

NAMING OF UNIVERSITY FACILITIES AND OTHER SPACES

PURPOSE

The purpose of this policy is to develop university-wide guidelines for gift naming opportunities and service recognition naming opportunities at Westfield State University.

INTRODUCTION

Westfield State University and the Westfield State Foundation, Inc., seek private funds to enhance the university's ability to meet the higher education needs of the community, particularly toward a level of excellence that would otherwise not be possible given state funding levels and restraints on student tuition and fees.

The Foundation and the university will provide appropriate recognition to donors for their generosity. Recognition may take many forms and this policy seeks to establish guidelines for the naming of facilities, programs and funds.

The opportunity to recognize an individual, a family, a foundation, or a corporation by naming a space on campus or naming a fund is a matter of common practice among the more than 5,000 institutions of higher education in the United States. By naming facilities or academic programs, Westfield State University recognizes high scholarly distinction, devotion, distinguished service, or a generous gift.

POLICIES AND GUIDELINES

The following are policies and guidelines for the permanent naming of facilities, programs and funds. They are designed to accommodate unpredictable situations and donor expectations while keeping the Westfield State mission and policies at the fore in making decisions.

All naming opportunities are negotiable, within the parameters set by the Department of Higher Education (FAAP 15-14 dated 12/9/14). Notwithstanding this policy, the Board of Trustees of the university retains discretion to make exceptions or alter criteria or conditions as appropriate to the circumstances. There are innumerable ways the university may recognize an individual, a family, a foundation, or a corporation, just as there are many different types of contributions that are made.

General guidelines:

- The naming of any physical facility, campus grounds or academic program is usually only appropriate when a significant contribution has been received.

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- Donor recognition does not need to be tied directly to a gift for that specific building or improvement, academic unit or endowment.
- Significant unrestricted gifts can be recognized through naming opportunities.
- MSCBA bonded projects that are supported by student usage fees (residence hall, for example) bear minimal direct cost to the university. Therefore donors who support such projects may make their gifts 'unrestricted' to the university.
- The naming of buildings owned by the Division of Capital Asset Management and Maintenance (DCAMM) may require approval from the Board of Higher Education (FAAP 15-14 dated 12/9/14).
- The merits of naming any physical facility, space, academic program, or endowed fund should be determined by carefully weighing a person's high scholarship, devotion or distinguished service, and should be able to stand the test of time. Naming opportunities should be valued based on market benchmarks, taking into consideration historical value and location of space.
- Signage for naming opportunities could take up to six months.
- The minimum amount required to establish a named endowed fund is \$10,000. This policy pertains to scholarship funds and other similar student, faculty and program support funds.
- Donors may wish to establish a named temporary fund for faculty support, financial aid or other funding priorities. Under such an agreement, the donor commits to providing an annual gift equivalent to the income from an endowment for a fixed period of time, at a minimum of three years.
- All naming requests should support the honoree's or donor's intent to meet the highest values and societal standards.

TYPES OF GIFTS FOR NAMING COMMITMENTS

Any and all combinations of gifts, pledges and irrevocable deferred gift arrangements are acceptable for naming commitments. Gifts made through irrevocable deferred gift types (including, but not limited to charitable gift annuities, deferred pledge agreements or bequests) should generally not be accepted in instances when private funds are needed to pay for current building projects or other programs; accordingly, the donor should be presented with other opportunities. A naming opportunity may, however, be accepted for existing, unnamed opportunities not requiring major remodeling or renovation.

