Office/Contact: University Marketing and Communications

Source: SDBOR Policies 1.7.6 and 7.1; University Policies 3:10, 7:10, 7:12 and 9:3

Link: <https://sdbor.edu/policy/>; <https://www.sdstate.edu/sites/default/files/file-archive/2019-01/Student%20Organizations.pdf>; <https://www.sdstate.edu/sites/default/files/2017-09/user_account_creation_management.pdf>; <https://www.sdstate.edu/sites/default/files/2017-09/technology_purchases.pdf>; <https://www.sdstate.edu/sites/default/files/policies/upload/Trademarks.pdf>

Associated Resources: [University Graphic Identity Standards](https://www.sdstate.edu/university-marketing-communications/graphic-identity-standards/official-mailing-labels-and-name); [University Brand Toolbox](https://www.sdstate.edu/university-marketing-communications/university-brand-toolbox)

**SOUTH DAKOTA STATE UNIVERSITY**

**Policy and Procedure Manual**

SUBJECT: Communications and Branding

NUMBER: \_\_\_\_\_\_\_\_\_\_

1. Purpose

This policy and its procedures set forth the University protocols implementing the SDBOR Communications and Branding Policy 1.7.6 that requires the University to set standards and expectations for University communications and directs the creation of brand management standards to preserve and protect a cohesive message and image.

1. Definitions
   1. The policies and definitions set forth in [SDBOR Policy 1.7.6](https://public.powerdms.com/SDRegents/tree/documents/1778536) are fully incorporated herein by this reference. This policy applies to Official Communications in all channels and mediums whether physical or electronic.
   2. Registered Student Organization: Student organizations that have met and maintain the requirements set forth in University Policy 3:10.
2. Policy
   1. Brand Standards
      1. University Marketing and Communications, or successor, is responsible for establishing, coordinating, maintaining, publishing, and enforcing University and any approved unit brand standards through the University *Graphic Identity Standards* which shall, at a minimum, include designation and guidelines for use of the University’s Graphical Marks, motto, and typefaces. University and unit brand standards are subject to approval by the University President.
      2. University Marketing and Communications is responsible for ensuring the registration, protection, control, licensing, distribution, and approval of use of the University’s name, image, and Graphical Marks (collectively “Marks”), including but not limited to trademark or copyright on behalf of the SDBOR.
      3. University Marketing and Communications is responsible for registering trademarks, logos, wordmarks, symbols, and other Graphical Marks with the South Dakota Secretary of State’s Office or the United States Patent and Trademark Office, and with any other entities required by state or federal law on behalf of the SDBOR. Trademarks and other intellectual property rights are owned by the SDBOR on behalf of the University and its units.
         1. State and federal laws require that the SDBOR and University actively safeguard registered trademarks from improper use in order to protect their legal ownership interest in them.
         2. University Marketing and Communications is responsible for monitoring infringement and receiving notifications of suspected infringement. If infringement is suspected, University Marketing and Communications is responsible for taking action to prevent infringement and seeking assistance of the University Office of General Counsel to initiate any appropriate legal action.
      4. University Marketing and Communications is responsible for the general oversight of the University’s trademark and licensing program in cooperation with the Office of Finance and Budget as directed by the University President.
         1. University Marketing and Communications manages and approves the use of Marks in conformity with the *University Graphic Identity Standards*, and approval of products bearing University Marks.
         2. The Office of Finance and Budget, or designee, is responsible for vendor transactions, related management of University trademark licensing agreements, and the collection, processing, appropriate distribution, and accounting for licensee payments. University Marketing and Communications and the Office of Finance and Budget work cooperatively on the approval of vendors under the University trademarks and licensing program.
      5. Use of Marks
         1. Registered Student Organizations in good standing are authorized to use Branded Content in accordance with the University’s *Graphic Identity Standards, University Brand Toolbox,* or subsequent University adopted branding and communications materials*.* Registered Student Organizations using University Branded Content on any formal communications must identify that the student organization is an independent organization and comply with all applicable policies and procedures.
         2. The University President, or designee, may approve a third party’s use of the University’s Marks on the condition that the third party agrees to comply with all University brand standards set forth in the University *Graphic Identity Standards, University Brand Toolbox,* and the trademarks and licensing program as applicable.
            1. Third-party use of a University Mark as the brand or message identifier of the third party is prohibited.
            2. Third-party use of Marks must be authorized in writing.
         3. Funds generated from licensing University Trademarks may be invested at the SDSU Foundation and will be used in accordance with SDBOR policies, as approved by the University President. Funds generated by licensure of Trademarks registered and owned by the SDBOR on behalf of internal University units may be distributed to both the University and the associated internal unit(s), at rates agreed upon by the parties and approved by the University President. Once distributed, use of the funds will be at the discretion of each office in conformity with the University President’s prior approval and applicable policies and laws. Any conflicts related to the distribution of funds between the University and internal

