

BOARD OF REGENTS

EASTERN MICHIGAN UNIVERSITY

SECTION: 16

DATE:
February 24, 2009

RECOMMENDATION

Naming of University Properties, Facilities, and Academic and Non-Academic Programs

ACTION REQUESTED:

It is recommended that the Board of Regents approve the attached policy relating to the Naming of University Properties, Facilities, and Academic and Non-Academic Programs. This policy would replace Chapter Numbers 5.6 through 5.10 of the University Development Chapters of the current Eastern Michigan University Board of Regents Policy Manual.

STAFF SUMMARY:

The Board of Regents Policy Manual contains a chapter dedicated to University Development that contains sections pertaining to the naming of 1) university buildings, building spaces and areas (5.6), 2) named endowed faculty funds (5.7), 3) named scholarship and graduate fellowship endowments (5.8), 4) named current restricted scholarships (5.9), and 5) named loan funds (5.10). The current policies were established 32 years ago; sections 5.6 and 5.7 were revised 11 years ago.

Naming of tangible and intangible university properties has become a popular and effective means of fundraising and recognition. Other universities that have utilized naming opportunities have developed more in-depth policies to address ethical, scope-of-program and format issues and necessary procedures. The proposed *Naming of University Properties, Facilities, and Academic and Non-academic Programs* policy written by the EMU Foundation is meant to replace the current Board of Regents Policy Manual Chapter Numbers 5.6 through 5.10 for the purpose of bringing board policy up-to-date with current practices.

The proposed policy was benchmarked with a compilation of 11 naming policies from universities of various sizes and locales, including a representative of the Mid American Conference. The random sample of naming policies includes documents from: University of Toledo, North Carolina State University, Oregon State University, University of California (system), University of California – San Francisco, University of Alabama – Birmingham, East Carolina University, Central Washington University, Indiana University, University of British Columbia and University of Toronto. A pattern of common information and organization emerged from this study and was used to

prepare the proposed new policy. In some sections, wording is customized to reflect current structure and procedure at EMU. The proposed policy is designed to be a general policy statement by the Board of Regents.

The *Guidelines for Eastern Michigan University Naming Opportunities* outlines more specific minimum funding levels and procedures. This document was benchmarked with information from 6 Mid-American Conference universities and 3 Michigan regional universities including: Central Michigan University, Western Michigan University, Bowling Green State University, Ball State University, University of Toledo, Kent State University, Wayne State University, Grand Valley State University and University of Michigan. The guidelines document will be maintained by the Eastern Michigan University Foundation Board of Trustees; it contains monetary, property and procedural limits for specific naming opportunities that will require annual monitoring and possible revisions. As the Board of Trustees deems them necessary, changes will be made to the document to reflect what is most beneficial to fundraising for the University. The EMU Board of Regents and the University President retain the ultimate authority for approval of all naming opportunities, as set forth in the *Naming of University Properties, Facilities, and Academic and Non-Academic Programs* and the *Guidelines for Eastern Michigan University Naming Opportunities*.

FISCAL IMPLICATIONS:

None.

ADMINISTRATION RECOMMENDATION:

The proposed action has been reviewed and is recommended for Board approval.

Susan W. Martin, President

Date

Effective Date
02-24-09

Policies, Rules, and Regulations

Chapter Name
EMU Foundation

Chapter No.

Page

Issue
Naming of University Properties, Facilities,
and Academic and Non-academic Programs

University Policy Statement:

In accordance with and in recognition of Eastern Michigan University's (hereafter referred to as "University") institutional values, the naming of University properties, facilities, and academic and non-academic programs in honor of persons or entities that have made important contributions to enable the teaching, research and public service mission of the University is an appropriate and worthy endeavor. All naming in recognition of a donor or an honoree must be consistent with the University's role as a public trust. Accordingly, all such proposals shall be reviewed and approved in accordance with this policy, and with related University policies and guidelines. This policy replaces Chapter Numbers 5.6 through 5.10 of the University Development Chapters of the current Eastern Michigan University Board of Regents Policy Manual.

Definitions

University Properties and Facilities includes buildings, rooms, interior spaces and architecture, major objects (such as artwork, trees, benches and other furniture, bleachers, bike racks, fountains, Smart Boards for classrooms, musical instruments, performance risers, sound systems and other items), streets, parking structures and lots, pathways, courts, athletic fields, parks, gardens, bodies of water, open spaces, and unimproved land.

Academic and Non-academic programs includes colleges, divisions, departments, schools, institutes, centers, positions, ongoing programs and projects, and other units and ongoing activities associated with university functions.

