UTAH VALLEY UNIVERSITY
Policies and Procedures

POLICY TITLE	Advertising	**Policy Number**	172
Section	Marketing and Communications	**Approval Date**	June 18, 2025
Subsection	Advertising	**Effective Date**	June 18, 2025
Responsible Office	Office of the Vice President of Marketing and Communications	**Last Review**	June 18, 2025

1.0 PURPOSE

1.1 The purpose of this policy is to establish regulations, guidelines, and standards for all forms of advertising conducted internally and externally by the University. This policy aims to ensure that all advertising activities align with the University's mission, values, and strategic objectives, protect the University's reputation, and maintain compliance with legal and ethical standards. This policy also provides a consistent approach to advertising across all university departments, facilities, and campuses.

2.0 REFERENCES

2.1 *Lanham Act*, 15 U.S.C. §§ 1051 et seq.

2.2 *Unfair methods of competition unlawful,* 15 U.S.C. 45

2.3 *Garcetti v. Ceballos,* 547 U.S. 410 (2006)

2.4 IRS Publication 526 *Charitable Donations*

2.5 Utah Board of Higher Education Policy R555 P*roviding Facilities, Goods and Services in Competition with Private Enterprise*

2.6 Utah Board of Higher Education Policy R583 *Student Recruitment and the Report of Advertising Costs*

2.7 UVU Policy 112 *Social Media*

2.8 UVU Policy 116 *Student Communications*

2.9 UVU Policy 136 *Intellectual Property*

2.10 UVU Policy 152 *Accommodations for Individuals with Disabilities*

2.11 UVU Policy 234 *Qualified Sponsorships*

2.12 UVU Policy 371 *Performance Management and Development for Full-Time Staff Employees*

2.13 UVU Policy 446 *Privacy and Disclosure*

2.14 UVU Policy 452 *Electronic and Information Technology Accessibility*

2.15 UVU Policy 541 *Student Code of Conduct*

2.16 UVU Policy 649 *Faculty Sanction and Dismissal for Cause*

3.0 DEFINITIONS

3.1 Acknowledgement: Acknowledgements are published factual statements about a service or product provided, signs of recognition, or thanks for support for gifts, grants, donations, or assistance provided by an external entity, without expressing, implicitly or otherwise, endorsement, favoritism or promotion of the entity's products, services, or viewpoints. (See definition in Policy 234 *Qualified Sponsorships.*)

3.2 Advertiser: Refers to any individual, organization, or entity that initiates, sponsors, or pays for advertising to be displayed or disseminated.

3.3 Advertising: For the purposes of this policy, this is the deliberate and strategic promotion of events, programs, products, or services to specific target audiences through any number of channels, materials, and media. Inducement to purchase, sell or use products or services. These are the main advertising categories covered in this policy (for more detailed information on subcategories, refer to *UVU Advertising Guide*):

3.4 Affiliated entities: Includes but is not limited to student organizations, alumni associations, research centers, institutes, and any other entity officially recognized or sponsored by the University.

3.5 Brand-promotional advertising: A specific type of paid advertising in which a company sponsors or supports content or events created by another entity to promote its brand or products. Brand-promotional advertising encompasses UVU advertising and third-party advertising affiliated with UVU.

3.6 Brand-promotional placement/acknowledgement placement: A form of advertising in which the University supports the long-term promotional relationship, by providing or exchanging a predetermined amount of exposure and/or mentions to the brand. Advertising is separate from sponsorship and donor acknowledgements. The brand is required to honor specific IRS laws and university sponsorship language guidelines, which differ from the rules about ad placement. (See the *UVU Advertising Guide* for guidance on qualitative or quantitative language.)

3.7 Direct benefit: For the purposes of this policy, direct benefits could be goods and services that are tangible items and that UVU desires or needs. (See the *UVU Advertising Guide.*)

3.8 Donated or charitable advertising placement: This includes advertising placement that the University donates to a third-party and advertising placement donated by a third-party to the University (see 4.10). Donated advertising excludes qualified sponsorships (see section 3.10 of this policy and Policy 234 *Qualified Sponsorships*).

3.9 Endorsements: Any statements or depictions that can be reasonably construed to contain or imply a preference by the University, by any of its units or employees speaking or acting as representatives of the University for one non-university interest over any other.

3.10 MarCom employee: An employee, under the direction of UMC, who is responsible for ensuring all outward-facing communications are (1) strategically aligned with brand standards and institutional goals, (2) visually and verbally consistent across all materials, (3) compliant with policy, legal, and reputational standards, and (4) leveraged in the proper channels to effectively reach and influence target audiences.

