

UC Davis Policy and Procedure Manual

Chapter 270, Properties Use and Extracurricular Activities

Section 25, Commercial Activities

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Responsible Department: Office of Administration

Source Document: Letter from President Saxon regarding commercial advertising in University publications; Business and Finance Bulletin BUS-72; California State Education Code 92000; California State Penal Code 556.

[Exhibit A. Guidelines for Approval of Commercial Activities](#)

I. Purpose

University regulations have been developed to manage commercial activities such as the use of University properties for commercial purposes; acceptance of advertising in University publications; commercial use of the University name or seal; and cosponsorship of events, programs, or activities with commercial enterprises. This section summarizes applicable policies and presents guidelines (Exhibit A) for evaluating and approving commercial activities proposals.

II. Definitions

- A. Campus enterprise—any campus department (Davis or UCDCM) authorized to conduct sales of services or products on the campus (e.g., Coffee House, Outdoor Adventures, Bookstore, Mondavi Center).
- B. Commercial enterprise—any non-University entity that sells products or services.
- C. Advertising—written or verbal publicity for the purpose of generating sales of the products or services of a commercial enterprise.
- D. Acknowledgement—recognition of the goods, services, or financial support of a sponsor but does not imply endorsement of an organization or commercial product.
- E. Commercial activity—the marketing, advertising, selling, or providing of samples of products or services on the campus or in campus publications by any commercial enterprise.
- F. Cosponsorship—collaborative agreement between a campus department or organization and a commercial enterprise in managing and financing an event in which the sponsor(s) receives acknowledgement for providing financial support. Examples include corporate sponsorship of an athletic event or sponsorship of a Mondavi Center arts performance. This definition does not include affiliation agreements for research or training purposes as defined in Section 210-05.
- G. Commercial photography—any use of University premises or facilities, indoors or outdoors, for photographic purposes intended for commercial application, including motion picture filming, videotaping, or still photography.

III. Policy

- A. The main purposes of the University are education, research, and public service. Any commercial activities on campus shall be consistent with these purposes.
- B. The "University of California" name and all forms and abbreviations are the property of the State of California and shall not be used to imply endorsement of or opposition to any specific organization, product, or service.
- C. Departments asked to provide acknowledgement of corporate sponsorship shall carefully consider whether the value of the sponsorship is a fair exchange for the value of the UC Davis

acknowledgement and consistent with the purpose of the University.

IV. Requirements

A. Sales of goods and services

1. University regulations generally restrict individuals, organizations, or firms from conducting sales on University property. However, the following are permitted without additional approval:
 - a. Distribution or sales of noncommercial literature incidental to the exercise of freedom of speech, assembly, or worship are permitted as provided in Section 270-20.
 - b. Campus enterprises established in accordance with Universitywide and campus policy are authorized to sell goods or services primarily to benefit the campus community.
 - c. Sales of t-shirts, books, CDs, and related merchandise affiliated with concerts, speakers, athletic, or other public events.
2. Fund-raising activities may be permitted if approved as provided in Section 270-16.
3. Other sales (e.g., consignment sales through the Bookstore, sales at conferences) must be approved by the appropriate vice chancellor or dean for campus organizations, or by the Director—Campus Events and Visitor Services (CEVS), for non-University organizations that have been approved to use campus facilities.
4. The University's name, seal, or other identifier (including terms such as "UCD" and "Cal Aggie") may not be used on commercial products except on franchise granted by the Trademark Licensing Coordinator consistent with Section 310-65.

B. Advertising

1. Advertising on University property by commercial enterprises
 - a. Distribution and posting of advertising
See Sections 310-25 and 310-27.
 - b. Product displays
Use of University facilities for promotional displays or demonstrations is permitted when directly related to University business. The Director, Materiel Management, is authorized to approve such activities when coordinated by the Purchasing Department; the Internship and Career Center is authorized to approve displays related to recruitment by potential employers. The Director—CEVS, must approve all other requests.
2. Advertising in official University publications
 - a. Official University publications of an informational or administrative nature used in the conduct of University activities shall not contain advertising except as provided in IV.B.4, below. Such publications include those that present the campus or one of its units to the public in a formal way (e.g., catalogs, school or college announcements, departmental descriptions of graduate programs or student services, invitations), as well as those that present internal information needed by students, employees, or visitors to the campus (e.g., maps, directories, class schedules, posters).
 - b. Departments shall not participate in providing information regarding class

- schedules, activities, registration deadlines, etc. to commercial firms offering to produce such publications free of charge.
- c. Questions regarding advertising in University publications may be directed to the Assistant Vice Chancellor—University Communications.
3. Advertising on University Web sites
 - a. Web publishers may acknowledge corporate donations or contributions, or the support of teaching, research, or public service activities by organizations with which the University has a contractual relationship, through the use of Web links and logos on University Web sites, but may not provide advertising space. Any use of corporate links or logos must meet the following requirements:
 - 1) Corporate links or logos are not allowed on the UC Davis home page or on any department home page. Use shall be restricted to secondary or lower level pages.
 - 2) All pages displaying a corporate link or logo shall include the following disclaimer at the bottom of the page:

