

STEPHEN F. AUSTIN
STATE UNIVERSITY

Office of the General Counsel

POLICY SUMMARY FORM

Policy Name: Signs and Exhibits

Policy Number: 16.24

Is this policy new, being reviewed/revised, or deleted? Review/Revise

Date of last revision, if applicable: 7/25/2014

Unit(s) Responsible for Policy Implementation: Vice President for University Affairs

Purpose of Policy (what does it do): Outlines policy for signs and exhibits.

Reason for the addition, revision, or deletion (check all that apply):

- Scheduled Review Change in law Response to audit finding
 Internal Review Other, please explain:

Please complete the appropriate section:

Specific rationale for new policy:

Specific rationale for each substantive revision: clarified wording to be more consistent with clean up expectations on Petitions and Handbills 16.19 policy.

Specific rationale for deletion of policy:

Additional Comments:

Reviewers:

Dr. Adam Peck, Dean of Students
Dr. Steve Westbrook, Vice President for University Affairs
Damon Derrick, General Counsel

Signs and Exhibits

Original Implementation: July, 1980

Last Revision: ~~July 29, 2014~~ July 25, 2017

I. Introduction

Stephen F. Austin State University reaffirms its commitment to the freedoms of speech and expression by establishing this policy. Individuals have the right to attempt to attract the attention of others, and corresponding rights to hear the speech of others when they choose to listen, and to ignore the speech of others when they choose not to listen. This policy outlines the rules that govern the use of signs and exhibits to attract the attention of others.

Students, faculty, and staff are free to express their views, individually or in organized groups by sign or exhibit, on any topic, in all parts of the campus. Persons not affiliated with the university are free to express their views by sign or exhibit in areas designated for that purpose. These postings and exhibits are subject only to rules necessary to preserve the equal rights of others and the functions of the university. Teaching, research, and other official functions of the university shall have priority.

II. Definitions

"Student" shall mean any person registered for academic credit at the university.

"Faculty" and "staff" shall mean any person employed by the university.

"Official organization" shall mean any organization recognized by the university.

A "sign" means any method of displaying a visual message to others, except transferring possession of a copy of the message will be considered distribution of literature and not a sign.

A "banner" is a sign hung from a structure, or between two buildings, structures, or poles. A banner posted as part of a manned exhibit may be considered to be a "sign".

A "kiosk" is an outdoor structure designated by the university for the posting of signs.

A "yard sign" is a temporary outdoor sign displayed above the ground. Yard signs must not exceed 18 inches x 24 inches in size.

An "exhibit" is a temporary outdoor display used for marketing or informational purposes. This includes all free-standing products, sandwich boards, easels, etc.

“Chalking” is use of water soluble sidewalk chalk on paved areas.

III. **Applicability**

The rules articulated in this policy apply to all students, faculty, staff and their official organizations, as well as all other persons and groups. Due to practical administrative realities, this policy does not apply to the university and its agents, servants, or employees, acting in the course and scope of their employment. This exception also includes official activities of the SFA Alumni Association and SFASU Foundation.

IV. **Signs**

A student, faculty member, staff member or their official organization may display a sign by holding it, carrying it; by displaying it at a table, or by posting it on a kiosk, bulletin board, or at another designated location. Signs may not be posted in any other location.

A. **Posting Signs on Kiosks**

1. Only students, faculty, staff and their official organizations may post signs on kiosks. No advance permission is required so long as the sponsoring individual or person is clearly identified in writing on the material. Each sign posted on a kiosk must identify the student, employee or organization that posted the sign by using the full name of the individual or organization and contact information.
2. All persons or organizations seeking to display a sign without identifying information must complete a registration form with the Office of Student Engagement and deposit a true and correct copy of the sign to be displayed.
3. Students and employees posting signs as individuals may not post any sign advertising goods or services for sale except at locations designated for that purpose [see Solicitation on Campus (16.25)].
4. Due to space considerations, no sign posted on a kiosk may be larger than 11 inches by 17 inches.
5. Each sign must state the date the sign was posted or the date of the event being advertised.
6. Students, faculty, staff and their official organizations must take care to use the names and marks of the university on postings only in ways that are allowable and never in a way that would give the impression an event was sponsored by the university if that is not the case.
7. Signs may not be posted more than 14 days before the date of the event they advertise.
8. The person or organization that posts a sign on a kiosk must remove that sign no later than 14 days after it was posted, or 24 hours after the event it advertised has

concluded, whichever is earlier. The university reserves the right to remove sign from kiosks after the date of the event has passed.

