

Title/Subject: **Solicitations and Fundraising Policy**

Applies to: faculty staff students student employees visitors contractors

Effective Date of This Revision: December 6, 1993

Contact for More Information: Contracting and Purchasing Services

Board Policy Administrative Policy Procedure Guideline

**FUND-RAISING, SALES AND SOLICITATIONS
ON THE CENTRAL MICHIGAN UNIVERSITY CAMPUS**

I. INTRODUCTION

- A. This document sets forth the policies and procedures relative to fund-raising and commercial sales and solicitation only. The University's Policy and Procedures Affecting Advocacy Activities should be consulted and those rules shall apply, when an activity falls within the scope of that document.
- B. The sale of food items, regardless of whether it is conducted as a fund-raising or commercial sale activity, is covered separately in this document. (Section IV)

II. FUND-RAISING

A. **Definition**

Fund-Raising is an activity conducted where money is donated or contributed, items are collected for use by a non-profit organization or activity, or an item or service is sold for less than \$25 per item, with the net proceeds to be contributed to a non-profit organization or activity.

B. **Fund-Raising on Campus by Registered Student Organizations**

Registered Student Organizations may conduct fund-raising projects or campaigns in designated locations on the campus under the following guidelines:

- 1. Approval for the project or campaign must be granted ten working days in advance of the project by the Dean of Students or her/his designee. Application for such approval must be made at the Office of Student Life. Criteria for approval are as follows:

* A Registered Student Organization is a student organization which has completed the registration process for student organizations which is set forth in the **Registered Student Organization Operational Guide (RSO Guide)**, published by the Office of Student Life.

- a. No portion of the proceeds of the project or campaign will be for the private gain of any individual or company.

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- b. The proceeds will be used for recognized purposes of the organization.
- c. The organization certifies that it will comply with applicable provisions of State and Federal law in the conduct of the activity, including any applicable State or Federal campaign finance laws.

2. **Procedures**

- a. Requests by Registered Student Organizations for a permit to conduct fund-raising projects are made by using the **Student Organization: Petition for Fund-Raising** form, which is available in the Office of Student Life. Such requests must be approved by the Dean of Students or her/his designee.

A Registered Student Organization that plans to fund-raise on campus must submit its completed application for a permit to the Office of Student Life at least ten University working days in advance of the event. This application must state the beginning and ending dates of the event. Approval or denial of the request will be given within five University working days following the date of the request. Notice will be considered given when written notification has been mailed to the organization's address on file. **Fund-Raising activities can not take place without first having been approved and when applicable, the appropriate insurance coverage has been obtained.**

Before Registered Student Organizations begin fund-raising in University facilities, the Building Coordinator for each building in which fund-raising will occur must be contacted. (See RSO Guide. A list is also available in the CMU directory.) The Building Coordinator will advise the organization of locations where tables or booths may be set up, how to obtain tables, noise limits, and safety requirements. Space will be allotted on a "first come, first served" basis.

Registered student organizations sponsoring an event at which an admission fee will be charged (e.g., movies, dances, parties) must first submit a fund-raising application to the Office of Student Life in accordance with these regulations.

- b. When fund-raising takes place in the residence halls, Registered Student Organizations must ALSO submit a form entitled **Application for Sales and Solicitations, and Fund-Raising in Residence Halls**, which is available in the Residence Life Office. This request must be approved by the Associate Director of Residence Life.

A Registered Student Organization that plans to fund raise in the **residence halls** must submit its completed application for a permit to the Residence Life Office at least five working days prior to the start of the activity. This application is submitted AFTER gaining approval from the Office of Student Life. Accordingly, organizations undertaking fund-raising projects, which will occur in residence halls should begin the permit process at least fifteen University working days before the project is scheduled.

NOTE: Permission for fund-raising by a residence hall organization within ONLY its own residence hall and for only its own residents may be obtained from the Associate Director of Residence Life without obtaining approval from the Office of Student Life.

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c. Within ten days after conclusion of the fund-raising project or event, the treasurer of the organization shall file a brief statement with the Office of Student Life, setting forth the amount of money received, the amount spent on the campaign or project, the net proceeds to the organization, and the purposes to which the proceeds were given. The purpose of such a statement is to allow supporters of fund-raising projects to learn how much money was raised and where it was spent. This report will be available for public inspection during University working hours.

d. **Suggestions:** Groups should be careful to avoid competition with other organizations having fund-raising activities at the same time.

