

# Use of University Property

**Version 2 (Current Version)**

 Print

<b>Policy</b>	REG07.30.08
<b>Title</b>	Use of University Property
<b>Category</b>	Finance, Operations and Auxiliary Services
<b>Sub-category</b>	Facilities
<b>Authority</b>	Chancellor
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<b>Contact</b>	<p>Central Reservations Office (<a href="https://cro.ecu.edu/">https://cro.ecu.edu/</a>):</p> <p style="padding-left: 40px;">Main Campus (252) 328-4731/Email <a href="mailto:cro@ecu.edu">cro@ecu.edu</a></p> <p style="padding-left: 40px;">Health Sciences Campus (252) 744-1057/Email <a href="mailto:crohealthsciences@ecu.edu">crohealthsciences@ecu.edu</a></p> <p>Facilities Services (<a href="https://campusoperations.ecu.edu/facilities/">https://campusoperations.ecu.edu/facilities/</a>):</p> <p style="padding-left: 40px;">Main Campus (252) 328-6776</p> <p style="padding-left: 40px;">Health Sciences Campus (252) 744-2251</p> <p>ECU Materials Management (<a href="https://purchasing.ecu.edu/">https://purchasing.ecu.edu/</a>): (252) 328-6434</p> <p>Business Services, Director of Marketing (252) 737-1310</p>

<b>Related Policies</b>	<p>Associated Entities; UNC Policy Manual 600.2.5.2[R] (<a href="https://www.northcarolina.edu/apps/policy/doc.php?id=758">https://www.northcarolina.edu/apps/policy/doc.php?id=758</a>)</p> <p>Delegation of Authority to Sign Contracts (<a href="https://policy.ecu.edu/01/10/01">https://policy.ecu.edu/01/10/01</a>)</p> <p>Environmental Health and Safety Requirements for Events - Interim (<a href="https://policy.ecu.edu/05/10/02">https://policy.ecu.edu/05/10/02</a>)</p> <p>Freedom of Expression Regulation (<a href="https://policy.ecu.edu/07/30/06">https://policy.ecu.edu/07/30/06</a>)</p> <p>Guidelines Concerning Use of UNC System Resources for Political Campaign Activities (<a href="https://www.northcarolina.edu/apps/policy/doc.php?id=125">https://www.northcarolina.edu/apps/policy/doc.php?id=125</a>)</p> <p>University Student and Employee Computer Use Policy (<a href="https://policy.ecu.edu/08/05/04">https://policy.ecu.edu/08/05/04</a>)</p> <p>Student Code of Conduct (<a href="https://policy.ecu.edu/11/30/01">https://policy.ecu.edu/11/30/01</a>)</p> <p>Supplies, Equipment and Contractual Services (<a href="https://policy.ecu.edu/07/60/02">https://policy.ecu.edu/07/60/02</a>)</p> <p>UNC Code sections 601, 604, and 608 (<a href="https://www.northcarolina.edu/apps/policy/index.php#policy-tab">https://www.northcarolina.edu/apps/policy/index.php#policy-tab</a>)</p> <p>UNC Policy Manual, section 1300.8, Free Speech and Free Expression Within the University of North Carolina (<a href="https://www.northcarolina.edu/apps/policy/index.php#policy-tab">https://www.northcarolina.edu/apps/policy/index.php#policy-tab</a>)</p> <p>UNC Policy Manual, sections 101.3.1, 300.1.1, 300.2.1, and 700.4.2 (<a href="https://www.northcarolina.edu/apps/policy/index.php#policy-tab">https://www.northcarolina.edu/apps/policy/index.php#policy-tab</a>)</p> <p>University Alcohol Policy (<a href="https://policy.ecu.edu/07/30/04">https://policy.ecu.edu/07/30/04</a>)</p> <p>University Mission Statement (<a href="https://chancellor.ecu.edu/university-mission/">https://chancellor.ecu.edu/university-mission/</a>)</p>
<b>Additional References</b>	<p>Campus Maps (<a href="https://info.ecu.edu/pdf-maps/">https://info.ecu.edu/pdf-maps/</a>)</p> <p>Central Reservations Office (CRO) (<a href="https://cro.ecu.edu/">https://cro.ecu.edu/</a>)</p>

## 1. Introduction and Overarching Principles Applicable to this Regulation

East Carolina University (the "University") is committed to making its Property available for use by internal and external groups and individuals. This Regulation provides a framework for use and allocation of University Property in order to assist the University in fulfilling its Mission, while at the same time protecting the rights of freedom of expression and association guaranteed by the First Amendment to the United States Constitution ("First Amendment").

1.1. The University's primary mission is to provide an environment that is conducive to education, research, and patient care. Therefore, all Expressive Activities on or in University Property are subject to content-neutral time, place, and manner measures, as set forth in this Regulation, the University's Freedom of Expression Regulation, and all other applicable laws and University policies, rules and Regulations.

