

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

### I Policy Index:



**Date Signed:** 03/18/2019  
**Distribution:** Public  
**Replaces Policy:** None  
**Supersedes Policy Dated:** 06/14/2018  
**Affected Units:** All Units  
**Effective Date:** 03/18/2019  
**Scheduled Revision Date:** February 2020  
**Revision Number:** 6  
**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 by the staff member to conduct DOC business.

### III Definitions:

#### **Remote Access Device (RAD):**

Includes smart phones such as BlackBerry, iPhones, Androids and other mobile communication devices.

### IV Procedure:

#### **1. Allowance for Use of a Personal RAD:**

- A. Requesting allowance for the use of a personal RAD and its corresponding cellular communication/date plan/contract to conduct state business is strictly voluntary and the sole responsibility of the requesting staff member.
- B. Staff members who have been issued a DOC owned RAD and its corresponding communication/data plan are not eligible for allowance for use of a personal RAD to conduct state business.
- C. The DOC shall approve an allowance amount which shall be issued to approved staff to defray costs of supporting a personal RAD used to conduct DOC business with cellular communication service.
- D. The DOC will review the allowance annually. Maximum allowance amounts issued by the DOC to staff shall be 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 monthly allowance amount may not exceed the amount incurred by the DOC for department owned/issued RADs and the corresponding cellular communication plans.
  - 1. The allowance amount issued to staff for each month 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 the cellular communication bill to the DOC business office as directed. Documents must include the total cost of providing cellular communication service to the personal RAD.

## 2. Staff Responsibilities:

- A. Staff requesting allowance is responsible for obtaining a cellular communication plan and RAD that meets the required level of service defined by Bureau of Information and Telecommunications (BIT) and the DOC. The RAD and its supporting plan must be compatible with the DOC's required technical specifications.
  - 1. The DOC will not reimburse or otherwise pay for any costs associated with "upgrades" or other changes to a staff member's cellular communication plan or personal RAD.
  - 2. The DOC may block any RAD from accessing the DOC system if the device falls out of compliance, is not in good working order or fails to meet the minimum technical specifications/requirements set by the DOC and/or BIT.
  - 3. 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.
  - 4. Staff will not use the RAD to access private or confidential data from the state computer system/databases, unless the staff member has proper authority and accessing such data is reasonably required for the staff member to perform their assigned duties. The staff member shall be responsible for protecting the security of private or confidential data accessed.
  - 5. To protect the confidentiality of any individual's personally identifiable information (PII) which may be transmitted to or 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 to or by a RAD.
- B. Staff must read and complete the BIT Remote Access Device or Mobile Device Policy (See [Attachment 1](#)) before being eligible to receive allowance. Staff members are not required to complete the form if the personal RAD will only be used to send or receive telephone calls.
- C. Staff must provide the DOC with the telephone number assigned a personal RAD used to conduct DOC business if the staff member receives allowance for the RAD and supporting services.
  - 1. Staff must notify the DOC within five (5) working days of activation if the telephone number changes.

- D. 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 allowance, or the staff member terminates employment with the DOC, he/she will remain responsible for all contractual obligations, fees and costs of the personal cellular communication plan and RAD.
    - a. Staff is responsible for all costs and 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 separate employment with the DOC. The DOC will not issue partial allowances.
  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 due that exceeds the allowance amount.
- E. Staff must notify their supervisor within twenty-four (24) hours of the inactivation or termination of a personal cellular communication service contract/plan supporting a personal RAD that is eligible for allowance.
1. Staff is required to notify the DOC and BIT Help Desk if a personal RAD used to conduct state business is lost or stolen.
    - a. Staff must change the active directory password of the RAD immediately.
    - b. Staff may be required to notify the cellular company providing service to the RAD to have the device remotely wiped and/or deactivated i.e. erasing all DOC data and applications stored on the RAD or accessible through the RAD.
- F. Staff is responsible for backing up personal data/content stored on the RAD.
1. If a security breach occurs involving the personal RAD, staff may be required by BIT/DOC to surrender the RAD to have it wiped and returned to original factory settings. DOC is not responsible for personal data that is lost through the reset process.
  2. BIT/DOC is not responsible for performing maintenance or updates on personal RADs.
  3. Staff will take necessary reasonable steps to secure the RAD and all DOC data/information and communication which may be accessible through the RAD from theft, loss or unauthorized access.
  4. The DOC is not responsible for any damage caused by the inappropriate use of a personal RAD by the owner or others. 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 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 without authorization, divulged private or confidential data to unauthorized persons or for unauthorized purposes, or accessed private, confidential or personal identification information for unauthorized purposes from a RAD may be subject to disciplinary action.
  7. The DOC is in no way responsible for personal RADs that are damaged, lost or stolen, including during the commission of DOC business.
- G. In the case an e-discovery request or other legally mandated search of the RAD and data contained within cannot be fulfilled by BIT/DOC remotely through the state server, the staff member may be required to surrender the RAD to the appropriate 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.
- H. Upon termination of employment with the DOC, staff may be asked to demonstrate to the DOC/BIT that all state-owned data has been removed from the staff owned RAD.
- I. 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 DOC business.

### **3. Eligibility and Approval:**

- A. Staff may only receive allowance for a cellular communication service supporting a personal 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 DOC business in lieu of having a state issued RAD. Supervisors will consider the following:
  1. The staff member's job responsibilities require immediate and direct accessibility/response that cannot be accommodated by another device, e.g. landline telephone or computer.
  2. The staff member's job responsibilities require a high degree of mobility during work hours such that the staff member cannot be reached in a timely manner at his/her primary work station.
  3. The staff member's job responsibilities require ready accessibility and 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 be eligible to receive allowance. Approved requests will be forwarded to the Warden, Director, Secretary, Director of Operations or designees for final approval. The DOC business office must be notified of all approved allowances.
- 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 or staff member is responsible for notifying the DOC business office if a staff member is no longer eligible to receive an allowance.

#### 4. Right to Withdraw:

- A. Receipt of a DOC issued allowance for a staff member's cellular communication service is not an entitlement and is not part of a staff member's salary. The amount the staff member receives is an allowance, not a reimbursement and is taxable.
- B. Participation in the agreement to receive allowance for use of a personal RAD for DOC business may be withdrawn at any time by either party.

#### 5. Standards:

- A. 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).
- B. Procedures associated with such allowances 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.

**May 2018:** Changes to language and structure.

**February 2019:** Reviewed with no changes.

*Mike Leidholt (original signature on file)*

Mike Leidholt, Secretary of Corrections

03/18/2019

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.

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**RAD Owner's Name**  
 \* Required

**User ID** Ex. NPR15555  
 \* 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

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**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](#)