



# Policy

## UNIVERSITY POLICY P-20.01-08/20

**TO:** The University of West Florida Community Dr. "

**FROM:** Martha D. Saunders, President "

**SUBJECT:** ~~6[ed]Tg[a` aX~~Written Material

**Responsible Office:** Office of the President

### I. Purpose

The purpose of this policy is to promote the University's educational mission and the public health, safety and welfare through the content neutral regulation of the time, place and manner of distribution of written material on the University campus so as to:

1. Reduce litter and landfill waste streams and to cultivate a campus atmosphere that supports a sustainable environment by means of reducing the amount of paper used for posting, eliminating use of products that have a negative impact on the environment, and encouraging recycling of materials;
2. Provide for pedestrian and vehicular safety and convenience by restricting unreasonable interference with the flow of pedestrian or vehicular traffic (including ingress into or egress from any campus building or thoroughfare);
3. Reduce visual clutter and promote the aesthetic quality of the University campus such that it be aesthetically pleasing and welcoming for students, faculty, staff, alumni, community members, and visitors. The campus should be free from excessive and abusive postings, chalking, and litter which defaces and depreciates the value of the grounds and facilities of the campus;
4. Provide for public and property safety during severe weather conditions;
5. Provide reasonable access for the use and maintenance of poles, posts, traffic signs or signals, hydrants and access used for public transportation purposes;
6. Maintain and preserve freedom of the press;
7. Protect the campus from commercial and promotional materials and activities sponsored by non-UWF entities and to protect the health, safety and welfare of the students and staff; and
8. Provide for the safe, orderly and cooperative staffed and unstaffed distribution of written material on the University campus.

### II. Applicability

This policy is applicable to all members of the University community, including students, faculty, staff, and visitors to the University, the University's facilities and events. This policy supplements other related University regulations and policies, including those

pertaining to the use of University facilities, other expressive activities on campus and commercial activities or solicitations.

### **III. Distribution**

The distribution of written material, including newspapers, handbills, leaflets, pamphlets, magazines, posters, and printed paper(s) will be permitted on University property in a manner that does not materially and substantially (a) disrupt University programs, classes, offices, events and studies; (b) interfere with the studies and work of students and employees; (c) jeopardize the safety and security of individuals and their property; and/or (d) harm the University's property and facilities.

### **IV. Conditions for Distribution**

Any individual, group or organization desiring to distribute written material on University property may distribute such materials under the following conditions:

1. There must be no material or substantial interference or disruption of normal operations of the University, including, but not limited to:
  - a. classroom instruction
  - b. administrative operations
  - c. the free movement of pedestrian or vehicular traffic
  - d. infringement on the rights of others
  - e. freedom from harassment as defined by law and applicable regulations and policies
  - f. forcing materials upon an individual
2. The individual, group or organization is subject to all laws and regulations of the County, State or nation that govern a person in the exercise of his/her rights of expressive activities. These laws include those related to defamation, obscenity, pornography, violent overthrow of the Government, or of the existing authorities, inciting to riot, anti-Semitism, hate speech or any other law or regulation validly limiting the exercise of expressive activities. Students or student organizations/groups at the University are also governed by the Student Code of Conduct.
3. To avoid littering the campus and creating potential safety hazards, written material may not be left in stacks unattended or left on the ground. See "Use of newsstands or news boxes" section below.
4. Distribution of written material within University buildings must adhere to the policies and procedures applicable to the areas for distribution. In the absence of such policies and procedures, distribution within University buildings is prohibited.
5. Distribution of written material is prohibited in University classrooms.
6. Unless the written material is in fact sponsored by the University or one of its departments or organizations, any written material which identifies the author and/or publisher as University personnel, or has subject matter, including photographs, which might imply to the reader that such publication is University or University personnel-sponsored, must contain the following statement prominently exhibited in the first three pages: "This publication is solely the expression of the author and/or

publisher and it is not an official publication of the University of West Florida. Nor is it in any way intended to express any policies or opinions of the University of West Florida, or its personnel.” Written material sponsored by a University department or organization will disclose that it is sponsored by the specified University department or organization.

7. Commercial written materials are governed by the UWF Regulation pertaining to commercial activities, selling of merchandise, activities involving off-campus vendors. Nothing stated in this policy is intended to modify or supersede the provisions set forth by the regulations and policies governing commercial activities and solicitation and selling of merchandise and activities involving off-campus vendors. The selling of written material is not permitted on campus except through news boxes or newsstands or as otherwise permitted pursuant to the regulation, policy and procedures regulating commercial activities, selling of merchandise, and activities involving off-campus vendors. This includes, but is not limited to, distribution of commercial material or advertisements, commercial solicitation on the University of West Florida property without prior approval, commercial literature of any kind on automobile windshields, posting of any commercial material, use of the University email system or University email in violation of UWF Policy IT-01.02-08/15 & SA-19.03-05/18.
8. No written materials may be distributed or placed on vehicles parked on University property except by University officials with permission from UWF Parking and Transportation Services.

