

Commercial Activities

University Operations – Financial Activity

CWU Policy 202-12

Effective: December 1995

Policy Review Date: YEAR

Policy Executive: Senior Vice President – Finance and Administration

Responsible Office/Unit: Office of Senior Vice President - Finance and Administration

Policy Statement:

Applicability:

Content:

Policy

(1) The university's primary purpose is academic; that is, discovering and creating new knowledge, preserving and transmitting it, and applying it to life's experiences. All areas of the organization complement and support that function. In carrying out the mission of the university, it is often desirable for units to provide for a fee, goods and services which enhance, promote, or support its instructional, research, and public service mission (including co-curricular activities) in order to meet the needs of the students, faculty, staff, patients, and invited guests participating in the university's programs, activities, and events. The extent to which these services are provided to the university community is governed by policies in each case.

(2) Commercial Activities Committee

- A. The president of the university will appoint a standing Commercial Activities Committee to ensure proposed activities are consistent with this policy. This committee will request to meet with representatives from the Ellensburg business community at any time there is an issue at hand, but not less than twice yearly.
- B. At the discretion of the parties, examples of the areas for discussion are as follows:
 - 1. To provide a forum where the needs for services to the students can be discussed.
 - 2. To review the ongoing activities at the university and the Ellensburg business community and discuss any changes which might affect either party.

3. To discuss with the community how new initiatives being planned at the university or in the business community might affect either party.
 4. To work with the local community to increase awareness of opportunities to do business with the university.
 5. To provide opportunities for discussion of legislative initiatives related to commercial activities and their effect on the local community.
- C. Business activities shall be established and carried on only pursuant to and in accordance with an authorization and statement of purpose approved by the president of Central Washington University or his designee. An activity is defined as a class of similar goods, services, or facilities. An example of an activity within the University Store is textbooks.
- D. Each activity shall meet one of the first nine and the last of the following conditions:
1. The activity is deemed to be important in the fulfillment of Central's instructional, research, or public service mission; or
 2. The activity is part of the university's extracurricular or residential life programs, including residence halls, food services, athletic and recreational programs, and performing arts programs; or
 3. The activity is one officially sanctioned by the Associated Students of Central Washington University Board of Directors for the enrichment of student life; or
 4. The activity will assist in the recruitment of qualified students; or
 5. The activity is needed to provide a public awareness of Central; or
 6. The activity is needed to foster the relationship between Central and its alumni; or
 7. The activity is one that originated with the university in order to provide a service that was not at the time available in the private sector; or
 8. The activity is needed to provide a good or service at a reasonable price, on reasonable terms, and at a convenient location and time; or
 9. The activity is one prescribed by operating or cost efficiency standards imposed by state law, regulations, rulings, or directives; and
 10. The activity is carried out for the primary benefit of the students, faculty, staff, patients, and invited guests, but with sensitivity to the total community.

(3) Definitions

- A. ***Sensitivity*** - Sensitivity to the total community is defined as an assessment of how any proposed activity affects the entire community, including Ellensburg businesses, the citizens of the Kittitas Valley at large, as well as the students, faculty, and staff of the university. This assessment will evaluate where the service is needed, whom it will benefit, and what the options are for the provision of the service. It may include an economic impact study at an agreed upon time after the activity is initiated, provided such information is available from the affected businesses. The

results of the study will be shared with the Ellensburg community. Conversely, the local business community will share with the university plans for development which will impact the university's programs or activities.

1. This sensitivity to the total community may be manifested in several ways:
 - a. The university may forego offering an activity if it is currently being provided adequately by the private sector.
 - b. In the event an activity significantly affects the private sector, the university may restrict the activity to part or all of its students, faculty, staff, patients, or invited guests.
 - c. When establishing fees charged for goods, services, or facilities, the university shall consider full costs and in those instances when goods, services, or facilities are provided to other than students, faculty, staff, patients, or invited guests, the price of such items in the private market place shall be considered as well.
- B. **Students** - Those enrolled at Central.
- C. **Faculty** - Those employed by the university as defined in the Faculty Code and including retired faculty of Central Washington University.
- D. **Staff** - All other full- or part-time employees of the university and including retired staff of Central Washington University.
- E. **Patients** - Those who have a patient/client relationship with a faculty/staff person of the university as a part of the faculty/staff person's performing their duties and responsibilities as an employee of the university.
- F. **Invited Guests** -
 1. Those attending a workshop, training activity, seminar, or conference as part of the Conference Program or other official university program.
 2. Those invited to the university by a faculty or staff person to participate in their program or activity.
 3. Parents, relatives or guests of students.
 4. Alumni of the university.
 5. Those invited to the university as a public service to the community.
 6. Spouses, companions, and immediate family members of faculty and staff.
 7. Prospective students of Central.
 8. Students, faculty, and staff visiting from other institutions.

(4) Inquiries

- A. Inquiries from private businesses about commercial activities carried on by Central are to be addressed in writing to the Office of the President through the Ellensburg Chamber of Commerce for review and response by the university. In examining instances where there has been a challenge raised by private business, the university shall take into account as many qualitative and quantitative features of the activity as possible, as made available by both the private business and the university unit in question, and to the extent that facts are made available or can be ascertained through discussions with the Ellensburg Chamber of Commerce.
- B. The fees charged by the university shall not be the only criterion for judgment. Other factors that may be considered include, but are not limited to:
 - 1. access in both time and place to other activities related to the mission of a planned event,
 - 2. the desirability of the quality of the activity as judged by a reasonable person in the citizenry at large,
 - 3. the nature of the relationship between the activity and other activities related to a planned event, and
 - 4. the degree to which the activity is normally viewed as university-related activity on similar university campuses. These are examples of the kinds of consideration that any review may make. There are others.

(5) Identification Required

- A. When an activity is restricted to students, faculty, staff, patients or invited guests, and where unauthorized outside use is a material concern because of significant negative impact on the private marketplace, university identification may be required.

(6) Evaluation Criteria

- A. The privatization of a new activity will be evaluated as part of the deliberations of the Commercial Activities Committee. Evaluation criteria will include but will not be limited to financial considerations. Also considered will be issues such as program delivery, equipment investment, and the use of returns to support other university programs. The university reserves the right to determine other evaluation criteria. If privatization is not considered an option, the reasons therefor will be documented and presented as a part of the discussion between the community and the Commercial Activities Committee.

(7) Special Hearings

- A. In the event that there is an issue affecting a community group that cannot be resolved through the discussions outlined above, either the community representative, or the chair of the Commercial Activities Committee will report the impasse to the president of the university (and the president of the chamber, if the issue is being raised by a chamber member). The president(s) shall then convene a special hearing on the issue. Attendance at the meeting may include members of the community, student representatives, the president of the university and his selected staff, and the president of the chamber and selected chamber members. The local member of the university Board of Trustees may also be invited. Every attempt will be made by the president of the university during this hearing process to resolve the issue. If there is no

resolution, the issue may be taken to and decided by the full Board of Trustees of the university. An explanation of the issue, minutes of the hearing, and the actions taken will be provided to the Legislative Representatives of the 13th District.

History:

Board of Trustees 12/95, Motion # 95-44; Responsibility: President's Division; Authority: Cabinet/PAC; Review/Endorsed by: BOT; Review/Effective Date: 12/1995; Approved by: James L. Gaudino, President Reformatted and Assigned new Policy Number - Previous Policy CWUP 2-40-060, June 2025