GUIDELINES FOR NAMING PHYSICAL FACILITIES

- Buildings, campus grounds or other campus facilities will generally not be named for individuals currently employed by the university, unless a donor provides a sufficient gift in honor of that individual.
- When the person to be honored is living and no financial gift is being provided, at least one year should pass since any formal association with Westfield State. Such affiliation includes time spent as a student, a compensated member of the faculty or staff, a volunteer board member, or a devoted public servant.
- Naming a building, wing, room, or lecture hall can be difficult, depending on size, age, prestige, location, original cost, etc. Recommendations on naming values are made by the vice president of Advancement and University Relations, or his or her designee, in concert with the president and senior administrators, with ultimate review/approval from the chair of the Board of Trustees, the chair of the Board of Trustees Advancement Committee, and the chair of the Westfield State Foundation.
 - Facilities and assets, rooms, and grounds built by MSCBA or that are university owned and operated can be named and funds may be directed by the donor or honoree for the benefit of Westfield State University.
 - Unscheduled or unplanned facilities that a donor wishes to have constructed will require a 100 percent gift commitment, plus a fully endowed maintenance fund.

GUIDELINES FOR NAMING PROGRAMS

In order to name a center, program or academic unit, the gift should be proportional to the amount of endowment (for example, principal times 4 percent annual payout, in accordance with the Foundation's spending policy at the time of this vote) that would be necessary to sustain or propel the program to new heights on a permanent basis. For example, it would require at least \$2.5 million to permanently name a program needing \$125,000 in annual expenditures.

However, if an academic program is being named for someone of unparalleled scholarly or civic distinction, that name should bring great honor as well as "promise" to the program, so that the naming is a value-added act of good will and thoughtfulness, as well as a magnet for additional financial resources.

Opportunities also exist to establish named endowment funds in support of faculty, student or academic priorities.

APPROVAL PROCESS FOR NAMING OF FACILITIES OR PROGRAMS

All permanently named facilities and programs of \$100,000 or greater value should be reviewed and approved by the president of the university, chair of the Board of Trustees and chair of the Board of Trustees Advancement Committee, upon the recommendation of the vice president of Advancement and University Relations in concert with the Westfield State Foundation, where appropriate, and ultimately subject to the approval requirements listed below.

The executive director of the Westfield State Foundation has the authority to review and approve names of support funds, such as scholarship endowments, on behalf of the Foundation.

The following principles shall be fully adhered to in the naming process:

- All proposed names for buildings and other facilities are held confidential during the review and approval process. There should be a minimum of communication about the proposed naming before appropriate approval has been granted.
- The naming of buildings, assets, grounds or endowed funds in recognition of a donor or honoree implies a promise to that donor or honoree that the space, assets, site, facility, endowment fund, and other forms of tangible recognition will be permanently maintained, or, if change is unavoidable, that an alternative location of equal value will be found. See termination of agreement section for further detail on this.
- The university is responsible for maintaining a record of named rooms, buildings, assets, grounds, and other spaces, in addition to endowed funds.
- Naming commitments and, in fact, all major gifts, whether recognized by naming rights or not, are reflections on the ideals and reputation of Westfield State University. Accordingly, each gift and naming commitment should be reviewed carefully for full compliance with applicable laws and ethical principles. This is especially true where there is some direct or indirect business or other continuing relationship between the donor and the university, its officers or employees. Any questions about the applicability of state or federal laws on conflicts of interest and other ethical considerations should be referred to appropriate legal counsel. In addition, the Board of Higher Education policy FAAP 15-14, passed on December 9, 2014, shall govern all naming opportunities.

Steps to follow:

- The donor, either in response to a formal solicitation or of his or her own volition, indicates to an employee of the university, a member of the Foundation or a

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university Trustee, in concert with a university employee in Advancement and University Relations, an interest in making a gift of significant value to the university.

