

Title/Subject: **FUNDRAISING, SOLICITATION AND COMMERCIAL SALES**

Applies to: faculty staff students student employees visitors contractors

Effective Date of This Revision: July 25, 2023

Contact for More Information: Contracting and Purchasing Services; Student Affairs

Board Policy Administrative Policy Procedure Guideline

**FUNDRAISING, SOLICITATIONS, AND COMMERCIAL SALES
ON THE CENTRAL MICHIGAN UNIVERSITY CAMPUS**

PURPOSE:

This policy sets forth the guidelines and procedures relative to Fundraising, Solicitation and Commercial Sales 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.

POLICY:

No person or organization shall conduct Fundraising, Solicitations or Commercial Sales on the CMU campus without properly issued, current, written permits and/or approvals. CMU seeks to ensure that charitable fundraising and charitable private grant-making adheres to ethical and legal standards, as well as internal university policies and procedures related to the use and oversight of philanthropic gifts and grants. Reference Administrative Policy 10-1 Fundraising on behalf of Central Michigan University for guidance on charitable requests.

DEFINITIONS:

Fundraising is an activity conducted in-person, by phone or virtually, 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.

Solicitation is any delivering or passing out of printed materials (including leafleting or hand billing) or online/virtual material, personal contact or door-to-door interaction with persons for the purpose of advertising or disseminating information about products or services, offering free samples, offering goods or services for sale, or encouraging attendance at demonstrations or sales.

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 Activities and Involvement. *Note: Occasionally, academic classes issue assignments which require students in the class to conduct fundraising activities to raise awareness of and fundraise money for philanthropy. In those cases, these students/groups shall be regulated by the same guidelines as Registered Student Organizations. Fundraising activities in the academic classes must also comply with CMU Cash Handling Policy, Number 6-6.*

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 fundraising. *Note: Fundraising by any person or organization other than a Registered Student Organization shall be regulated by the same guidelines as Commercial Sales and Solicitations.*

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Commercial Solicitation is any delivering or passing out of printed materials (including leafletting or hand billing) or online/virtual material, personal contact or door-to-door interaction with persons for the purpose of advertising or disseminating information about products or services, offering free samples, 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 applications for credit cards.

PROCEDURES FOR REGISTERED STUDENT ORGANIZATIONS

Guidelines:

Registered Student Organizations may conduct Fundraising and Solicitation projects or campaigns in designated locations on the campus under the following guidelines:

1. No portion of the proceeds of the project or campaign will be for the private gain of any individual or company.
2. The proceeds will be used for recognized purposes of the organization.
3. 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.
4. Approval for the project or campaign must be granted ten working days in advance of the project by the Associate Vice President for Student Affairs or designee.

Procedures:

1. Requests by Registered Student Organizations for a permit to conduct Fundraising projects are made by using the Student Organization: Petition for Fundraising form, which is available in the Office of Student Activities and Involvement. Such requests must be approved by the Associate Vice President for Student Affairs or designee.
2. Registered Student Organizations sponsoring an event at which an admission fee will be charged (e.g., movies, dances, parties) must first submit a fundraising application to the Office of Student Activities and Involvement in accordance with these regulations.
3. When Fundraising and Solicitation takes place in the residence halls, Registered Student Organizations must ALSO submit a form entitled Application for Sales and Solicitations and Fundraising in Residence Halls, which is available in the Residence Life Office. This request must be approved by the Associate Director of Residence Life. This application is submitted AFTER gaining approval from the Office of Student Activities and Involvement. Accordingly, organizations undertaking fundraising 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 fundraising by a residence hall organization within ONLY its own residential community and for only its own residents may be obtained from the Associate Director of Residence Life without obtaining approval from the Office of Student Activities and Involvement.

4. Within ten days after conclusion of the Fundraising project or event, the treasurer of the organization shall file a brief statement with the Office of Student Activities and Involvement, 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 fundraising 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.

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PROCEDURES FOR PERSONS OR ORGANIZATIONS OTHER THAN REGISTERED STUDENT ORGANIZATIONS:

Persons or organizations other than Registered Student Organizations wishing to conduct Fundraising, Solicitation or Commercial Sales activities must complete a Solicitation/Fundraising Petition form located on the Contracting & Purchasing Services website prior to conducting any such activities on campus. The person or organization submitting the form will be contacted by the Director of Contracting & Purchasing Services or designee.

A permit for Fundraising, Solicitation or Commercial 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 it has obtained all of the applicable licenses and permits.
3. Fundraisers for non-profit groups state the organization which will receive the proceeds of the fundraising activity and to what extent a private individual or business will benefit.
4. The person or organization certifies that they have the applicable insurance coverage. Evidence of this insurance coverage may be required prior to CMU approving the request.
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.

