Florida Gulf Coast University Board of Trustees  
June 19, 2012

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

PROPOSED BOARD ACTION

Approve the amendments to FGCU-9.006, Solicitation on Campus.

BACKGROUND INFORMATION

This Regulation addresses, generally, solicitation on campus. The amendments to the Regulation clarify the distribution of sample ingestibles.

Supporting Documentation Included: Notice and Text for Regulation FGCU-PR9.006 Solicitation on Campus

Prepared by: Vice President for Student Affairs J. Michael Rollo

Legal Review by: General Council Vee Leonard (May 16, 2012)

Submitted by: Vice President for Administrative Services and Finance Steve Magiera
FLORIDA GULF COAST UNIVERSITY
NOTICE OF REGULATORY ACTION
MAY 16, 2012

REGULATION TITLE:
Solicitation on Campus

REGULATION NO:
FGCU-PR9.006

SUMMARY:
This Regulation is being amended to address the distribution of sample ingestibles.

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

AUTHORITY:
Board of Governors Regulation 1.001

UNIVERSITY OFFICIAL INITIATING THE PROPOSED REVISED REGULATION:
J. Michael Rollo, Vice President for Student Affairs

UNIVERSITY OFFICIAL APPROVING THE PROPOSED REGULATION:
J. Michael Rollo, Vice President for Student Affairs

PERSON TO BE CONTACTED REGARDING THE PROPOSED NEW REGULATION:
Diane St. John, Administrative Assistant, dstjohn@fgcu.edu; 239.590.7466 (Phone), 239.590.7470 (Facsimile); 10501 FGCU Blvd. S, Fort Myers, FL 33965-6565.

ANY COMMENTS REGARDING THE PROPOSED NEW REGULATION SHOULD BE SUBMITTED IN WRITING ON OR BEFORE JUNE 4, 2012 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: MAY 16, 2012
I. (1) 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 regulation.

II. (2) Advertising, promotional, or informational materials designed for posting, display or distribution inside or outside of University buildings are restricted to public bulletin boards or areas approved in advance by the appropriate university official. 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. The distribution of ingestibles is permissible, provided they are regulated by the Food and Drug Administration (FDA).

III. (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.

IV. (4) Public bulletin boards and other designated locations are provided by the University in order to post 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.

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

VI. (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 regulation.

VII. (7) Approval to conduct Non-University sales or business transactions or distribute information related to sales or business transactions on campus requires an approved Form which may be obtained from the 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.
VIII. (8) Approval

1. (a) The granting or denial of a request for space reservation shall be based on the following:
   a. 4—Whether the solicitation is for participation in illegal activities;
   b. Whether ingestibles to be distributed are regulated by the Food and Drug Administration (FDA);
   c. 2—Whether the solicitation infringes on the rights of existing contracts with the University;
   a.d. 3—Whether the solicitation is in violation of University regulations or policies.

IX. (8) Free Standing Signs. Free standing signs may be placed in designated locations. The size and number of the signs may be restricted. These signs will be discarded at regularly scheduled time designated by the University.

Specific Authority:
§1001.74, F.S. Board of Governors Regulation 1.001

Law Implemented:
§1001.74, F.S.

History of Rule:
New 8/2/98

History of Regulation:
Renumbered 1/15/08; Amended 04/21/09,

Effective Date of Regulation:
04/21/09