1.2. Physical attributes, locations, approved uses, and availabilities vary widely. Therefore, different content-neutral time, place and manner requirements may apply to Expressive Activity in or on different University Properties.

## 2. Definitions

2.1. "All Persons and Organizations" means, collectively, all Members of the University Community, their Guests and Non-Members of the University Community.

2.2. "Amplified Sound" is defined as any sound that is broadcast through electronically amplified equipment or sound that is electronically enhanced. This includes the use of any type of electrical sound equipment from large amplifiers to portable stereo systems.

2.3. "Approved Use" means an Event or Expressive Activity on or in University Property that has been scheduled and approved. All such Approved Uses shall be in compliance with this Regulation and any other applicable University Policy, Regulation, Rule or Standard Operating Procedure (SOP). Spontaneous Expressive Activity is not subject to these requirements (see below provisions that apply to Spontaneous Expressive Activity).

2.3.1. The Central Reservations Office (CRO) or a CRO Sub-Scheduler schedules and approves uses of University Property within its/their scheduling jurisdiction. Contact the CRO for a list of University Properties under the scheduling jurisdiction of the CRO or its Sub-Schedulers.

2.3.2. Use of University Property that is outside the scheduling jurisdiction of the CRO or Sub-Schedulers is scheduled and approved by the University Unit that has scheduling jurisdiction or control over that Property, and requests for use should be directed to that Unit.

2.4 "Associated Entity" means a private organization, foundation, association, or 501(c)(3) corporation that operates under its own charter or bylaws, but which provides funding or other support to the University.

2.5 "Brickyard" means the approximately 2.3-acre Main Campus space, which consists of a brick plaza and associated green-space. It is bounded on the south by Mendenhall, bounded on the north by the Erwin, Bloxton and Mamie Jenkins Buildings, bordered on the west by the Eakin Student Recreation Center parking lot, and bordered on the east by the Old Cafeteria Building. Contact the CRO with questions.

2.6. "Bulletin Boards"

2.6.1. "General Use Bulletin Board" means, for purposes of this Regulation, bulletin boards that are not Official Bulletin Boards, and that may be used by Members of the University Community and their Guests to post Printed Materials. The CRO may be contacted regarding the locations of General Use Bulletin Boards.

2.6.2. "Official Bulletin Board" means any bulletin board on or affixed to University Property that is reserved for use by the University or any University Unit for official publications. General Use Bulletin Boards are excluded from this definition.

2.7. "Central Reservation Office" (CRO) means the University Department responsible for coordinating, scheduling, and approving space reservations for Events and Expressive Activities on or in University Property that is under the CRO's scheduling jurisdiction. In doing so, the CRO coordinates with Sub-Schedulers and other campus officials to support Expressive Activities and Events. The CRO shall comply with this Regulation.

2.8. "Commercial Solicitation" means the sale or promotion of goods or services, typically in exchange for money or other consideration, on University Property by a person or organization, for-profit. This definition also applies to goods or services offered for free, when the ultimate goal of the person or organization is to turn a profit.

2.9. "Commercial Solicitation" is typically conducted by one of the following: 2.9.1. "Contracted Vendor" means a Non-Member of the University Community, such as an outside person or business, whether operating for-profit or Non-Profit, that has a current contract with the University to provide products or services.

2.9.2 "Non-Contracted Vendor" means a Non-Member of the University Community, such as an outside person or business, whether operating for-profit or Non-Profit, that does not have a current contract with the University to provide products or services.

2.10 "Common Areas of the Student Center(s)" means the lounge spaces located on the first, second and third floors of both Student Centers. These spaces are open for use at all times during hours of operation. This excludes all dining seating locations.

#### 2.11 "Designated Forums"

2.11.1 "Main Campus Designated Forum" means the approximately 5,250 square foot area, within the Mall, that contains the Cupola and is bounded on all four sides by well-traveled pedestrian sidewalks. Contact the CRO for details.

2.11.2 "Health Sciences Campus Designated Forum" means the approximately 0.5-acre green space located immediately northwest of the intersection of the street designated as "North Campus Loop" and the street designated as "Campus Loop," and bounded on the east by a parking lot, which site affords those in attendance an unobstructed view of any speaker and is easily accessible to event participants. Contact the CRO with questions.

2.12 "Event" means a use of University Property which falls outside the definition of "Expressive Activity." The term "Event" includes, but is not limited to, advertising or Commercial and/or Non-Profit Solicitations that promote the sale or use of a product or service; training seminars; workshops; job fairs; fundraisers; experiential activities; receptions; ceremonies; banquets; recreational events; and dances. Events should be scheduled using content-neutral criteria, including a consistently applied fee structure for use of University Property.