3.11 Paid advertising: Promotional content or messages that a company or individual pays for, with the intention of reaching a specific audience and promoting their products, services, or brand (examples: display ads, search engine marketing, sponsored content, influencer partnerships, and paid social media campaigns).

3.12 Partnership advertising: A university entity working directly with a third-party under a formalized written partnership for advertising. This includes

3.12.1 partnership advertising conducted on campus (examples: UVU Dining Services and Chick-fil-A, Sundance and School of the Arts, UCCU and Athletics) and

3.12.2 partnership advertising conducted off campus (examples: UVU and MTEC bus ads, UVU and the Utah Jazz at Jr. Jazz Camps).

3.13 Qualified sponsorships: See the definition in Policy 234 *Qualified Sponsorships*.

3.14 University advertising: Advertising done by a university entity whether conducted on campus (internal advertising) or off campus (external advertising).

3.15 University communication platforms: For the purpose of this policy, platforms that students access for university purposes such as admissions and instructional work. Examples of university communication platforms include but are not limited to my.UVU.edu, Canvas, university websites, UVU social media, surveys, and email. (For information on how surveys or emails are managed and approved, see Policy 116 *Student Communications*; for information on how messaging via social media is managed and approved, see Policy 112 *Social Media*.)

3.15.1 University internal/owned advertising: The promotional efforts undertaken by the University to communicate and promote its programs, initiatives, services, and brand within its own channels and platforms. University internal/owned advertising encompasses UVU advertising and third-party advertising affiliated with UVU.

4.0 POLICY

4.1 Scope of Policy

4.1.1 This policy applies to all individuals and entities affiliated with the University, including but not limited to employees, students, alumni, contractors, vendors, and external organizations seeking to advertise on university-owned and external platforms the University uses. It encompasses all forms of advertising used to promote university-related events, programs, products, or services.

4.1.2 This policy also applies to all university advertising, advertising channels, and the University's partnerships and solicited advertising.

4.1.3 This policy does not cover qualified sponsorships (see section 3.10); please see Policy 234 *Qualified Sponsorships*.

4.2 Authority and Responsibility of University Marketing and Communications (UMC)

4.2.1 University Marketing and Communications (UMC) holds the authority to establish and oversee policies, standards, and guidelines for:

4.2.1.1 University marketing

4.2.1.2 Brand-promotional advertising

4.2.1.3 Donated or charitable advertising placement

4.2.1.4 Paid advertising

4.2.1.5 University internal/owned advertising

4.2.1.6 Partnership advertising

4.2.1.7 University advertising

4.2.1.8 University's name or branding in any form of advertising

4.2.1.9 External entities advertising on campus

4.2.2 UMC has the responsibility to oversee consistency of university branding and messaging in advertising to and from the University; to coordinate and standardize all advertising across the University (including all campuses, units, programs, organizations, events and people); coordinate the purchasing of advertising and resources across the institution, and to ensure all university advertising is legally compliant (e.g., accessibility laws and regulations) with UVU and Utah Board of Higher Educations policies, and local, state, and federal law.

4.2.3 UMC is authorized (1) to create and maintain branding and style guides with which all university advertising must comply and (2) to develop and oversee all procedures in which UVU entities develop, approve, and disseminate advertising.

4.2.4 UMC ensures all advertising activities and materials do not interfere with the academic mission of the University. UMC also ensures that the income gained from advertising activities held on campus benefit the University and that the funds are allocated to the appropriate university entity.

4.3 Legal Compliance

4.3.1 Those conducting advertising activities must comply with applicable government laws and regulations, industry best practices and codes of conduct established by UMC within the *UVU Advertising Guide*. This includes but is not limited to consumer protection laws, privacy regulations, truth in advertising, applicable advertising standards set by regulatory authorities, and any internal or external policies governing advertising practices. (See section 5.4 for review requirements for all advertising.)

4.3.2 Those who violate this policy may be subject to performance measures and sanctions under the applicable disciplinary procedure (Policy 649 for most faculty and Policy 371 for most staff; Policy 541 for students) and any other applicable corrective measures such as appropriate actions required by state and federal law.

4.4 Reporting Concerns related to Advertising Standards

4.4.1 Concerns or potential violations of this advertising policy—including noncompliance with advertising procedures, brand guidelines, or content standards—should be reported to the designated UMC advertising compliance officer. UMC is responsible for timely review and response to advertising-related issues, which may include removing, modifying, or providing context of the advertising content to maintain brand and policy alignment (See *UVU Advertising Guide*.)

4.4.2 UMC's advertising compliance process is distinct from UVU's Report Concerns system. The Report Concerns webpage is an independent, third-party reporting tool administered by Internal Audit and used for reporting suspected violations of law, unethical conduct, or gross mismanagement (such as financial fraud or abuse of authority). Advertising issues not rising to that level should be directed to UMC to ensure a timely and appropriate resolution.