Publicity for the fund-raising project should clearly state the name of the sponsoring organization and how the proceeds will be used. Derived income should be deposited with organizational funds for use in furthering the program of the organization or funds raised for a charity should be promptly transferred to that charity.

3. **Locations for Fund-Raising**

Fund-Raising may be conducted only in the following locations:

a. **Bovee University Center**

Registered Student Organizations may conduct fund-raising activities at reserved tables located in the lower lobby of the University Center, subject to the same rules governing hand billing at that location.

Organizations using a room in the University Center for an event at which an admission fee will be charged must pay a rental fee and comply with other regulations issued by the University Center.

b. **Academic and Administration Buildings**

Registered Student Organizations must arrange with University Events for use of space and classrooms inside academic and administration buildings (e.g. to set up tables or booths, Etc.) for conducting fund-raising activities. In addition, the Building Coordinator must approve the fund-raising locations in Rose, S.A.C., and academic building lobbies and hallways. **Fund-Raising is not permitted in Warriner Hall or the Park Library.**

No one may conduct fund-raising activities office-to-office or desk-to-desk among University employees.

c. **Public Events**

No one may conduct fund-raising activities within an auditorium, meeting room or gymnasium, or in the lobby area or hallways adjacent to an auditorium, meeting room or gymnasium during the times that audiences are arriving at or leaving the event except as provided in the contract with the performing artist/speaker.

Registered Student Organizations with the prior notification to the Building Coordinator may conduct fund-raising outside the gates of Kelly/Shorts stadium

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and Alumni Field prior to, during, or after athletic events, **except that they may not sell items which are sold inside the Stadium or items which create health or safety problems.**

d. **Outside on the University Campus**

Under normal circumstances outdoor fund-raising is not allowed. However, the University may give special permission and/or schedule special all-campus events (e.g., Gentle Friday, Earth Day, CMU and You Day) during which only Registered Student Organizations may conduct fund-raising activities outdoors on the campus. For these special permissions and events, the Dean of Students or her/his designee will designate locations where Registered Student Organization fund-raising may occur. No other outdoor fund-raising is permitted.

e. **Residence Halls**

Each Residence Hall Council shall establish conditions for time, place, and manner of fund-raising in their residence hall. The policy will be posted in a conspicuous place near the main entrance to the building. All persons holding permits must abide by the time, place, and manner policy for each residence hall. Students may post notice on their doors requesting that no sales, solicitations, or fund-raising be conducted in that room. Residence halls which restrict a person of a particular sex from certain areas may restrict fund-raising agents of the restricted sex from those areas.

NOTE: **No fund-raising may be conducted in residence hall dining areas.**

4. **Other Fund-Raising Activities**

a. **Contests, Talent shows and Pageants**

Talent shows, pageants, or contests conducted on campus must retain all records concerning the event for 90 days. In case a decision is questioned, all documents must then be submitted to the Office of Student Life. Prizes must be purchased before other expenses for the project may be incurred.

b. **Raffles, Lotteries, and Other Games of Chance**

Registered Student Organizations, with the exception of Student Government Association and the Residence Hall Assembly, may apply for raffles or lotteries as fund-raising projects after they have secured a proper license in their own name from the Michigan Bureau of State Lottery in Lansing. They must present to the Assistant Director of Student Life proper authorization showing that they meet the qualifications for conducting the event and the University will neither encourage nor discourage their attempts to meet the requirements for holding raffles or lotteries.

A list of the required qualifications are available in the Office of Student Life.

Central Michigan University will support the Student Government Association and Residence Hall Assembly if they apply for permission to conduct a raffle or lottery under their auspices with net proceeds to be devoted exclusively to the lawful purposes of the qualified organization.

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- c. Registered Student Organizations may make agreements after obtaining approval from Student Life and Risk Management offices with commercial sales persons or organizations to publicize a commercial product or service, to sponsor sales by the commercial organization, or to organize or conduct sales or solicitations activities for or in conjunction with the commercial organization. Typically, the Registered Student Organization is paid a fee or commission for the sales made or the services it provides, and the goods or services sold are transferred directly from the commercial organization to the purchaser. Activities by Registered Student Organizations, pursuant to these kinds of agreements are considered **Commercial Sales or Solicitations**, and are governed by the policies and procedures for that kind of activity.

