

**PART 4: SALES/SOLICITATION RULE FOR NON-UNIVERSITY ORGANIZATIONS AND INDIVIDUALS** v032919

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- A. Commercial advertising, promotion and/or Solicitation are not permitted on the campus except in the following instances:
1. Media advertising/Solicitation utilizing campus media outlets, including the *Round Up*, KRUX, campus television, and university publications, etc., is permitted when done in accordance with any policies governing these media and when such advertising is presented in that media's primary format.
  2. The university's electronic media may not be used for commercial Solicitation. These media shall include (but are not limited to) the World Wide Web site and its attached materials, electronic mail (e-mail) system, and facsimile equipment.
  3. Physical properties donated or provided by commercial or governmental entities may display the name, identifying symbol, or features relating to the donor's or the provider's interests, when such displays are consistent with the campus planning regulations and are judged by the executive vice president and provost and the chancellor to benefit the university.
  4. Use of a public address system, message boards, and/or the electronic message display sign in advertising/promoting an event or the location of a business is permitted when authorized by the vice president for student affairs and enrollment management (or designee).
  5. Distribution of printed commercial advertising materials or similar advertising on the university grounds or in facilities during an event is permitted when the university sponsor or host of the event has received prior written approval for such an activity from the key administrator of the building used and the cognizant vice president or campus president.
  6. In-person Solicitation on campus is permitted when a solicitor receives a personal invitation from an individual to meet on a private basis. Individuals (students or employees) may not extend invitations to solicitors to meet with a group of individuals for the purpose of soliciting without prior written approval. Requests for approval shall be in writing to the director of campus activities, and must follow the Activity Registration Form and process.
  7. In-person Solicitation to individuals or select groups of employees by representatives of commercial organizations is permitted when directly related to the official business of the university and its departments (*g.*, trade fairs or scientific equipment vendors). Such Solicitation shall be approved by the cognizant department head, dean, and/or vice president.

8. Public sales and Solicitation of products on university property by non-university vendors may be permitted under limited conditions on a private basis when the vendor is sponsored by a recognized campus organization or a University Department; such activity will be directly related to the purposes and goals of the university and pertinent to the sponsoring group (*g.*, fraternity and athletic club photographers, etc.) In all such cases, prior written approval must be obtained from the director of campus activities.

**B. Distribution of Informational Material:** Non-university, nonprofit, or noncommercial organizations or individuals are permitted to display informational material within campus buildings upon approval of the cognizant building monitor or building director. This approval shall be subject to the specific policies governing the operation of the particular facility, or group of facilities, and other university policies. Such organizations are not permitted to conduct in-person distribution of materials (handouts) or in-person direct contact with students unless prior approval is received from the director of campus activities (*g.*, distribution of Bibles, etc.). Activities by affiliate organizations shall be conducted in compliance with all the regulations contained herein for sales and Solicitation, and shall be reviewed and approved by the University Department to which each is affiliated. These regulations exist to support the organizations and to supplement the efforts of the university (*i.e.*, Aggie Athletics Fund/Athletics Department, Library Associates/Libraries). Distribution or presentation of informational materials in a university facility hosting a particular event (to which the material is directed) may require approval from the event sponsor in addition to that of the cognizant vice president (or designee). Direct public Solicitation of gifts and/or donations on campus is prohibited except in instances involving approved and scheduled private, organized group activities (*i.e.*, fund-raising banquets, meetings, gatherings with the sole intent of fund raising, and/or political campaign activities).

**C. Food Service Rule for Sales/Solicitations/Acquisition:** The university food service contractors are granted the right to operate/conduct food services on the university campus. Clarification of this right is necessary, however, in view of the many activities conducted on the campus which involve food products, and which may or may not conflict with contractual obligations of the university to the contractors. The following food service rules provide the conditions under which student, staff or faculty activities may involve food and beverage services:

1. Student groups and University Departments must seek and receive approval for any food events not catered by the university food service providers by completing an Activity Registration Form from the Department of Campus Activities.
2. No off-campus firm or agency may be contracted to provide or to cater food service to university students, staff, administrative groups, conferences, or visitors in Corbett Center Student Union or other

- locations on university property where the primary university food services contractor is providing food services.
3. Non-university vendors providing services in approved locations on campus other than athletic facilities must be pre-certified by the director of housing and residential life, and must rebate to the Office of Housing and Residential Life a commission of seven percent of all sales applicable to the campus event.
  4. Student groups and university units or offices may secure prepared food products from off-campus sources to serve on the campus when all of the following conditions are met:
    - a. The products are served exclusively to the members and guests of the sponsoring organization at private gatherings, such as club meetings.
    - b. The products are served or sold in a manner or under conditions that are not construed to be in competition with the university food contractors. (The sale is construed to be in competition when the seller is soliciting the same consumer prospects as those sought or being serviced by the university food contractors and offering products similar to those provided by the contractors.)
    - c. If food is prepared in the homes of participants and is served pot luck, it shall be only for the participants and their personal guests and constitute a private gathering where the general public is not invited.
  5. Individuals on campus may secure food from those off-campus vendors who provide delivery service (*g.*, pizza or other campus delivery products) when done on an individual order basis. Any other delivery policies for individual buildings or facilities shall apply (*e.g.*, a residence hall operational policy).
  6. Given health, safety, and liability concerns, raw food may not be secured for preparation and distribution on campus without the appropriate permit from the New Mexico Environment Department. See [www.env.nm.gov/foodprogram/tfe-application/](http://www.env.nm.gov/foodprogram/tfe-application/)

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locations on university property where the primary university food services contractor is providing food services.

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6. Given health, safety, and liability concerns, raw food may not be secured for preparation and distribution on campus ~~unless approval is obtained in writing from the director of campus activities and from the Public Health Division (per following paragraph):without the appropriate permit from the New Mexico Environment Department. See [www.env.nm.gov/foodprogram/tfe-application/](http://www.env.nm.gov/foodprogram/tfe-application/)~~

~~Organizations granted approval for a public event where the preparation, sale, or distribution of food products is conducted must apply for and receive a State of New Mexico Food Purveyors License. The license must be obtained from the Public Health Division of the State Health Department, Office of Health Facilities Licensing, 1170 North Solano Drive, Las Cruces, New Mexico, in accordance with the New Mexico Food Service Sanitation Act, Chapter 309, Laws of 1977. A copy of the license must accompany the Activity Registration Form or other request for conducting the event. Failure to secure the license constitutes automatic disapproval of the request.~~