LOCATIONS FOR FUNDRAISING, SOLICITATION AND COMMERCIAL SALES:

Individuals and organizations with permits may conduct Fundraising, Solicitations, or Commercial Sales ONLY in the following locations. Specific times and locations for the activities shall be coordinated with the appropriate building coordinator. All building regulations shall apply. Fees may apply.

1. Bovee University Center

Tables are available to reserve at the lower lobby of the Bovee University Center, subject to the same rules governing Distribution of Printed Materials at that location. (See Policies and Procedures affecting Advocacy Activities.)

2. Student Activity Center

Tables are available to reserve in the hallway of the Student Activity Center, subject to the same rules governing Distribution of Printed Materials at that location. (See Policies and Procedures affecting Advocacy Activities.)

3. Academic & Administration Buildings

Only Registered Student Organizations are authorized to conduct Fundraising and Solicitation Activities within academic and administration buildings. Registered Student Organizations must arrange with Events & Conference Services for use of classroom and auditorium space for fundraising. Registered Student Organizations must arrange with the Building Coordinator for fundraising locations in Rose and academic building lobbies and hallways (e.g. to set up tables or booths, etc.) for conducting fundraising activities. Fundraising is not permitted in Park Library.

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No one may conduct Fundraising, Commercial Sales, or Solicitations activities office-to-office or desk-to-desk among University employees.

Tables are available to reserve at the lower lobby of the Bovee University Center, subject to the same rules governing Distribution of Printed Materials at that location. (See Policies and Procedures affecting Advocacy Activities.)

4. Public Events

Fundraising, Commercial Sales, or Solicitations activities are NOT permitted within, or immediately adjacent to, 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 Fundraising and Solicitation outside the gates of outdoor athletics venues prior to, during, or after events, except that they may not sell items which are sold inside the stadium or items which create health or safety problems.

No Commercial Sales activity is permitted in the parking lots or outside the gates of any athletics venues, except as contracted for special events by the Athletic Department.

5. Outside on the University Campus

Under normal circumstances Fundraising, Commercial Sales, or Solicitations is not allowed outside on university campus. 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 Fundraising, Solicitation, and Commercial Sales activities are permitted outdoors on the campus. For these special permissions and events, the Associate Vice President for Student Affairs or designee will designate locations where Registered Student Organization fundraising may occur. The Director of Contracting & Purchasing Services, in conjunction with University Events will designate locations for Commercial Sales. No other outdoor Fundraising, Solicitation, or Commercial Sales is permitted.

6. Residence Halls and University Apartments

Only Registered Student Organizations are permitted to conduct Fundraising and Solicitation activities within residence halls and university apartments.

Each Hall/Community Council shall establish conditions for time, place, and manner of fundraising and solicitation in their building(s). 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 building. Residence halls which restrict a person of a particular sex from certain areas may restrict fundraising agents of the restricted sex from those areas.

Residence hall floors and Graduate Housing are private areas, not public, therefore, no door-to-door fundraising or solicitation by Registered Student Organizations or groups from outside the residential community are permitted.

SALE OF FOOD ITEMS:

Due to health and liability issues the University will only grant authorization to sell food items on campus to its contracted dining services vendor. There are two exceptions:

1. Registered Student Organizations may sell under the conditions and in the locations that other fundraising is allowed; candy and other food items that do not require temperature control. However, these sales are not allowed in buildings

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- where the University has entered into a contract for the provisions of food (e.g., University Center, SAC).
2. Delivery of food by commercially licensed vendors is allowed in response to an order placed by an on-campus person.

EXCEPTIONS:

1. Certain benevolent community fundraising efforts may obtain continuing approval for their regular campaigns on campus. These fundraising efforts shall comply with these policies except that direct employee solicitations are allowed. The following organizations have continuing approval: United Way of Isabella County, Special Olympics of Michigan.
2. Where an activity falls within the scope of the current **University Policies and Procedures Affecting Advocacy Activities**, those rules apply.
3. Speakers or performers appearing on the campus under contract with the University or a Registered Student Organization who wish 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 & Conference Services in conjunction with Risk Management.
4. 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, Advancement)
5. 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 as required under the performance of the contract.
6. Non-University groups who reserve or rent University facilities for an event may engage in fundraising or commercial sales or solicitations only as specified by the terms of their agreement with the University as determined by the Building Coordinator, Events & Conference Services and Risk Management and only within the facilities or immediately outside the area where the event is engaged.
7. Commercial solicitation materials may be left for self-distribution in designated buildings, in accord with the provisions in the **University Policies and Procedures affecting Advocacy Activities**.

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.