**Communication with Governmental UPPS No. 06.02.01**

**Agencies Issue No. 6**

 **Effective Date: 01/08/2021**

 **Next Review Date: 12/01/2027 (E6Y)**

 **Sr. Reviewer: Chief of Staff and Vice President**

**01. POLICY STATEMENTS**

01.01 The importance of prompt and accurate communication with state and other governmental agencies makes it desirable that Texas State University promulgate standard procedures and guidelines for communicating with these agencies. This policy is designed to help university personnel communicate with representatives of governmental agencies and avoid confusion and misleading information.

01.02 Additional information and guidance for complying with requests for information pursuant to the [Texas Public Information Act](https://comptroller.texas.gov/about/policies/open-records/public-information-act.php) can be found in [UPPS No. 01.04.30](http://www.txstate.edu/effective/upps/upps-01-04-30.html), Release of Information Pursuant to the Texas Public Information Act.

**02. DEFINITIONS**

02.01 Routine Contacts – communications made regularly in the course of university business pursuant to an established written procedure.

02.02 Exceptional Contacts – communications other than routine contacts. They are concerned with a particular end, purpose, or case at hand and are not made regularly in the course of university business pursuant to an established written procedure.

02.03 Governmental Agency:

1. all departments, offices, boards, and agencies of the United States, the State of Texas, counties, and municipalities;
2. all other state-supported institutions of higher education;
3. members of the Legislature of the State of Texas and their representatives; and
4. members of the United States Congress and their representatives.

However, the term does not include the Texas State University System (TSUS) Board of Regents, individual regents, or TSUS office employees. [Section 2 of Chapter III of the TSUS Rules and Regulations](https://gato-docs.its.txstate.edu/jcr%3Afe4852f4-5dfe-4e6a-837d-750ac9621db9/TSUS_Rules_and_Regs_thru_02-07-19.pdf) contains the policy with which the university functions.

02.04 University Business – the operation of the university in carrying out its mission. All communication described in this policy refer to those made in the course of university business.

**03. PROCEDURES FOR HANDLING ROUTINE CONTACTS**

03.01 Only the TSUS Board of Regents, the TSUS, vice presidents, the director of Athletics, and the president have the authority to commit the university to a particular course of action, position, or policy. This authority may be delegated to other university employees only by specific direction. This authority cannot be implied or presumed to exist in others.

03.02 University faculty and staff employees receiving routine contacts and requests for information from persons representing governmental agencies should comply with those requests promptly, fully, and accurately.

03.03 University faculty and staff employees may initiate routine contacts and requests for information with persons representing governmental agencies.

**04. PROCEDURES FOR HANDLING EXCEPTIONAL CONTACTS**

04.01 University faculty and staff employees receiving exceptional contacts or requests for information from persons representing governmental agencies should comply with those requests, unless to do so would:

a. without authorization, purport to commit the university to a particular course of action, position, or policy;

b. be unlawful or otherwise exceed the scope of authority of the university employee;

c. violate the standards of conduct for university employees established by the TSUS Board of Regents; or

d. require substantial research or interfere materially with the university employee's discharge of their duties and responsibilities.

04.02 If complying with an exceptional request would commit the university to a particular course of action, position, or policy outside the scope of authority of the employee or is otherwise outside the scope of authority of the employee, the employee should explain their lack of authority to the requestor and refer the requestor to the person with authority to comply with the request. If the employee is not sure which office is best able to assist, they should consult with their vice president regarding the appropriate referral.

04.03 If complying with an exceptional request would materially interfere with the employee's duties, the employee should courteously explain that they must clear the request with their supervisor before responding. If complying with an exceptional request would be unlawful, the employee should decline the request and inform their supervisor of the request in a timely manner.

04.04 When university faculty or staff employees receive an exceptional contact or request, they should summarize the contact for their immediate supervisor, and forward the summary through channels to the appropriate vice president.

04.05 University faculty and staff employees may initiate exceptional contacts with state agencies provided those contacts do not:

a. without authorization, purport to commit the university to a particular course of action, position, or policy;

b. otherwise exceed the employee's scope of authority; or

c. violate the standards of conduct for university employees established by the TSUS Board of Regents.

04.06 In all cases in which university faculty or staff employees initiate exceptional contacts or requests, they should, whenever practical, clear that contact or request with their supervisor in advance. When advance clearance is not practical, they should summarize the contact, in a timely manner, to their supervisor, and the contacts should be explained through channels to the appropriate vice president.

**05. REVIEWERS OF THIS UPPS**

* 1. Reviewer of this UPPS includes the following:

Position Date

Chief of Staff and Vice President December 1 E6Y

**06. CERTIFICATION STATEMENT**

This UPPS has been approved by the following individuals in their official capacities and represents Texas State policy and procedures from the date of this document until superseded.

Chief of Staff and Vice President; senior reviewer of this UPPS

President