

1.1. C.14 Staff Allowance for Use of Personal Remote Access Devices

I Policy Index:



Date Signed: 12/17/20176
Distribution: Public
Replaces Policy: None
Supersedes Policy Dated: 03/21/2016
Affected Units: All Units
Effective Date: 12/19/2016
Scheduled Revision Date: February 2018
Revision Number: 4
Office of Primary Responsibility: DOC Administration

II Policy:

The Department of Corrections (DOC) may provide allowance to approved staff members for personal cellular communication plans that support a staff owned Remote Access Device (RAD) which is used to conduct state/DOC business.

III Definitions:

Remote Access Device (RAD):

Includes smart phones like BlackBerry, iPhones, Androids and mobile computing devices like iPads and notebooks.

IV Procedure:

1. Allowance for Use of a Personal RAD:

- A. Staff use of a personal RAD and corresponding cellular communication/date plan/contract to conduct state business is voluntary.
- B. Staff choosing to maintain a DOC owned/issued RAD and corresponding communication/data plan is not eligible for allowance provided by the DOC for use of their personal RAD to conduct state business.
- C. The DOC may approve an allowance amount which shall be issued to approved staff to defray a portion of the cost of the staff member's personal cellular communication plan that supports a personal RAD used by the staff member to conduct state business.
- D. The DOC will review allowance annually. Allowance issued by the DOC is adjusted based on the current contract rate negotiated and set by the Bureau of Information and Telecommunications for state smart phone/RAD services.

- E. The allowance provided to staff by the DOC may not exceed the cost that would be incurred by the DOC providing the staff member with a DOC owned/issued RAD and corresponding cellular communication plan.
 - 1. The allowance issued to a staff member will not exceed the actual cost of that portion of the staff member's communication/data plan providing service to the staff owned RAD.
- F. Staff requesting allowance must submit a state expense voucher and a copy of their cellular communication bill to the DOC business office each month showing the total cost of providing service to the staff member's RAD. Only one month can be claimed on each expense voucher.

2. Staff Responsibilities:

- A. Staff is responsible for the selection, enrollment and payment of their personal cellular communication/data plan and RAD.
 - 1. Staff applying for allowance is responsible for obtaining a personal cellular communication plan and RAD. The plan and RAD must at a minimum, meet the required level of service defined by Bureau of Information and Telecommunications (BIT) and the DOC, and be compatible with the DOC's required technical specifications.
 - a. The DOC will not reimburse or pay staff for the cost of "upgrades" to their personal cellular communication plan or personal RAD.
 - b. The DOC may block a RAD from accessing the DOC/state system if the device falls out of compliance, is not in good working order or fails to meet the minimum technical specifications/requirements.
 - c. RADs are at risk of attack from spyware, malware and other security breaches. To protect data stored within the RAD and data systems the RAD may access, staff will ensure the RADs anti-malware software is enabled and up-to date.
 - d. Staff will not use the RAD to access private or confidential data from the state computer system/databases unless access to the data is reasonably required for the staff member to perform their assigned duties. The staff member shall be responsible for protecting the security of the data as appropriate.
 - e. To protect the confidentiality of any personally identifiable information (PII) transmitted from a personal RAD, staff should ensure the communication containing PII is secured or encrypted. If large amounts of PII must be transmitted or highly sensitive or confidential information is included in the transmission, this information/communication should not be sent by or to a RAD.
 - 2. Staff must read and complete the BIT [Remote Access Device or Mobile Device Policy](#) (See [Attachment 1](#)) to be eligible for allowance. Staff members are not required to sign the RAD form if the RAD will only be used to send or receive telephone calls.
- B. Staff must provide the DOC with the telephone number assigned to the staff member's RAD.
 - 1. Staff must notify the DOC within five (5) working days of activation if the telephone number changes.

- C. Staff is personally responsible for complying with the provider's cellular communication service contract/plan supporting the RAD.
1. In the event the staff member leaves the job position that qualified for the allowance, or he/she terminates employment with the DOC, the staff member will remain responsible for all contractual obligations, fees and costs of their personal cellular communication plan.
 - a. Staff is responsible for all costs or fees associated with a change or cancellation to their personal cellular communication plan that may be due to the provider.
 - b. Staff will not be reimbursed for the month in which they terminate or change employment. The DOC will not issue allowances for partial months of service.
 2. Staff is responsible for direct payment to the cellular communications provider for all service charges, penalties and fees, including state and federal taxes. This includes any amount that exceeds the allowance issued by the DOC to the staff person.
- D. Staff must notify his/her supervisor within twenty-four (24) hours of the inactivation or termination of their personal cellular communication service contract/plan supporting the personal RAD.
1. Staff is required to notify the DOC and BIT Help Desk if the staff owned RAD used to conduct state business is lost or stolen.
 - a. Staff must change the active directory password immediately.
 - b. Staff must notify the cellular company providing service to the RAD to have the device remotely wiped and/or deactivated i.e. erasing all data and applications, including personal information.
- E. Staff is responsible for backing up personal data/content stored on the staff owned RAD.
1. If a security breach occurs involving the personal RAD, the staff member may be required by BIT/DOC to surrender the RAD to have it wiped and returned to its original factory settings.
 2. BIT/DOC is not responsible for performing maintenance or updates on staff owned RADs.
 3. Staff will take necessary reasonable steps to secure the device and all data accessible through use of the device, from theft, loss or unauthorized access. The RAD may not be shared with other users.
 4. The DOC is not responsible for any damages caused by the inappropriate use of a personal RAD. This includes all adverse effects resulting from the intentional or unintentional actions of unauthorized users. Staff should ensure the RAD is password secured at all times when not in use.
 5. Staff is required to immediately notify the DOC and the BIT Help Desk if there is evidence to support the RAD has been used by an unauthorized person to access DOC data, personal identifiable information or other confidential information, including any possible

compromise of data or information through inappropriate or untential access, use or disclosure.