units will be determined by the University President.

* + - 1. Marks of the University may not be used in product endorsements.
    1. The University President, or designee, may approve of co-branding with a third party for shared functions or activities. Shared functions or activities include, but are not limited to:
       1. Acknowledgements, sponsorships, and promotions where the University is approved as one of multiple sponsors of an event or activity;
       2. Memberships where the University is a member of a professional association or athletic conference; or
       3. Approved collaborations or joint ventures between the University and a third party.
    2. Modifications or distortions to the University’s established brand standards are prohibited, absent prior written approval of the University President or designee.
    3. The University President, or designee, may, in limited circumstances, approve a Mark that does not contain University Marks. Such approvals are limited to:
       1. Joint ventures where the University has entered into a legal joint venture agreement establishing a separate legal entity for which, by agreement of the parties, a distinct Mark will be beneficial to all parties;
       2. An entity that is controlled by the University but has functions or activities separate from the University; or
       3. An entity that is controlled by the University and a distinct Mark would improve the competitive capacity of the entity to market itself.
  1. Official Communications Standards
     1. General Provisions
        1. University Marketing and Communications is responsible for establishing, publishing, and enforcing the standards for the Official Communications in all mediums of the University, University units, and/or employees, including but not limited to, physical communications, University email, web sites, text messaging, and social media platforms.
        2. The University's *Graphic Identity Standards* and *University Brand Toolbox* set forth the requirements for use of Marks in communications and standards.
           1. University employees, units, or authorized Registered Student Organizations may only use the designated University Marks in Official Communications.
        3. When communicating via letterhead, email, or other formats, including but not limited to websites, telephone, or social media platforms, employees shall take reasonable steps to ensure that it is clear when they are speaking in their capacity as a private citizen and when they are speaking in their capacity as a University employee or representative.
        4. Contact information for a University unit originating an Official Communication must be clearly denoted in the communication (e.g. signature block, Contact Us page, etc.). To maintain consistent branding and message standards across all forms of Official Communications, contact information as limited by SDBOR Policy 1.7.6 will include at a minimum:
           1. Name of originating unit;
           2. Email address for originating unit (as applicable);
           3. Physical address;
           4. Mailing address;
           5. Telephone number(s);
           6. Web links to official institutional websites pages and official University social media platforms (if applicable); and
           7. Primary institutional logo as set forth in the *Graphic Identity Standards*.
        5. Inclusion of information, graphics, or links not listed in this section is prohibited.
     2. Employee Communications Standards
        1. University email accounts, letterhead, and other communication materials are to be used in accordance with the business of the SDBOR or the University and for purposes directly related to an employee’s position and/or job functions, and not for conducting personal business.
           1. The provisions of this section do not apply to email accounts assigned to students who are also employed by the University but are not assigned a University employment email account. If a student-employee’s job function requires regular use of email as a function of the student-employee’s assigned job duties, the institution shall provide an employee email account for the student-employee that is subject to the requirements of this section.
        2. Incidental personal use of an employee email account may be permitted at the discretion of an employee’s supervisor, subject to applicable sections of Section 4 (Human Resources) and Section 7 (Technology) of the SDBOR Policy Manual, and other applicable policies.
        3. Contact information for an employee originating an Official Communication must be clearly denoted in the communication. To maintain consistent branding and message standards across all forms of Official Communications, contact information as limited by SDBOR Policy 1.7.6 will include at a minimum:
           1. Name of originating employee (may include educational credentials or degrees earned as applicable to the employee’s position duties);
           2. Job title of originating employee;
           3. Name of unit;
           4. Email address for originating employee (as applicable);
           5. Email address for unit (if applicable);
           6. Physical address or Mailing address;
           7. Telephone number(s);
           8. Weblinks to official institutional website pages and official University social media platforms;
           9. Primary institutional logo as set forth in the Graphic Identity Standards;
           10. Professional disclosures relevant to advising a communications recipient about disclosure requirements or recognized legal privileges associated with the communication, provided such disclosures are within the scope of the originating employee’s employment.
        4. Inclusion of information, graphics, or links not listed in this section is prohibited.
        5. When communicating via formats other than letterhead or email, such as formats including but not limited to telephone or social media platforms, employees shall take reasonable steps to ensure that it is clear when they are speaking in their capacity as a private citizen and when they are speaking in their capacity as a University employee.
     3. Websites, Social Media, and Other Electronic Communications
        1. The provisions found in all other applicable policies including but not limited to University Policy 7:14 University External Websites, University Policy 7:1 Acceptable Use of Social Media, and all University and SDBOR policies applicable to internal web portals and IT resources, text messaging, and social media on behalf of the University are applicable.
  2. Compliance
     1. Failure of an employee, unit, Registered Student Organization, or third-party entity to adhere to the requirements of this policy may result in the removal or revocation of authorization or license to utilize University Marks.
     2. Failure of a University employee to adhere to the requirements of this policy and provisions incorporated herein may result in discipline of the employee pursuant to Section 4 (Personnel) of the SDBOR Policy Manual.
     3. The requirements of this policy are subject to all other applicable SDBOR and University policies. Nothing in this policy is intended to abrogate the requirements of any other SDBOR or University policy.

