

**SOUTHERN WEST VIRGINIA COMMUNITY AND TECHNICAL COLLEGE
BOARD OF GOVERNORS
SCP-1735**

SUBJECT: Solicitation Policy

REFERENCE: West Virginia Code §18B-14-10; §18B-1-6

ORIGINATION: June 2004

EFFECTIVE: June 15, 2004

REVIEWED: July 2011

SECTION 1. PURPOSE

- 1.1 Southern West Virginia Community and Technical College (“Southern” or the “College”) has the duty and responsibility to maintain a safe and healthy work and learning environment conducive to its principal mission of education while respecting the constitutional protection of free speech as well as the individuals right to privacy. Accordingly, the College hereby adopts this solicitation policy for the purposes of: (1) preserving the College’s right to permit or prohibit sales and solicitation activities on college property, and (2) to protect the campus community from sales and solicitation activities that are intrusive, unrelated to our educational purpose, or incompatible with normal operations. This policy is not intended to constrain solicitation of the college, which may be directed to appropriate employees solely in their capacities as employees or agents of the College, in the normal operation of college purchasing or contracting.

SECTION 2. SCOPE AND APPLICABILITY

- 2.1 This policy applies to solicitation activities conducted on the grounds or within buildings under the control of Southern West Virginia Community and Technical College, including solicitation using Southern’s electronic mail network (“e-mail”).

SECTION 3. DEFINITIONS

- 3.1 The term “solicitation” as used here means the sale, lease, rental or offer for sale, of any property, product, merchandise, publication, or service, whether for immediate or future delivery; 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; or the oral written appeal or request to support or join an organization other than a registered student, faculty, or staff organization. Solicitation further means the activity or process of seeking to obtain the support of an individual for a cause, movement, doctrine, or commercial product through persuasion or formal application.

SECTION 4. POLICY

- 4.1 Solicitation of employees and students and/or distribution of literature for solicitation purposes is prohibited unless approved and conducted in accordance with the content, requirements and restrictions of this policy. To receive approval, the *On Campus Solicitation Request Form* (SCP-1735.A) will be submitted at least two weeks prior to the event. Proper approval must be obtained prior to the event being scheduled. The College reserves the right to withhold approval for any solicitation activities on property under its jurisdiction, and to regulate the time, place, manner and duration of approved solicitation. The College makes no warranty

regarding the truth of any representation made in any written materials posted or distributed or other information provided as part of any solicitation activity engaged in pursuant to this policy.

- 4.1.1 Sales and Solicitation by Non-college Organizations – There shall be no sales and/or solicitation conducted on college property except by vendors with whom the college has contracted for the sale, lease, rental, or offer of said goods and services. Specifically prohibited by this policy is the solicitation of students of Southern West Virginia Community and Technical College by financial institutions, organizations, businesses, companies, establishments, or individuals for credit cards and/or credit services.
- 4.1.2 Sales and Solicitation by Official College Organizations Including Student Organizations – Solicitation for the sale, lease, rental, or offer of goods, services, and /or products on college property shall be conducted by Student organizations, faculty, or staff officially recognized and authorized by Southern West Virginia Community and Technical College or by legally authorized representatives of companies with whom the college has signed an official contract for the sale, lease, rental, or offer of said goods and services.
- 4.1.3 Sales Limitations – Sales may not be conducted in competition with the products and services normally provided by the college.
- 4.1.4 Solicitation by Employees – Solicitation by employees for purposes other than direct college related business during regularly scheduled work hours is prohibited. Solicitation during non-work hours (lunch or other break times) by employees is subject to other applicable sections of this policy.
- 4.1.5 Solicitation by Students – Solicitation and/or sales by students or student organizations on college property are prohibited without the express written consent of the Vice President for Student Services.
- 4.1.6 Use of College Mail, E-mail or Other Electronic Media – Use of the college mail, e-mail or other electronic media systems for solicitation or sales is limited to official college business only. No other use of college mail or e-mail services and/or equipment is permitted.

SECTION 5. BACKGROUND OR EXCLUSIONS

- 5.1 None.

SECTION 6. GENERAL PROVISIONS

- 6.1 Any organization or person who posts or distributes any tangible materials as any part of a solicitation activity shall be responsible for removing and properly disposing of all such materials at the conclusion of the solicitation period. Students and employees violating the terms and conditions of this policy shall be subject to disciplinary action deemed appropriate by the President and the Vice President for Student Services. Any individual, organization, or entity found in violation of this policy will be subject to available sanctions and/or civil action.

SECTION 7. RESPONSIBILITIES AND PROCEDURES

- 7.1 The solicitation policy falls under the responsibility of the President or President's designee.

SECTION 8. CANCELLATION

8.1 None.

SECTION 9. REVIEW STATEMENT

9.1 This policy shall be reviewed on a regular basis with a time frame for review to be determined by the President or the President's designee. Upon such review, the President or President's designee may recommend to the Board that the policy be amended or repealed.

SECTION 10. SIGNATURES

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| Board of Governors Chair | Date |
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| President | Date |
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Attachments: SCP-1735.A, On Campus Solicitation Request Form

Distribution: Board of Governors (12 members)
www.southernwv.edu

Revision Notes: July 2011 — Revisions reflect no substantial changes in procedure or documentation requirements. Revisions provide clarity and reflect changes in management responsibilities. Form was streamlined.