2.13 "Expressive Activity" or "Activity" means all forms of expression that occur on University Property and that fall within the ambit of the First Amendment to the United States Constitution, which may include, but not be limited to, demonstration, speech-making, oral presentation, protest (including silent protest), marching, picketing, signs, leafleting, petition circulation, distribution of written information, counter-protest, symbols, and similar expressive communications and activities that are non-commercial in nature.

2.14 "Expressive Activity Area" (EAA) means, with regard to the Main Campus, the Mall, the Brickyard, the Main Campus Designated Forum, those out-of-doors areas that have been consistently open to the Expressive Activity of Members of the University Community by tradition or by administrative approval, and the Common Areas of the Student Center. With regard to the Health Sciences Campus, EAA includes the Health Sciences Campus Designated Forum, the Common Areas of the Student Center, and those out-of-doors areas that have been consistently open to the Expressive Activity of Members of the University Community by tradition or by administrative approval. All parking lots are excluded during hours when they are in use. All Expressive Activity on or in University Property, whether inside or outside an EAA, remains subject to the provisions of this Regulation.

2.15 "Fronting" means the person or organization making a reservation or using University Property is not the primary beneficiary of the Event, but the Event is in fact for the primary benefit of a different person or organization.

2.16 "Fundraiser" means events and activities designed to increase the visibility of student organizations and encourage individuals to make financial contributions. The policies that govern a student organization's handling of donations are established by the University and are approved and enforced by the Office of Student Activities and Organizations.

2.17 "Guest" means a person, group, club or other organization that is invited to engage in Expressive Activity in or on University Property and is sponsored by a Member of the University Community. Any Member of the University Community may revoke their own Guests' invitations at any time.

2.18 "Instructional Facilities" means University Property that is directly related to the educational mission of the University.

2.19 "Mall" means the approximately 5.5-acre site in the heart of Main Campus that is bounded on the east by

Founders Drive, bounded on the north by Faculty Way, bounded on the west by Cupola Court and bounded on the south by Alumni Walk.

Contact the CRO with questions about space reservations for the Mall.

2.20 "Material and Substantial" or "Materially and Substantially" refers to actions or activities that have an actual impact, as opposed to a predicted one. It includes actions that materially infringe upon the rights of others to engage in, or listen to, Expressive Activity. When determining whether this threshold has been met, officials should apply content-neutral, objective and relevant factors, including, but not limited to, whether an Expressive Activity is closed to the public; whether the Activity is occurring inside or outside; whether someone is interfering with the ability of others to hear, participate in or otherwise benefit from an Expressive Activity; whether someone is impeding ingress or egress to/from an Expressive Activity; and whether University functions are impeded or disrupted, including, but not limited to, University offices, classrooms, walkways, streets, and medical facilities.

2.21 "Member of the University Community" or "Member" means a University Unit (including the Board of Trustees), a Registered Student Organization, a current employee, or a currently enrolled student.

2.21.1. This definition excludes K-12 students and K-12 employees when they are in attendance at, or operating in the course and scope of their work duties, within a secondary school, as applicable, because such students and employees enjoy different First Amendment protections in the secondary school setting.

2.22 "Non-Profit Solicitation" means the sale or promotion of goods or services, including, but not limited to, fundraisers, on University Property by a person or organization for non-profit purposes.

2.23 "Officially Authorized" or "Official Authorization" means Events that have been approved by the persons or organizations managing or having jurisdiction over the University Property for the purpose for which a person or organization wishes to use, or is using the Property. This involves, but is not limited to, the CRO, Sub-Schedulers, Police, Facilities personnel, and Student Affairs personnel.

2.24 "Non-Member of the University Community" means all persons, groups, clubs or other organizations that do not come within the definitions of Member of the University Community or Guest.

2.25 "Political Activities" means actions directed toward the success or failure of a candidate for public office, political party, or partisan political group, including, but not limited to, campaigning, political management, and soliciting financial contributions for political purposes.

2.26 "Printed Materials" means documents or papers of any kind that convey information via the written word. Examples include Commercial Solicitations, Non-Profit Solicitations, announcements, Banners, signs, declarations, Table Tents, handbills, leaflets, flyers, messages, statements, notices, pictures, posters, pronouncements, proclamations, and similar materials.

2.26.1. "Banner" means a flag, strip of cloth, sheet, paper or poster that has a total surface area greater than 625 square inches (e.g., larger than 25 inches by 25 inches).

2.26.2 "Table Tents" are folded miniature Printed Materials that are placed on top of tables (similar to a center piece).

2.26.3 "Yard Sign" (also known as lawn signs, placards, or political candidate signs), means Printed Materials that are displayed on approved University Property locations. Information can be displayed on each side. Yard signs are typically accompanied by yard sign wires/metal rods. The most common form of Yard Sign is called an "H-frame" sign.

2.27 "Registered Student Organization" means an organization (including a club) comprised of University students, that is fully registered, and in good standing with, the Office of Student Activities and Organizations.

