

SOUTH DAKOTA BOARD OF REGENTS

Academic and Student Affairs
Consent

AGENDA ITEM: 4 – L (2)

DATE: March 27-29, 2018

SUBJECT

Naming Request – BHSU – Life Sciences Laboratory

CONTROLLING STATUTE, RULE, OR POLICY

[BOR Policy 1:27](#) – Naming of Institutional Facilities, Programmatic Units or Funded Academic Honors

BACKGROUND / DISCUSSION

Black Hills State University (BHSU) requests authorization to rename the Life Sciences Laboratory as the “Kathryn Johnson Life Sciences Laboratory.” Naming this facility after an outstanding alumna, scientist, and supporter of higher education will formally dedicate Dr. Johnson's impact to science and science education at BHSU and the State of South Dakota.

IMPACT AND RECOMMENDATIONS

Board staff recommend approval.

ATTACHMENTS

Attachment I – Naming Request Form: BHSU

Attachment II – Memorandum of Understanding: BHSU Foundation & Kathryn Johnson and Doyle Estes

DRAFT MOTION 20180327_4-L(2):

I move to approve the request by Black Hills State University to rename the Life Sciences Laboratory as the Kathryn Johnson Life Sciences Laboratory.



South Dakota Board of Regents

Naming Request Form

*Request for Naming of Campus Facilities,
Programmatic Units, or Funded Academic Honors*

Please send this completed form to **BORSEC@sdbor.edu**.

Date Request Submitted: February 28, 2018

Name of Institution: Black Hills State University

Current Name: Life Sciences Laboratory

Proposed Name: Kathryn Johnson Life Sciences Laboratory

Effective Date and Duration of Proposed Name: March 28, 2018 (immediately upon Board approval) - life of building

Location on Campus: Life Sciences Laboratory - southeast corner of campus

Purpose of Facility, Space, or Program to be Named: science education and research

If the naming request is the result of a gift, is the institution currently in possession of the gift? : No, it's an estate gift.

If the naming request is the result of a gift agreement that provides the donor the right to name the facility, when and how was the Board apprised of such an agreement in advance? (Please submit the gift agreement with this form.)

President Kay Schallenkamp 2013

Rationale for Proposed Name (Include in the space below, or attach documentation):

Dr. Kathryn Johnson is a graduate of Black Hills State University, earning her B.S. in Chemistry in 1975. She earned a Ph.D. from South Dakota School of Mines & Technology in 1986. While attending BHSU, Kathy majored in chemistry and math, working as a lab assistant in the chemistry labs. In 1990, Kathy successfully launched her own environmental consultancy business where she continues to serve as owner/principal after 28 years.

Kathy served on the South Dakota Board of Regents for 12 years from 2005 - 2017, including 2 years as President. She also served on a Congressional Commission on the Advancement of Women and Minorities in Science, Engineering & Technology in the 1990's.

Kathy and her husband Doyle Estes, attorney and real estate developer, pledged \$1 million to BHSU to create the Kathryn Johnson Science Scholarship which will support BHSU students majoring in the natural sciences or science education.

Naming this facility after an outstanding alumni, scientist, and supporter of higher education will formally dedicate Dr. Johnson's impact to science and science education at BHSU and the State of South Dakota.

Authorization for Use of Name

I, the undersigned, authorize the use of my name for the proposed naming request specified above.

DocuSigned by:

Kathryn Johnson
Signature

3/15/2018 | 11:26:59 AM MDT

Date

Kathryn Johnson

Printed Name

Campus Authorization of Naming Request

I, the undersigned President/Superintendent, have a reasonable assurance that the proposed name will bring additional honor and distinction to the institution, the recognition implied by naming is appropriate for the behavior exhibited by the individual, family, or organization, and any philanthropic commitments connected with the naming can be realized. I certify that this naming request meets the criteria required by Board of Regents Policy 1:27, which key requirements are stated below:

1. When naming a facility or programmatic unit for a person, family, or organization where there is no gift, the proposed honoree shall have achieved distinction in one or more of the following ways:
 - a. Serving the university in an academic or administrative capacity with high distinction, or
 - b. By contributing in other exceptional ways to the welfare and reputation of the university, to education, or the community in general.

