POL 04.05.02

Solicitation on University Property Policy

**NOTICE:**This policy/regulation is presented in its format as of the date of posting to this website. The university is in the process of conducting a thorough review of all its policies and regulations. This policy/regulation has not yet been reviewed/vetted in accordance with [REG 01.20.01](https://www.uncp.edu/about-uncp/administration/policies-and-regulations/all-regulations/reg-012001-procedure-formatting-adopting-and-publishing-policies-and-regulations).

**Authority:** Chancellor

**History:**

* First Issued: June 5, 2002
* Revised: April 15, 2003
* Last Revised: August 28, 2013

**Related Policies:**

**Additional References:**

* [Internal Revenue Service Code Section 501(c)(3) – Exemption Requirements](http://www.irs.gov/Charities-&-Non-Profits/Charitable-Organizations/Exemption-Requirements-Section-501%28c%29%283%29-Organizations)
* [UNCP University Center Procedures Manual](http://www.uncp.edu/uc/reservations/Policies_and_Procedures_.pdf)

**Contact Information:** Director of Human Resources, 910.521.6279

**1. PURPOSE**

1.1 The University of North Carolina at Pembroke ("UNCP" or the "university") has the duty and responsibility to maintain a safe and healthy work environment conducive to its principal mission of education while respecting the constitutional protection of free speech as well as individuals’ right to privacy. Accordingly, the university hereby adopts this solicitation policy for the purposes of: (1) preserving the university's right to permit or prohibit sales and solicitations activities on university property, and (2) to protect the campus community from sales and solicitations activities that are intrusive, unrelated to our educational purpose, or incompatible with normal operations. This policy is not intended to constrain solicitation of the university, which may be directed to appropriate employees solely in their capacities as employees or agents of the university in the normal operation of university purchasing or contracting.

**2. SCOPE**

2.1 This policy applies to solicitation activities conducted on the grounds or within buildings under the control of UNCP, including solicitation using UNCP's electronic mail network ("email").

**3. POLICY**

3.1 Solicitation of employees and students and/or distribution of literature for solicitation purposes is prohibited unless approved and conducted in accordance with the content, requirements and restrictions of this policy. The university reserves the right to withhold approval for any solicitation activities on property under its jurisdiction, and to regulate the time, place, manner and duration of approved solicitation. The university makes no warranty regarding the truth of any representation made in any written materials posted or distributed or other information provided as part of any solicitation activity engaged in pursuant to this policy.

3.2 The Office of the Vice Chancellor for Student Affairs reserves the right to approve any and all solicitations. Upon approval, all solicitations will receive appropriate endorsement notation and authorization at the bottom of the solicitation.

3.3 All solicitations must include contact information for the responsible party including phone number and the alternative format statement! The alternative format statement is: “This publication is available in alternative formats upon request. Please contact Disability Support Services, DF Lowry Building, 521-6695.” Unapproved solicitations and those posted without contact information will be removed and discarded.

**4. SOLICITATION AND DISTRIBUTION ACTIVITIES BY NON-EMPLOYEES**

4.1 An unaffiliated organization or non-employee intending to solicit or distribute literature to employees or students must, for each visit or any other solicitation activity, adhere to the following guidelines.

4.1.1 A sponsorship must be obtained from an academic unit, athletics, or a student organization (with signature & approval from organization advisor).

4.1.2 All forms of solicitation must be approved, in writing, through the vice chancellor for Student Affairs one week prior to the event to assure maximum exposure and will remain posted for a period not to exceed three weeks, with the exception of banners (see banner policy). Anything posted without approval will be removed by a staff member.

4.1.3 At the time the advance notice is given, a list must be provided of the names of the persons or alternates who wish access to the university.

4.1.4 In the event two or more requests for access to a facility for the same or overlapping times have been made, the vice chancellor for Student Affairs should attempt to provide alternate designated areas. In the event that no alternate designated area is available, the vice chancellor for Student Affairs will grant access to the available designated area on a rotating basis with equal time for its use to the extent reasonably possible.

4.1.5 Designated areas are to be determined by the vice chancellor for Student Affairs and a list of such areas will be made available upon request.

4.2 Any disagreements regarding these rules should be directed to the vice chancellor for Student Affairs for final resolution.

**5. SOLICITATION AND DISTRIBUTION ACTIVITIES BY OR OF EMPLOYEES**

5.1 An employee may solicit or distribute literature to other employees:

5.1.a. in non-working areas only if

i. All employees involved are on non-working time, or

ii. The solicitation will benefit a non-profit, community service organization;

5.1.b. in working areas and non-working areas, only if

i. The solicitation or distribution supports a UNCP entity such as departments, affiliated organizations, athletics, alumni association, or advancement,

ii. The solicitation will benefit a non-profit, community service organization and this process does not interfere with job duties,

iii. The solicitation takes the form of passing literature for orders as long as this does not interfere with job duties (Paying for and delivering of items ordered through this process must be done during non-working hours), or

iv. The solicitation or distribution is approved by the chancellor as an exception to this policy as provided herein.

5.2 Use of university internal campus mail, email, or any other university property by employees for solicitation purposes is prohibited, except for solicitations by or on behalf of affiliated organizations that do not interfere with the use of said mail and email systems and property for customary university operations. Employees may not use university facilities to conduct private enterprise.

