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**Subject: Sales and Solicitation on Campus**

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## **1. Purpose**

This policy outlines the guidelines and procedures relating to sales or solicitation on the Virginia Tech campus. This policy applies to sale or solicitation activities by University departments, campus organizations (student or non-student), commercial vendors, charitable organizations, and individuals.

## **2. Policy**

The sale or solicitation of any products, goods, food, beverages, or services on the campus is subject to prior authorization and must be conducted in accordance with regulations established by the authorizing agent. The solicitation of funds through donations also requires prior authorization. For purposes of regulation, distinctions are made among "commercial," "non-commercial," "informational," and "individual" activities.

### **2.1 Activities**

1. Non-commercial activities may be approved on a limited basis with regard to time, place, safety, and the scope of the activity. Fund-raising activities of campus organizations are treated as non-commercial activities.
2. Informational activities sponsored by campus organizations are permitted but are subject to the reasonable guidelines of the authorizing official and require prior approval. Informational activities by non-University groups are not permitted in public areas.
3. Commercial activities will generally be prohibited unless the University does not offer the service or goods, and it is determined that the activity is necessary to the purpose of the University (such an activity is the delivery of newspapers to residence hall rooms).
4. Individual activities, such as the sale of personal property by members of the University community, require no prior authorization or notification of authorizing officials.
5. It is University policy that the University electronic mail systems and mail service is for official University correspondence only. It should not be used for commercial correspondence, advertising, soliciting, or mass mailing.

## 2.2 Activities by University Employees

1. The sale of products and services or solicitation of orders by University employees are considered commercial activities, and as such are prohibited during work hours. This includes both the actual sales or order taking, as well as distributing catalogs and literature.
2. Departmental mailboxes and bulletin boards are not to be used to distribute sales information or catalogs. Additionally, in accordance with Policy 5210, "Advertising on Campus," information may not be posted on interior and exterior doors, interior and exterior walls, windows, fences, directional and informational signs, lamp posts, light poles, barricades, trees, and any other location that is not appropriate.
3. In accordance with University Policy 5000, "University Facilities Usage and Event Approvals," University facilities are intended for the use of its students, faculty, staff and invited guests participating in University-approved programs or activities.
4. University-wide fund-raising activities must be approved by the Director of Business Management and Analysis.

## 2.3 Activities in Residence Halls

1. Commercial activities, which include commercial presentations, door-to-door, and other uninvited commercial solicitations, and the making of sales agreements, are prohibited in the common areas of the residence halls. The common areas are defined as all areas of the residence hall other than the interior of the students' private rooms.
2. Commercial activities that are legal and otherwise comply with all relevant laws may take place in a student's private room on an infrequent basis only under the following conditions (regular, recurring activities are prohibited; students are not permitted to use their rooms as an office for a private business):
  - a. Salespersons must have a business license from the Town of Blacksburg.
  - b. Salespersons and any other guests present in a student's room for a commercial activity must be invited to the room for that purpose, in advance, by a student occupant of that room. The roommate(s) must consent to such an invitation.
  - c. A student inviting nonresident guests to his or her room for a commercial activity must follow the established residence hall guest policy of escorting outside visitors to and from the student's private room. Unescorted visitors will be asked to leave the building immediately, and if they fail to comply, the Virginia Tech Police will be notified.
  - d. No announcements concerning commercial activities in a student's private room may be advertised or posted either in the common areas of the residence hall or outside the residence hall. All publicity and advertising connected with any sale is subject to the regulations in Policy 5210.
  - e. In accordance with the University and fire code regulations, a maximum of 10 people may be present in a student's room at one time for such commercial activities. Those present in a student's room for a commercial activity shall not at any time during that activity move any or all of the group into the common areas of the residence hall. Students may use their private rooms infrequently for such commercial activities, but they may not schedule such transactions on a regular or continuing basis.

- f. These regulations do not permit any door-to-door solicitation in the residence halls for any reasons (e.g., to obtain guests for a commercial activity being held in a student's room, or to consummate sales following such a transaction, etc.).
- g. Salespersons may not engage in misrepresentation or fraudulent trade practices nor other activities that are illegal or in violation of other University policies (e.g., providing alcohol to minors, cooking with illegal appliances).
- h. Salespersons and any company involved will be held responsible if the procedures outlined in this policy are not followed. If these procedures are violated, both the student and the company will lose the privilege of conducting future sales on campus.
- i. Granting the privilege to sell does not constitute an endorsement nor third-party responsibility by the University of the product purchased or the service rendered.