OR

2. When naming a facility or programmatic unit for a person, family, or organization where there is a gift to the institution, consideration has been given to the following factors:
 - a. The significance of the gift to the likely realization or success of a facility project or programmatic unit, based on the following guidelines:
 - i. A name proposed for a new facility or a facility to be renovated so as to recognize a gift to the institution may be considered when the gift represents a substantial component of the projects' total cost.
 - ii. A name proposed for an existing but presently untitled facility so as to recognize a gift to the institution may be considered when the gift represents a significant proportion of the value of the facility.
 - iii. A name may be proposed for a programmatic unit to recognize an endowed gift to the institution if the gift is similar to donations received for comparable naming at peer institutions, provided that any associated endowment will be sufficient to sustain the program or a substantial portion of it, since the naming shall be in effect for the life of the program.
 - iv. If a fund raising drive or a contractual agreement may involve naming that is subject to Board approval, the Board must be apprised of such initiatives in advance.
 - v. Before recommending a name in honor of an individual, corporate, or commercial entity, institutions must avoid any appearance of commercial influence or conflict of interest by taking additional due diligence. The naming for an individual associated with a corporation should be handled as any naming for an individual.
 - a. Corporate names may be used to designate individual rooms or suites of rooms, as well as endowed chairs and professorships. Plaques in public spaces within buildings may recognize the contributions of corporations. The size, design, and wording of plaques and other signs that acknowledge corporate generosity and express institutional appreciation should be modest in size and appropriate to the public university or school setting.
 - b. the urgency or need for the project or program, or continuing support for the program,
 - c. the standing of the individual, family, or entity in the community or profession,
 - d. the nature and duration of the relationship of the proposed honoree to the university.

DocuSigned by:

[Signature]
President/Superintendent Signature

3/15/2018 | 8:55:27 AM MDT

Date

**MEMORANDUM OF UNDERSTANDING BETWEEN
BLACK HILLS STATE UNIVERSITY FOUNDATION, SPEARFISH, SOUTH DAKOTA
AND
KATHRYN JOHNSON AND DOYLE ESTES**

This MEMORANDUM OF UNDERSTANDING EFFECTIVE AS OF June 19, 2014 is hereby made, and entered into by and between KATHRYN JOHNSON AND DOYLE ESTES hereinafter referred to as "Donors", and the Black Hills State University Foundation, Spearfish, South Dakota, hereinafter referred to as "Foundation".

PURPOSE

The purpose of this MOU is to establish the Kathryn Johnson and Doyle Estes endowment.

AGREEMENT

WHEREAS, Donors PLEDGE TO designate the Foundation as the recipient of part of their estate in the amount of \$ One Million Dollars ("Gift")

Donors wish to designate the distribution of this gift after the surviving spouse's death in accordance with the Policies and Procedures of the Foundation.

Black Hills State University agrees that the gift shall be used to name the Black Hills State University Life Sciences Laboratory building. The building shall be named the "KATHRYN JOHNSON Life Science Laboratory".

It is agreed the naming will not be announced until KATHRYN JOHNSON completes her service on the South Dakota Board of Regents as stipulated by Regents Policy 1:27 (Naming of Institutional Facilities).

This naming is contingent on approval by the SOUTH DAKOTA Board of Regents.

The Foundation represents that it will manage the gift to be made by the Donors subject to the Bylaws and Policies of the Foundation.

DISTRIBUTION

THEREFORE, the Foundation represents that it has received this Memorandum, and that it will make distributions as provided herein in accordance with the Donors' direction, which are stated as follows:

Donors stipulate that any gift or gifts to the Foundation by them pursuant to this agreement shall be segregated as a separate endowed account ("Endowed Account"), and such gift(s) shall be held and distributed in accordance with the provisions of this Memorandum.