5.3 Only employees of the university may distribute or post notices, literature or other appropriate information on employee bulletin boards designated as such by the university and only after receiving prior written approval from the Human Resources director or his/her designee. If a notice contains information about an on-campus solicitation by an organization, it must conform to the permission granted to the organization (in terms of designated area, time and date) for such solicitation.

5.4 The chancellor, at his discretion, may approve an exception to this policy and set conditions under which university facilities may be used to engage in solicitation and distribution of information on behalf of any community service organization that is sponsored by a university department, division, or other major administrative unit, if he/she determines the exception will further the mission and goals of the university.

**6. SOLICITATION AND DISTRIBUTION ACTIVITIES BY STUDENTS**

6.1 Solicitation, sales, and distributions on campus sponsored and conducted by registered student organizations, students, or student groups must be registered in advance with the vice chancellor for Student Affairs and carried out in only the designated areas. Student elections may be subject to additional requirements adopted by the Student Government Association. In order to ensure availability of the desired facility, arrangements should be made at least four days in advance of the event. Use of all University Center facilities must be scheduled with the director of the University Center and vice chancellor for Student Affairs. (See [UC Procedures Manual](http://www.uncp.edu/uc/reservations/Policies_and_Procedures_.pdf))

6.2 Notwithstanding any other statement in this policy, students or registered student organizations may not solicit for funds from any on-campus group and/or agency unless granted permission by the vice chancellor for Student Affairs. Students shall not use any university facilities, including residence hall rooms, for the operation of private enterprise.

6.3 No student or group/organization shall solicit for funds, goods, or services under the university name off-campus unless the project has been approved in advance by the vice chancellor for Advancement and vice chancellor for Student Affairs.

**7. GENERAL PROVISIONS**

7.1 Any organization or person who posts or distributes any tangible materials as any part of a solicitation activity shall be responsible for removing and properly disposing of all such materials at the conclusion of the solicitation period.

7.1.1 Any individual, organization, or any entity found in violation of this policy will be subject to disciplinary action deemed appropriate by the chancellor and the Executive Committee.

7.2 Posting

7.2.1 Printed materials may be posted only on designated bulletin boards; nothing may be posted on any other surface. Staff will immediately remove signs placed on glass and/or walls. Offensive, obscene, inflammatory advertising, etc. will not be permitted. No posters are permitted in which alcohol consumption or alcohol, weapons, and tobacco sales are part of the advertisement. Posters and flyers must provide the name and contact information of the sponsoring organization or group. Posters should be no larger than 24" x 17" in size, unless otherwise approved. Only four (4) advertisements per event will be approved.

## 7.3 Banners

7.3.1 Generally, banners are not permitted, but exceptions can be made for special events and programs. Banners may only be hung the day before and the day of the advertised event. Banners not advertising a specific event can hang for two weeks. Banners may be hung in the six designated banner areas, with special permission. Banner areas are located on either side of the columns at the front entrance to the UC, in each entrance foyer, above the display case at the rear UC entrance, and above the Facilities Operations display–hooks are provided. For banner locations in the UC Annex, contact Facilities Operations. Banners (including all hanging materials) must be removed as soon as possible after the event.

**8. DEFINITIONS**

8.1 Designated area - any facility location to be determined by the vice chancellor for Student Affairs.

8.2 Designated parking lot - an area to be determined by the vice chancellor for Student Affairs where employees and/or visitors park motor vehicles.

8.3 Organization - a body of persons established for a specific purpose.

8.3.1 Affiliated organization - any UNCP entity, including any department or division of the university, UNCP athletics, alumni association, and advancement, the Faculty Senate, the Staff Council, the Student Government Association, and any registered Student organization. Acting as an affiliated organization, the Office of Human Resources, at its discretion, may forward to employees information and materials from representatives of university recognized and approved firms offering optional retirement programs, deferred compensation, insurance, organization memberships, and similar employee benefits.

8.3.2 Unaffiliated organization - any organization that is not an affiliated organization.

8.4 Facility - any work or non-work area comprising one worksite that is governed by and under the control of UNCP.

8.5 Vice chancellor for Student Affairs - the person designated by the chancellor to be contacted regarding solicitation or distribution activities conducted at any facility.

8.6 Non-employee - any person not employed at UNCP, or any person not in an active work status.

8.7 Non-work area - any area to be determined by the vice chancellor for Student Affairs and generally includes lobbies, cafeterias, public areas or designated parking lots.

8.8 Non-working time - approved leaves, lunch periods, and before and after scheduled working hours.

8.9 Solicitation - any activity conducted for the purpose of advertising, promoting, fund raising, or selling any product or service or encouraging membership or participation in any event, group, association or organization.

8.10 Work area - an area to be determined by the vice chancellor for Student Affairs, and generally includes offices, work stations, conference rooms and corridors leading directly thereto which are used as an integral part of performing work and any area where the employee performs his/her official duties.

8.11 Working time - that time when an employee's duties require that he or she be engaged in work tasks, but does not include an employee's own time, such as meal periods, vacations, and time before or after a shift.

8.12 Registered student organization - an organization of enrolled students that is recognized by the Student Government Association.

8.13 Student - an individual registered and enrolled at UNCP.

8.14 Student group - a group of enrolled students not recognized by the Student Government Association, but has some identifying characteristics that imply separateness from other students.

8.15 Community Service Organization - a non-profit, non-partisan community organization designated as an IRS Code 501(c) agency, or a human service organization licensed or accredited to serve citizens with special needs including children, youth, and the elderly.