POLICY STATEMENT

In accordance with SUNY Board of Trustees Resolution Number 2012-020 of 3/28/12 and the SUNY Commercial Use Policy:

It is the policy of the State University to encourage the use of capital facilities of the University for appropriate commercial uses. For purposes of this policy, “commercial use” means use for profit or potential profit, including research, by public or private entities. Upstate, on a case-by-case basis as further described below, may authorize commercial use, at its sole discretion, of its capital facilities subject to the following principles:

- Commercial use shall not be in conflict with, and shall advance the mission of, the campus, and shall not infringe upon, delay or conflict with the normal operation of the campus.
- Commercial use shall not be in conflict with and shall advance the University’s strategic plan.
- Commercial use shall not have a significant potential for material adverse effect on the reputation of the campus for academic integrity and independence.
- Commercial use shall not compete with or replicate activities of the campus auxiliary services corporation, campus foundation, or other campus-related entities.
- Commercial use shall not violate existing agreements between the campus, its auxiliary services corporation, foundation or other campus-related entities and vendors providing goods or services on campus.
- Commercial use shall conform to federal tax law restrictions on private use of facilities financed by tax-exempt bonds.
- Commercial use shall comply with Federal research guidelines, to the extent applicable.

PROcedures

- The contract(s) between SUNY and the Faculty-Student Association, Campus Foundation, or other campus-related entities provides for the operation of activities such as for food, campus bookstore, laundry, and cultural events plus other auxiliary services and facilities for students, faculty, and staff as authorized by the University President or their designee.
- Approval for authorized activities in the Campus Activities Building other than those operated by the Faculty-Student Association must be obtained in advance from the Office of the Director of Campus Activities.
- Approval for the use of other University facilities by organizations or individuals for commercial purposes or the establishment on campus of any business activity or enterprise which may be authorized, must be obtained in advance in writing from the Senior Vice President for Finance and Management, or their designee. This includes all activities that involve the promotion or the sale of goods or services on campus, other than those operated by the Faculty-Student Association.
- All student organizations engaged in selling a product or services on campus should check with the Campus Activities Office with regard to the proper guidelines to be followed.
- The peddling of newspapers or handbills which convey a point of view in the public areas of a SUNY campus is protected by the First Amendment. Public areas include the main lobby of the Campus Activities Building and sidewalks, but not areas such as corridors, rooms, and all other lobbies in buildings.
- Harassment or intimidation of members of the campus community by persons selling goods or services or proselytizing points of view or cause may require the removal of individuals from University property in accordance with the rules of maintaining public order.
- Announcements offering subscriptions to newspapers and magazines or other goods or services may be placed on established bulletin boards on campus only after approval has been obtained from the University official in charge of the area in which the bulletin board is located. Door-to-door solicitation is not permitted on campus. Unaddressed handbills and other notices of goods or services for sale are not to be sent through the campus mail, distributed to persons, or placed on vehicles on campus property.
- Activities such as craft fairs and flea markets approved in advance by the proper authority (such as the Office of Campus Activities, Senior Vice President for Finance and Management) may be held on campus. Such activities are limited to participation by students, faculty, and staff, and invited members of the public, and must be under the on-site control of a recognized campus organization. Commercial vendors are not permitted to sell or offer items for sale at events such as fairs and flea markets.
• Political parties are also prohibited by law from soliciting funds or promoting membership on State facilities.
• Recognized University activities such as the performing arts and athletic, cultural, social, educational, or recreational events are not commercial by nature and are the responsibility of sponsoring campus organizations within the limits of their charter and/or University policy and regulations.
• When approval has been granted to authorized individuals or organizations to engage in business or commercial activities on campus, they are subject to all University regulations. Violations may require revocation of approval to operate on the campus.

RESPONSIBILITIES/REFERENCES

Student policies and their effectiveness are reviewed annually as the Student Handbook is updated.