C. **Fund-Raising on Campus by Other Than Registered Student Organizations**

1. Fund-Raising by anyone other than Registered Student Organizations shall be regulated in the same way as Commercial Sales, except as indicated below.
2. Certain benevolent community fund-raising efforts may obtain continuing approval for their regular campaigns on the campus. The following group presently has continuing approval: **United Way of Isabella County**
3. Fund-Raising may occur door-to-door in residence halls by community groups in possession of a permit approved by the Residence Life Office. Such activity is subject to the time, place, and manner limits established by each Residence Hall Council and posted in a conspicuous place near the main entrance to the building. Students may post notice on their doors requesting that no solicitations be conducted in that room. Residence halls which restrict a person of a particular sex from certain areas may restrict fund-raising agents of the restricted sex from those areas.

D. **Fund-Raising and Solicitation of University Employees**

1. In all solicitations, whether for CMU or non-university causes, supervisors will not engage in solicitation of those reporting to them either directly or indirectly. For the purposes of this policy, solicitation is defined as a personal request, written or oral, for donations to any cause. It is NOT considered a solicitation for a supervisor to appeal to a body of employees for general support of a cause. Neither is it considered improper for supervisors to solicit employees not reporting to them.
2. The President and Vice Presidents will not take part in direct solicitation of any employee.

III. COMMERCIAL SALES AND SOLICITATIONS

- A. **Commercial Sale** is any transaction where money is exchanged or where a financial obligation is entered into for goods or services offered, except where such activity constitutes fund-raising.
- B. **Commercial solicitation** is any personal contact or door-to-door interaction with persons for the purpose of disseminating information about products or services, offering goods or services for sale, or encouraging attendance at commercial demonstrations or sales. Commercial solicitation includes, but is not limited to, the personal distribution of free samples or discount coupons or the distribution of application for credit cards.

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- C. **General Rule** No person shall conduct commercial sales or solicitations on the CMU campus without a properly issued, current, written permit in her/his possession (except as specified in E).
- D. **Application for Permit** An application for a permit for commercial sales or solicitations (and for fund-raising by persons or groups other than Registered Student Organizations) shall be filed no less than five working days prior to the start of the activity. Permits for commercial sales or solicitations activities originate in the Purchasing Department. Permits for such activities in residence halls must also be approved in the Residence Life Office.
- E. **Exceptions**
1. Where an activity falls within the scope of the current **University Policy/Procedures Affecting Advocacy Activities**, those rules apply.
 2. Speakers or performers appearing on the campus under contract with the University or a Registered Student Organization who wishes to sell items in connection with their appearance will request a specific stipulation to that effect in the performance contract and will be governed by the strict conditions of the signed contract and only in areas predetermined by the Building Coordinator, and University Events in conjunction with Risk Management.
 3. University units whose assigned functions involve sale of food or merchandise or the solicitations of funds for official University purposes are exempt from these regulations as long as the selling or solicitation activity falls within the assigned function. (Example: contracted Dining Services, Bookstore, Development, etc.)
 4. Companies providing campus-wide services and who are currently under contract (e.g. vending companies) with the University are exempt from these regulations as to solicitation or sale of those services.
 5. Non-University groups, who reserve or rent University facilities for an event, may engage in fund-raising or commercial sales or solicitations only as specified by the terms of their agreement with the University as determined by the Building Coordinator, a delegated University contracting officer and Risk Management and only within the facilities or immediately outside the area where the event is engaged.
- F. **Criteria for Issuing Permit**
- A permit for commercial sales or solicitations on the campus will be issued if the following criteria are met:
1. The person or organization certifies that it will comply with all applicable provisions of local, state, and federal law in the conduct of the activity, including the Michigan Consumer Protection Act, the Michigan Civil Rights Act, and when applicable, the Michigan Home Solicitations Sales Act.
 2. The person or organization can demonstrate they have obtained all of the applicable licenses and permits.
 3. Fund-raisers for non-profit groups state the organization, which will receive the proceeds of the fund-raising activity and to what extent a private individual will benefit.
 4. The person or organization provides documents that they have the applicable insurance coverage.