2.28 "Responsible Person" is one who serves as a liaison between a person or persons engaging in an Expressive Activity and University Officials in order to promote compliance with this Regulation, and who shall

identify themselves upon the request of an Authorized University Official, including in the course of a Spontaneous Expressive Activity. The University recognizes that the nature of the Expressive Activity may make it impractical to have someone serving in this role. An example could be Spontaneous Expressive Activity involving a large number of persons. If there is only one person exercising their free speech rights, then that person would serve as the Responsible Person. The Responsible Person shall be a Member of the University Community, except in cases where the Expressive Activity is carried out by Non-Members of the Community in a Designated Forum.

2.29 "Sponsored Organization" is any organization that is not an Affiliated Organization, but which is sponsored by a University Unit.

2.30 "Spontaneous Expressive Activity" means Expressive Activity by Members of the University Community in an Expressive Activity Area in which the Activity was planned fewer than two business days prior to the date of the event.

2.31 "Student Center" means the Main Campus Student Center and the Health Sciences Student Center.

2.32 "Sub-Schedulers" means those University employees and units who have responsibilities for managing space reservations for particular University Property outside of the CRO's scheduling jurisdiction. In doing so, Sub-Schedulers work in concert with the CRO.

2.33 "True Threats" means statements meant by the speaker to communicate a serious expression of intent to commit an act of unlawful violence to a particular individual or group of individuals.

2.34 "University," except when otherwise indicated, means East Carolina University.

2.35 "University Property" or "Property" means all grounds, buildings, rooms, auditoriums, facilities, stadiums, or other space or improvements, that are owned, leased, used, or otherwise controlled by the University.

2.36 "University Unit" means the Board of Trustees, the Chancellor, and all University Divisions, Departments, Associated Entities, Registered Student Organizations, Centers, Institutes and any other organization that is wholly sanctioned, supervised and governed by the University or a Division or Department of the University.

### **3. Aesthetics, Safety and Efficient Operations**

3.1. In order to accomplish its mission, the University must enforce measures to protect the safety of persons and property, promote efficient operations and maintain aesthetically pleasing and orderly University Property. When determining whether an Expressive Activity should be moved or limited, officials should apply content-neutral, objective and relevant factors, including, but not limited to, whether an Expressive Activity is closed to the public; whether the Activity is occurring inside or outside; whether someone is interfering with the ability of others to hear, participate in or otherwise benefit from an Expressive Activity; whether someone is impeding ingress or egress to/from an Expressive Activity; and whether University functions are impeded or disrupted, including, but not limited to, University offices, classrooms, walkways, streets, and medical facilities.

#### **3.2. General Requirements for Using University Property for Events**

3.2.1. The CRO's website lists the University Property under CRO's scheduling jurisdiction. Some University Property, however, is scheduled by designated Sub-Schedulers in other University Academic or Administrative Units. Due to its nature and functions, some University Property is not available for Events or Expressive Activities. The CRO will direct persons to the appropriate Sub-Schedulers and remain involved as necessary to facilitate an Event or Expressive Activity.

3.2.2. The University requires a fee for use of some Property. This fee may differ depending on whether the person or entity seeking to use the Property is a Member of the University Community or Guest vs. a Non-Member of the University Community. The CRO should be contacted for the latest fee information.

3.2.3. Events and Expressive Activities must be conducted in compliance with any applicable laws,

regulations, and rules, including those that require accessibility, reasonable accommodations and that facilitate health and safety. The CRO will direct Event organizers to relevant regulatory departments, which may include, but not be limited to, University Environmental Health and Safety (EH&S), Disability Support Services, and/or ECU Police.

3.2.4. Throughout the planning and implementation stages of an Event, all organizations and persons who wish to use University Property for Events or Expressive Activities shall designate one or more Responsible Persons who shall be readily available and responsive to the CRO, Sub-Schedulers, and University officials and Departments that enforce applicable laws, rules, or regulations.

3.2.5. University Property is not available when the University and/or the Facility to be used for an Event is/ are closed.

3.2.6. During scheduled class times, Instructional Facilities are available only to University Units. Outside of scheduled class times, Instructional Facilities may be made available to Sponsored Organizations or Non-Members of the University Community, provided all applicable University policies, regulations, and rules, including this Regulation, are satisfied.

3.2.7. Unless all applicable safety and access laws, rules, and regulations are satisfied, including, but not limited to this Regulation, Event and Expressive Activity participants shall not maintain any open flame or erect or place in or on any Facility any permanent or semi-permanent structure or object, including, but not limited to, tents, trailers, Banners, signs, tables, or stakes driven into the ground (See EH&S Event Safety Guide in Additional References).

3.2.8. As listed by the CRO, certain outdoor Events or Expressive Activities may include the serving of food or beverages if a University-approved caterer is used and all applicable health and safety rules and regulations are followed.

