

SOUTH DAKOTA BOARD OF REGENTS

Budget and Finance

AGENDA ITEM: 7 – N

DATE: May 10, 2022

SUBJECT

BOR Policy 1:27 Revisions – Naming of Institutional Facilities, Programmatic Units, or Funded Academic Honors (First Reading)

CONTROLLING STATUTE, RULE, OR POLICY

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

BACKGROUND / DISCUSSION

The proposed revisions to BOR Policy 1:27 provide clarity around the structure of naming requests associated with gifts. Naming rights which are structured to span the duration of the useful life of a facility often cause ambiguity late in the life of the facility when discussions commence around replacement, renovation or demolition of the facility. Providing naming rights for a defined period of time (i.e., number of years) provides clarity for both the institution and the donor, alleviating the uncertainty around the point at which the naming rights cease. The revision to section 2.2 would require the parties to define the duration of the naming rights, which should be commensurate to the level of the gift, and not exceed the expected useful life of the facility. Additionally, the adjustment in section 2.4 removes the default premise of the naming generally being effective for the useful life of the facility, maintaining consistency with the change to section 2.2.

IMPACT AND RECOMMENDATION

The proposed revisions to BOR Policy 1:27 provide clarity around the duration for which naming rights are provided in association with a gift by requiring the length of time to be specified upfront vs. a general reference to the useful life of the facility.

Staff recommends approval.

ATTACHMENTS

Attachment I – Proposed Revisions to BOR Policy 1:27 – Naming of Institutional Facilities, Programmatic Units, or Funded Academic Honors Revisions

DRAFT MOTION 20220510_7-N:

I move to approve the first reading of the proposed revisions to BOR Policy 1:27, as presented in Attachment I.

SOUTH DAKOTA BOARD OF REGENTS**Policy Manual**

SUBJECT: Naming of Institutional Facilities, Programmatic Units, or Funded Academic Honors

NUMBER: 1:27

A. PURPOSE

To set parameters for the naming of institutional facilities, programmatic units, or funded academic honors.

B. DEFINITIONS

None

C. POLICY**1. Overview**

The Board has a long-standing tradition of naming institutional facilities, programmatic units and funded academic honors in recognition of persons or entities who have made important contributions to enable or to advance the missions of the institutions. All naming in recognition of an honoree must be consistent with the Board's role as a public trust. Accordingly, all such proposals shall be reviewed and approved in accordance with this policy.

The Board shall approve the names of all new or existing campus facilities, such as roadways and buildings and additions (if they are to carry a different name from the original building), costing more than \$250,000, if the name is in recognition of a person, family or organization. It shall also approve the naming of programmatic units such as colleges, schools, institutes, centers or departments made in recognition of a person, family, or organization. The presidents and superintendents may name facilities and programmatic units that are not in recognition of a person, family or organization and which bear a generic descriptive name that is logically related to the use, offering(s) and/or location, and all wings, halls, rooms or other areas within buildings, and chairs, lecture series or other funded academic honors. Any such naming of new facilities by presidents and superintendents shall be included in the applicable facility plan approval(s) pursuant to BOR Policy 6:4.

2. Criteria for Naming

2.1. 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:

- 2.1.1. Serving the university in an academic or administrative capacity with high distinction, or
 - 2.1.2. By contributed in other exceptional ways to the welfare and reputation of the university, to education, or to the community in genera.
- 2.2. When naming a facility or programmatic unit for a person, family, or organization where there is a gift to the institution, the naming shall be for a defined period of time, commensurate to the level of the gift. The duration of the naming may not exceed the expected useful life of the facility or the designated use of the area. Consideration shall be given to the following factors:
- 2.2.1. The significance of the gift to the likely realization or success of a facility project or programmatic unit, based on the following guidelines:
 - 2.2.1.1. 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.
 - 2.2.1.2. 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.
 - 2.2.1.3. 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.
 - 2.2.1.4. 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.
 - 2.2.1.5. 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.
 - 2.2.1.5.1. 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.
 - 2.2.2. The urgency or need for the project or program, or continuing support for the program,
 - 2.2.3. The standing of the individual, family, or entity in the community or profession,

- 2.2.4. The nature and duration of the relationship of the proposed honoree to the university.
- 2.3. Prior to recommending to the Board the naming of a facility or programmatic unit for a person, family or organization, the president or superintendent shall have a reasonable assurance that:
 - 2.3.1. The proposed name will bring additional honor and distinction to the institution,
 - 2.3.2. The recognition implied by the naming is appropriate for the behavior exhibited by the individual, family, or organization, and
 - 2.3.3. Any philanthropic commitments connected with the naming can be realized.
- 2.4. A name will generally ~~be effective for~~ not extend beyond the useful life of the facility or the designated use of the area. If a facility must be replaced or substantially renovated, or the use of an area re-designated, it may be named for a new ~~donor~~ person, family, or organization, subject to the specific terms and conditions set forth in any gift agreements related to the prior naming action.
- 2.5. Under ordinary circumstances, serving Regents, elected officials, and institution employees are not eligible for a naming.
- 2.6. The Board may make exceptions to the standards and practices ordinarily required under this policy where, in its discretion, circumstances justify such departures to serve what it deems to be the best interests of the particular school or university or the system.
- 2.7. A naming conferred in recognition of a pledge is contingent on fulfillment of that pledge and will be approved on that condition.
- 2.8. If the institution proposes to change the function of a named facility or area, it must 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, the institution shall consult with the General Counsel.
- 2.9. Notwithstanding any contractual provision to the contrary, if at any time following the approval of a naming, circumstances change substantially so that the continued use of that name may compromise the public trust, the Board may authorize an institution to discontinue use of the name.

FORMS / APPENDICES:

[Naming Request Form](#)

SOURCE:

BOR June 1994, formerly Board Policy 6:10 (Naming of Campus Facilities); BOR August 2006; June 2017 (Clerical); BOR December 2021.