LEGISLATIVE ADVOCACY: REGENTAL DELEGATION OF AUTHORITY
UCOP Policy Regarding Contact with State/Federal Officials

Periodically, UC campus administrators, staff, and faculty may be asked by a Legislator or state agency to take a position on a bill currently moving through the legislative process; or a UC representative may wish to make their personal opinion known regarding a piece of legislation. However, the Regents Bylaws and Presidential policy are very clear that no UC campus administrator, faculty, or staff member has the authority to comment on legislation for the University using their UC credentials, unless specifically authorized to do so by the Regents or President.

First, the UC Board of Regents Bylaws state that the Regents delegate authority to the President of the University only to oversee operations:

> **Bylaw 22.1 Authority/Delegation.**
> Pursuant to Article IX Section 9 of the Constitution of the State of California, the full powers of organization and government of the University inhere in and originate with the Board, which has the authority to delegate those powers as it determines to be in the best interest of the University…. The Regents hereby delegate authority to the President of the University to oversee the operation of the University, in accordance with policies and directives adopted by the Board, and as further specified in Bylaw 30 (President of the University)….

Specifically, the Regents delegate University representation before state government to the President only:

> **Bylaw 30. President of the University**
> The President of the University is appointed by and serves at the pleasure of the Board, and exercises authority delegated by the Board pursuant to Bylaw 22.1…. The President serves as principal administrative spokesperson for the University, promoting the University's interests and managing its reputation with external stakeholders. Except as may be otherwise provided in the Bylaws or as may be within the authority of a Principal Officer, the President represents the University before the executive and legislative branches of the state and federal governments, and of any foreign governments.

Additionally, UC Presidential Policy states:

> When corresponding with State and Federal officials, University letterhead should be used only when the writer is representing the University; letters expressing personal views should be written on personal stationery. A carbon copy of University letterhead correspondence with principal State and Federal officials, including members of the Congress and the Legislature, should be sent directly to the Sacramento or Washington Office, as appropriate….

Employees may not act, or give the appearance of acting, on behalf of the Laboratory or the University when communicating with State or Federal officials unless they are authorized to do so….

When employees give opinions as independent professionals, they must state clearly that they are speaking for themselves and not on behalf of the Laboratory or the University of California.

In summary, UC campus employees may take personal positions on bills, <u>but they may not do so on University letterhead, using the UC or campus seal, or in a way that creates an appearance that they are speaking on behalf of the University.</u>

For example, if a Dean of the School of Public Policy at UC Riverside wanted to take a position on legislation, they could do so only on personal letterhead as a private individual, and may use their title for identification purposes only but must clarify that their position is their own and not that of the University of California. e.g., "Title for identification purposes only; this endorsement is made in a personal capacity and does not represent the views of UC."

For additional guidance from the UCOP General Counsel: https://ucop.edu/state-governmental-relations/advocacy/index.html

For the policy on contacts with State & Federal Officials:

https://policy.ucop.edu/doc/1200368/FacilPolitActiv

https://policy.ucop.edu/doc/6000437/ReltnswFedStateOfficials

Frequently Asked Questions: