

# 21.99.09.C0.01 Access to University Property for Soliciting Donations and for Sales and Rentals



Revised: April 8, 2024

Next Scheduled Review: April 8, 2029

[Revision History](#)

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## Procedure Summary

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Texas A&M University-Corpus Christi (TAMU-CC) regulates the activities of organizations and individuals desiring to sell or rent products and services directly to or solicit donations directly from students, employees, and visitors. This procedure outlines authority for approving sales and donation solicitation on properties under the control of TAMU-CC.

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## Definitions

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**Consideration:** An inducement to enter into an agreement. Some right, interest, profit, or benefit, or some forbearance, detriment, loss, or responsibility given or undertaken by parties to the transaction, including funds, gratuities, or contributions.

**Promotion, Advertising, and Marketing:** Creating publicity for a product, service, event, program, activity, etc. without the individual or group also seeking to sell, rent, or solicit a donation.

**Sales and Rentals:** The offer to transfer goods to, or render services for, another, whether for immediate or future delivery, in exchange for funds, pledges, contributions, or other consideration.

**Soliciting Donations:** The collection of funds, pledges, or contributions by an individual, group, or entity without requiring consideration in return. This also includes the promise of future funds, pledges, and/or contributions.

**Transaction:** An exchange of consideration (funds, pledges, or contributions) between two (2) or more persons or entities for the purposes of consummating a sale or rental.

Vendor: A company, group, or individual offering goods and/or services for sale. Vendors holding contracts with TAMU-CC (e.g., bookstore, food service providers) are referred to as “contracted vendors” for the purposes of this procedure. Vendors without TAMU-CC contracts are referred to as “outside vendors” for the purposes of this procedure.

See university rule *08.99.99.C1, Expressive Activity on Campus* for definitions of traditional public forums, designated public forums, limited public forums, and non-public forums.

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## Procedure

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### 1. GENERAL

- 1.1. The authority to approve all public sales, rentals, and donation solicitations (excluding university departmental auxiliary services and contracted vendors) on the TAMU-CC campus rests with the Vice President for Institutional Advancement as delegated by the university President.
- 1.2. All officially recognized university groups, non-university groups, and outside vendors must obtain prior approval for sales, rentals, and donation solicitation. These sales, rentals, and donation solicitations must not conflict with existing third-party vendor contracts that lawfully grant exclusive rights.
- 1.3. Contracted vendors requesting to engage in sales, rentals, or donation solicitations outside the scope of their contracts require approval by the Vice President for Finance and Administration. Any required contract modifications must be reviewed and approved by the Contracts office.

### 2. GROUPS

#### 2.1. University Groups

- 2.1.1. Departmental groups are administrative or academic units within the university staffed by employees acting within the scope of their employment or volunteers with volunteer duties.
- 2.1.2. Departmental student organizations are advised by a full-time university employee, with purpose(s) that fulfill part of the mission of the university and are funded through university accounts. Examples include Student Government Association, Islander Green Team, and the Island Waves student newspaper.

2.1.3. University-affiliated groups are entities that have a signed affiliation agreement with the university and exist for the primary purpose of supporting the activities of the university. Examples include National Islander Alumni Association, Harte Research Support Foundation, South Texas Institute for the Arts, and Texas A&M-Corpus Christi Foundation.

2.1.4. Recognized student organizations are student groups of five (5) or more students who have successfully completed the registration process and meet the requirements of the university council of student organizations which enable the organization to hold recognition status. Examples include Baptist Student Ministry, Sea Turtle Club, and Fencing Club.

## 2.2. Non-University Groups

Non-university groups are typically separate legal entities from the university, even those in which the membership or participation includes university personnel, alumni, and/or students. The university does not have authority over these organizations' activities, nor do they exist for the singular purpose of supporting the university's mission. Examples include individuals, for-profit groups, non-profit groups including professional organizations or societies, governmental organizations, other universities, and political groups. Non-university groups that engage in sales will be classified as vendors for the purposes of this procedure.

## 3. REQUEST PROCESS

### 3.1. University Groups

3.1.1. Faculty, staff, students, and university groups wishing to solicit donations or to make sales and/or rentals are required to obtain permission from the Office of the Vice President for Institutional Advancement at least ten (10) business days prior to the requested date for beginning operations via the Fundraising/Solicitation Proposal Form available on Institutional Advancement's Development website and in the Appendix section of this procedure.

3.1.2. Recognized student organizations wishing to solicit donations or to make sales and/or rentals on or off campus are required to submit required documentation to Student Activities. Sports Clubs must also follow guidelines as outlined in the Sports Club Manual.

3.1.3. A copy of the Texas State Sales and Use Tax Permit or the Texas State Sales Tax and Use Exemption Certification must be on file with Institutional Advancement if the solicitation involves a sale of any kind.

3.1.4. Permission to solicit donations or to make sales and/or rentals is not required if:

- (a) such solicitation is done through the Island Waves student newspaper;
- (b) students, faculty, or staff are advertising personal items (i.e., "for sale" or "wanted") on general purpose bulletin boards;
- (c) university groups are selling approved items to their members only;
- (d) university groups are advertising or promoting university events;  
or
- (e) contracted vendors are operating within the scope of their contracts.

### 3.2. Non-University Groups

3.2.1. To begin requesting rental space on campus, non-university groups should contact Event Services by submitting a Facilities and Services request form on Event Services' website. Event Services will consult with the appropriate campus units to approve or reject the request. Institutional Advancement and University Services have authority to approve general requests.

3.2.2. Student Engagement and Success has authority to approve requests from non-university housing providers. Student Engagement and Success will inform Institutional Advancement of such requests and approvals.

## 4. REJECTION AND/OR REVOCATION

4.1. A solicitation request may be rejected or revoked by the Vice President of Institutional Advancement in consultation with the Vice President for Finance and Administration.

4.2. The request may be rejected if the sales/rentals and/or solicitation actions of an organization disrupt the normal activities on campus.

4.3. Justifiable reasons for rejection or revocation include, but are not limited to, conflict with existing contracts, failure to comply with the basic requirements of this procedure, faulty merchandise, unsanitary conditions or practices,

misrepresentation, falsification of information on the application, interference with the educational mission of the university, interference with normal traffic flow and use, or blockage of ingress or egress.

- 4.4. Further disciplinary action beyond rejection or revocation of permission to solicit donations and to make sales and/or rentals may include not permitting the person or group (university or non-university) to conduct future sales and/or rentals or solicit donations on campus for a specified time or recommending that students, faculty, or staff involved in an infraction be charged with a violation of university rules or procedures and therefore be subject to disciplinary action.
- 4.5. If at any time the act of soliciting donations, selling, renting, or executing transactions materially and substantially disrupts activities on campus (as defined in university rule *08.99.99.C1, Expressive Activity on Campus*), the university official witnessing the disruptive activity should ask those organizations and/or individuals to cease their actions and, when appropriate, to leave the campus. Should they refuse to cease their actions or to leave if requested to do so, the university official should notify the University Police Department.

## 5. COMMERCIAL SPEECH

- 5.1. Commercial speech is protected by the First Amendment. Commercial speech includes advertising, marketing, or promoting products or services. The university *cannot* limit any seller's right to advertise or promote products or services (including price information) in "traditional public forums" or "designated public forums." See university rule *08.99.99.C1, Expressive Activity on Campus* for definitions and examples of types of forums. The university *can* regulate advertising and promotional speech in these forums that is false, misleading, or offering illegal goods or services.
- 5.2. The university *can* limit or prohibit a seller from advertising or promoting products and services in "limited public forums" and "non-public forums."
- 5.3. The university *can* limit or prohibit a seller from engaging in transactions in any forum by requiring adherence to established university rules and procedures.

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## Related Statutes, Policies, or Requirements

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System Regulation [21.99.09, Access to System Property for Sales, Rentals and Soliciting](#)

[Donations](#)

University Rule [08.99.99.C1, Expressive Activity on Campus](#)

University Procedure [41.01.01.C0.01, Use of University Facilities](#)

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**Appendix**

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[Fundraising/Solicitation Proposal Form](#)

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**Contact Office**

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Contact for clarification and interpretation: Vice President for Institutional Advancement  
(361) 825-5749