Approval and Authority

No commitment regarding naming shall be made to a donor or a non-donor honoree prior to approval of the application for naming. Each application must be made in writing.

Applications for naming must be submitted by a Director of Development, Vice President or Executive Director of the Eastern Michigan University Foundation (hereafter referred to as “Foundation”) to the Vice President of Advancement and/or the Executive Director of the Foundation.

Applications will be reviewed by the Naming Committee. The Naming Committee shall be:

- the Executive Committee of the Foundation and the University President,
- the Board of Regents representative currently serving on the Foundation Board of Trustees or a Board-designated representative,
- a representative from an existing University and/or Foundation campaign committee, if applicable,
- a representative from the University unit that holds majority interest in the property, facility or program to be named, and
- a representative from the University physical plant.

Naming Committee meetings will coincide with regularly scheduled meetings of the Executive Committee of the Foundation.

All naming applications that contain exceptions to the *Guidelines for Eastern Michigan University Naming Opportunities* require consultation with the Executive Committee of the Board of Regents prior to approval. Upon simple majority approval of the Executive Committee of the Foundation, including the University President, applications for naming an entire building - new construction, an entire building - major renovation, an entire building - existing unnamed, a college, a department, a school, a center, or an institute must be submitted to the Eastern Michigan University Board of Regents for final approval. All other naming applications must be submitted to the University President for final approval. The EMU Foundation must report all namings approved by the University President to the Eastern Michigan University Board of Regents through the Finance and Audit Committee prior to each regular Board of Regents meeting.

General Guidelines

Eligibility

Properties, facilities, and academic and non-academic programs will not be named for members of the University administration, faculty or staff, members of the Board of Regents, members of the Eastern Michigan University Foundation staff, members of the Foundation Board of Trustees, the Governor, elected officials, or state employees concerned with the functions, oversight or control of the University, so long as the official/legal relationship exists, except in the case of a naming involving a cash or cash equivalent gift, including an irrevocable planned gift.

Duration

Each proposal for naming must be considered on its merits and not because a gift meets a particular predetermined goal. In this regard, all due attention must be given to both the long-term and short-term appropriateness of a naming.

If the university proposes to change the function of a named property, facility or program, it must notify the Foundation to execute and document the review of related gift agreements to determine if the proposed use is consistent with the restrictions that may have been previously stipulated. If the proposal for change in use is inconsistent, University or Foundation counsel must be consulted.

Following the approval of a naming, should circumstances change substantially so that the continued use of that name may compromise the public trust, University and Foundation counsel must be consulted. If necessary, University and Foundation counsel will consult with the Michigan Attorney General. The University and Foundation reserve the right to withdraw from a naming agreement if the name of an individual or organization, which has been bestowed upon a property, facility or program, comes into disrepute in the University or in the general community.

When a property, facility or program is named to recognize a donor or a non-donor honoree, that name generally will be effective for the useful life of the property, facility or program or the designated use of the property, facility or program. If a property, facility, or program must be replaced, requires major maintenance or modifications, or is substantially renovated, or the use of a property, facility, or program is re-designated, it may be named for a new donor, subject to the specific terms and conditions set forth in any gift agreements related to the prior naming action.

Criteria

Naming involving a gift

In reviewing a request for approval of naming involving a gift, consideration must be given to:

- The significance of the proposed gift as it relates to the realization and/or success of the project or to the enhancement of the project's usefulness to the University;
- The priority of need for the project or for support funds for the project;
- The eminence, reputation and integrity of the individual or entity whose name is proposed; and
- The relationship of the individual or entity to the University

The gift must constitute a significant portion of the total cost of the project to be named. The gift must either: 1) fund the total cost of the project to be named; or (2) provide a substantial funding for that portion of the total cost which would not have been available from another source (such as federal or state loans or appropriations, student fees, or bond issues). The Executive Committee of the Foundation, including the University President, reserves the sole right to establish minimum funding levels for single and categorical naming opportunities. All revisions of the *Guidelines for Eastern Michigan University Naming Opportunities*, as approved by the Executive Committee of the Foundation, must be submitted to the Secretary of the Eastern Michigan University Board of Regents.

A new construction, renovation or new program naming conferred in recognition of a pledge is contingent on fulfillment of that pledge and must be approved on that condition. A new construction, renovation or new program naming shall not be conferred in recognition of unrealized deferred gifts.

An existing property, facility or program naming conferred in recognition of a pledge is contingent on fulfillment of that pledge and must be approved on that condition. An existing property, facility or program naming may only be conferred in recognition of a deferred gift when the gift is realized. If a second donor expresses interest in pursuing the same naming opportunity, the Naming Committee is responsible for establishing and documenting a signed agreement pertaining to the naming opportunity between all donors or their legal representatives that leverages the greatest benefit to the university.

