

Office/Contact: University Student Union

Source: SDBOR Policies 4:27, 6:13, 6:14; University Policy 9:1

Link: <https://www.sdbor.edu/policy/documents/4-27.pdf>, <https://www.sdbor.edu/policy/documents/6-13.pdf>, <https://www.sdbor.edu/policy/Documents/6-14.pdf>;

<https://www.sdstate.edu/sites/default/files/policies/upload/Institutional-Sponsorship-and-Advertising-for-Gaming-and-Alcoholic-Beverages.pdf>

Associated Forms: [Approved Non-Residence Hall Posting Locations](#); [Posting Denial Appeals Form](#)

SOUTH DAKOTA STATE UNIVERSITY Policy and Procedure Manual

SUBJECT: Campus-Wide Posting

NUMBER: 6:9

1. Purpose

This policy and its procedure set forth the guidelines on authorizing the placement of flyers, broadsides, bills, posters, and like publications on the designated bulletin boards on campus to fulfill the University's mission, its commitment to the Drug-Free Workplace Act of 1988 and Drug-Free Schools and Communities Act Amendments of 1989, its proprietary interests, and its obligation to adopt sound educational, research, and service policies, and to that end, prevent material disruptions of the work and discipline of the University in this limited forum.

2. Definitions

- a. Information Exchange: the Information Exchange in the University Student Union, or successor entity, charged with providing information services for University students and the general public.
- b. Officially Recognized Organization: a University department, office, college, Affiliated Entity, registered student organization, or official committee.
- c. Posters: include flyers, broadsides, bills, banners, placards, notices, posters and other like postings not covered by the University Facilities and Services' Signage Policy and not posted for emergency or public safety reasons by authorized University personnel.
- d. Affiliated Entity: organizations, such as the SDSU Foundation, whose legal purpose includes support of the University and its activities, organizations that have been authorized by the University to use its name and marks, as well as the State of South Dakota and its political subdivisions, and their instrumentalities.
- e. Chalking: the use of water-soluble chalk on concrete sidewalks on campus by an Officially Recognized Organization in order to convey a non-commercial expression.

3. Policy

- a. Information Exchange in the University Student Union, or its successor unit, is responsible for authorizing campus-wide posting on the designated posting boards. Any

Posters that do not have the approved Information Exchange seal in the lower left corner will be removed by a University designee, after conferring with Information Exchange. The Information Exchange's seal does not itself constitute a University endorsement or approval of the speech, expression, or actions of the Officially Recognized Organization and/or event depicted on the Poster.

- b. In order to obtain the seal from Information Exchange, the following criteria must be met:
 - i. The Poster must depict a specific event or service that is to be held on a definite date—or during a specified timeframe that begins—within thirty (30) days of the day Information Exchange authorization is sought;
 - ii. The Poster must depict an event or service that is open to the University community;
 - iii. The event or service depicted must relate to the purpose of, and be sponsored by, an Officially Recognized Organization;
 - iv. The Poster cannot have the following:
 1. Promotion of alcohol in a manner that violates SDBOR and University policies regarding advertisements by alcohol-related businesses and alcoholic beverages, including University Policy 9:1;
 2. Promotion of an event that violates SDBOR and University policies regarding advertising of events where alcoholic beverages will be provided, including SDBOR Policy 4:27;
 3. Promotion of other unauthorized or illegal drug use, or other illegal activity;
 4. The use of obscene words, images, or concepts, including explicit sexual material, or any other speech not protected by the First Amendment;
 5. The use of vulgar, lewd, or indecent speech (i.e., profanity);
 6. Advertisements that compete with Dining Services or the University Bookstore; and
 7. University marks, unless the Poster meets the applicable University Marketing & Communications' Graphic Identity Standards, or succeeding authority. Questionable use of University marks will be referred to the Director of University Marketing & Communications, the signed, written approval of the Director or the Director's equivalent, or the Director's designee, shall be required.
 8. University copyrighted images, unless the proper release has been obtained from the Office of Technology Transfer and Commercialization.

