

Commercial Solicitation Policy

Purpose and Scope

Hagerstown Community College, hereafter “the College” as noted in its official vision statement, “is a learner-centered, accessible, life-long learning institution dedicated to student and community success.” The College has the responsibility to provide and maintain a safe and healthy work and learning environment conducive to its mission-based programs and services. Accordingly, the College has developed a commercial solicitation policy for the purposes of:

- 1) preserving the College’s right to permit or prohibit sales and commercial solicitation activities on College property, and
- 2) to protect the campus community from sales and commercial solicitation activities that are intrusive, unrelated to the educational purpose, or incompatible with normal operations.

This policy applies to commercial solicitation activities conducted on the grounds or within buildings under the control of the College, including commercial solicitation using the electronic mail network (e-mail). Approved commercial solicitation activities must be substantially and directly related to the College's mission and vision.

Commercial solicitation is prohibited on campus unless it meets the general requirements as defined by the College. The general requirements, the sales and commercial solicitation by college and non-college organizations, as well as the responsibilities of the sponsoring units and the vendors are detailed below.

Definition

Commercial Solicitation, for purposes of this policy, means:

- (a) the sale, lease, rental or offer for sale, of any property, product, merchandise, publication, or service, whether for immediate or future delivery;
- (b) the distribution or display of printed material, merchandise, or products that are designed to encourage the purchase, use, or rental of any property, product, merchandise, publication, or service;
- (c) the oral or written appeal or request to support or join an organization other than a registered student, faculty, or staff organization or organizations approved by law

- (d) activity or process of seeking to obtain the support of an individual for a commercial product through persuasion or formal application.

1. General Requirements

Approval for commercial solicitation and sales activity may be considered for those vendors whose products or services meet the following applicable criteria:

- a) Does not violate federal, state or local law.
- b) Are not in competition with vendors holding current College-wide contracts unless approved by the College
- c) Are not duplicative of goods and/or services currently available through established on-campus sources unless approved by the College
- d) Do not contradict the College's Expressive Activity Policy.
- e) Do not undermine the academic integrity of the College.
- f) Are not counterfeits of brand name goods.
- g) Are not in violation of the College / State procurement policies.
- h) Do not pose a threat to the individual making the purchase or to their surrounding environment.

2. Sales and Commercial Solicitation by Non-College Organizations

Except by vendors with whom the College has contracted for the sale, lease, rental, or offer of said goods and service, there shall be no commercial solicitation conducted on College property Vendors must coordinate commercial solicitation with the individual or unit responsible for such activity.

3. Sales and Commercial Solicitation by Official College Organizations (including Student Organizations), Employees and Students

Commercial solicitation for the sale, lease, rental, or offer of goods, services, and/or products on College property shall only be conducted by student organizations, faculty, or staff officially recognized and authorized by the College or by legally authorized representatives of companies with whom the College conducts business.

a) Commercial Solicitation by employees

Commercial solicitation by employees for purposes other than direct college related business during regularly scheduled work hours is prohibited. Commercial solicitation during non-work hours (lunch or other break times) by employees is subject to other applicable sections of this policy. Use of the college resources for commercial solicitation or sales is limited to those activities meeting the general requirements outlined above.

b) Commercial Solicitation by students

Commercial solicitation and/or sales by students on College property are prohibited without the express written consent of the Dean of Student Affairs or designee. This provision does not prevent fundraising by Student Organizations in accordance with the Student Organization Policy and Procedures.

4. Responsibilities of Sponsoring Units or Recognized Student Organizations

- a) Ensure the presence of responsible member(s) of the sponsoring unit throughout the duration of the activity to include set-up and take-down.
- b) Ensure that College policies, procedures, guidelines, and regulations are adhered to at all times.

5. Responsibilities of Vendors

- a) The vendor must be in possession of all permits and licenses required by federal, state, and local law or ordinance, and in compliance with any applicable federal, state, and local laws or ordinances. Obtaining required permits and licenses and knowledge of the applicable laws are the responsibility of the vendors. Failure to be in possession of any required permit or license or to comply with any applicable law or ordinance shall be grounds for denial.
- b) All off-campus vendors and commercial entities must have departmental/student organization sponsorship.
- c) Merchandise of all off-campus vendors and commercial entities shall be confined within the vendor's designated space, and the appearance of the booth shall be in a manner in keeping with the campus environment.
- d) All off-campus vendors and commercial entities that request use of space on the College campus need to be aware that depending upon the type of event and the size of the event, fees may apply.
- e) Vendor must leave its area in the condition in which it was found.
Vendor is responsible for all clean-up and for any repair costs.

6. Insurance

The College requires proof of insurance for certain activities by vendors or organizations soliciting on campus which must be reviewed and approved prior to the event by contacting the Office of the Vice President for Administration and Finance.

7. Fund Raising on HCC Property by Outside Groups

Any outside group which has rented space from the College or has been granted a rental space waiver by the Office of the President is not permitted to fund raise or solicit outside of the specific College space they have been approved to use. Such groups must also follow all applicable provisions as stated in this policy.

8. Exceptions

The College acknowledges that a policy of this nature may not anticipate every

possible issue that may arise with solicitation on College premises. As a result, the College reserves the right to impose reasonable restrictions and/or requirements with respect to the time, place, and manner of solicitation activities. Additionally, nothing in this Policy prohibits the College from soliciting goods or services deemed necessary by the College.

Cross reference Policy 7060 Facilities Rental and Usage by Outside Organizations.