When an opportunity to name a property, facility or program is expected in return for a non-cash gift, the Executive Committee of the Foundation may

require additional agreements from a donor to assure the eventual net from the sale of real estate or other valuables is not less than the value required for naming.

To avoid any appearance of commercial influence or conflict of interest, additional due diligence should be taken before recommending the naming of a University property, facility, or program that involves the name of a corporation or a corporate foundation. The naming for an individual associated with a corporation should be handled as any naming for an individual.

An agreement between a donor and the University to name a facility must be incorporated into the gift agreement and must be signed by both parties as well as any third party or its representatives if the naming is on the third party's behalf.

Naming to honor an individual with no gift involved

In reviewing a request for approval of naming to honor an individual with no gift involved, consideration must be given to:

- The individual's demonstration of high scholarly distinction and national or international reputation while serving the University in an academic capacity;
- The individual's distinguished service which warrants recognition of the individual's exceptional contributions to the welfare of the University while serving the University in a leadership capacity;
- The individual's contribution in exceptional ways to the welfare of the institution or achievement of such unique distinction as to warrant recognition.

When an individual has served the University in an academic or important leadership capacity, or has served the community, state or nation in an elected or appointed position, a proposal may be made for naming in honor of the individual on the earlier of the following:

- Two years after retirement or other separation from the University or from elected or appointed office; or
- Two years after the person's death, if the person had not yet retired or otherwise separated from the University.

Renaming

A proposal to rename a property, facility, or program or to add a second name must adhere to the criteria outlined in this policy. In addition, these principles shall be followed:

- Any proposal to rename a property, facility or program or to add a second name to an existing named property, facility or program in recognition of a gift must be reviewed by the Executive Committee of the Foundation. The review must include any gift documents pertaining to the original gift and related naming, as well as the gift documents pertaining to the subsequent gift and proposed renaming. If necessary, Foundation and/or University counsel must be consulted.
- When a property, facility or program that has been named in recognition of a gift or an individual has reached the end of its useful life, the replacing structure or program will no longer bear the former name and may be renamed.
- When a property, facility or program named in recognition of a gift or in honor of an individual will be developed for another use, the redeveloped property, facility or program will no longer bear the former name and may be renamed.
- Appropriate recognition of earlier donors must be included in or adjacent to new and renovated facilities, as well as in redeveloped areas.
- When a property, facility or program is proposed for renaming, Foundation and/or University representatives will make all reasonable efforts to inform the original donors or honorees and their immediate family members in advance of the change, including emphasis on preservation of the relationship.

Recognition

After final approval, named properties, facilities, and academic and non-academic programs will receive plaques or signage to recognize donors or honorees, if appropriate. Plans pursuant to onsite physical recognition must be included in the naming application and the gift agreement.

All interior and exterior naming signage must conform to the design and material standards of the University. The text of all naming signage must be approved by the Naming Committee.

Effective Dates of Policy

This policy is in effect upon adoption by the Board of Regents on February 24, 2009.

This policy is to be reviewed by June 30, 2012, and every five years thereafter. If no new or revised policy is adopted, the current policy will remain in effect.

02/09

Minimum Funding Levels for Eastern Michigan University Naming Opportunities		
The Naming Committee may recommend an alternative threshold for naming a specific facility		
Naming Opportunity	Minimum Funding Level	Examples
PROGRAMS		
College	\$10 million	
Department/School/Center/Institute	\$5 million	
Chair	\$1.5 million	
Program/Team	\$1 million	
Lectureship/Coaching Chair	\$500,000	
Graduate Scholarship	\$25,000	
Undergraduate Scholarship	\$10,000	
FACILITIES		
New Construction – Entire Building	50% or more of the fundraising goal for the facility or 10% or more of the anticipated project cost, whichever is greater. A portion of the gift could be used to establish an operations endowment for the facility. When the project cost exceeds \$75 million dollars, or under other special circumstances, the Naming Committee may recommend an alternative threshold for naming a specific facility	Jean Noble Parson's project – Dormitory and Dining Facility (Approximate cost is \$2 million, privately funded) <ul style="list-style-type: none"> • 50% or more of fundraising goal = \$1 million • 10% or more of the anticipated project cost = \$200,000 • Minimum funding level is the greater of the two: \$1 million
Major Renovation – Entire Building	50% or more of the fundraising goal for the facility or 10% or more of the anticipated project cost, whichever is greater. A portion of the gift could be used to establish an operations endowment for the facility. When the project cost exceeds \$75 million dollars, or under other special circumstances, the Naming Committee may recommend an alternative threshold for naming a specific facility	Science Complex (Approximate cost is \$90 million, public/private funded) <ul style="list-style-type: none"> • 50% or more of fundraising goal (\$12 million) = \$6 million • 10% or more of the anticipated project cost = \$9 million • Minimum funding level is the greater of the two: \$9 million