## **V. General Provisions**

1. The University has the right to deny or remove any posting, material, individual or entity not in adherence with terms of this policy, regardless of promotional, commercial or informational nature.
2. All materials must be clear and legible, bear the name of the sponsoring UWF entity, if any, and provide event and current contact information.
3. Campus entities are responsible for immediate clean up and/or removal of materials that are in violation of terms of this policy; otherwise, materials are to be removed within 24 hours of completion of an event.
4. Any entity that posts, chawks, displays, or distributes in a way that damages university property is financially responsible for the damage.
5. Materials posted or distributed may not: glorify, edify, promote or support the use or sale of alcohol or illegal drugs; display trademarks and or brand names of alcohol or illegal drug products; contain material that is obscene or defamatory; be directed to incite or produce imminent lawless action; or violate any University policy, regulation, or local, state, or federal law.
6. Distributed material by UWF entities does not necessarily reflect the opinions, beliefs or practices of the University of West Florida.
7. UWF departments, offices or units may impose area-specific procedures for posting and promotions on their posting boards and or facilities so long as the minimum requirements of this policy are upheld.

8. Exceptions to the terms of this policy may be granted by the university President or designee in cases where the materials intended to be posted/distributed are directly related to the mission or goals of the university or to protect the safety and welfare of the university community.
9. Chalking. Chalking must be done with a water-soluble powdered substance, in open, horizontal areas that can be directly washed by rain. Chalking on vertical surfaces, sculptures, is prohibited.
10. Signs. Only University departments and student organizations may post free-standing outdoor sign or banners on campus. These signs must not interfere with access to buildings or facilities or obstruct visibility of drivers or pedestrians. Free-standing signs must be removed within 24 hours of the advertised event or program (if applicable) and may not be posted for more than two weeks.

#### **VI. Use of newsstands or news boxes.**

1. All written material sold or distributed without charge, which is left unattended, must be stacked in distribution boxes, stands or racks. Such boxes, stands or racks must be provided by or authorized by the managers of the building in which the boxes, stands or racks are located. No materials may be left unattended in outdoor areas.
2. All written material sold or distributed without charge, which is left unattended, shall be stacked in distribution boxes or stands no larger than standard newspaper vending machine size, constructed of either metal or wood with a bottom flooring.
3. All newsstands or boxes shall be kept in a neat and clean condition, and shall be used in a regular and periodic manner. Any stand or box not so kept and used may be removed and stored or disposed of by appropriate University personnel.
4. Materials left unattended in boxes, racks, or stands for more than one month may be removed by the managers of the relevant building.

#### **VII. Safety and Security**

Failure to adhere to this policy may result in immediate removal of the distributed or posted materials, prevention from continuing such distribution, billing for clean-up, disciplinary action, a trespass warning pursuant to UWF Regulation 5.020, and arrest and prosecution pursuant to applicable law, including without limitation those pertaining to trespass and littering if necessary to protect the uninterrupted orderly operation of the University, the safety and security of the University faculty, staff and invitees; and the property of the University and its faculty, staff and invitees.

#### **VIII. Enforcement**

Failure to adhere to this policy may result in immediate removal of the distributed materials, billing for clean-up, disciplinary action, a trespass warning pursuant to UWF Regulation 5.020, and arrest and/or prosecution pursuant to applicable law.

Any person(s) or organization(s) wishing to distribute advertising or other commercial materials must comply with the University regulation pertaining to commercial speech, selling of merchandise and activities involving off-campus vendors.

**IX. Exclusions**

This policy does not govern the handing out of pamphlets or other written material for commercial purposes. Commercial speech, solicitation and activity, selling of merchandise and activities involving off-campus vendors is governed by the regulations, policies and rules addressing those respective topics. Use of University buildings and facilities are governed by UWF Regulation 2.005. Campus signage and posting is governed by the University policy governing that topic.

**X. Related Regulations**

The University’s Speech, Assembly and Public Expression Regulation is UWF Regulation 5.050. Disorderly conduct is defined in UWF Regulation 2.016, Trespass is defined in UWF Regulation 5.020. The Student Code of Conduct can be found in UWF Regulation 3.010.

Approved by:  DATE: 08/06/2020  
Dr. Martha D. Saunders

*Specific Authority:* Florida Statutes §§ 877.13, 1001.706, 1004.097, 1006.61.

*History –New 10-1-75, Formerly FAC Rule 6 C6-3.014, Amended 5-31-87; Converted to UWF/REG 3.014-7/21/05, Amended 12/16/2013; Amended and converted to UWF/REG 5.050 7/27/2017; partially converted to UWF REG 5.0550 10/12/2018; converted to new policy August 2020.*