3.2.9. University Property may not be used for overnight Events or Expressive Activities, except for those conducted by Campus Recreation and Wellness, ECU Athletics, the Youth Programs and Camps Office or University sanctioned events/programs.

3.2.10. Event organizers and sponsors, as applicable, shall maintain the cleanliness and orderliness of all University Property in compliance with the CRO and the rules of the particular Property being used. The Properties may charge their standard fee for housekeeping services as well as grounds services. The fee may vary depending on the needs of the particular Event or Expressive Activity.

3.2.11. Non-Members of the University Community and Guests using University Property for Events or Expressive Activities shall procure and maintain personal injury and property damage liability insurance, with limits of not less than \$1 million per occurrence and \$3 million aggregate. All such insurance policies must name East Carolina University as an additional insured, and the declarations page naming the University as an insured must be provided to CRO or the identified Sub-Scheduler at least 3 business days prior to the Event.

3.2.12. All Events and Expressive Activities must be conducted so that pedestrian traffic and vehicular traffic are not impeded and such that those members of the University community who are not participating in the Event may proceed with their normal educational and operational activities.

3.2.13. Event and Expressive Activity participants shall not damage, alter, or deface any Facility or other University property.

### 3.3. Reservation of University Property for Events

3.3.1. Except for Spontaneous Expressive Activity, persons wishing to reserve all or part of University Property that is under the scheduling jurisdiction of the CRO or Sub-Schedulers for an Event or Expressive Activity must submit a completed CRO Request Form through 25Live no fewer than 10 business days prior

to the planned Event. If the person making the request is unable to access or use the web portal, the person should call or email the CRO. Although the CRO or a Sub-scheduler will make reasonable efforts, timely submission of the Form does not guarantee permission to hold an event at the requested facility on the requested date(s). All applicable pre-event content-neutral time, place and manner rules, regulations, and policies, including this Regulation, must be satisfied before an event may be scheduled, or take place, as applicable. Requests submitted to CRO fewer than 10 business days may be accommodated if space and resources are available. Contact the CRO for the latest listing of reservable University Property.

3.3.2. Physical attributes, locations, capacities, suitable uses, and availabilities vary widely. Therefore, different content-neutral time, place and manner requirements may apply to different University Properties. The CRO, or a Sub-Scheduler, as applicable, will help to ensure the requestor is timely advised of fees and requirements applicable to the Property requested.

3.3.3. In cases where University Property is requested/reserved by two or more persons or organizations, or where one use would interfere or detract from another use, the CRO and/or Sub- Schedulers shall first attempt to resolve the conflict to the satisfaction of all parties, including moving Events or Expressive Activities to other Property and scheduling that avoids conflict. In cases where a conflict cannot be resolved, priority is determined as follows:

3.3.3.1. Chancellor or Board of Trustees;

3.3.3.2. Members of the University Community; 3.3.3.3. Guests; and

3.3.3.4. Non-Members of the University Community.

3.3.4. The University has determined that this hierarchy best serves its Mission. The Vice Chancellor for Student Affairs/Designee, in consultation with Central Reservations Office, University Police, Facilities and other key stakeholders, may alter the above hierarchy for single Events or Expressive Activities, based solely on content-neutral time, place and manner criteria.

3.3.5. Before approving a request, the CRO or Sub-scheduler will require such content neutral information necessary in order to comply with this Regulation and/or facilitate the Event or Expressive Activity, including: (i) the size and nature of the planned Event; (ii) the intended date and time; (iii) the names and contact information of the organizer(s) and/or sponsor(s); and (iv) other content neutral time, place, and manner information necessary to facilitate an Event or Expressive Activity in that venue.

3.3.6. With the exception of Spontaneous Expressive Activity, the CRO or Sub-schedulers may require the following prior to the Event:

3.3.6.1. Identification and contact information for the Event Responsible Person; and

3.3.6.2. Written proof, including an email, that a Guest is invited by a Member of the University Community.

3.3.7. University Property under the jurisdiction of the University Athletics Department is scheduled by Athletics Sub-Schedulers. The CRO will direct persons wishing to hold an Event or Expressive Activity on or in those Properties to the appropriate Sub-Scheduler for Athletics.

3.3.8. The CRO will coordinate with the Office of the Chancellor and Chief of Staff in order to facilitate requests for lawful use of University Property for Political Activities. No University equipment or services (e.g., vehicles and other equipment, campus mail, computers and e-mail, postage, photocopying and fax, etc.) may be used for Political Activities. This applies equally to All Persons and Organizations.

3.3.9. Fronting is prohibited. If it is determined that a Person or Organization is Fronting for a different Person or Organization, the CRO will not schedule the Event and/or may rescind approval previously given, unless the Person or Organization that is the primary beneficiary can satisfy the requirements of this Regulation. If it is discovered after the fact that a Member of the University Community fronted for a Non-

Member of the University Community, both will be liable for payment pursuant to the fee structure applicable to Non-Members of the University Community, until the total fee is collected.