- v. The Poster's size cannot exceed 12 inches by 18 inches (12" x 18"); and
 - vi. The Poster may not be enlarged or substantively altered so as to take the Poster out of compliance with this Policy by the Officially Recognized Organization after receiving authorization from Information Exchange.
- c. Posters must be hung on the designated bulletin boards in each non-residence hall, with one Poster for each board. Please reference the document entitled, *Approved Non-Residence Hall Posting Locations* to obtain a listing and location of the bulletin boards. Posters not hung on the designated boards, and any additional Posters hung on designated boards, will be removed as provided above.
- d. In order to obtain authorization to hang Posters in Residential Life-controlled buildings, the Officially Recognized Organization must first receive the authorizing stamp of Information Exchange. Once received, the Organization must then obtain the permission of a second authority, the Office of Housing and Residential Life ("Residential Life"), located in Caldwell Hall, or its successor.
- i. The above policy does not apply to materials that may be left on a table in each residential hall lobby for promotion of off campus businesses or organizations. Such materials need the permission of Residential Life and the particular Residence Hall Director, but the materials must nevertheless be consistent with all other Residential Life and SDBOR/University policies.
 - ii. The above policy also does not apply to advertisements or publications placed in student mailboxes, which must follow guidelines noted in Residential Life's advertising and publicity, mail, and solicitation policies.
- e. Any content on Posters related to upcoming elections must comply with all laws regulated by the United States Federal Election Commission and the South Dakota Secretary of State's Office.
- f. The Officially Recognized Organization that hung the Posters or sponsored the event or service depicted on the Posters must take them down immediately after the event or service ends. Failure to remove the Posters within five (5) days of the end of the event or service will result in the Posters' removal by University personnel as provided above.
- g. The Officially Recognized Organization shall be responsible for providing a contact for answering questions about accessibility for individuals with disabilities and for receiving questions about accommodations for any University-sponsored or University-endorsed event open to the public. The Organization must designate this contact, including their contact information, in a statement on all Posters. The Organization shall use the accessibility accommodation statement in University Policy 5:14 as a template.
- h. Failure to adhere to any of the above criteria may result in the Officially Recognized Organization's temporary suspension of posting privileges by Information Exchange, and/or referral to the appropriate body for other disciplinary actions should the violation constitute a breach of any of the following: SDBOR Policies 3:4, 4:1, 4:4, and 4:14; University Policy 3:1; and other applicable policies.

- i. Information Exchange approval or disapproval of Posters will not be based on the ideological, political, or religious beliefs of the Officially Recognized Organization. The University may not discriminate against any Officially Recognized Organization based on the content or viewpoint of their expressive activity.
- j. Chalking, as strictly defined, is permitted only on concrete sidewalks owned and maintained by the University at least twenty (20) feet from the entrance to any building. Spray chalk, semi-permanent, or permanent materials or paints are prohibited. The name of the Officially Recognized Organization must be legibly depicted on the Chalking. The Chalking cannot depict those themes prohibited in subpart 3(b)(iv) above. The University reserves the right to clean or remove any chalking that violates this policy or that exists after the event or service depicted on the Chalking has transpired. The University reserves the right to assess any financial charges associated with the cleaning or removal of chalking done in violation of this policy to the person(s) or group(s) responsible for the chalking. Overwriting, erasing, defacing, or altering the Chalking of another Officially Recognized Organization is prohibited.

4. Procedures

- a. Officially Recognized Organizations shall submit to Information Exchange all true and correct copies of the Posters they intend to hang before they may obtain authorization to hang the Posters.
- b. Information Exchange shall conduct a timely review of the Poster's adherence to the criteria outlined in Part 3(b) and, if met, shall place a stamp in the lower left corner of each Poster indicating authorization to place one (1) Poster at each location denoted in the *Approved Non-Residence Hall Posting Locations* document, and also indicating authorization to obtain permission from Residential Life for placement at residence halls. Information Exchange shall electronically scan a copy of the stamped Poster and retain it in its records in accordance with the SDBOR Records Retention Manual.
- c. For rejected Posters, Information Exchange or Residential Life shall provide timely feedback on the basis for its rejection and any suggestions for compliance, in writing, to the Officially Recognized Organization's contact provided to Information Exchange. The decision of Information Exchange, or Residential Life, shall be appealable to the Senior Director of the Student Union within five (5) calendar days of the receipt of the written rejection. The written rejection must accompany the appeal, and the appeal must state specific facts that, if proven, would demonstrate that either the denial was based upon an incorrect assessment of material fact, or the denial involved a misinterpretation, misapplication or violation of the requirements of applicable law or SDBOR/University policy. The Senior Director of the Student Union will respond to such appeals via e-mail within two (2) working days after receipt by the University.
- d. Any violations of this policy shall be processed under the following policies applicable to the status of the alleged violator: for students, University Policy 3:1; for University employees, the SDBOR disciplinary policy applicable to their employment classification (e.g., faculty, CSA, NFE); and for all other individuals, University Policy 10:8.

5. Responsible Administrator

The Vice President for Student Affairs or designee is responsible for the annual and ad hoc review of this policy and its procedures. The University President is responsible for approval of this policy.

SOURCE: Approved by President on 10/03/2019. Revised; Approved by President on 2/25/2020. Revised; clerical edits only on 08/01/2020. Revised; Approved by President on 10/13/2020.