



ADVERTISING, SALES, AND SOLICITATION POLICY

Area:	Business and Finance	Number:	
Applies to:	Campus Community	Issued:	April 1, 1995
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Policy Owner:	VP for Business & Finance	Page(s):	5

I. Purpose

The purpose of the University Advertising, Sales, and Solicitation Policy is to ensure compliance with Board of Regents policy regarding campus business activities and to exercise the required control and supervision over business activities on the campuses of Georgia Southern. Georgia Southern has made a commitment to control, and prohibit where appropriate, advertising, sales, and solicitation activity which is not specifically authorized by the University and/or Board of Regents policy.

Scope

The University Advertising, Sales, and Solicitation Policy shall apply to all campus personnel, faculty, staff, students, organizations, and visitors, and to all University facilities, including all building, land and open spaces and air above that space, streets, walkways, and parking facilities, and to any person, organization, or business using campus facilities.

Responsibility

Per Board of Regents [Business Procedures Manual Section 15.1, Managerial Responsibility](#), the chief business officer of each institution in the University System has the responsibility to control, manage and supervise all business activity at each institution. In accordance with this policy, the Vice-President for Business and Finance will have ultimate responsibility for approval of any advertising, sales, and/or solicitation activity and shall make provisions to enforce the policies adopted by the University through available means.

II. Definitions

Business activity - any undertaking of an individual or group which encompasses the production, sale, or distribution, by sale or gift, of products or services.

University publication - any publication which is initiated by, funded by, and an integral part of a University department or one of its programs.

Advertising - the activity of attracting public attention to a product or business, as by paid announcements in print or electronic media. For example, advertising is designed to elicit a response from the consumer.

Sponsorship – a mechanism that finances a project or event carried out by another person or group, especially a business enterprise that pays for electronic media programming in return for advertising time. A sponsorship involves the acknowledgement only of the sponsor's identity.

Third party - any entity external to the University which desires to associate itself with the University in some manner for the purpose of selling advertising.

Solicitation - any undertaking of an individual or group which attempts to promote the sale or use of a product or service.

III. Policy Statement

The Board of Regents of the University System of Georgia has established policies which are for the benefit of the member institutions. Board policy states that institutions of the University System shall not permit the operation of private business enterprises on their campuses, except as provided by contract ([Board of Regents Policy Manual, 6.19](#)). The policy further requires that all business enterprises operated on a campus of an institution of the University System shall be operated as auxiliary enterprises and shall be under the direct management, control, and supervision of the chief business officer of the institution.

Business activity shall include any undertaking of an individual or group which encompasses the production, sale, or distribution, by sale or gift, of products or services. The sale and distribution of products and services includes any method of marketing by way of direct selling or indirect selling, including the use of posters, flyers, handouts, or other promotional literature. Such activities shall be subject to the provisions of this policy.

Auxiliary Services, under the auspices of the Office of the Vice President for Business and Finance, shall be the only body empowered to conduct business activity on the Georgia Southern University campus. In addition to the business activities offered through auxiliary enterprises, the University Administration recognizes that there may be activities within academic departments and units and educational courses which involve, as part of the educational experience, the private sponsorship of activities and/or the production and sale of a product on a limited basis. Nothing herein shall be construed as prohibiting those limited activities which are required for the learning experience as related to a specific educational activity and/or course offered by an academic department or unit, and such activities are hereby authorized. In addition, technical assistance, consulting, and professional services provided by the University in conjunction with the University's mission of service and outreach shall not be subject to this policy.

Where advertising, sales, or solicitation are authorized on campus, compliance with University policies on competitive bidding shall be required.

Advertising

The University Advertising Policy shall apply to all non-university entities and/or commercial businesses which desire to place advertising on the campuses of Georgia Southern University. Nothing herein shall prohibit university departments from advertising and promoting their own services or programs on the university campuses.

In general, commercial businesses and all non-institutional entities are prohibited from indiscriminately advertising on the campuses of Georgia Southern University. Flyers, posters, pamphlets, etc., promoting business establishments or containing advertising are banned. The prohibition also includes the placement on campus of non-university publications which contain advertising.

The University has determined that there are certain acceptable campus media in which advertising may appear. Such media shall include:

1. the George-Anne and the Inkwel, the official University student newspapers,
2. the Reflector magazine,
3. the SGA phone directory,
4. advertising related to athletics events,
5. promotional materials related to Auxiliary Services units and their products,
6. other official publications of the University as defined above.