3.3.10. Markings on University Property are prohibited.

3.3.11. When a University Unit co-sponsors an Event or Expressive Activity with a Non-Member of the University Community, the University Unit will be charged the standard charge for the use of space, if any, applicable to a Non-Member of the University Community.

3.3.12. An Event or Expressive Activity may be cancelled, moved, or limited under certain circumstances, which are spelled out in the Freedom of Expression Regulation and/or this Regulation.

3.3.13. Space at the UNC Coastal Studies Institute is available for reservations (see above additional references for website access).

3.3.14. Reserving space in some campus parking lots or roadways is available through ECU Parking and Transportation (see above additional references).

### 3.4. Commercial Solicitation

3.4.1. Non-Contracted Vendors are prohibited from conducting Commercial Solicitation on University Property. This includes Non-Contracted Vendors engaged in fronting with a Member of the University Community or Guest.

3.4.2. Contracted Vendors may not engage in Commercial Solicitation of University Students or employees in or on University Property unless it is the job of the student or employee to participate in such Commercial Solicitations on behalf of the University.

#### 3.4.3. Non-Profit Solicitation

3.4.3.1. Officially Authorized Members of the University Community and/or their Guests may sell or promote goods and services on University Property for non-profit purposes, including as part of non-profit fund-raisers.

3.4.3.2. Members of the University Community and/or their Guests may conduct Non-Profit Solicitations of their own members on University Property, as deemed necessary and appropriate by their rules and practices.

3.4.3.3. All organizations and persons wishing to engage in Non-Profit Solicitation, including but not limited to fund-raising in the residence halls, shall first receive permission and direction from the Associate Vice Chancellor for Campus Living, pursuant to content-neutral time, place, and manner rules.

3.4.3.4. Non-Profit Solicitations of charitable contributions must comply with North Carolina General Statutes Chapter 131F, entitled "Solicitation of Contributions."

#### 3.4.4. Additional Requirements Applicable to both Commercial and Non-Profit Solicitation

3.4.4.1. Food/beverages may not be prepared at the place of distribution, and must comply with all applicable health code standards, as well as ECU Environmental Health and Safety Requirements for Events.

3.4.4.2. Goods and services offered for sale or free of charge must comply with applicable State and Federal health and safety laws and regulations.

3.4.4.3. Sale of dangerous or unlawful items, or items that are forbidden on University Property by Policy or law, including but not limited to guns, knives, and lighters is prohibited.

3.4.4.4. If applicable, Event sponsors must schedule and reserve space for the solicitation event through the Central Reservations Office (CRO) or its authorized Sub-Schedulers.

3.4.4.5. Unless Officially Authorized, sale promotion, or distribution of goods or services that are the same or similar to the goods or services already provided by the University or its Contracted Vendors, including, but not limited to, University dining services, course materials, books (print or electronic versions), electronics, beverages, food, school and office supplies, merchandise, apparel, or printing services, is prohibited.

3.4.4.6. Solicitation or distribution of products or services that violate University copyrights or that infringe upon University trademarks without written approval to do so and payment of all fees and royalties in compliance with the ECU Creative Services Logo Review process, or similar official process as from time to time may be designated by the University for such purposes, is prohibited.

3.4.4.7. Door-to-door Solicitation in ECU owned buildings or operated residence halls is prohibited.

3.4.4.8. All Solicitation must be done in compliance with the Freedom of Expression Regulation. The Event sponsor is responsible for compliance with this Regulation, the Environmental Health and Safety Requirements for Events and all other applicable laws, policies, rules and regulations concerning event safety.

3.4.4.9. A Responsible Person who is a University employee must attend the entire Event and function as the point of contact for the office of Environmental Health and Safety (EH&S), the ECU Police and other authorized University officials.

### 3.4.5. Exclusions

3.4.5.1. Nothing in this Regulation shall be deemed to affect the Officially Authorized activities of University Units, departments or their authorized members and agents (which may include students) from conducting the normal operation of the University and/or its educational, patient care or research activities, including, but not limited to, the following: taking surveys, administering the State Employees Combined Campaign, or sponsorship activities taking place in Athletic Facilities under contract/written agreement with ECU Athletics or its Sports Marketing/Licensing contracted partner.

### 3.5. Posting of Printed Materials On or In University Property.

3.5.1. All Persons and Organizations posting or distributing Printed Materials are responsible for compliance with this Regulation and all other applicable laws, policies, regulations and rules. No University Property shall be damaged by posting of Printed Materials.

3.5.2. Subject to this Regulation, Printed Materials may be posted in Expressive Activity Areas for a maximum of 5 business days, at which time they must be removed by the Responsible Person. Failure to do so constitutes permission for Authorized University Officials to remove or dispose of them.

3.5.3. Printed Materials not in compliance with this Regulation may be removed immediately without notice by Authorized University Officials.

