

NOTICE OF AMENDED REGULATION

September 11, 2015

DEPARTMENT OF EDUCATION

Division of Universities
University of North Florida

REGULATION TITLE:

Commercial Activity; Selling of Merchandise, Activities Involving Off Campus Vendors

REGULATION NO.:

6.0190R

SUMMARY:

The amendments to the regulation update the information and procedures which pertaining to commercial activity on campus currently. The amendment also addresses requirements for food, if part of the campus activity.

FULL TEXT:

The full text of the regulation being proposed is attached.

AUTHORITY:

Resolution of the Florida Board of Governors dated January 7, 2003 and BOG Regulation 1.001.

UNIVERSITY OFFICIAL INITIATING THE PROPOSED REVISED REGULATION:

Scott Bennett, Associate Vice President Administration and Finance

INDIVIDUAL TO BE CONTACTED REGARDING THE PROPOSED REVISED REGULATION:

Stephanie Howell, Paralegal, Office of the General Counsel, showell@unf.edu, phone (904)620-2828; fax (904)620-1044; Building 1, Room 2100, 1 UNF Drive, Jacksonville, FL 32224.

Any comments regarding the amendment of the regulation must be sent in writing to the contact person on or before September 28, 2015 to receive full consideration.



UNIVERSITY OF NORTH FLORIDA

Regulation Number	Regulation Title	Effective Date	Revised Date
6.0190R	Commercial Activity; Selling of Merchandise, Activities Involving Off Campus Vendors	06/13/04	06/13/04
Responsible Division/Department: Administration and Finance/Business Services			
<input type="checkbox"/> New Regulation <input checked="" type="checkbox"/> Revision of Existing Regulation <input type="checkbox"/> Repeal of Existing Regulation <input type="checkbox"/> Reaffirmation of Existing Regulation			

(1) For the purposes of this regulation, the following definitions shall apply:

(a) "University groups and organizations" are defined as officially constituted colleges, schools, divisions, departments, agencies, and other corporate organizational units which are a part of or operate on behalf of the University, including ~~by~~ but not limited to, direct support organizations, foundations, and alumni organizations officially recognized by the University, and student organizations, other societies, fraternities, and sororities officially registered or recognized by the University.

(b) "University persons" are ~~defines~~ defined as students and employees of the University, including faculty members, administrative and professional (A & P), University Support Personnel ~~System~~ System (USPS) and Other Personnel Services (OPS) personnel.

(c) "University related groups and organizations" are defined as those that although not officially recognized or registered by or affiliated with the University ~~of~~ or otherwise failing to meet the definition in paragraph (a) above, are related to the University because of the promotion of interests of the faculty, staff, or students, or which offer other services to the University community, such as credit unions, academic professional associations, professional fraternities/sororities, employee organizations, charitable community organizations, ~~either~~ other public ~~educations~~ education institutions, and the like.

(d) "Non-University persons, groups, and organizations" are defined as persons, groups, and organizations which do not meet the definitions of persons, groups, and organizations in paragraphs (a)-(c) above including, but not limited to, those groups and organizations which

exist primarily for the purpose of carrying on commercial activity for profit, or which otherwise exist primarily for private individual gain or benefit.

(2) The regulation of commercial activity on the campus is necessary in order to preserve the educational mission of the University, to prevent unnecessary distraction during classes and study periods, to provide for the safety of University students, faculty, and staff members, and to protect the property of students, faculty, staff, and the University.

(3) Except in accordance with this regulation, solicitors and tradespeople, including students, faculty, and other University personnel, are prohibited from entering the grounds or buildings of the University for the purpose of conducting commercial activity with students, faculty, other personnel, or visitors.

(4) The term "commercial activity" shall mean any act or event that results in direct financial gain to the salesperson, individual(s) or organization(s).

(5) The following activities shall not be prohibited "commercial activity" pursuant to this regulation:

(a) The sale of merchandise by University budgetary units or commercial activity pursuant to a contract between the University and a vendor that provides goods or services to the University community.

(b) Solicitation and collection of funds or the sale of ~~merchanidse~~ merchandise or printed material by University groups and organizations for the benefit of any charitable institution or organization as defined in § 501(c)(3) of the Internal Revenue Code of the United States or for the benefit of programs and/or projects sponsored by a University group or organizations, in accordance with paragraph (6) below.

(c) The solicitation of membership or the collection of dues from members of a University group or organization that inure to the benefit of that organization, in accordance with subsection (6) below.

(d) Contact between a salesperson and a University group or organization or University persons that was invited by the individual person or organization involved for his or her or its benefit and not to involve persons not associated with the person or organization.

(e) The distribution or sale of printed material pursuant to the requirements of Regulation ~~12.0060R~~ 7.0060R.