The Foundation shall retain and invest the Endowed Account and shall distribute annually a sum equal to five percent (5%) of the fair market value of the Endowed Account.

SCHOLARSHIP

The Black Hills State University Foundation will create THE KATHRYN JOHNSON SCIENCE SCHOLARSHIP that shall be awarded as follows:

- 1) The recipient(s) of the KATHRYN JOHNSON SCIENCE SCHOLARSHIP will be selected each year by Black Hills State University.
- 2) The recipient requirements are
 - a) Enrolled as a freshman, sophomore, junior, senior, or graduate student at Black Hills State University.
 - b) Majoring in the natural sciences or science education as follows:
 - i) Biology, Chemistry, Environmental Physical Science, Physics
 - ii) Or any above named Science Education major
 - iii) Or similarly named area of Science studies as designated by the Black Hills State University Curriculum.
 - c) Enroll in a minimum of 14 credit hours per semester
 - d) Maintain a GPA greater than 3.0 on a 4.0 scale
- 3) It is preferred the minimum amount awarded shall be 5% of tuition and fees.
- 4) The scholarships will be awarded in the fall and spring. Fifty percent of the scholarship funds will be distributed in the fall, and the remainder distributed in the spring.

PUBLICATION

Donors agree to be listed in the publications of the Black Hills State University Foundation including name information, photographs and other printed information. Publication will be after KATHRYN JOHNSON has completed her service for the South Dakota Board of Regents, and with donor approval. This is stipulated by Regents Policy 1:27 (Naming of Institutional Facilities), and requires Regent approval.

Any reference prior to KATHRYN JOHNSON completing her service with the South Dakota Board of Regents as well as approval from the South Dakota Board of regents shall be listed as Anonymous.

ENDOWMENT

All distributions made by the Foundation shall be given in the name of KATHRYN JOHNSON.

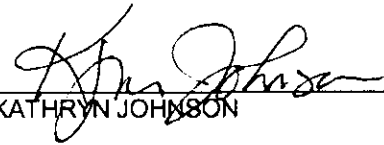
All transfers to the Foundation are irrevocable.

The Foundation, Donors and any other party that contribute assets to this endowed account intend that a transfer of assets to this Foundation qualify as a "component fund" under the Foundation and shall be construed as such. The Foundation at all times reserves the right to retroactively amend this instrument of transfer to achieve that result.


ENTIRE AGREEMENT

KATHRYN JOHNSON AND DOYLE ESTES recognize and acknowledge that this is a request to establish a Memorandum of Understanding, and that pursuant to the Bylaws of the Foundation, the Board of Directors may periodically evaluate these Funds, and if it determines that continued payments for the specified charitable purpose have become unnecessary, obsolete, incapable of fulfillment, impractical, or contrary to compliance requirements for the Foundation to retain its tax exempt status, the Board has the discretion to alter the distribution of the Funds. Kathryn Johnson and Doyle Estes acknowledge the authority of the Board of Directors to alter distribution, but request that to the maximum extent possible the purposes stated in this Memorandum be followed.

DONORS

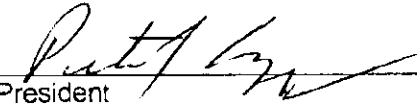
 6/19/2014
KATHRYN JOHNSON Date

Witness to Kathryn Johnson signature Linda Morrison Linda Morrison 6-19-14
Printed Name Signature and date


 6/19/2014
DOYLE ESTES Date

Witness to Doyle Estes signature Linda Morrison Linda Morrison 6-19-2014
Printed Name Signature and date

BLACK HILLS STATE UNIVERSITY FOUNDATION

 6-23-14
President Date

BLACK HILLS STATE UNIVERSITY

^{CS}
 6/20/14
President Kay Schallenkamp Date