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5. The person or organization did not violate the applicable provisions of local, state, and federal laws or University regulations when they previously operated on the campus.
6. The person or organization agrees that no handbill, sign, poster or other advertising material shall be attached to the external walls of any campus building, to internal walls in the public areas of any building, or to any doors or windows; nor shall any such material be attached to poles, trees, sidewalks, or be erected or placed on open campus grounds, or placed on car windshields parked on University property.

G. Locations for Commercial Sales Activity

Individuals with permits may conduct commercial sales and solicitations ONLY in the following locations.

1. **Bovee University Center**

- a. A permit entitles the holder to conduct commercial sales and solicitations at reserved tables located in the lower lobby of the University Center, subject to the same rules governing hand billing at that location and established by the Building Coordinator.
- b. A permit entitles the holder to rent a room in the University Center for the purpose of conducting a demonstration and sale of items or services. Room rental is subject to the charges and regulations established by the University Center Building Coordinator.

2. **Academic & Administration Buildings** (See Exceptions E # 2-5)

- a. No commercial sales or solicitations may be conducted in Park Library, academic and administration buildings to include Finch, Rose Arena, SAC.
- b. **No one may sell or conduct commercial sales or solicitations office-to-office or Desk-to-desk among University employees.**

3. **Public Events** (See Exceptions E # 2-5)

- a. No commercial sales or solicitations may be conducted within an auditorium, meeting room or gymnasium or in the lobby area or hallways adjacent to the auditorium, meeting room, or gymnasium during a scheduled public event occurring in that location or during the times that audiences are arriving at or leaving the event.
- b. Commercial sales or solicitations are prohibited in the parking lot or outside the gates of Kelly/Shorts Stadium, Rose Arena, or alumni field.

4. **Outside on the University Campus**

The University may schedule special all-campus events during which fund-raising and commercial sales or solicitations may be conducted outdoors on the campus (e.g. Gentle Friday, Earth Day, CMU and You Day). For these special events, the Vice President for Business and Finance and/or their designee will designate locations where fund-raising, sales and solicitations may occur. No other outdoor fund-raising, sales and solicitations are permitted.

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5. **Residence Halls and University Apartments**

a. **Time, Place, and Manner**

Each Residence Hall Council shall establish conditions for time, place, and manner of commercial sales and solicitations in their residence hall. The policy will be posted in a conspicuous place near the main entrance to each building. All persons holding permits must abide by the time, place, and manner policy for each residence hall.

b. **Door-to-Door Sales**

No door-to-door commercial sales or solicitations are allowed in residence halls.

c. **Sales and Demonstrations in Rooms**

Students may invite permit-holders to demonstrate and sell to the student and her/his invited guests in their rooms. Such sales are limited to \$300 per sale per student.

d. **Sales and Solicitations in Dining Areas**

No commercial sales or solicitations may be conducted in residence hall dining areas.

e. **Vendor or Sales Agent**

No resident or student group may act as a vendor or sales agent, or in any manner set up a business enterprise, in any University residence hall or apartment.

f. **Public Areas Sales Demonstration**

A permit holder may schedule a demonstration meeting in a public area of the residence hall by invitation of a resident or staff member. At the demonstration meeting, items may be shown and demonstrated; however, no sales may be made. The sales person may then be personally invited by an individual student to her/his residence hall room, where a sale can be made.

IV. SALE OF FOOD ITEMS

Due to health and liability issues, and the time constraints to administer an appropriate approval and inspection program, the University will only grant authorization to sell food items on campus to its contracted Dining Services vendor and those vendors the University has contracted with for particular events/situations to provide food. There are two exceptions:

1. University Registered Student Organizations may sell--under the conditions and in the locations that other Registered Student Organization fund-raising is allowed--commercially pre-packaged candy, doughnuts and cookies.

Approval to sell food shall be granted through the regular process for fund-raising projects for Registered Student Organizations.

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2. Delivery of food by commercially licensed vendors is allowed in response to an order placed by an on-campus person.

Central Michigan University reserves the right to make exceptions to, modify or eliminate this policy and or its content. This document supersedes all previous policies, procedures or guidelines relative to this subject.