4.4.3 If an advertising concern also includes allegations of unethical behavior or potential fraud, individuals may submit reports to both UMC and the Report Concerns webpage online at https://www.uvu.edu/audit/concerns/. UMC and Internal Audit will coordinate as needed to ensure both brand integrity and institutional accountability are upheld.

4.5 Copyright and Other Intellectual Property Rights

4.5.1 All parties must ensure that their advertising materials respect intellectual property rights, including copyrights, trademarks, and patents, in accordance with UVU Policy 136 *Intellectual Property*. The use of third-party copyrighted content or trademarks must be done with proper written authorization or within the bounds of fair use.

4.6 Acknowledgements and Endorsements

4.6.1 University entities may offer acknowledgements. Consistent with the definition provided in section 3.1, an acknowledgement of support, gifts, grants, donations, assistance, and sponsorship must not include an endorsement by the University, department, organization, program, unit, or its employees.

4.6.2 When using acknowledgements or testimonials in advertising, university entities must clearly disclose if these acknowledgements or testimonials are from actual users or individuals with relevant knowledge and expertise. University entities must disclose any compensation or benefits provided to those who provide acknowledgements or testimonials. False or misleading acknowledgements or testimonials must be strictly avoided.

4.6.3 The University, including all campus departments, organizations, programs, units, or employees are prohibited from lending the University's names, nicknames, brand, and assets to the endorsement of persons, political candidates or organizations, or commercial enterprises, services, or products because it could be construed as university support or endorsement of a third-party.

4.6.4 Notwithstanding section 4.6.3, the University's trademark-licensing department is authorized to manage a licensing program that permits approved third parties to use the University's names, brand, and assets in accordance with established licensing agreements and guidelines. This program ensures the proper use of University's names, trademarks and assets while protecting the University's reputation, compliance with the University's tax-exempt status, and adherence with applicable policies.

4.7 Permitted Advertising

4.7.1 Permitted forms of advertising include brand-promotional advertising, paid advertising, donated advertising, and university internal/owned advertising. University entities must ensure that all permitted advertising aligns with the University's mission and is compliant with university policies, including this one, and applicable state laws.

4.7.2 Both university and external party requests for paid advertising must be approved in accordance with the procedures in section 5.4 of this policy and the *UVU Advertising Guide.*

4.8 Prohibited Advertising

4.8.1 The University reserves its right to prohibit and refuse any advertising that is false or misleading, or that promotes or encourages the use, sale, or distribution of illegal products and/or services. in accordance with local, state, and national laws.

4.8.2 The University reserves its right to prohibit and refuse, on a case-by-case basis, any advertising for products or services that are potentially harmful, dangerous, or pose a significant risk to health, safety, university reputation, or other university interests.

4.9 Advertising with Third-Party Organizations

4.9.1 Advertisements placed by external organizations on university-owned platforms or at university-sponsored events should align with the University's values and not conflict with the University's mission or brand image. UMC reserves the right to reject or remove any third-party advertisements that are deemed inappropriate or incompatible with university objectives.

4.10 Donated or Charitable Advertising

4.10.1 Advertising versus Qualified Sponsorship. Any university entity working with a third-party organization to advertise on campus may not classify such advertising as a qualified sponsorship; this classification may only be made in accordance with current IRS regulations and Policy 234 by personnel specified in that policy. See Policy 234 *Qualified Sponsorships*.

4.10.2 Donated Advertising Placement to the University. Advertising placement may be provided as a gift to the University, but the IRS considers the donation of advertising space (placement) a service, which is not a tax-deductible gift (charitable contribution). This form of advertising does not go through the UVU Foundation and does not qualify for a charitable receipt. (See IRS Publication 526.)

4.10.3 Donated Advertising Placement from the University. Advertising donated by university entities to show support for organizations (for-profit or non-profit organizations) is not an appropriate advertising expense. University properties, university employees, university time, general use, and restricted use funds should not be used in any manner that could be construed as a contribution to a person, organization, charity, or cause not directly associated with providing a direct benefit to the University.

5.0 PROCEDURES

5.1 Establishment of University Advertising Standards Committee

5.1.1 UMC shall establish the University Advertising Standards Committee consisting of relevant stakeholders, such as representatives from the marketing department, General Counsel, brand management, and any other pertinent individuals or departments.

5.1.2 This committee shall define the criteria against which advertising materials will be evaluated. This may include considerations such as adherence to the *UVU Advertising Guide*, accuracy of information, appropriateness for the target audience, compliance with legal and ethical standards, and alignment with the University's strategic goals.