## 2.4 Policy On Sales By Campus Organizations

1. Campus organizations (student and non-student) are permitted to conduct fund-raising activities on campus, subject to the provisions of this policy and approval from the designated individual.
2. Non-commercial sales activities which are occasional, non-continuous and specific in purpose may be approved for designated areas on campus. Regular, recurring activities are prohibited.
3. Sales conducted by campus organizations must be for the benefit of the campus organization. Sales in which the proceeds result in personal gain to individuals are not permitted on campus. Provisions for proceeds from the sale must be included in the request for approval to conduct the sale. The location and time of any sales activity must receive prior approval under the provisions of this policy.
4. Sales to members of campus organizations are permitted during meetings of the organization, without prior approval, provided the salesperson is invited to the meeting for that purpose, in advance, by a member of the organization. No announcement concerning the sale may be posted or advertised beyond the membership of the organization. Salespersons may not engage in misrepresentation or fraudulent trade practices nor sell items which are illegal on the campus (i.e., alcohol, firearms, etc.)
5. A representative(s) of the sponsoring organization must be present at all times during non-commercial sales activities involving an outside vendor. Such sales will be subject to limitations as the approving official may proscribe.
6. Verbal solicitation of sales is strictly prohibited.
7. Salespersons may not engage in misrepresentation or fraudulent trade practices nor other activities that are illegal or in violation of University policies. Salespersons and any company involved will be held responsible if University policies are violated. Such violations may result in both the organization and the company losing the privilege of conducting future sales on campus.
8. The total number of people distributing or selling literature in one place on campus will be limited. Preference for assignment of space will take into account the number of previous approvals for the group or activity, status as a major campus-wide activity, time constraints of events that may be advertised. Priority will be given to sales activities conducted by students over those conducted by students with vendors.

9. Sales activities will be limited in regards to time, place and manner of the proposed activity. Violation of any of these pre-approved agreements may result in permission for the sale being revoked.
10. Decisions regarding requests will take into account any special circumstances relating to University activities and the burden such activity may place on University security forces and administrative staff.

## 2.5 Deliveries On Campus

1. Food may be delivered to residence halls, academic/administrative offices, and outdoor locations by vendors. Such deliveries are permitted only in response to prepaid orders, or to specific orders by resident students and employees. The Office of Residential and Dining Programs designates for residence halls the hours during which deliveries may occur, the doors to be used, and the areas within residence halls where deliveries must take place.
2. Personal deliveries such as dry cleaning, personal airline tickets, and parcel deliveries are discouraged. Such activity could be disruptive to the workplace, and there is no liability coverage for stolen or damaged merchandise.
3. The decision on whether to allow occasional, non-disruptive deliveries will be left to the discretion of the manager of the respective units. In making those determinations, managers should consider where items will be received and the space required for holding, the safety of those parcels, and confusion about a delivered item that may be opened by mistake.
4. No deliveries by vendors directly to the student rooms are permitted.

## 3. Procedures

1. Requests for authorization to solicit on campus should be submitted no later than one week prior to the planned date of the solicitation.
2. Full details should be submitted, including the times, dates and locations requested; an explanation of the products or services that will be made available; whether or not on-campus delivery is anticipated; and any other information that may be needed by the authorizing official.
3. The request should be submitted to the office charged with approving events in that area.
4. All publicity and advertising connected with any sale is subject to regulation as outlined in Policy 5210, "Advertising on Campus."
5. The authorizing officials, by area, are:

<b>AREA</b>	<b>TYPES OF SOLICITATION</b>	<b>SOURCE OF APPROVAL</b>
Residence Halls	Commercial	Residential and Dining Programs
Residence Halls	Noncommercial and Informational	Residential and Dining Programs

Squires & Johnston Student Center	Commercial	University Unions and Student Activities
Squires & Johnston Student Center	Noncommercial and Informational	University Unions and Student Activities
All Other Areas--Campus Organizations	All Types	University Unions and Student Activities
University-Wide Fundraising	All Types	Director of Business Management and Analysis
Department Activities by Employees	All Types	Vice President or Department Head

#### **4. Definitions**

1. Non-commercial activity is defined as any sale or solicitation for the purpose of securing a profit for the benefit of any nonprofit organization.
2. Informational activity is defined as the distribution of literature in support of political, religious, or other points of view, where no such fee is involved nor contributions sought.
3. Individual activity is defined as the sale or solicitation of personal property owned by individual members of the University community, which was not purchased for the purpose of resale.
4. Commercial activity is defined as any sale or solicitation for the purpose of securing a profit for the benefit of an individual or group.

#### **5. References**

1. Policy 5210, "Advertising on Campus." (<http://www.policies.vt.edu/5210.pdf>)
2. Policy 5000, "Use of University Facilities." (<http://www.policies.vt.edu/5000.pdf>)

#### **6. Approval and Revisions**

Approved February 21, 1991, by the Vice President for Student Affairs, Thomas Goodale.

- Revision 1.

Reorganized structure of policy; changed Associate Vice President for Personnel and Administrative Services to Director of Business and Administrative Services; added statement related to employees having items delivered to the workplace; added reference to Policy 5210, "Advertising on Campus."

Approved June 6, 1998, by the Executive Vice President, Minnis E. Ridenour.

- Revision 2.

Updated to reflect change in position title for Director of Business Management and Analysis.