

NOTICE OF PROPOSED REGULATION AMENDMENT

Date: June 14, 2019

REGULATION TITLE:

Solicitation on Campus

REGULATION NO.:

UCF-4.010

SUMMARY OF REGULATION AMENDMENT: This regulation is amended to add an exemption for vendors, agents, and brokers authorized by the UCF Human Resources Office with relation to employee benefit programs. Such vendors, agents, and brokers will be excluded from the procedures of this regulation.

AUTHORITY: BOG Regulation 1.001

NAME OF PERSON WHO INITIATED PROPOSED REGULATION AMENDMENT:

Maureen Binder, Associate Vice President and Chief HR Officer

COMMENTS CONCERNING THE PROPOSED REGULATION AMENDMENT SHOULD BE SUBMITTED WITHIN 14 DAYS OF THE DATE OF THIS NOTICE TO THE CONTACT PERSON IDENTIFIED BELOW. The comments must identify the regulation you are commenting on.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED REGULATION AMENDMENT IS:

Regulations Administrator
4365 Andromeda Loop North
Millican Hall, Suite 360
Orlando, FL 32816-0015
Phone: (407) 823-2482
e-mail: regulations@mail.ucf.edu

FULL TEXT OF THE PROPOSED REGULATION AMENDMENT:

UCF-4.010 Solicitation on Campus.

(1) This regulation applies to all solicitors.

(2) Definitions

- (a) For purposes of this regulation, “campus” shall be defined to include all properties and facilities under the guidance, supervision, regulation, or control of the University of Central Florida or any of its direct support organizations, and all fraternity and sorority houses on the campus.

(b) Solicitation is defined to be any act or event conducted for the purpose of financial or commercial gain to the vendor, individual(s) or organization(s). For purposes of this regulation, solicitation includes:

1. the sale, lease, rental or offer for sale, lease, rental, or distribution of any property, product, merchandise, publication or service, whether for immediate or future delivery; or
2. the distribution or display of printed material, merchandise, or products – whether through printed or media advertising, sponsorships, or otherwise – that is designed to publicize, advertise, encourage the purchase, use, or rental of any property, product, merchandise, publication or service.

(c) Solicitor is defined to be any person, individual, vendor, or business that engages or wishes to engage in solicitation. The term solicitor would include any university department, group, organization, employee, student, student organization, vendor, or visitor that engages or wishes to engage in solicitation.

(d) University contract is defined to mean any university obligation, commitment, or contract that obliges the university in any way, whether or not money is exchanged, or which relates to the needs of the university's own operations or academic mission. The term university contract would include bond obligations, support of university departments or direct support organizations, agreements with vendors and suppliers, and other commitments the university has made or may make.

(3) Solicitation is prohibited on campus without prior approval. UCF Business Services is the primary authority for approving solicitation on campus. Except as provided in this regulation, university departments, units, and DSOs must have approval from UCF Business Services prior to entering into any contract allowing solicitation on campus by any third party.

(4) All approved solicitation must be appropriate for the university community, benefit the students, faculty, and staff, and be conducted in a manner that will not:

- (a) obstruct vehicular, bicycle, pedestrian, or other traffic;
- (b) obstruct entrances or exits to buildings or driveways, or impede entry to or exit from any building or parking lot or vehicular path;
- (c) interfere with educational or administrative activities inside or outside any building;
- (d) violate a law, rule, regulation, or ordinance;

- (e) interfere with scheduled university ceremonies or events;
- (f) interfere with or disrupt normal university operations;
- (g) damage property, including grass, shrubs, trees, or other landscaping;
- (h) harass, embarrass, or intimidate the person or persons being solicited;
- (i) violate or impair any existing university contract, as defined above.

(5) Solicitors wishing to engage in solicitation activity at the University of Central Florida must contact and obtain approval through UCF Business Services.

