

WAC 172-137-050 Authorized and prohibited uses. (1) Commercial activities.

(a) University facilities may not be used for commercial gain, including: Commercial advertising; solicitation and merchandising of any food, goods, wares, service, or merchandise of any nature whatsoever; or any other form of sales or promotional activity; except as allowed under chapter 172-139 WAC or in the following cases:

(i) By special permission granted by the university president, or designee, if an agreement, lease, or other formal arrangement is entered into between the university and the person, corporation, or other entity desiring to engage in commercial activity; or

(ii) To the extent it represents the regular advertising, promotional, or sponsorship activities carried on, by, or in any university media, *The Easterner*, or at university events;

(b) University facilities may not be used by faculty or staff in connection with compensated outside service, except that faculty or staff may use university facilities that are generally available to the public on the same basis, including payment of the same fees, as may other private citizens.

(c) Commercial advertising and/or solicitation which is deceptive or concerns an illegal product or service is prohibited on university facilities.

(2) **Political activities.** University facilities may be used for political activities when such use complies with chapter 42.52 RCW, Ethics in Public Service Act. Permitted activities may include:

(a) University departments, ASEWU, or recognized student organizations may sponsor candidate forums as well as issue forums regarding ballot propositions;

(b) Candidates for office and proponents or opponents of ballot propositions may rent university facilities on a short-term basis for campaign purposes to the same extent and on the same basis as may other individuals or groups;

(c) Candidates for office and proponents or opponents of ballot propositions may use outdoor spaces pursuant to chapter 172-138 WAC, to the same extent and on the same basis as may other individuals or groups; and

(d) A registered student organization may invite a candidate or another political speaker to one of the meetings of its membership on university property, if it has complied with the scheduling procedures of WAC 172-137-070.

(e) Restrictions:

(i) When an event under this section involves the rental of a university facility, the full rental cost of the facility must be paid and university funds may not be used to pay rental costs or any other costs associated with the event.

(ii) University facilities may not be used to establish or maintain offices or headquarters for political candidates or partisan political causes.

(iii) All candidates who have filed for office for a given position, regardless of party affiliation, must be given equal access to the use of facilities within a reasonable time.

(iv) No person shall solicit contributions on university property for political uses, except in instances where this limitation conflicts with applicable federal law regarding interference with the mails.

(v) Use of university facilities for political activities, as described in this section, must have prior approval of the vice president for business and finance or designee.

(3) **Charitable organization use.** University facilities may be used to benefit a charitable organization when such use complies with chapter 42.52 RCW, Ethics in Public Service Act. Examples of permitted use include, but are not limited to, the following:

(a) Charities that are licensed in the state of Washington may use university facilities that are generally available to the public on the same basis, including payment of the same fees, as may private citizens;

(b) Charities that are licensed in the state of Washington may use facilities without charge by special permission granted by the university president, or designee, or the vice president for business and finance where the university has determined that the charitable activity or use will serve an educational or public service purpose related to the university's mission; and

(c) ASEWU, registered student organizations, and university units that have followed university policies and procedures to conduct fund-raising activities and have adhered to all scheduling requirements and other university policies.

(4) **Prohibited speech.** The following types of speech or materials are prohibited in university facilities or on university property:

- (a) Obscene material, as defined by state and federal law;
- (b) Defamation or libelous material, as defined by state law;
- (c) Incitement of imminent lawlessness;
- (d) True threats, as defined by federal law;
- (e) Fighting words, as defined by federal law; and

(f) Speech or conduct that will cause a material and substantial disruption of university activities.

[Statutory Authority: RCW 28B.35.120(12) and 42.56.070. WSR 18-11-065, § 172-137-050, filed 5/15/18, effective 6/15/18. Statutory Authority: RCW 28B.35.120(12). WSR 12-04-065, § 172-137-050, filed 1/30/12, effective 3/1/12.]