1. Procedures
   1. Use of University Marks and Branded Content
      1. University employees or units seeking to use or have University or unit Marks adopted and registered or Branded Content must first obtain preliminary approval from the appropriate unit leadership.
      2. Units or employees must develop the concept project consulting the University’s *Graphic Identity Standards, University Brand Toolbox,* and related materials. Questions, clarifications, or support with Marks or Branded Content should be directed to University Marketing and Communications.
      3. The proposed project shall be submitted to University Marketing and Communications for review, processing, approval, or denial.
   2. Co-branding, Modification, and Non-University Marks
      1. Requests to co-brand with third parties, modify University Marks, or approve co- use of Marks that do not contain University Marks must be submitted prior to use to University Marketing and Communications.
      2. Within thirty (30) days of receiving the proposal University Marketing and Communications will review the proposal to determine its compliance with University standards and the University’s missions.
         1. If University Marketing and Communications recommends approval, the proposal will be forwarded to the University President with a writing justifying the recommendation.
         2. If the proposal is rejected by University Marketing and Communications, the requester will receive a written notice stating the reasons for denial, which is not appealable.
      3. Upon receipt of a proposal recommended for approval by University Marketing and Communications, the University President, or designee, will review the recommended proposal and approve, modify, or deny the request. Determinations of the President are not appealable.
2. Responsible Administrator

The Director of University Marketing and Communications, successor, or designee is responsible for the ad hoc review of this policy and its procedures. The University President is responsible for approval of modifications to this policy and its procedures.

SOURCE: Approved by President on \_\_\_\_\_\_\_\_\_\_\_.