

ORS 167.087

I AM AWARE THAT PURSUANT TO ORS 167.087, IT IS UNLAWFUL TO EXHIBIT, SELL, DELIVER OR PROVIDE ANY OBSCENE WRITING, PICTURE, MOTION PICTURE, FILM, SLIDE, DRAWING OR OTHER VISUAL REPRODUCTION IF SUCH [A] DEPICTS OR DESCRIBES IN A PATENTLY OFFENSIVE MANNER SADOMASOCHISTIC ABUSE OR SEXUAL CONDUCT; [B] THE AVERAGE PERSON APPLYING CONTEMPORARY STATE STANDARDS WOULD FIND THE WORK, TAKEN AS A WHOLE, APPEALS TO THE PRURIENT INTEREST IN SEX; AND [C] TAKEN AS A WHOLE, IT LACKS SERIOUS LITERARY, ARTISTIC, POLITICAL OR SCIENTIFIC VALUE. PURSUANT TO THE ABOVE, I HAVE NO KNOWLEDGE THAT THE FILM/VIDEO, OR FUND RAISING ACTIVITY DESCRIBED ON THIS APPLICATION IS IN VIOLATION OF THE BEFORE-DESCRIBED STATE LAW.

OAR 571-011-0010

FUND RAISING ON CAMPUS BY STUDENT GROUPS

- [1] *For the purpose of these rules, the term "fund raising" shall refer to those events and activities by student groups which raise monies through the solicitation of donations, the charging of admission, or the sale or exchange of products or services. The reference herein to the sale or exchange of products or services is not intended to include instances of commercial solicitations or commercial transactions as described in OAR 571-050-0030 even if the sale or transaction is consummated by one or more members of a student group.*
- [2] The authority to approve or disapprove all activities in requests involving the solicitations of funds or fund-raising from students for whatever purpose is vested in the University President by applicable Administrative Rules of the Oregon State Board of Higher Education [see OAR 571-011-0005].
- [3] No student organization shall engage in fund raising except pursuant to prior approval in compliance with these regulations.
- [4] The University President hereby delegates his approval authority for student fund raising as follows:
 - [a] All fund raising on the premises, grounds, and in the facilities of the Erb Memorial Union [EMU] shall require the prior approval of the Director of the EMU. The EMU Director may subdelegate in writing all or part of such approval authority to the EMU Board or to the President of the Associated Students of the University of Oregon [ASUO];
 - [b] For all other student fund raising activities on the campus, recognized and registered student organizations shall apply to the Director of the EMU for approval. Authority for approval of such activities may be delegated to the ASUO President by the Director of the EMU in writing;
 - [c] The University President reserves the right to revoke and/or exercise any of the powers herein delegated if at any time the University President determines that the responsibilities delegated have not been met. The EMU Director shall also reserve the right to revoke and/or exercise any of the powers subdelegated if at any time the EMU Director determines that the responsibilities subdelegated have not been met.
- [5] *All student fund raising activities shall comply with the following restrictions:*
 - [a] *The application must state a description of the event, the purpose of the event, where the funds will go, and specifically, the use to which funds will be put;*
 - [b] *The time and place of the event must be scheduled by the sponsoring group with the University Scheduling Officer at the EMU;*
 - [c] *Except in respect to lectures or appearances of individuals or groups on the campus officially sponsored by the University for the educational and cultural development of students, funds raised shall not be paid to or retained by any individual. This shall not prevent the leasing of space at the University to sellers of personally handcrafted non-food items, the sale of which adds to the educational and cultural development of students;*
 - [d] *The only acceptable uses to which funds raised on campus by students or student groups may be put are:*
 - [A] *For the cultural and educational enrichment of the University community;*
 - [B] *For the benefit of the student fundraising organization, in line with its statement of purpose filed at the time of registration or recognition as a student organization or as thereafter updated; or*
 - [C] *For donation to legitimate charitable organizations. The decision of the legitimacy of a specific charitable organization rests with the EMU Director or, upon delegation, with the ASUO President.*
 - [e] *Except for lease of retail space [see IMD 7.160], facilities located on University property shall not be used for the purpose of private gain [see OAR 580-050-0035 and IMD 7.155];*
 - [f] *The use of facilities must comply with the Oregon State Board of Higher Education statement respecting partisan political activities, 9/8/70. [Minutes OSBHE Meeting #389-41, 9/8/70, p. 685] ". . . the Board has said, and now reiterates, that the facilities, equipment, supplies, and other resources of its institutions must not be diverted to partisan political use. This affirmation is not intended to interfere with the traditional use of campus facilities as public forums nor with the political rights of faculty members and students. Nor is it intended to modify relationships with any of the duly recognized student organizations on campus, including the Young Republicans and Young Democrats, and any other political groups characteristically functioning on the campuses. What it seeks to avoid is the colleges and universities becoming agents of direct political action . . ."*
 - [g] *Sponsoring student organizations shall utilize ticket controls and audit procedures prescribed by the EMU staff for all student fund raising events to ensure that student fund raising regulations are met;*
 - [h] *All student fund raising events involving the sale of products or services must in addition receive the prior approval of the EMU Director; The failure of a student organization to comply with these procedures shall be grounds for the denial for subsequent privileges of use of University facilities to the noncomplying organization or to the individuals who have acted on its behalf.*
- [6] *In all cases of fund raising, applicant student organizations shall file written applications on the forms provided.*
- [7] Funds raised shall be deposited in the appropriate account:
 - [a] Registered and recognized student organizations using facilities owned or operated by the University for fund raising shall deposit those funds in a Trust Fund Account in the Erb Memorial Union;
 - [b] Funds raised by University-affiliated programs, organizations, or departments, i.e., ASUO and its agencies, EMU programs, residence halls, University departments and the like, shall be deposited in the appropriate EMU account, University departmental account or Trust Fund account;
 - [c] Tickets available from the EMU shall be used by both recognized and registered groups where admission is charged.
- [8] Student organizations engaged in fund raising shall file a financial report seven days before the end of each term, or within seven days after any fund raising event in which gross receipts exceed \$1,000. The report shall provide detail of the amount of funds raised, itemized expenditures, a net balance, and shall itemize the uses to which the balance has been or will be put. Two copies of the report shall be filed on the appropriate forms. One copy shall be submitted to the EMU Director and one copy shall be submitted to the ASUO President. Failure to file a true and accurate report shall constitute:
 - [a] Grounds for denial of future permission to utilize the University facilities to the student organization, to the individuals who have acted on its behalf, and to the scheduling member;
 - [b] A basis for prosecution under the University of Oregon Code of Student Conduct; and
 - [c] Grounds for any other remedies afforded by law for misappropriation of funds or misuse of property.
- [9] The University President, the EMU Director, or upon delegation, the ASUO President shall reserve the right to review any fund raising event sponsored by a University student group. A representative of the group may be required to meet with the University President, the EMU Director, or the ASUO President to give information about the event.