Links to commercial Web sites do not imply endorsement by the University of California or its affiliates.
 - 3) A business contract is required only if it would normally be required as part of the interaction between the University and the corporation.
 - 4) Exceptions must be approved by the Assistant Vice Chancellor—University Communications, in consultation with the Commercial Activities Work Group if a commercial activity is involved.
 - b. Using University computer and network resources for non-University commercial activity is prohibited as described in Section 310-23, Exhibit A.
 4. Use and sale of advertising space by University entities
 - a. The use of commercial advertising by departments, programs, or constituent organizations must be approved in advance by the appropriate vice chancellor or dean. Examples are the sale of advertising space in athletic schedules or event programs, use of preprinted materials containing advertising, and use of products (e.g., beverage cups) displaying advertising.
 - b. Requests to sell advertising space exclusively to non-University organizations must be approved by the appropriate vice chancellor or dean. Requests to sell advertising space exclusively to University departments or to University departments and non-University organizations are considered a rate and shall be referred to the Office of Resource Management and Planning for rate approval. Approved requests also require preparation of a business agreement as explained in Section 330-05.
 - c. Publicity for programs, goods, or services offered by University units (including campus enterprises) is subject to other policies and does not require review by the Commercial Activities Advisory Group, unless the publicity will include participation of a non-University commercial enterprise.
 5. Use of the University's name and seal
 - a. The University's name, seal, mark, logo, or other identifier shall not be used for commercial purposes. For example, advertising listing the University as a user of a product or service, or as a source of research information on which a commercial program or publication is based, is generally not appropriate.

- b. Exceptions may be made for institutional goodwill advertising that is clearly regarded as being in the best interests of the University as referenced in Section 310-65 and in Exhibit A. Exceptions must be approved by the Assistant Vice Chancellor—University Communications.
 - C. Cosponsorship of events with a commercial enterprise
 - 1. Cosponsorship of events by a UCD department or campus organization and a commercial enterprise must be approved by the appropriate vice chancellor or dean. Approved requests involving a campus department require execution of a business agreement through the Business Contracts Office.
 - 2. In instances where a campus organization or a non-University organization, such as a University affiliate (see Section 270-05), desires to cosponsor an event with a commercial enterprise, approval must be obtained through the Director—CEVS. Approved requests require execution of a business agreement through the Business Contracts Office.
 - D. Commercial photography
 - 1. Requests for permission to conduct commercial photography on University property must be approved by the Assistant Vice Chancellor—University Communications. Approved requests require execution of a license agreement through the Business Contracts Office.
 - 2. Scripts of films or videotape productions must be reviewed by the Assistant Vice Chancellor—University Communications before approval is granted.
 - 3. A standard location fee will be charged. Fees may be reduced or waived if the activity is for educational purposes. Contact CEVS to obtain guidelines and for standard location fees.
 - 4. Arrangements for any parking, police, custodial, electrical, or other campus service shall be coordinated through CEVS; associated costs will be charged to the photographer.
 - 5. News media photographers are not required to obtain approval except for use in advertising. The University Communications Office should be informed in advance of any news media activities so that its staff can provide information, assistance, and appropriate oversight.
 - E. Other commercial use of University properties/resources
 - 1. University grounds and facilities are made available for use by University organizations and certain other non-University organizations as explained in Section 270-20. Use of properties by commercial enterprises may be authorized when such use provides a clear benefit to the campus consistent with the University's purpose. The Director—CEVS, approves such requests. Fees are charged for use of properties as provided in Section 270-20.
 - 2. Distribution, rental, or sale of names and addresses for commercial purposes, unless specifically authorized by law, is prohibited.
- V. Commercial Activities Advisory Group**
 - A. At the request of vice chancellors, deans, or the Director—CEVS, the Professional Staff Advisory Group—Commercial Activities (Commercial Activities Advisory Group) reviews proposed commercial activities to ensure consistent interpretation of policies and guidelines (see Exhibit A), and to avoid activities that could have an undesirable effect on the campus environment. The advisory group provides advice on how the activity might be revised to better meet guidelines and receive support.

- B. The advisory group reviews all requests for major sponsorship agreements with commercial enterprises that propose to generate campus program support in return for sales or marketing activities on the campus, with responsibility to ensure that such proposals meet the overall commercial activity guidelines and provide sufficient benefit to campus entities that might be affected by such agreements.

VI. Further Information

Questions about commercial activities may be referred to the Office of Administration, (530)752-2081.

VII. References and Related Policies

- A. Office of the President (<http://www.ucop.edu/ucophome/coordrev/ucpolicies/>):
 - 1. Letter from President Saxon regarding commercial advertising in University publications, 4/12/79, reaffirmed 7/26/85.
 - 2. Business and Finance Bulletins:
 - a. BUS-29, Management and Control of University Equipment.
 - b. BUS-72, Establishment and Review of Auxiliary Enterprises.
 - 3. UC Policies Applying to Campus Activities, Organizations, and Students.
- B. UCD Policy and Procedure Manual (<http://manuals.ucdavis.edu/PPM/about.htm>):
 - 1. Section 210-05, Affiliation Agreements.
 - 2. Section 270-05, Campus Organizations.
 - 3. Section 270-16, Fundraising on University Property.
 - 4. Section 270-20, Use and Reservation of University Properties and Event Arrangements.
 - 5. Section 310-23, Electronic Communications—Allowable Use.
 - 6. Section 310-25, Distribution of Information and Literature.
 - 7. Section 310-27, Posting of Information.
 - 8. Section 310-65, Use of the University's Name, Seal, and Other Trademarks.
 - 9. Section 330-05, Administrative Business Agreements.