In situations where a departmental publication is not funded by the department but is published for the department at no cost due to the publisher's ability to sell advertising to offset the printing expenses, such as Career Services publications, it is possible that a Fair Exchange Rule shall apply and the publication will be considered an official university publication. Each such proposal for such a publication must be reviewed and approved by the Office of the Vice President for Business and Finance. It should be noted that state procurement policy prohibits the selling of advertisements in publications which are funded with any amount of Education and General dollars.

All proposals for advertising which will not generate revenue must be submitted to the Vice President for Business and Finance. In situations where there is to be an exchange of services, the exchange must be in the best interest of the University, and fair to the University and the non-institutional entity. The benefit to the University must be equal to or greater than the benefit to the advertiser.

If the University desires to allow non-university publications which contain commercial advertising to be distributed on campus, distribution points for such publications may be established at the discretion of the Office of the Vice President for Business and Finance.

For the purposes of this policy, advertising should not be confused with qualified sponsorship. Qualified sponsorships shall be subject to review and approval of the Vice President for Business and Finance. Proposals of this nature may also be considered under the context of the Fair Exchange Rule.

The University shall have the right to refuse or revoke any advertiser and/or advertisement content.

Sales

Auxiliary Services shall be the only body empowered to conduct sales activity on the Georgia Southern University campus. In general, sales and business activity on the part of any individual, group, organization, etc. other than official Auxiliary Services departments shall be prohibited except where special authorization has been specifically granted by the Vice President for Business and Finance. It should be noted that for operational purposes, Athletics is housed in Auxiliary Services as a separate function. In that capacity, Athletics is authorized to conduct sales activities at specified athletic events, i.e. dry goods and concessions at all intercollegiate athletic events.

Academic departments, units or programs may also have limited authority to conduct sales in conjunction with educational activities. Revenue and expenditures associated with activities within academic departments and units and educational courses which involve, as part of the educational experience, the private sponsorship of activities and/or the production and sale of a product on a limited basis shall be accounted for through the Office of Financial Accounting as Departmental Sales and Services or may be categorized as a separate function within Auxiliary Services for operational purposes.

In addition to the services offered through Auxiliary Services, the following business-related activities have been approved by the Vice President for Business and Finance since revenues and expenditures are accounted for through the Departmental Sales and Services functional budget area and/or other institutional accounts.

1. Russell Union. The game room and movie theater are under the direct control of Student Activities.
2. Continuing Education. In fulfilling its mission of providing continuing education programs, conferences, and general services to the region, the Division of Continuing Education may provide commercially related or sponsored activities. The Director of the Division of Continuing Education has the authority to approve limited sales activity if such activity is an integral part of the Continuing Education sponsored program.

Solicitation

Solicitation campaign(s) in residence halls, classrooms, or administrative buildings or any other campus locations by private individuals, faculty, staff, students, or non-resident students are prohibited. Door-to-door sales in all University facilities are also prohibited.

Georgia Southern University participates in the Georgia State Charitable Contributions Program whose annual education program is the only time each year when employees will be solicited for contributions to third parties, except when new employees are hired.

University Facilities are primarily for the use of the University, and its departments and programs. An outside party may request permission to use a University facility for an event that is not contrary to the mission of the institution; however, in such instances, the President of the University shall require the completion of a USG-approved license agreement, including a properly executed indemnification and liability insurance agreement unless said outside party is constitutionally prohibited from doing so.

The University Administration recognizes that there are activities associated with the performance of one's official duties as an employee of the institution which involve solicitation related activities. Nothing herein shall be construed as prohibiting activities which are inherent to the execution of one's duties and which are performed in an official capacity for the University.

IV. Exclusions

Projects sponsored and funded through a cooperative organization of the University (i.e. University foundations) shall not be subject to this policy, provided the project does not include advertising on campus.

Registered student organizations may engage in fundraising activities on campus with appropriate approval from the Division of Student Affairs. The Office of Student Activities will serve as the office managing these requests.

V. Procedures

Guidelines For Departments Which Receive Permission To Utilize Advertising

Departments which receive permission to utilize advertising must directly control, manage, and supervise the methodology employed to display advertising (i.e., publications, message boards, scoreboards).

Without the express approval of the Vice President for Business and Finance, departments are

prohibited from contracting with third parties which sell advertising.

Departments must adhere to the guidelines within the [University Identification Standards Manual](#) which outline the proper use of the university logo and trademarks.

Departments must work with the Office of Financial Accounting to ensure proper recording of the activity surrounding the advertising for Unrelated Business Income Tax (UBIT) purposes (revenue, expenditures associated with the revenue, etc.). Departments selling advertising are responsible for the accurate and timely reporting of such information to the Office of Financial Accounting. Failure to provide the proper documentation to the Office of Financial Accounting may result in revocation of the authorization to utilize advertising.