9. No sign may be posted on a kiosk over another properly posted sign.
10. No person or organization may post more than two of the same signs on any one kiosk at the same time. If space is limited, the university reserves the right to remove multiple signs for the same event, program, or service, or signs sponsored by the same individual or organization, even if each is materially different.
11. A list of all officially designated kiosks and of locations where students, faculty and staff may post signs advertising goods or services for sale will be available in the student engagement office and on their website.

B. Signs in Other Designated Locations

Each academic or administrative unit of the university may authorize the posting of signs in spaces that unit occupies and controls.

The use of posting space controlled by academic or administrative units may be limited to official statements or business of the unit, or to certain subject matters of interest within the unit, or to signs posted by persons or organizations affiliated with the unit.

C. Removal of Signs

The dean of student affairs, or their designee, may remove any sign that violates any of the rules outlined in this policy, or any sign that meets the legal standards below:

1. A sign may be removed if it contains expressions that are an incitement to imminent lawlessness. Such removals may be conducted only with the advice of the general counsel and approval of the vice president for university affairs. Careful consideration must be given to the actual circumstances surrounding such expression, and removal can only occur if it appears that such provocation causes an immediate likelihood of violence or illegal acts. Advocacy of lawlessness is insufficient, and the speech must be directed to inciting or producing imminent lawless action and likely to incite or produce such action.
2. A sign may be removed if it contains "fighting words" expressions. Such removals may be conducted only with the advice of the general counsel and approval of the vice president for university affairs. "Fighting words" are similar to expressions of imminent lawlessness, except they are addressed to individuals on a personal scale. Only those "fighting words" that pose an immediate likelihood to provoke the average person to retaliation and thereby cause a breach of the peace should be considered under this exception. Again, careful consideration must be given to the actual circumstances surrounding such expression.

3. Signs may be removed if they contain obscenity. Such removals may be conducted only with the advice of the general counsel and approval of the vice president for university affairs. In determining what constitutes obscene material, a three-part test applies:
 - a. The average person applying contemporary community standards would find that the work taken as a whole, appeals to the prurient interest;
 - b. The work depicts or describes in a patently offensive way, sexual conduct specifically defined by the applicable state law; and
 - c. The work, taken as a whole, lacks serious literary, artistic, political or scientific value.

V. **Banners, Yard Signs and Exhibits**

Banners, yard signs and exhibits may be posted and displayed only by academic or administrative departments of the university. Those that do not clearly identify the sponsoring department may be removed.

VI. **Tables**

Students, employees and their official organizations may set up tables from which to display literature and disseminate information, subject to this policy.

A. **Locations**

Students, employees and their official organizations may set up tables in any outdoor location on the campus and in any indoor location subject to the rules governing the building housing this location.

Persons not affiliated with the university may set up tables in designated locations outdoors on campus and in indoor locations subject to the rules governing the building or grounds of the location.

B. **Table Permits**

Tables may not be set up without a permit. Reservations for space must be made at least 48 hours in advance using the Grounds Reservation Form. This form is available in the student engagement office and on the student engagement website. This process allows the university the opportunity to provide orderly scheduling of areas that may become crowded.

C. **Restrictions**

Tables cannot disrupt university functions and/or interfere with vehicular and pedestrian traffic.

Use of amplified sound at tables is governed by the policy, Use of Amplified Sound on Campus Grounds (16.31).

Tables may not be set up on the lower level of the Stephen F. Austin statue plaza.

Tables may only be set up inside any building with permission from the academic or administrative unit that controls the space, or from the faculty member or staff member who controls the space at a particular time. Academic or administrative units may specify additional rules by restricting tables to reasonable locations in spaces occupied by that unit.

Each table must have a sign or literature that identifies the student, faculty, staff or organization sponsoring the table.

Any person or organization sponsoring a table shall remove litter from the area ~~around the table~~ *that resulted from tabling activity.*

Students, faculty, staff and their official organizations may supply their own tables.

VII. Chalking

Chalking is permitted in approved designated areas as indicated on Grounds Reservation Form.

Cross Reference: Use of Amplified Sound on Campus Grounds (16.31); Solicitation on Campus (16.25)

Responsible for Implementation: Vice President for University Affairs

Contact for Revision: Dean of Student Affairs

Forms: None

Board Committee Assignment: Building and Grounds