

POLICY ON WIRELESS DEVICES - PURCHASE AND USE

I. PURPOSE

To establish guidelines concerning the purchase and use of Wireless Devices provided by the College.

II. POLICY

- A. It is the policy of New York Medical College to provide a Wireless Device to members of the Senior Staff and to certain other employees of the College as determined by the College in accordance with the procedures contained herein and to require that the use of such devices comply with the guidelines of this policy. No payment or reimbursement shall be made by the College for the purchase or service fees of a wireless device which is not owned and provided by the College.
- B. It is the policy of the College that a User, while driving a motor vehicle or operating other motorized equipment, including power tools, shall only use a Wireless Device in a hands-free manner regardless of whether the business conducted is personal or College-related. This prohibition includes, but is not limited to, receiving or placing calls, text messaging, surfing the Internet, receiving or responding to emails, checking for phone messages, or any other purpose related to your employment with the College or personally related activity. Users who violate this policy shall be subject to disciplinary actions, up to and including, employment termination. New York State law states that "drivers are prohibited from using portable electronic devices such as cell phone, blackberries, laptops, or other types of electronic two-way messaging systems to send text message or email while driving." Users who are charged with traffic violations resulting from the use of their phone while driving will be solely responsible for all liabilities that result from such actions.

III. SCOPE

This policy applies to all employees of the College who receive a Wireless Device from the College or who use the College's Information Services on their personally owned wireless device to access their College email accounts, calendars or other College systems and services.

IV. DEFINITIONS

- A. Smartphone - a cellular telephone with built in applications and Internet access. It may also provide digital voice service as well as text messaging, e-mail, Web browsing, still and video cameras, MP3 players, video viewing and video calling.
- B. User - an employee of the College who has been provided with a Wireless Device by the College or who is using the College's Information Services on their personally owned wireless device to access their College email accounts, calendars or other College systems and services.

- C. Wireless Device - collectively cellular phones, smartphones and any other wireless communication device with a data plan. Wireless communication devices such as tablets, and iPads without a data plan, and keyboards and classroom clickers are not subject to this policy.

V. PROCEDURES

- A. A Request for Wireless Device Form, in the form of Attachment I of this policy, providing a primarily noncompensatory business justification shall be completed electronically and attached to the following:

1. An email approval by the User's direct supervisor requesting authorization; and
2. An email approval by the User's appropriate Vice President or Dean.

A primarily noncompensatory business justification is established for the purposes of this policy if there are substantial reasons to the College's benefit such as the College's need to contact the employee at all times for work-related emergencies, the College's need to have access to a key employee beyond the normal working hours given the nature of such employee's responsibilities for the College and the employee's need to conduct College related business at times away from the College's offices or outside of the College's normal work day. A primarily noncompensatory business justification is not established if the purpose is to promote the morale or good will of an employee, to attract a prospective employee or as a means of furnishing additional compensation to an employee.

The Request for Wireless Device Form shall also be used for all requests for upgrades of a wireless device or for any nonstandard telephone or data plan or features.

- B. Once both levels of approval have been obtained, the Request for Wireless Device form and the accompanying approvals shall be sent electronically to the Purchasing Department, which shall process such form after obtaining budgetary approval.
- C. Information Services shall provide the User with information on the available wireless devices from the authorized provider for selection by User and purchase the Wireless Device from the authorized provider along with the standard talk plan and the data plan, if applicable.
- D. The Wireless Device shall be delivered to the Information Services Department who shall then work with the User to set up the necessary account(s), including security software, and to connect the Wireless Device to an Enterprise Server.
- E. Information Services will provide the User with a copy of this policy, including an Acknowledgement Form in the form of the Attachment II to this policy, which Acknowledgement Form must be signed by the User prior to taking possession of

the Wireless Device. The original signed Acknowledgment Form will be provided to Human Resources and placed in the User's employee file.

- F. The User shall be responsible for the security of the College-owned wireless devices and shall notify the Information Services Department immediately upon discovery that the Wireless Device has been lost or stolen. The Wireless Device shall be immediately deactivated by the User, Information Services or Human Resources. Users with access to their College email accounts, calendars or other College systems and services on their personally owned wireless device shall notify the Information Services Department immediately in the event that their wireless device is lost or stolen to activate a security wipe of such wireless device.
- G. At the time the User ceases to be employed by the College, the following steps shall be taken:
 - 1. The Wireless Device shall be returned to Human Resources and then given to Information Services where it will be wiped clean of all data and information and returned to original factory settings. The Wireless Device will revert back to the physical possession of the College.
 - 2. Information Services shall be notified and the User's contract terminated as of the final day of employment.
- H. Information Services shall prepare and maintain a Comprehensive Spreadsheet for the following purposes:
 - 1. Monitor prices or charges for the various plans, features and additional costs.
 - 2. Provide relevant portions to the Users and/or Department Administrators for verification of accuracy and completeness of monthly billing.
 - 3. Determine the appropriate plans based on User business needs and costs.

VI. GUIDELINES GOVERNING USE OF WIRELESS DEVICES

The following guidelines shall be applicable to all users of Wireless Devices:

- A. Users of a Wireless Device have no expectation of privacy with respect to a Wireless Device provided by the College or connected to the College's Information Systems if the wireless device is personally owned. Since the Wireless Device is College property, paid for by the College for the benefit of the User, the information on the Wireless Device belongs to the College and therefore, the College reserves the right to access the information in its sole discretion.
- B. The use of a College-provided Wireless Device shall be for College-related purposes only. Personal use of a College-related device could result in Users

being billed for those services, in the use of the Wireless Device as taxable to the User under applicable law and in the rescission of the College's approval for the provision to the User of the Wireless Device.

- C. Users shall be prohibited from using their Wireless Device in any illegal, illicit or offensive manner, or in any manner which violates the Sexual Harassment Policy, the Code of Conduct or any other College policy. Human Resources and the Office of the General Counsel shall have the authority to issue instructions to the appropriate personnel to activate a security wipe of any User's Wireless Device.
- D. The availability of any other wireless device with a data plan provided by the College to a User shall be considered in determining any request for another wireless device by a User.
- E. Users who are Senior Staff shall be authorized to contact and deal with the authorized provider to repair a wireless device or, if such device can not be repaired, replace the device with a device of equal value. In such event, the User shall promptly notify Information Services.

VII. EFFECTIVE DATE

This policy is effective as of November 15, 2011.

VIII. RESPONSIBILITIES

A. User:

1. Obtain the necessary approvals and submit them to Information Services along with the completed Request for Wireless Device Form.
2. Acknowledge and sign the Wireless Device Acknowledgement Form when taking possession of the Wireless Device.
3. Work with Information Services to ensure all email accounts, telephone numbers, network access and security software are properly installed and activated.
4. Abide by the New York State law and the College policy concerning the prohibition against the use of Wireless Devices while operating a motor vehicle or other motorized equipment.
5. Adhere to the criteria of this policy, the Code of Conduct, the Sexual Harassment Policy and all other College policies when using the Wireless Device.
6. Notify Information Services immediately upon discovering that the Wireless Device has been lost or stolen.
7. Activate the security wipe program if the Wireless Device is lost or stolen and College personnel are not immediately reachable.
8. Relinquish possession of the Wireless Device on or prior to the last day of your employment at the College.
9. Review the billing monthly statement from Verizon for the College provided Wireless Device.

B. Direct supervisors and respective Vice President or Dean

1. Assess the User's request for a Wireless Device to ensure that there is a primarily noncompensatory business justification to support the provision of the wireless device.
2. Determine if the necessary funding is available in their respective budget.
3. Provide necessary approval if the use meets the procedures and requirements of this policy.
4. Review annually the need for Wireless Devices within their respective areas.

C. Information Services

1. Process the approved Request for Wireless Device Form upon receipt from requesting department.
2. Purchase the Wireless Device from the authorized provider.
3. Provide the authorized provider with the User's name at the time of purchase/activation. In the case where the Wireless Device is used by more than one departmental employee/individual, the word "Base" or "Housing", etc. shall appear as the first name and the department head or administrator's last name shall appear as the last name on the authorized provider's invoice.
4. Prepare and maintain the Comprehensive Spreadsheet in accordance with Section V.H.
5. Conduct an annual pricing review in conjunction with the authorized provider at the same time each year in order to publicize policy and pricing updates and to determine if a User-specific plan contains unnecessary features.
6. Maintain a master spreadsheet itemizing User data and utilization.
7. Set up Wireless Device with email accounts, network access, security software, etc.
8. Provide technical assistance.
9. Deactivate accounts immediately upon notification that the Wireless Device has been lost or stolen.
10. Erase all data and information on the Wireless Device and return it to the original factory settings upon receipt from Human Resources on or prior to the User's final day of employment.

D. Human Resources

1. Maintain the signed original of the Wireless Device Acknowledgement Form in the User's employee file.
2. Take possession of the Wireless Device on the User's final day of employment and give it promptly to Information Services.

3. Notify Information Services and Purchasing Department that they have possession of a User's Wireless Device.
 4. Authorize the use of and execute the security wipe software if needed.
- E. Office of General Counsel - authorize the use of the security wipe software and provide advice and guidance on the interpretation and application of the eligibility standard under Section V.A of this policy.

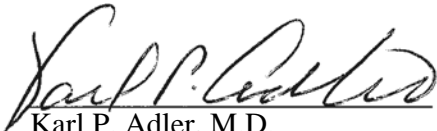
IX. POLICY MANAGEMENT

Responsible Officer: Senior Vice President/CFO/Vice-Provost

Responsible Executive: Chief Information Officer/Director of Human Resources

Responsible Office: Information Services/Human Resources/Purchasing
Department

Approved


Karl P. Adler, M.D.
Chief Executive Officer

11/08/11
Date

Wireless Device Request

Requestor Name	Department	Contact information
Supervisor		
<i>Dean</i>		

Device Requested		

College Purpose	Feature Preference
	Cell phone
	Data Plan
	List other features required

Device Cost: \$ _____
Plan Cost: \$ _____
List other College provided devices with Data Plan: <div style="border: 1px solid black; height: 40px; width: 100%;"></div>

Requestor Signature _____ Date _____

Approver Signature _____ Date _____

Budget Approval _____ Date _____

WIRELESS DEVICE ACKNOWLEDGEMENT FORM: I have received and reviewed the terms of the POLICY ON WIRELESS DEVICES (PURCHASE AND USE) and hereby agree to abide by such policy.

DATE _____ PRINTED NAME _____

SIGNATURE _____