

**Florida Gulf Coast University Board of Trustees
April 21, 2009**

SUBJECT: Regulation: FGCU-PR9.006 Solicitation on Campus

PROPOSED BOARD ACTION

Approve revisions to university regulation.

BACKGROUND INFORMATION

FGCU is proposing adoption of the attached regulation, Solicitation on Campus, to update the existing regulation. The regulation has been updated to remove the requirement for prior approval of student sponsored signs, posters, handouts, etc., and to clarify under what circumstances they may be removed. The regulation also proposes criteria and requirements for solicitation related to non-University sales or business transactions, clarifies and distinguishes between solicitation and public expression, and establishes criteria for removal of signs and posters at the end of each semester.

All state universities are required to utilize the Board of Governors' Regulation Development Procedure. This updated FGCU measure assists in handling matters based upon today's current practices and expectations.

Supporting Documentation Included: Notice and Regulation Solicitation on Campus (FGCU-PR9.006)

Prepared by: Vice President for Student Affairs Mike Rollo

Legal Review by: General Counsel Vee Leonard (March 17, 2009)

Submitted by: Vice President for Student Affairs Mike Rollo

FLORIDA GULF COAST UNIVERSITY

NOTICE OF REGULATORY ACTION

March 19, 2009

REGULATION TITLE:

Solicitation on Campus

REGULATION NO.:

FGCU-PR9.006

SUMMARY:

This regulation addresses commercial and non-commercial solicitation on campus, and posting activities which includes placement of signage and bulletin board postings.

FULL TEXT:

The full text of the regulation being proposed is attached and can also be found at <http://www.fgcu.edu/generalcounsel/promulgation.asp>

LAW IMPLEMENTED:

§1001.74, F.S.

UNIVERSITY OFFICIAL INITIATING THE PROPOSED REVISED REGULATION:

Michelle Yovanovich, Dean of Students

UNIVERSITY OFFICIAL APPROVING THE PROPOSED REGULATION:

Michael Rollo, Vice President for Student Affairs

PERSON TO BE CONTACTED REGARDING THE PROPOSED NEW REGULATION:

Diane St. John, Administrative Assistant, dstjohn@fgcu.edu; (239) 590-1101 (Phone), (239) 590-7470 (Facsimile); 10501 FGCU Blvd. South, Fort Myers, FL 33965-6565

ANY COMMENTS REGARDING THE PROPOSED NEW REGULATION SHOULD BE SUBMITTED IN WRITING ON OR BEFORE APRIL 3, 2009 BY 5:00 P.M. THE COMMENTS MUST IDENTIFY THE REGULATION ON WHICH YOU ARE COMMENTING.

THIS NOTICE WAS POSTED ON THE FGCU WEBSITE ON MARCH 19, 2009.



REGULATION: FGCU-PR9.006

Effective
Date of
Regulation:

Solicitation on Campus

8/2/98

(1) ~~General:~~ Non-University related businesses and organizations shall not be permitted to post or distribute materials or handouts on campus for purposes of solicitation except as provided in this ~~rule~~[regulation](#).

(2) Advertising, promotional, or informational materials designed for posting, display or distribution inside or outside of University buildings are restricted to ~~official public~~ bulletin boards or areas approved in advance by the appropriate university official (~~see (3) below~~). No unauthorized materials may be fastened to, or hung from shrubbery or trees, nor drawn, painted or otherwise displayed on sidewalks, walls or building exteriors.

~~(3) — Approval Process: All student sponsored signs, posters, handouts, etc., must receive approval, as indicated by official stamp from the Dean of Student Services office prior to display. All other signs, posters, handouts, etc., must receive approval by the Vice President of Administrative Services or designee.~~

(3) Materials distributed by hand related to Non-University sales or business transactions will be governed by Regulation FGCU-PR9.004, Public Expression and Assembly Regulation.

(4) Public Bulletin boards and other designated locations are provided by the University in order to post ~~approved~~ materials. Postings by student organizations and groups may be placed on student designated boards. Postings by faculty, staff and other university approved organizations may be posted in official university designated locations. Anyone in the University community can place materials on the public bulletin boards.

(5) Public bulletin boards will be cleared at a regularly scheduled time designated by the University.

(~~5~~6) Solicitors and vendors including students, faculty and other University personnel, are prohibited from using University facilities, equipment and services for the purpose of conducting sales or business transactions with individuals or organizations unless approved in accordance with this ~~rule~~[regulation](#).

~~(67)~~ Approval to conduct Non-University sales or business transactions or distribute information related to sales or business transactions on campus requires an approved Form ~~with students and student organizations may be provided by the Dean of Student Services Office. Approval to conduct sales or business transactions with employees must be approved by the Vice President For Administrative Services or designee. Both approvals may be obtained by completing FCC #006 (2/98), "Application for Solicitors Permit," which is incorporated by reference. FCC #006 which may be obtained from either the Dean of Student Services Office or the Vice President for Administrative Services Office~~ of Campus Reservations. Solicitation related to Non-University sales or business transactions may only take place in designated areas during designated timeframes. Approval to conduct sales on University Campus by outside groups will only be on designated days.

~~(87)~~ ~~Standards for~~ Approval

(a) ~~Where approval of a University official is required by this rule, t~~he granting or denial of ~~approval a request for space reservation~~ shall be based on the ~~agreement of the organization or individual that~~following:

~~1. There may be a limited number of solicitation materials that will be posted per bulletin board or approved area;~~

~~2. Posting of a solicitation material is normally limited to a total of twenty-one calendar days;~~

~~3. The organization or individual will be responsible for all costs incurred by the University attendant to the clean-up and removal of solicitation materials; and~~

~~4. Solicitation materials may be limited in size.~~

~~(b) University officials may deny approval of materials that~~

~~1. Whether the~~ Solicitation is for participation in illegal activities;

~~2. Have pornographic content, or depict images that are gruesome or likely to cause emotional stress to those who view them;~~

~~3.~~ Whether the solicitation ~~infringes~~ on the rights of existing contracts with the University;

~~4. Contain false or fraudulent statements; or~~

