GUIDELINES FOR COMMUNICATIONS BY UNIVERSITY OF NORTH DAKOTA
EMPLOYEES WITH LOCAL, STATE AND FEDERAL GOVERNMENT OFFICIALS

The University of North Dakota recognizes and supports the principle of free
speech and the free expression of opinion on any subject—whether directly
related to University topics or not—by members of the campus community. UND
further encourages students, faculty and staff to express their political opinions
and actively participate in the legislative process as citizens of North Dakota
and/or the United States.

At the same time, however, the legislative interactions of a state entity such as
UND are regulated very differently under state and federal law than are the
legislative interactions of private citizens. All UND employees should understand
and abide by the laws that govern communication with local, state and federal
officials and agencies, as well as the University policies that support those laws.

Please note that, except for official University business, state law prohibits use of
University-owned equipment to communicate with lawmakers and government
officials.

University of North Dakota employees are strongly encouraged to consult with
Susan Walton, Vice President of University and Public Affairs, at (701) 777 2501 or
susan.walton@email.und.edu, prior to initiating contact with local, state or
federal elected officials on behalf of the University of North Dakota. The
guidelines below apply to:

1) Providing oral or written testimony on non-institutional positions.
2) Providing oral or written testimony on institutional positions.
3) Communication with legislators on behalf of professional organizations.

Rationale

Elected officials and the policies they may enact can have a significant impact on
the University of North Dakota. For example, the U.S. government is the largest
single source of sponsored research at the University of North Dakota, and federal
and state student financial aid are certainly sources of funding for many of our
students. The University of North Dakota is governed by a multitude of
government rules and regulations and relies on the Division of University and
Public Affairs to formulate, coordinate and communicate policy positions to elected and appointed officials at all levels of government.

These guidelines exist to--

- Facilitate and coordinate communications between the University of North Dakota and local, state and federal government officials and agencies.
- Ensure compliance with all relevant laws and regulations, including lobbying disclosure rules, tax and other laws governing not-for-profit organizations and laws regarding gifts to public officials.
- Inform UND employees as to how they might request the assistance of the Office of University and Public Affairs related to government policies impacting operations at the University of North Dakota and potentially assisting in the formulation of the University’s positions on governmental policies.

Providing Oral or Written Testimony on Non-Institutional Positions

The guidelines explained in this document apply to situations in which individuals represent UND on official, “Institutional” positions of the University.

It is not the intent of this policy to limit the constitutionally protected rights of private citizens to petition or contact their elected representatives on behalf of their personal beliefs or needs. UND employees have no obligation to consult with the Office of University and Public Affairs related to non-institutional positions and non-University related contacts with government officials outside the workplace.

University employees who wish to exercise their rights as private citizens to offer testimony, opinions or commentary are always free to do so, and should make every effort to clearly indicate that they are expressing a personal opinion. If the individuals identify themselves as employees of the University, they should also clearly state that their opinions do not reflect the official position(s) of the University of North Dakota. UND letterhead should not be used for such contact, and individuals should note their status as a UND employee only as a means of identifying him or herself. (Note: If a University employee wishes or is asked to provide testimony and is unsure whether the testimony concerns an official
Providing Oral or Written Testimony on Institutional Positions

From time to time, UND, under the direction of the Chancellor and the State Board of Higher Education, may take an institutional position (which becomes the University’s official position) regarding legislation or other action by elected officials that could significantly impact the University. The President of UND determines the content and communication channel for such positions.

Any employee asked by the University or the North Dakota University System office to provide, or who wishes to provide, oral or written testimony before legislative committees regarding institutional positions should notify the Vice President for University and Public Affairs. This notification should take place at least 48 hours prior to the time of the oral testimony or submission of the written testimony. In that notification, the employee should also indicate whether the testimony will be oral or written, as well as the date of submission and the name of the committee receiving testimony.

Communicating with Legislators on Behalf of Professional Associations

University employees who are providing testimony as members of trade or professional societies and organizations should do so only in the name of the individual or outside organization they represent. These individuals may identify themselves as UND employees in their testimony. However, they should state clearly at the beginning of their remarks that their testimony reflects the position of their organization for whom they are testifying, and not of UND.

Other Contact with Legislators

University employees hosting local, state or federal elected officials or representatives of government agencies on campus or at events in connection with their UND position should notify the Office of the Vice President for University and Public Affairs at least two weeks in advance of the event.
University employees should also notify the Vice President for University and Public Affairs as far as possible in advance of any planned visits with state and federal elected officials if the employees are making the visits in connection with their UND work.

Note: Content and Ideas for these guidelines was derived in part from policies in use at Bowling Green State University, Northwestern University, the University of the District of Columbia, and the University of Maryland, Baltimore.