



MONTANA UNIVERSITY SYSTEM
OFFICE OF THE COMMISSIONER OF HIGHER EDUCATION

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MONTANA UNIVERSITY SYSTEM
COMMISSIONER INTERPRETATION OF STATE LAW OF THE COMMISSIONER OF
HIGHER EDUCATION

MUS EMPLOYEES WHO SEEK OR HOLD PUBLIC OFFICES

EFFECTIVE: DECEMBER 20, 2011

This directive applies to all employees at the Office of the Commissioner of Higher Education and to the employees of the campuses, affiliates, and agencies of Montana State University and The University of Montana.

Employees of the Montana University System (MUS) are a dedicated group of individuals who contribute to their communities and their state in many ways outside their MUS job duties and responsibilities. Sometimes such outside service is the commendable decision and sacrifice to serve in elected public office. The following protocols are applicable to all MUS employees who seek or hold an elected public office:

1. An employee of the MUS may not receive salaries from two separate public employment positions that overlap for the hours being compensated (2-2-104 Montana Code Annotated). For the sake of accountability and transparency, this Commissioner's directive establishes that no institution or agency of the MUS shall pay wages or salary or stipends to a state legislator at any time during a regular or special session of the Legislature.
2. An unpaid leave of absence is available for MUS employees who serve in city, county, or state public offices in accordance with the terms of 39-2-104 Montana Code Annotated. The employee shall submit the leave request to the president of the employing university. If the employee is employed at an affiliate campus, the request shall be submitted to the campus executive, who shall forward it to the president of the university.
3. An employee who runs for or serves in public office must comply with all statutes and MUS policies relating to conflicts of interest, ethical requirements, and applicable prohibitions on related use of MUS paid time, equipment, supplies and personnel. Outside service in elected public office is separate from the employee's assigned duties and responsibilities in the MUS.

MUS Chief Legal Counsel and Associate Commissioner for Human Resources shall have the responsibility of fielding questions or concerns that arise in relation to these protocols.

History: Adopted by Commissioner Sheila M. Stearns December 20, 2011.

[Executive Orders are directives, official interpretations and guidance issued by the Commissioner of Higher Education; they remain in effect as system directives until withdrawn or revised by the Commissioner or superseded by action of the Board of Regents].