#### 3.5.4. Bulletin Boards.

3.5.4.1. Members of the University Community and Guests may post Printed Materials on General Use Bulletin Boards. All such Materials must be removed by the person or organization that posted them within 24 hours after the Event concludes. Failure to do so constitutes permission for Authorized University Officials to remove or dispose of them.

3.5.4.2. Placement of Printed Material on Official Bulletin Boards is limited to University Units and those Non-Members of the University Community who are operating under the direction of a University Unit. Official Bulletin Boards are managed by building managers or department offices.

3.5.4.3. Printed Material posted on Bulletin Boards must not exceed 187 square inches (e.g., 11 inches x 17 inches), and shall not extend beyond the frame of the bulletin board. No matter the size, no more than

one item for the same Event or other purpose may be placed on the same Bulletin Board.

3.5.4.4. Printed Materials about an upcoming Event or Expressive Activity may also be posted on General Use Bulletin Boards which serve the site of the Event or Expressive Activity, no sooner than 14 days prior to the Event or Expressive Activity. The Responsible Person must remove them within 24 hours after the conclusion of the Event or Expressive Activity, or they may be removed without notice by Authorized Officials.

3.5.4.5. All Printed Materials posted on all Bulletin Boards may be removed and discarded in the month following the end of each semester and at the end of the second summer term by University Housekeeping Services, regardless of the date of posting.

### 3.5.5. Table Tents

3.5.5.1. Table Tents may be placed by University Units only in the following Facilities: Mendenhall, Health Sciences Campus Student Center, Main Campus Student Center, Campus Dining locations, and the Eakin Student Recreation Center.

### 3.5.6. Yard Signs

3.5.6.1. Yard Signs may be self-installed only by a University Unit.

3.5.6.2. A Yard Sign may be placed on University Property no more than two (2) weeks prior to the Event or Expressive Activity and must be removed within 24 hours following the Event or Expressive Activity, or they may be removed without notice by Authorized Officials.

3.5.6.3. Yard Signs may not penetrate more than 3 inches into the ground.

3.5.6.4. Yard Signs must not exceed 360 square inches in size.

3.5.6.5. Yard Signs may be placed only in mulch areas of landscaping. Yard Signs placed elsewhere may be moved, without notice, to the nearest mulch area.

### 3.5.7. Banners

3.5.7.1. Except as provided below, in order to avoid damage to University Property, only Facilities Services may hang or remove Banners on the exterior of University Property. Facilities Services will use content-neutral criteria. Facilities Services will hang Banners only on behalf of Members of the University Community.

3.5.7.2. Members of the University Community are permitted to hang or self-install Banners only at pre-designated Banner locations. The Banner locations must be reserved through the Central Reservation Office. There are ten (10) reservable spots at two (2) designated Banner areas:

3.5.7.2.1. Center of the Mall between Joyner Library and Student Health Services; and

3.5.7.2.2. Bottom of College Hill.

3.5.7.3. In order to avoid confusion about where Events will be taking place and allow University Officials sufficient time to prepare for and facilitate Events, all Banners should be Event or Expressive Activity specific and should include information such as the name, date, event sponsor, and University Property location.

3.5.7.4. Event or Expressive Activity Banners may hang for no more than two (2) weeks prior to the Event or Expressive Activity and must be removed by the Responsible Person within 24 hours following the Event, or they may be removed without notice by Authorized Officials.

3.5.7.5. A Banner not in compliance with this Regulation will be removed without notice, to the extent it is brought to the attention of the CRO or other Authorized University Officers.

3.5.7.6. Banners may not hang over sidewalks or in any way inhibit pedestrian or vehicle movement. If a Banner causes any damage to University Property, the Member(s) of the University Community responsible for installation of the Banner are responsible for the cost of repair.

3.5.7.7. Banners referencing Events or Expressive Activities that are being held outside of University Property or being sponsored by Non-Members of the University Community renting or reserving space on University Property shall not be posted on University Property.

### 3.5.8. Leaflets/Handbills/Flyers

3.5.8.1. This section relates only to Non-Profit distribution of leaflets, handbills, and flyers. Distribution of leaflets, handbills or flyers constituting Commercial Solicitation are governed by those sections pertaining to Commercial Solicitation.

3.5.8.2. Leaflets, handbills, and flyers may be distributed by mail, including campus mail, in compliance with University Mail Services content-neutral rules and regulations.

3.5.8.3. Only Members of the University Community and their Guests may distribute leaflets, handbills, or flyers on or in University Property.

3.5.8.4. Except in the connection with Spontaneous Expressive Activity, persons who wish to distribute leaflets, handbills, or flyers on or in University Property should contact the CRO to reserve one or more of the pre-designated spaces for distribution.

