issuance of each cellular telephone.
- Cellular ~~telephones~~ devices shall be assigned for business purposes only.
 - UMD issued cell phones are property of UMD.
 - The phone number may not be transferred to the employee at the end of the employment with UMD.
- Cellular ~~telephone calling~~ device service plans shall be selected based upon the lowest cost plan that meets the individual business needs of the unit. **Calling Service** plans should be selected from the established University Master Contracts except when business needs justify the use of an alternate vendor (**new contracts must be approved by the relevant VP and the AVP of Procurement**). **Calling Service** plans are to be evaluated and selected per cellular ~~telephone so as~~ device to best match the **calling usage** patterns associated with employee responsibilities.
- A review of cellular ~~telephone~~ device usage **and, plans, and continued necessity** shall be conducted annually, at minimum. Each ~~Chair/Director~~ Vice President, Academic Dean, or Assistant President shall designate a **responsible** person within ~~the unit~~ their office to conduct the review. If indicated, changes in service plans and assignment of cellular ~~telephones~~ devices shall be made following this review.
- Personal ~~calls should normally not be made or received~~ usage on a University funded cellular ~~telephone~~ device should be restricted to **de minimis use**. If the cellular ~~telephone~~ device is used for personal use, the employee shall reimburse the University for that use. ~~Preferably, an employee may, in consultation and agreement with their department, determine the percentage of personal usage of the cellular telephone and reimburse the University for the cost on either a monthly or annual basis. As an alternative, many plans have the ability to add a second line, billed separately to the individual for personal use.~~

- Cellular ~~telephones~~ **devices** are to be utilized in a responsible and safe manner; conforming to network etiquette, customs, courtesies, safety practices and any or all applicable laws or regulations. Abusive or inappropriate use of University funded cellular ~~telephones~~ **devices** may result in disciplinary action.
- ~~Cellular telephones should not be used for University business when standard University provided telephone service is readily accessible. A cellular phone may be used when the cost of the landline use exceeds the cost of cell phone use.~~
- ~~Cellular telephones must be secured at all times. All losses shall be reported no later than the next business day.~~
- **Cellular devices must be passcode protected and always secured.**
- **Lost or stolen devices shall be reported to both UMPD and DIT's Security Operations Center no later than the next business day after discovery of the loss**
- **All UMD mobile devices are subject to the UMD IT acceptable use policy and all IT policies and standards. (IT policies and standards can be found at <https://it.umd.edu/about-dit/governance/it-policies-standards-guidelines>).**
- Employees may be held liable for lost, stolen or damaged University-owned cellular ~~telephone~~ **device** equipment.
- ~~The cost of additional services, including "Operator assisted" calls, such as person-to-person, credit card calls, and directory assistance (411), and "downloads" from a University provided cellular telephone except for other than business use must be reimbursed to the University.~~
- All records ~~of University funded cellular telephone related to the~~ purchase, issuance, and ~~usage~~ **use of a university funded cellular device** are the property of the University of Maryland at College Park. **Records may include voice mails, text messages, photographs, and documents.** Such records may be provided to the appropriate ~~authorities when there is suspicion of wrongdoing.~~ ~~Records may also be provided upon request in personnel actions to appropriate University~~ officials: **both within and external to UMD as part of the investigations. Any provision of these records will be done in a manner consistent with UMD's Acceptable Use and Privacy Policies. Records created in the transaction of university business may be considered public records and therefore, disclosable to the general public.**
- Upon separation from the University, employees must return all University issued cellular equipment: **no later than the day employment ends with UMD. Separating employees are liable for replacement costs of unreturned devices.**
- ~~Individuals found in violation of this policy will be billed for costs related to personal use of cell phones and will be expected to reimburse the University. Continuing abuse of the policy may lead to disciplinary actions.~~

UMD owned cell phones must adhere to the DNCA (Designated Non-Capital Assets) procedures. Details for DNCA can be found: <https://finance.umd.edu/asset-management/designated-non-capital-assets>.