

**UNIVERSITY OF CALIFORNIA, MERCED  
STATEMENT ON CAMPUS POLICY  
DISTRIBUTION OF PERIODICALS**

RESPONSIBLE OFFICIAL: Assistant Vice Chancellor, Facilities Management

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**REFERENCES AND RESOURCES:**

**BACKGROUND:**

This program describes reasonable time, place, and manner restrictions governing the bulk distribution of periodical publications from newspaper racks or other approved containers at designated locations on University property.

**POLICY:**

The University seeks to promote freedom of expression and encourages the dissemination of information to the UC Merced community, in support of and consistent with the Code of Ethics and Principles of Community, and its main purposes of education, research, and public service.

The University's interest in regulating its properties while promoting freedom of expression requires that reasonable and content-neutral regulations regarding time, place, and manner be placed upon the use of newspaper racks and other containers for the bulk distribution of periodicals. Available appropriate space for bulk periodical distribution is limited to a small number of discrete locations, for the following reasons:

1. The unregulated bulk distribution of periodicals and/or placement of racks can potentially create disruption of University activities,

- functions, and services; interfere with pedestrian traffic; pose a hazard for safety; contribute to clutter, litter, and cause visual blight; and result in expenses for clean-up and handling, as well as environmental costs.
2. UC Merced public spaces, including sidewalks, lobbies, courtyards, hallways, and other paths, thoroughfares, and open areas must be maintained to permit orderly and safe access and travel for pedestrians, and where appropriate, bicycles and other vehicles.
  3. UC Merced accommodates the distribution of periodical publications via racks and containers located on or near pedestrian right-of-ways to the fullest extent possible consistent with the concerns described.
  4. A request for a license agreement or authorization to distribute periodical publications will be denied if the request is not in accordance with University policy reflecting time, place, and manner considerations.

Taking, stealing, or disposing of periodical publications on campus for the purpose of censoring the message expressed by the publication is prohibited. Those who engage in such acts may be subject to sanctions under University policy and prosecution under law.

## **Procedure**

Bulk distribution of non-University (external) vendor periodical publications requires the completion of a license agreement. A publication distributed without a valid license agreement or in violation of the license agreement can be removed and discarded at will. The sponsoring organization will be responsible for cleanup and removal costs and any injury or damages associated with unauthorized distribution.

The bulk distribution of periodical publications, whether free or for sale, requires completion of a license agreement, including proof of insurance, with Facilities Management.

The application for a license agreement shall include the following information:

1. Publisher name and contact information
2. A copy of the most recent publication
3. Number and location of racks
4. Dimensions and other specifications of racks. All racks must be enclosed.
5. Color of racks
6. Sample picture of racks
7. Maximum capacity of racks
8. Length of time publication may remain on racks

Facilities Management will send the application to University Relations and other departments, based upon requested location, for their approvals.

If a license is denied, the applicant can request and be accorded a review of the denial.

Distributors wishing to sell periodical publications at on-campus venues, such as the Bookstore, should contact the manager of the unit for conditions and contract requirements.

## Specifications for Racks and Containers

Racks can be placed only at the approved location that allows for normal pedestrian traffic, makes reasonable accommodation for physically-challenged individuals, and allows for clear line of sight for bicycle and vehicular traffic. Placement of containers will be approved only if space permits.

Racks must be supplied by the publisher, distributor, or sponsoring person or organization and must conform to the specifications identified in the license agreement.

Old editions of publications must be removed by the distributor prior to or concurrent with the distribution of the latest edition. All editions of publications, whether or not they are current, must be removed by the time specified in the license agreement. Publications that are to be removed will not be disposed of in any University container. Violation of this will immediately revoke the agreement.

Racks shall be maintained in working condition and kept free of graffiti or other types of material that would detract from the campus standards for aesthetics, orderliness, and cleanliness. Any containers found to be defective or in disrepair shall be repaired or replaced within 3 business days of notice. Failure to do so will result in rack removal at the expense of the sponsoring agency.

Method of installation for racks will be coordinated exclusively through Facilities Management. Expenses for installation will be incurred by the vendor.

## **DEFINITION(S)**

## **ATTACHMENTS:**

Attachment I - **Agreement to Distribute Periodical Publications on UC Merced**