

# Posting and Distribution of Written Materials on Campus

No. 7-10

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## I. REFERENCES

PPM 5-38, Use of Facilities for Events

PPM 5-39, Use of Facilities for Expressive Activity

## II. DEFINITIONS

1. Commercial materials: All materials intended in whole or in part for the personal financial profit of the person, organization, or institution engaged in the speech.
2. Distribution: Handing out or otherwise disseminating flyers, pamphlets, leaflets, or similar items on property controlled by Weber State University.
3. Material: All printed, written, painted, photographic, or other material conveying ideas by whatever means produced or reproduced.
4. Posting: Materials to be posted or the attaching, hanging, or displaying in any manner whatsoever material on property owned or controlled by Weber State University.
5. Student Organizations – Those organizations of students authorized and established by [PPM 6-22, Student Code \(https://www.weber.edu/ppm/Policies/6-22\\_StudentCode.html\)](https://www.weber.edu/ppm/Policies/6-22_StudentCode.html), Section V. and registered with the University.
6. University community: University faculty, staff, students, agents, registered student organizations, and University organizations.
7. University organization: University administrative divisions and departments, and academic schools/colleges, centers, or departments.
8. Building steward: Those individuals in each building who are authorized to regulate building and space usage. For purposes of outdoor spaces, the “building steward” shall be Shepherd Union Scheduling, Events, and Conferencing (“SEC”).

## III. SCOPE

1. This policy sets forth conditions and procedures for posting and distributing written materials on campus in order to:
  - a. protect the University’s interest in providing space for communication regarding programs, events and services of interest to the University community and in fulfillment of the mission of the University;
  - b. protect other University interests, such as preventing undue clutter; limiting confusion resulting from the proliferation of postings; preventing damage to building finishes; promoting an attractive, orderly, safe, and environmentally sensitive campus; coordinating multiple uses of limited space including preserving the opportunity for multiple perspectives to be shared; and other legitimate interests.
2. Not all University space is available for posting of materials on campus. Space made available for posting of materials is limited to particular groups or for particular uses, as described herein, which shall be governed by reasonable, viewpoint-neutral restrictions, taking into consideration the legitimate interests of the University.
3. Materials that are not constitutionally protected materials, such as those that are obscene, defamatory, convey a serious expression of intent to commit an act of unlawful violence against a particular individual or particular group of individuals, incite or produce imminent lawless action and that is likely to incite or produce such action, materially disrupt, obstruct, or interfere with University activities, violate any law or illegally infringe on the rights of any other individual, or materials that damage university or private property or that disclose confidential information without appropriate authorization may not be posted or distributed on campus.
4. All persons, including administrators, faculty, students, employees, invitees or guests on the University campus, are subject to applicable federal and state law and university regulations. Those who violate the law or regulations while on the campus are subject to prosecution in the courts by appropriate governmental officials or other appropriate penalties.
5. This policy is not intended to apply to the University in conducting its official University operations. The University through its organizations may place signs, labels, and post materials in its discretion where it enhances the operations of the University and in connection with official University business, activities, and events, which may be subject to internal rules or guidelines. Usage of the campus in this way does not create a public, limited, or designated forum for speech. Specifically, but in no way limiting this paragraph, the following areas are only available for usage by University organizations for University purposes, unless otherwise expressly authorized by the University:
  - a. Permanent exterior building signage attached to a structure, which are standardized and fall under the direction of Facilities Management.
  - b. Bulletin boards, easels, kiosks, and brochure displays that are maintained by University organizations, and signage within and appurtenant to academic areas, such as classroom walls, doors, writing boards, and windows.
  - c. University webpages and digital signage.
  - d. Sidewalks or other University approved surfaces for purposes of using chalk, paint, or similar materials to communicate to the campus community.

## IV. POSTING

1. PROHIBITED LOCATIONS. Posting of materials may only be made in locations and by individuals or groups as designated herein. Except as otherwise permitted herein, no material may be placed on, attached to, or written on any structure or natural feature of the campus, including, but not limited to, interior walls, doors, elevators, the sides of buildings, windows, the surface of walkways or roads, fountains, posts, permanent signage, waste receptacles, lawn, trees, or on others’ vehicles parked on campus. Posting of materials may not overlap other materials.
2. OUTDOOR POSTINGS:
  - a. Members of the University community may post non-commercial materials on outdoor bulletin boards, kiosks, and display racks expressly designated for such usage. SEC will adopt reasonable, viewpoint neutral rules for outdoor posting, consistent with University policy. This may include, but is not limited to, rules regarding size of postings. Those outside the University community may post materials on outdoor bulletin boards specifically designated for such postings.
  - b. WSUSA and authorized student organizations may post non-commercial materials on lawn areas only in tree rings and shrub beds, or in other areas designated by Facilities Management. Facilities Management may create other reasonable, viewpoint neutral rules in coordination with SEC, to protect University property or other University interests.
  - c. WSUSA and authorized student organizations may utilize A-frame signs for non-commercial purposes in accordance with reasonable, viewpoint neutral rules consistent with this policy, in locations approved by Facilities Management.
  - d. A proliferation of outdoor postings creates problems with traffic, clutter, lawn care, and aesthetics. As such, SEC may limit the number of postings permitted at one time, taking into consideration the aggregate number of postings requested by all posters. Such regulation shall be viewpoint neutral and consistent with this policy.

e. No temporary outdoor posting shall be permitted in close proximity to any water feature. (Ten feet minimum.)

f. Usage of large stakes or fence posts are prohibited for posting outdoor postings.

