



 FAIRMONT STATE  
UNIVERSITY

## **Fairmont State University Board of Governors**

## Policy \_\_\_\_\_

### Effective Date:

Review Date: \_\_\_\_\_, 20\_\_\_\_

## **TITLE: GOVERNMENT RELATIONS AND COMMUNICATIONS**

## **SECTION 1: PURPOSE AND SCOPE**

- 1.1 This BOG Policy applies to all Fairmont State University Employees and Representatives.
- 1.2 This BOG Policy establishes requirements related to direct communication by Employees and Representatives with government officials on behalf of the university. It ensures clear and consistent communication about university messaging and priorities while distinguishing between an Employee's or Representative's individual right to communicate *personal* views to the government from their responsibility when speaking on *behalf* of the university to government officials.

## **SECTION 2: POLICY ON COMMUNICATIONS**

2.1 It is the policy of the university that all communications with government officials on behalf of the university must be coordinated by the President or his or her designee. Such communications with government officials may include, without limitation:

- (a) Testimony before executive or legislative bodies;
- (b) Individual or group meetings;
- (c) Presentation of written materials or electronic transmissions;
- (d) Invitations to visit campus in any capacity;
- (e) Responses to requests for information;
- (f) Any verbal or written statements made on behalf of the university that concern federal or state policies, legislation, or regulation; and
- (g) Any appearances before government officials in which an individual represents an official university position.

2.2 Employees and Representatives who are directly contacted by government officials with respect to university business or official university positions must refer them to the



President or his or her designee.

- 2.3 When communicating with government officials, Employees and Representatives are expected to clearly distinguish their personal views and opinions from the positions and policies of the university.
- 2.4 Nothing in this BOG Policy is intended to impede Employees' or Representatives' freedom to communicate their personal views and opinions with government officials in their private, individual capacities.

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### **SECTION 3: SANCTIONS**

- 3.1 Communications with government officials on behalf of the university that do not comply with this BOG Policy will be restricted or terminated.
- 3.2 Failure to comply with the requirements of this BOG Policy may result in disciplinary action up to and including termination in accordance with relevant University policies.

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### **SECTION 4: EXCLUSIONS**

- 4.1 This BOG Policy does not apply to employee communications with local, state, or federal agencies that are:
  - 4.1.1 Ministerial, administrative, or otherwise routine in nature; and
  - 4.1.2 Directly necessary to the performance of the employee's assigned duties.

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### **SECTION 5: DEFINITIONS**

- 5.1 "Employees" means all faculty and staff as defined in current BOG Policy No. 63 (or successor policy).
- 5.2 "Government officials" means any and all of the following individuals:
  - (a) Members of the United States Congress or the West Virginia Legislature;
  - (b) An elected officer of either house of the United States Congress or the West Virginia Legislature;
  - (c) Any employee of, or any individual functioning in the capacity of an employee of, a member of the United States Congress or the West Virginia Legislature, or



a committee, joint committee, leadership staff, or working group or caucus thereof;

- (d) The President and Vice President of the United States;
- (e) Members of the President's Cabinet;
- (f) The Governor of the State of West Virginia;
- (g) Members of the Governor's Cabinet;
- (h) Any officer or employee, or any other individual functioning in the capacity of such an officer or employee, in the Executive Office of the President of the United States or the President's Cabinet or Office of the Governor of the State of West Virginia or the Governor's Cabinet;
- (i) Elected officials of any county commission, city council, town council, or other local municipal governing body within the State of West Virginia, and any officer or employee, or any other individual functioning in the capacity of such an officer or employee, serving such officials or their offices;
- (j) Anyone serving in a position of a confidential, policy-determining, policy-making, or policy-advocating character.

5.3 "On behalf of the university" means speaking to a government official for the benefit, advantage, or interest of the university in the official capacity as an Employee or Representative of the university.

5.4 "President" means the President of Fairmont State University, provided, however, that the term "President" as used in Section 5.2 exclusively references the President of the United States.

5.5 "Representatives" means all non-employee third parties contracted to engage in certain regulated government interactions on the university's behalf.

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## SECTION 6: DELEGATION

6.1 The Board of Governors delegates to the President the authority to adopt administrative policies and/or administrative procedures to effectuate the implementation of this BOG Policy.

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## **SECTION 7: AUTHORITY**

7.1 W.Va. Code § 18B-1-6

PROPOSED