Existing Unnamed – Entire Building	10% of current fair market value of building to create an operations endowment for building	EMU Student Center opened unnamed in 2006 at a cost of approximately \$40 million. If this were the fair market value today, a donor would need to contribute \$4 million towards an operations endowment in order to name the entire building
Existing Unnamed – Portion of Buildings	<ul style="list-style-type: none"> • Office \$10,000 • Classroom/Lounge/ Meeting Room \$25,000 • Lecture Hall \$100,000 • Lab/Clinic \$150,000 • Floor/Mn Lobby \$250,000 • All others determined case-by-case 	
Outdoor Area	Determined case-by-case	
Tree/Bench/Other outdoor objects	100% cost of tree/bench/outdoor object up to \$1,000 + 50% cost of tree/bench/outdoor object to fund an overall maintenance and operations endowment for trees, benches and other outdoor objects	

As positions and programs are established to support university initiatives, specific funding minimums will be determined by the Executive Committee of the Foundation, including the University President.

The Board of Regents reserves the right to approve the naming application that offers the greatest benefit to Eastern Michigan University.

General Procedural Guidelines for Submission, Approval and Implementation of a Naming Application

1. Notice of Naming Committee meetings will be given at least 8 weeks in advance of each meeting date to all members of the committee.
2. A Director of Development, Vice President or Executive Director of the EMU Foundation must submit naming application and all necessary materials to the Naming Committee through the EMU Foundation Board Secretary no later than 14 days in advance of a scheduled Naming Committee Meeting. Naming Committee meetings may be cancelled if no applications are received by the 14 day deadline.
3. Late applications will be considered for inclusion in the upcoming meeting, but may be delayed until the next scheduled meeting at the Naming Committee's discretion. The Naming Committee reserves the right to delay incomplete applications to the following Naming Committee meeting and to retire the application if it is not completed and resubmitted 14 days in advance of the next Naming Committee meeting.
4. The Naming Committee must review all applications and make a decision on a naming application within 6 months of the Naming Committee meeting when the application is initially reviewed. Naming applications for entire building-new construction, entire building – major renovation, entire building – existing unnamed, college, department, school, center or institute require Board of Regents approval. All other naming applications require University President approval:
 - a. For applications requiring Board of Regents approval:
 - i. Send written notification of the Naming Committee's decision to the originator of the application, with recommendations for follow-up, if applicable.
 - ii. The University President recommends approved naming applications to the Board of Regents.
 - b. For applications requiring University President approval:
 - i. If the University President gives final approval to a naming application:
 1. The originator of the application receives written notification
 2. Implementation of the naming is carried out by EMU Foundation staff

3. Progress reports must be submitted to the Naming Committee and may be submitted to the Board of Regents, if requested
- ii. If the University President does not give final approval to a naming application:
 1. The originator of the application receives written notification with recommendations for follow-up, if applicable
 2. The Naming Committee reviews the naming application for follow-up, if applicable, at the next scheduled Naming Committee meeting
 3. The naming application is retired, if applicable.
5. The Board of Regents reviews the applications recommended by the University President.
 - a. If the Board of Regents gives final approval to a naming application:
 - i. The originator of the application receives written notification
 - ii. Implementation of the naming is carried out by EMU Foundation staff
 - iii. Progress reports must be submitted to the Naming Committee and may be submitted to the Board of Regents, if requested
 - b. If the Board of Regents does not give final approval to a naming application:
 - i. The originator of the application receives written notification with recommendations for follow-up, if applicable
 - ii. The Naming Committee reviews the naming application for follow-up, if applicable, at the next scheduled Naming Committee meeting
 - iii. The naming application is retired, if applicable.
6. A Director of Development, Vice President or the Executive Director of the EMU Foundation will complete the signed gift agreement and signed application (incorporated by reference in and attachment to the gift agreement) with the donor(s) and/or other party(ies) as outlined in the Board of Regents naming policy.

All documentation in association with a naming application must be retained in donor files housed at the EMU Foundation. The EMU Foundation must report all namings approved by the University President to the Eastern Michigan University Board of Regents through the Finance and Audit Committee prior to each regular Board of Regents meeting.

All revisions to the Guidelines for Eastern Michigan University Naming Opportunities must be submitted to the Secretary of the Eastern Michigan University Board of Regents.