(6) University groups and organizations as well as the University persons, University related groups and organizations, and non-University persons, groups, and organizations they sponsor may conduct fundraising/solicitation activities only under the following conditions:

(a) University groups and organizations conducting solicitation/fundraising activities pursuant to paragraphs (5)(b) and (c) of this regulation must ~~receive a signed Solicitor's Permit from the Office of Student~~

~~Life prior to conducting their solicitation/fundraising activities. To request a Solicitor's Permit, applicants must fill out the "Solicitor, Bake Sale, Food Vendor, Alcoholic Beverage Permit Application and~~

~~Reservation Form," last revised October, 2003, hereby incorporated by reference, which is available from the Office of Student Life, and applicants must~~ complete a General Reservation Request Form / Off-Campus Guest Request Form (see

<http://www.unf.edu/studentunion/Reservations.aspx>) from Student Union Administration and submit the form at least two weeks prior to the first date of solicitation.

(b) If food is part of the activity, the activity must comply with the Florida Department of Health requirements (see http://www.unf.edu/ehs/Catering_and_Foodservice.aspx).

~~(b)~~(c) University persons, University related groups and organizations, and non-University persons, groups, and organizations may seek the sponsorship of University groups and organizations to conduct permissible commercial activity on campus pursuant to this regulation. Such vendors should contact ~~the Office of Student Life~~Student Union Administration at least three weeks before the first date the vendor plans to conduct solicitation activities so that ~~Office office~~ may seek a sponsoring organization for the vendor's application for a General Reservation Request Form / Off-Campus Guest Request Form~~Solicitor's Permit~~. If a sponsoring organization is located, ~~the Office of Student Life~~Student Union Administration will evaluate each application and ~~grant a Solicitor's Permit~~approve the reservation if it determines that ~~granting the Solicitor's Permit~~approving the activity will not infringe on the rights of existing contractors and that the ~~solicitation activity~~ will benefit the University, a unit thereof, or a charitable organization.

~~(e)~~(d) The University will revoke a ~~Solicitor's Permit~~reservation if the ~~solicitor organizer~~ acts in a disorderly or improper manner that disrupts the educational function of the University. ~~Any solicitor failing to show a valid Solicitor's Permit will be removed from campus at the request of the University Police Department.~~ Any person or organization that fails to comply with the requirements of this regulation or violates the regulations of the University will lose his/her/its privileges to conduct ~~solicitation~~solicitation/fundraising activities on campus and/or be subject to discipline pursuant to the Student Conduct Code set forth in Regulation 5.0010R.

~~(d)~~(e) ~~Solicitor's Permits~~Solicitation activities are valid only for the time and location requested and approved. In order to ensure the effective educational function of the University, the University will restrict the times, duration, frequency, and ~~quantity~~quantity of ~~Solicitor's Permits issued~~solicitation activities. ~~Solicitor's Permits will be issued~~Approvals will be given in the order the request meeting the requirements of this regulation is received in ~~the Office of Student Life~~Student Union Administration. ~~The University provides the Courtyard areas as the primary locations for solicitation/fundraising activities.~~

(7) Off-campus licensed food service caterers may provide food and beverage service for special events when sponsored by a University group or organization in University buildings not restricted under the terms of the University food service contracts. Direct sales to individual customers are not permitted; food and beverages must be paid for by the sponsoring group or organization or be provided at no charge. ~~Buildings on campus which include food outlets such as the University cafeteria, Outtakes, Sbarro's, Freshen's/Olo Sushi, Starbucks, UNF Hall Bistro and such other buildings that may contain food outlets in the future~~Food venue locations at the University are restricted for University foodservice contractors' use only. Sponsoring groups who wish to utilize off-campus caterers will assure that the caterer has registered with the University's EH&S department (see http://www.unf.edu/ehs/Registered_Food_Vendors.aspx for the current list of registered vendors), an appropriate foodservice license and liability insurance. The sponsoring groups will also see that state laws and University Regulation ~~7.0070R~~140060P, are followed if alcoholic beverages are to be part of the service and follow University requirements for review and approval of food service contracts.

(8) This regulation shall not prevent off-campus Jacksonville licensed food ~~vendors~~vendors from receiving and filling specific short-order food and beverage requests from University persons for direct delivery to campus addresses. ~~Except as provided in subsection(7), alcoholic beverages or food prepared and sold by other than licensed vendors, and sale items in direct competition with contract vendors or University budgetary units shall not be sold on campus.~~

(9) The provisions of this regulation do not apply to commercial activities conducted at the University of North Florida's [Adam W. Herbert University Center, Fine Arts Center or fourth floor of Osprey Commons which have their own provisions in rental contracts.](#)

[\(10\) Except as provided in subsections \(7\), \(8\) and \(9\), alcoholic beverages or food prepared and sold by other than licensed vendors and sale of items in direct competition with contract vendors or University budgetary units shall not be sold on campus.](#)

Specific Authority 1001.74(4) FS.

Law Implemented 1001.74(6) FS.

*History-New 11-25-82, Formally 6C9-1.10, Amended 9-8-88, Amended 6-13-04;
Formerly 6C9-7.010.*