SUBJECT: Advertising  
POLICY OF: Vice Chancellor for University Relations  
DATE: December 2012  

INTRODUCTION, BACKGROUND AND AUTHORITY  

The University of Wisconsin-Madison ("University") recognizes that many of its activities provide potential sources of revenue or other non-financial benefits through legitimate and worthwhile opportunities for advertising, sponsorships and other promotional activities. This revenue can be beneficial to the entire University community, and, in turn, the State of Wisconsin.  

However, it is also necessary to recognize that the University is a public institution and that its reputation and image must be protected. Therefore, the University has adopted the following policies applicable to the granting of advertising, sponsorship and promotional rights to non-university entities.  

The Office of the Vice Chancellor for University Relations has been delegated the authority to administer these policies. Any dispute about these policies or their application must be referred for resolution to the Vice Chancellor for University Relations. Certain decision-making and administrative functions related to these policies may be delegated to other University offices or entities upon appropriate application to and approval by the Vice Chancellor for University Relations.  

These policies will be reviewed and revised as needed.  

Please review the information below, or contact the Office of the Vice Chancellor for University Relations with questions.  

ADVERTISING  

1. Definitions  

Advertising is any advertisement, signage, label, logo, packaging, imprint, sales promotion activity or device, public relations material or events, merchandising or other activity or communication that has the intent of promoting or marketing a non-University product, service, event or organization.  

As defined by the Internal Revenue Service (IRS) for Unrelated Business Income Tax (UBIT) purposes, Advertising includes messages that contain qualitative or comparative language, price information, an endorsement, or an inducement to purchase, sell or use the non-University advertiser's products or services.  

University Publications are publications, including electronic publications, published by or on behalf of a University department, college, program or unit.
University Publications that are produced by others on behalf of a University unit are subject to these policies.

Please note, advertising is separate and distinct from sponsorships. For more information on sponsorships, please review the Sponsorship Policy found at http://universityrelations.wisc.edu/policies/

University Relations strongly recommends pursuing Qualified Sponsorships rather than Advertising.

2. Grants of Advertising and Promotional Rights

In general, a non-University entity may advertise at or about University events, in University Publications or on University property when (1) revenue or other benefits will be generated for a University department or program; (2) the standards and criteria set forth in these and other relevant policies are complied with; and (3) any other applicable State or University procurement regulations are followed.

3. Advertising Contracts/Agreements

All Advertising, as defined herein, in/on University Publications (including electronic publications) or in/on other University communications media, signage, property, material, or facilities shall be under a written contract/agreement executed by a University official who has been delegated contracting authority from the Regents, before any acceptance and placement of the Advertising.

4. Unacceptable Types of Advertising

The University has the right and will refuse Advertising that it considers unacceptable. For example, Advertising is unacceptable when it (1) conflicts with University policies; (2) adversely affects the University's reputation; (3) appears to create an endorsement by the University of a particular company, product, political candidate or position regarding public policies; (4) is considered to contain obscene, indecent or profane material; (5) ridicules, exploits, or demeans persons on the basis of their age, color, creed, handicap, national origin, race, religion, sex, or sexual orientation; or (6) promotes tobacco products.

Advertising by alcohol companies or distributors should not be assumed to be permissible and must be submitted to Vice Chancellor for University Relations or designee for review and approval prior to acceptance. The University may permit Advertising of alcoholic beverages in University Publications, or other University media, at University events or on University property only when the primary
audience of the associated program or activity is non-students. When permitted, the content of any alcoholic beverage advertisement must not appear to encourage the misuse of such beverages, must include specific warnings against abusive or unsafe use of alcohol, and/or must directly and conspicuously promote responsible use of alcohol.

5. University Departments vs. Commercial Advertising Rates

The University and its departments may determine rates for Advertising as appropriate to cover any costs associated with such Advertising and to generate revenue. The University and its departments may offer special Advertising rates for Advertising originating with on-campus advertisers.

6. Use of Campus Mail System to Distribute Advertising Materials

Distribution of non-University Advertising materials through the campus mail or email system is prohibited. University Publications that may contain Advertising, as described in accordance with C. above, are exempt from this prohibition and may be distributed through campus mail systems. Use of the campus email system is further subject to the Guidelines for Appropriate Use of University Information Technology Resources.

7. Unrelated Business Income Tax (UBIT)

Amounts received by University departments, colleges, programs, or other units for Advertising may be unrelated business income to the University, subject to UBIT under the Internal Revenue Code. Accounting Services must be contacted in order to review the arrangement contemplated and to ascertain whether there are any tax implications.

8. Use of University Names, Logos, Symbols and Marks (Trademarks)

Any Advertising that includes the use of any University name, logo, symbol, or mark (trademark) must comply with the University's policies governing the use of University names, logos, symbols and marks (Trademarks) found here at http://universityrelations.wisc.edu/policies/.