6. Any staff member who is determined to have tampered with or removed any private or confidential data; divulged private or confidential data to unauthorized persons or for unauthorized purposes; or accessed private or confidential data for unauthorized purposes will be subject to disciplinary action.
 7. The DOC is in no way responsible for personal RADs that are damaged, lost or stolen while the staff member is using the RAD to conduct state business.
- F. In the case an e-discovery request or other legally mandated search cannot be fulfilled by BIT/DOC remotely through the state server, staff may be required to surrender the RAD to the appropriate technical authorities.
1. Use of a staff owned RAD to send or receive state/DOC electronic communications could result in the creation of a public record which is discoverable under a court order. Any data or information contained in the communication or stored on the personal RAD may be ordered disclosed and made public.
- G. Staff may be asked to demonstrate to the DOC/BIT that all state owned data has been removed from the staff owned RAD upon termination of employment with the DOC.
- H. All DOC policies related to conduct of staff, code of ethics, and staff use of state technology or mobile communication devices shall apply to staff's use of a personal RAD used to conduct state business.

3. Eligibility and Approval:

- A. Staff may only receive allowance for a cellular communication service supporting a staff owned RAD that meets the minimum compatibility criteria set forth by BIT and the DOC.
- B. The staff member must be approved to use the personal RAD for state business in lieu of having a state paid cell phone. Supervisors will consider the following criteria:
 1. The staff member's job responsibilities require immediate and direct accessibility/response that cannot be accommodated by another device, e.g. landline telephone.
 2. The staff member's job responsibilities require a high degree of mobility during business hours such that the staff member cannot be reached in a timely manner at his/her desk/work station.
 3. The staff member's job responsibilities require ready accessibility and/or response during non-business hours.
- C. If the staff member meets one or more of the above criteria, the supervisor may approve the staff member to receive allowance for use of their personal RAD to conduct state business. Approved requests will be forwarded to the Secretary of Corrections or Director of Operations for final approval. The DOC business office will be notified of all approved requests.

- D. Staff approved by their supervisor to connect to the state email system must complete the RAD form (See [Attachment 1](#)) and electronically submit this to BIT.
- E. The supervisor and the staff member are responsible for notifying the DOC business office when it is determined the staff member is no longer eligible for personal RAD allowance.

4. Right to Withdraw:

- A. The DOC’s allowance for a staff member’s cellular communication service is not an entitlement and is not part of the staff member’s salary. The amount the staff member receives is an allowance, not reimbursement and is taxable.
- B. Participation in the agreement to receive allowance for use of a personal RAD for state business may be withdrawn at any time by either party.
- C. Institutional accounting system operations will be structured to indicate the current status of appropriations and expenditures based upon information and reports from the South Dakota Accounting System (SDAS).
- D. Procedures associated with allowance will comply with regulations as prescribed by the Bureau of Finance and Management (BFM) and the Office of the State Auditor.

V Related Directives:

VI Revision Log:

March 2013: New policy

April 2014: Added “to the DOC business office each month. Only one month can be claimed on each expense voucher.” in Section 1 F.

March 2015: Reviewed with no changes.

February 2016: Added “a portion of” in Section 1 C. Added “Rates of reimbursement issued by the DOC are adjusted based on the current contract rate negotiated and set by the Bureau of Information and Telecommunications for state smart phone services” in Section 1 D. Deleted reference to “reimbursement” and Replaced with “allowance”.

December 2016: Changed the title of the policy and removed reference to “reimbursement” and Replaced term with “allowance”. Other changes to sections 1-3.

<i>Denny Kaemingk (original signature on file)</i>	<u>12/17/2016</u>
Denny Kaemingk, Secretary of Corrections	Date

Attachment: 1 Remote Access Device (RAD) or Mobile Device Form

Go to: <http://intranet.bit.sd.gov/forms/rad/default.aspx>

Remote Access Device (RAD) or Mobile Device Form

By filling out the information below and hitting Submit, an email will automatically be sent to the BIT Help Desk. By doing so, the requesting entity and RAD owner confirms they have read the entire [policy and agrees to all terms, conditions and limitations](#).

By submitting this form you are confirming that you are either a supervisor or manager or that your supervisor or manager has approved the request.

RAD Owner's Name
 * Required

User ID Ex. **TPR15556**
 * Required

Agency
 * Required

Supervisor Email Ex. **firstname.lastname@state.sd.us**
 * Required

Supervisor Email Confirm Ex. **firstname.lastname@state.sd.us**
 * Required

Please also provide the following information (if applicable):

RAD Type/Model Ex. **Mobile Phone/Motorola Droid X**

RAD Operating System Ex. **Android**

RAD Cell Phone Number Ex. **(605) 773-5555**

RAD Cell Phone Carrier Ex. **AT&T**

Requester First Name
 * Required

Requester Last Name
 * Required

Requester Telephone Number Ex. **(605) 773-5555**
 * Required

Requester Email Address Ex. **firstname.lastname@state.sd.us**