3.5.8.5. The organizations and persons distributing leaflets, handbills, or flyers are required to collect and remove any loose, dropped, or littered leaflets, handbills, or flyers in the vicinity of the distribution area. Failure to do so may result in a charge to the distributing organizations or persons if Facilities Services must provide housekeeping or grounds services due to violation of this subparagraph. This subparagraph also applies to Spontaneous Expressive Activity.

### 3.5.9. Fundraisers

3.5.9.1. Except as provided below under the heading "Raffles," all activities in which participants must pay to be eligible to win a game of chance are prohibited on University Property.

3.5.9.2. All fundraisers are also subject to the Official Student Organization Handbook fundraising guidelines.

### 3.5.10. Bake Sales

3.5.10.1. Non-Profit bake sales are allowed as a form of fundraising for Registered Student Organizations only.

3.5.10.2. A University Unit may not conduct a Non-Profit bake sale unless it is doing so in partnership with one or more Registered Student Organizations.

3.5.10.3. The CRO must be contacted to reserve space.

3.5.10.4. Registered Student Organizations and partnered University Units may sell only pre-packaged goods or foods from a licensed establishment. No homemade products may be offered for sale. The attempt to sell homemade products will be cause for shutting down the bake sale.

3.5.10.5. All such Events shall be conducted in compliance with the Environmental Health & Safety Requirement for Events.

### 3.5.11. Raffles

This section applies only to those divisions, departments, schools, centers and other bodies that are legally and operationally within and under the exclusive and direct control of the University. This section places no

limitations or requirements on Associated Entities. Associated Entities are advised, however, to consider the requirements and limitations they may be individually subject to by virtue of North Carolina General Statute section 14-309.15.

3.5.11.1. Student Organizations are not permitted to conduct raffles.

3.5.11.2. All Raffles covered by this section shall be conducted in compliance with North Carolina General Statute section 14-309.15.

3.5.11.3. There may be up to a total of four Raffles conducted per calendar year collectively, by all divisions, departments, schools, centers or other bodies that are legally and operationally within and under the exclusive and direct control of the University, and prior to conducting a raffle they must first check with the Vice Chancellor for University Advancement or designee to determine whether or not the collective number of raffles has already reached the annual limit. Raffles conducted by Associated Entities do not count for purposes of this determination. Legal questions regarding Raffles should be directed to the Office of University Counsel.

### 3.5.12. Amplified Sound

3.5.12.1 Amplified Sound, including recorded music, sound checks, microphones, or bull horns is not permitted within 25 feet of classrooms, research facilities, and the libraries.

3.5.12.2 All outdoor Amplified Sound event requests must be submitted to and approved by the Central Reservations Office (CRO) or the Chancellor's Office. All events must take place at Central Reservations locations on campus and must follow the CRO processes.

3.5.12.3 All outdoor events must comply with applicable local and state noise ordinances.

3.5.12.4 CRO will reference the Approved University Priority Events list for outdoor Amplified Sound event requests. Any requests not included on the Approved University Priority Events list must be approved by the Vice Chancellor for Student Affairs or designee.

3.5.12.5 Outdoor Amplified Sound events with any impacts to parking lots, vehicle traffic, and/or pedestrian / bicycle paths must be coordinated with Environmental Health and Campus Safety, including Parking and Transportation. Any detours or closures must be communicated prior to the event date to the University community.

3.5.12.6 Outdoor Amplified Sound events must comply with the ECU Freedom of Expression regulation (<https://policy.ecu.edu/07/30/06>) which prohibits provoking immediate violence ("fighting words") or damaging University property.

#### 3.5.12.7 Communication Plans:

3.5.12.7.1 Approved outdoor Amplified Sound events must have their event posted on the 25 Live Large Events calendar.

3.5.12.7.2 Planned outdoor Amplified Sound events from the Approved University Priority Events list must have a communication plan which includes messaging to the campus community regarding any detours or closures as well as the expected time and duration of the event including sound checks.

3.5.12.7.3 This does not include Freedom of Expression activities.

### 3.5.13. Alcohol

3.5.13.1. The distribution of alcohol on University Property is prohibited, except in compliance with the University Alcohol Policy.

### 3.5.14. Enforcement

3.5.14.1. Consistent with, and subject to, the Freedom of Expression Regulation, failure to adhere to this Regulation may result in one or more of the following sanctions:

3.5.14.1.1. Formal warning letter;

3.5.14.1.2. Loss of future solicitation opportunities on University Property;

3.5.14.1.3. Loss of future opportunities for formal sponsorship activity;

3.5.14.1.4. Loss of future opportunities to sign sponsorship agreements with student organizations;

3.5.14.1.5. Loss of opportunities to sign future contracts with the University; and

3.5.14.1.6. Loss of access to University sponsored events.

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### **East Carolina University**

E 5th Street | Greenville, NC 27858 (<https://www.google.com/maps/place/East+Carolina+University>) | 252-328-6131 (tel:+12523286131)

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