(6) Solicitation procedures:

- (a) Vendors must obtain prior approval from UCF Business Services for solicitation. Approvals may be subject to a processing fee.
- (b) Vendors must adhere to the requirements established by UCF for the safety of the event and any rules as may be mandated by UCF's Department of Environmental Health and Safety and/or University Police.
- (c) UCF is not responsible for any loss, theft, or damage to vendors' equipment or goods. Vendors are responsible for the security of their property.
- (d) Those violating this policy will be instructed to cease and desist immediately and may be asked to leave the property. Additionally, a no-trespass warning by the UCF police may be issued to violators.
- (e) Failure of officially registered, active student organizations to comply with this regulation may result in student disciplinary action taken against such organizations, including the loss of the privilege to engage in solicitation on campus, the loss of the privilege to register as a student organization, as well as other disciplinary action. Failure of a student to comply with this regulation may result in student disciplinary action taken against the student.
- (f) By requesting the opportunity for solicitation on the premises, a solicitor warrants that it may lawfully sell or promote its product, service or idea and that such activity does not violate any law, and does not violate any trademark, copyright, or similar proprietary interest.
- (g) A university department, unit, or direct support organization wishing to enter into a contract with a third party that will involve the third party engaging in solicitation

on campus must consult with and obtain the approval of UCF Business Services or designee prior to entering to any such contract.

(7) Special Requirements for Food or Beverage Vendors. The university has contractual relationships with specific companies for food and beverage provision on campus. Specifically, the university has an exclusive concessionaire, a preferred caterer, and an exclusive pouring rights and sponsorship agreement. Any other food or beverage vendors may only solicit at the university if their solicitation conforms with these prior contractual arrangements, as well as with other university requirements and policies. Food or beverage vendors must comply with all legal health and safety requirements. Food or beverage vendors may be referred to the university's contractual partners for contractual and administrative oversight. Preference will be given to existing on-site merchants.

(8) Printed Materials Distribution and Posting

- (a) A solicitor must obtain prior approval for solicitation from UCF Business Services for printed material distribution and posting in campus common areas. Refer also to the university's signage policy.
- (b) Posting or otherwise affixing information or items to UCF buildings or property other than bulletin boards is prohibited. Those wishing to post academic-related material on a bulletin board must gain approval from the building coordinator. As a general rule the building coordinator allows items from 1) faculty for their own classes, 2) Student Government Association, or 3) Administration (EHS/Safety/Police). Non-academic solicitation requests must be approved by the Director of Business Services.
- (c) Posting or otherwise affixing printed material or other items on vehicles parked in UCF parking facilities is prohibited.

(9) Exceptions

- (a) Student Union Market Day. This policy does not apply to activities at the Student Union on Market Day as long as the activities do not violate or impair any existing university contract or this regulation. The Director of the Student Union or designee in accordance with Student Union policy regulates activities in the Student Union grounds.

- (b) Football Game Day. On campus football game days, the area designated as the “Gold Zone” is regulated for solicitation purposes by the UCF Athletics Association, Inc. (“UCFAA”), and they may approve solicitation in that area so long as the solicitation does not violate or impair any existing university contract and does not violate paragraph (4) of this regulation. The UCFAA and their designee(s) regulate activities within the Gold Zone. SGA-sponsored functions and student activities may be conducted on Memory Mall in specifically defined areas as long as these activities do not violate or impair any existing university contract or this regulation.
- (c) Registered student organizations that have written permission from the Director of the Student Union and/or the appropriate building coordinator to conduct a solicitation to benefit only the student organization have exception from this policy, as long as the activities do not violate or impair any existing university contract or this regulation. No person or entity outside of the student organization shall participate in the solicitation or receive any financial or other benefit or thing of value from the solicitation. Examples of such solicitations include but are not limited to bake sales and similar fundraising activities, distribution of literature, speakers, giveaway promotions, or signing of petitions.
- (d) The university has contractual relationships with merchants that maintain regular business hours on campus in contractually defined locations. Those merchants are engaged in approved solicitation only to the extent they are operating within the terms of their contracts and the confines of their defined locations on campus. If an established merchant on campus wishes to solicit on campus outside of their contractually defined location, they must seek approval for that solicitation and comply with this regulation.
- (e) This regulation does not apply to vendors, agents, or brokers authorized by the UCF Human Resources Office to offer employee benefits products and services to UCF employees. The Office of Human Resources manages and performs oversight for its specific employee benefits business lines and vendor relationships through departmental guidelines and forms, and does so independently of UCF Business Services and this regulation. Vendors, agents, or brokers authorized by UCF

Human Resources are engaged in approved solicitation only to the extent they are operating within the terms of their agreements with the State of Florida or the University and the authorization provided by the UCF Human Resources Office.

Authority: BOG Regulation 1.001. History–New 10-8-75, Amended 10-30-78, Formerly 6C7-4.10, Amended 4-27-03, 1-5-09; Formerly 6C7-4.010. Amended 5-5-14, 11-15-18, _____-19.