### 3. INDOOR POSTINGS:

a. Members of the University community may post non-commercial materials on indoor bulletin boards and kiosks expressly designated for such usage. Indoor postings are regulated by the building steward of each building. Each building steward will adopt reasonable, viewpoint neutral guidelines for posting inside buildings, consistent with

University policy. This may include, but is not limited to, rules regarding size of postings. Those outside the University community may post materials on indoor bulletin boards specifically designated for such postings.

b. Building stewards may limit the number of postings permitted, taking into consideration the aggregate number of signs requested by all posters. Any such regulation shall be viewpoint-neutral and consistently applied.

c. WSUSA and authorized student organizations may post non-commercial banners indoors as approved by building stewards, in accordance with reasonable, viewpoint neutral rules consistent with this policy, and with approval by Facilities Management to ensure protection of University property.

### 4. OTHER CONSIDERATIONS:

a. Materials must be affixed with substances approved by the University, such as easily removable painters tape with tape not visible.

b. Materials for commercial purposes or by non-University community individuals or groups are only permitted on designated bulletin boards or kiosks and may be subject to a fee.

c. Announcements of approved on-campus events by non-University community individuals or groups, or directions to such events, may be posted in locations as approved by building schedulers, subject to reasonable viewpoint neutral rules consistently applied.

d. Student Involvement and Leadership, in coordination with SEC and Facilities Management, may create reasonable, viewpoint neutral rules and procedures for the posting of campaign posters, signs, and banners, which may include exceptions to this policy permitting additional election related signage on campus during a designated period leading to WSUSA elections.

### 5. REMOVAL OF MATERIALS:

a. Materials advertising an event may be posted up to fourteen (14) calendar days prior to an event and must be removed within twenty-four (24) hours after the event ends.

b. Materials not advertising an event must be removed within fourteen (14) calendar days after posting.

c. A visible expiration date shall be stamped by SEC or its designee on all materials. University maintenance personnel or other University officials may remove any postings which do not contain a visible expiration date as defined by this section.

d. Building stewards may grant permission to post signs for a period longer than described herein where it is shown that there is good reason for the sign to remain in place for a longer period. Such decisions shall be reasonable, viewpoint neutral and consistently applied.

### V. DISTRIBUTION

Distribution or temporary display of non-commercial materials in coordination with expressive activity is allowed on the same basis as utilizing space for expressive activity and under the same time, place, and manner conditions as described in PPM 5-39, Use of Facilities for Expressive Activities. Persons wishing to reserve a particular space to maintain a table or display material should also consult PPM 5-38, Use of Facilities for Events. Individuals may not interfere with or impede the flow

of pedestrian or vehicular traffic at any point on campus. Persons may not distribute materials to individuals driving vehicles. Persons creating such hazards may be cited by campus police under appropriate state laws.

### VI. COMMERCIAL MATERIALS

Retailing, commercial solicitation, canvassing, sponsorship, and marketing activities of any product or service on campus are generally prohibited, except as provided under University vendor guidelines, which will be available from SEC.

### VII. PENALTIES/ASSESSMENT OF REASONABLE COSTS OF CLEANUP OR REPAIR OF DAMAGE

1. The University maintains the authority to remove materials not properly approved or posted consistent with this policy.

2. The University shall have the authority to enforce this policy including the collection of reasonable costs or damages associated with any violation of this policy by withholding of monies budgeted for organizations, money due to an individual or organization responsible, or through civil or criminal judicial proceedings. Other action may be taken in accordance with the Student Code, other University policies, or as allowed by applicable laws and regulations. The University may charge a cost for cleanup of abandoned materials.

3. Any person or organization shall be personally responsible for the content of any materials they post or distribute on campus. Any person or organization that posts or distributes materials on campus agrees to hold the University harmless for any damages or liabilities incurred as a result of the posting or distribution. The University makes no warranties with respect to the safety of any materials posted and will not be responsible for damage or vandalism of materials.

### VIII. POLITICAL CAMPAIGN ADVERTISEMENTS

The University does not endorse any political party or any candidate for political office. Posting or distribution of campaign material by the University for a political party or candidate for federal, state, county or city office or position, or any political postings that would jeopardize the University's IRS standing or violate other law regarding political activity, is prohibited.

### IX. MONITORING/MANAGEMENT

Building stewards must submit a list of bulletin boards or kiosks made available for posting in their buildings to SEC, along with a description of the designated usage of the bulletin board or kiosks and the rules or guidelines governing use of those bulletin boards or kiosks. SEC shall provide training and assistance to building stewards to assist them in complying with this policy.

Building stewards are responsible for monitoring designated bulletin boards or kiosks, in accordance with this policy. SEC and building stewards shall work with individuals or organizations to identify appropriate locations for posting. If questions or concerns arise about the applicability or management of this policy, including concerns that materials are posted in an

inappropriate location or contain content that is prohibited under this policy, individuals and building stewards should contact SEC. In emergency situations, contact University Police. A list of building stewards shall be available from SEC. All regulations to be created as described herein shall be made available to anyone wishing to post on University property.

### X. APPEAL RIGHTS

Questions?

Any person or group that is aggrieved by a decision of the University under this policy or that believe their expressive rights were violated must appeal the decision to the Vice President for Student Access and Success or designee ("VP"). The VP will promptly schedule a time to meet with the aggrieved person, allow them to present the reasons for their appeal, then shall contact the involved University personnel for further information. The VP shall then attempt to resolve the matter to the satisfaction of all interested persons. If a resolution is not reached the VP shall then issue a written decision.

XI. EXCEPTIONS

Exceptions to this policy may only be made upon approval by the Vice President for Student Student Access and Success. Any exceptions and the reasons therefore will be documented in writing. A record of all exceptions granted shall be maintained for at least three years.