5.2 UMC Advertising Compliance Officer

5.2.1 UMC executive leadership appoints the UMC advertising compliance officer, who is responsible for

5.2.1.1 overseeing the University Advertising Review Committee;

5.2.1.2 monitoring and assessing all advertising activities to

5.2.1.2.1 ensuring compliance with applicable advertising laws, regulations, and policies;

5.2.1.2.2 ensuring that all advertising meets the purpose stated in section 1.1;

5.2.1.3 investigating any reported concerns or potential violations related to advertising;

5.2.1.4 subject to university policies, collaborating with relevant stakeholders to address non-compliance issues and implementing corrective actions;

5.2.1.5 providing guidance and training on advertising compliance requirements to university personnel involved in advertising activities; and

5.2.1.6 reporting on the overall compliance status and recommending improvements to the advertising policy and the *UVU Advertising Guide* as needed. This includes providing any required reports to the Utah System of Higher Education, upon request.

5.3 Advertising Coordinators

5.3.1 UMC executive leadership and the UMC advertising compliance officer, in consultation with each university unit, shall appoint a UMC MarCom employee to serve as that unit's advertising coordinator. Departments can find the contact information for their designated

advertising compliance officer in the *UVU Advertising Guide*, which is available on UMC's website: uvu.edu/marketing

5.3.2 In consultation with their advertising coordinator, university units oversee and implement their own advertising upon the advertising platforms approved by UMC. All advertising coordinators must submit their unit's advertising proposals to UMC for review and approval.

5.3.3 The advertising coordinator is responsible for

5.3.3.1 ensuring all advertising produced or approved by their unit complies with university advertising policy, procedures, and brand standards;

5.3.3.2 serving as the liaison between their unit and the UMC Advertising Compliance Officer;

5.3.3.3 reviewing advertising content prior to distribution or publication;

5.3.3.4 coordinating all necessary corrections, takedowns, or providing context for the advertising in response to compliance reviews.

5.3.4 When assigned by the UMC Advertising Compliance Officer, the advertising coordinators may also facilitate trainings and awareness within their unit regarding advertising standards and act as the point of contact for questions or concerns related to advertising compliance.

5.4 Advertising Requirements Review

5.4.1 All advertising requirements must undergo a review process to ensure compliance with this policy, brand standards, laws, and regulations. The review process should involve relevant stakeholders, such as UMC, General Counsel, and other appropriate individuals or committees responsible for overseeing advertising activities. These appropriate individuals or committees will be selected and invited by UMC, through the UMC Advertising Compliance Officer.

5.4.2 For specific advertising review and approval procedures for each unit across the university, see the *UVU Advertising Guide*.

5.5 Advertising Reports and Records

5.5.1 UMC will retain and manage records associated with advertising UMC in accordance with applicable laws, regulations, university retention schedules, and internal policies. All university campus units engaging in advertising must report their advertising activity and provide relevant advertising records to UMC for centralized retention.

5.5.2 For submission procedures of records and reports, refer to the *UVU Advertising Guide*.

5.6 Appeals of Advertising Decisions

5.6.1 University employees or entities may appeal advertising decisions, such as disapproval of their advertising proposal, to the UMC Associate Vice President of Marketing (For specific procedures, see the *UVU Advertising Guide*.) The decision of the UMC Associate Vice President of Marketing, in consultation with the Vice President of UVU University Marketing and Communications, shall be final.

5.7 Ongoing Monitoring and Evaluation of Advertising

5.7.1 The University will monitor and evaluate advertising campaigns periodically to assess their effectiveness, impact, and compliance with this policy, processes, and any style and branding guides established by University Marketing and Communications. UMC will consider feedback from target audiences, performance metrics, and any reported concerns to refine advertising strategies and ensure ongoing compliance.

5.8 Advertising Budgets, Funds, and Financial Reporting

5.8.1 All university entities are required to report all advertising budgets, funds, and financial reporting to the UMC advertising compliance officer in UMC has authority to establish and require a scheduled reporting process and can also request random audits at its discretion. (For reporting procedures, see the *UVU Advertising Guide*.)

5.9 Training and Education

5.9.1 UMC has the sole responsibility for training all campus employees and units who engage in advertising on behalf of the University. All employees and departments engaged in advertising are responsible to attend all required trainings in advertising policies, procedures and guidelines set by UMC. For training schedules and deadlines, see the *UVU Advertising Guide*.

POLICY HISTORY		
Date of Last Formal Review: June 18, 2025		
Due Date of Next Review: June 18, 2030		
Date of Last Action	**Action Taken**	**Authorizing Entity**
June 18, 2025	New policy approved through regular policy process.	UVU Board of Trustees
September 22, 2026	Non-substantive change: Replace “EthicsPoint” with “Report Concerns webpage”	UVU Policy Office