- The individuals negotiating on behalf of the university determine the exact nature of the gift intention. Discussions with individual, family, corporate, or other organizational donors who seek naming rights must be conducted with the understanding that the president reserves final approval of naming up to \$100,000 and the chair of the Board of Trustees, the chair of the Board of Trustees Advancement Committee and the chair of the Westfield State Foundation reserve approval at the level of \$100,000 to \$999,999, and the full Board of Trustees will approve all naming opportunities of \$1 million or greater. Additionally, buildings owned by the Division of Capital Asset Management and Maintenance (DCAMM) may require approval from the Board of Higher Education.
- Once the individuals negotiating on behalf of the university determine the exact nature of the gift intention, and when the gift involves a proposal to name, they then forward the information to the vice president of Advancement and University Relations for review with his/her peers at the university.
- It is the responsibility of the individual(s) negotiating on behalf of the university to advise potential funders that the acceptance of any philanthropic donation which involves a proposal to name is conditional upon approvals at all required levels.
- Upon approval from the vice president of Advancement and University Relations, the naming opportunity and donor will be presented for approval at all required levels.
- Once the naming opportunity is approved at all required levels, a formal gift agreement is executed by the Foundation, outlining parameters of the gift in support of the university (as well as the nature of the named recognition).
 - An irrevocable deferred bequest will be recognized when following three documents are in order.
 - Wording within the will that clearly refers to the donor's intent as an irrevocable gift to the university.
 - An accompanying letter that clearly states the donor's intent, making an irrevocable pledge to Westfield State University. This letter is also to be shared with legal counsel and the Westfield State Foundation office (preferable with family and/or advisors as well).

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- A signed naming opportunity agreement that clearly states that this gift will be fulfilled by an irrevocable bequest and that the naming may be removed if the full amount of pledge is not received.
 - Recognition steps are then set in motion, including appropriate media announcements, signage installation, campus ceremonies, etc. (consistent with the wishes of the donor and the level of support he/she is providing). It is important to note that, throughout the review and approval process, the donor's intentions should be held in strict confidence.
 - A memo is sent by the vice president of Advancement and University Relations to all senior administrators. The office of Public Relations initiates communication to various news sources so the named gift is marketed as such in all publications and future announcements concerning this newly designated area.
 - The Board of Trustees and the Foundation Board will be advised of naming agreements of \$100,000 or greater.

TIMEFRAME FOR PLEDGE GIFTS

Endowed gifts have five years to reach the minimum endowment funding level of \$10,000. For endowment pledges that do not reach the minimum level within the five-year period, the donor or representative of the gift will be consulted to determine the most useful course of action, which may include a pledge extension or the transfer of the fund to the unrestricted endowment fund.

Naming of the endowed gift, in most instances, will take place immediately. In the event the pledge of cash or deferred gift (including, but not limited to charitable gift annuities, deferred pledge agreements, or bequests), by a donor is not fulfilled in accordance with the signed letter of intent, the university reserves the right to ask the donor(s), or his or her representative, to forfeit the naming opportunity at Westfield State University.

TERMINATION OF NAMING AGREEMENT

The university may terminate an agreement and all rights and benefits of the donor(s) or honoree(s), including terminating the naming, in the unlikely event the university determines in its reasonable and good faith opinion that circumstances have changed such that the naming chosen would adversely impact the reputation, lineage, mission or integrity of the university.

Upon such termination of agreement and/or the naming, the university and the Foundation have no obligation or liability to the donors and are not required to return any portion of the gift already paid. The president and the Foundation may, however,

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have discretion on determining an alternative recognition for the portion of the gift already received, if appropriate.

1. Also, if a named space is ever transferred or conveyed from the university, closed, deconstructed, destroyed or severely damaged, relocated, or replaced, then the naming will cease. In addition, if the named space is ever significantly renovated, upgraded or modified at a significant cost to the university then the naming will cease. In such event, however, the Board of Trustees for gifts of \$1 million or greater, the chair of the Board of Trustees and the chair of the Board of Trustees Advancement Committee for gifts between \$100,000 and \$999,999, and the president for all gifts under \$99,999, will have the right, for no additional payment, to designate the name of another available and equivalent university facility related to the purpose of the original gift intent. If the original donors are living and competent, they would be consulted by the university to discuss mutually agreed upon space. All naming right agreements will provide for termination detail as outlined in the above policy.
2. A signed naming opportunity agreement that clearly states that this gift will be fulfilled by an irrevocable bequest and that the naming may be removed if the full amount of pledge is not received.

REVIEW

The naming opportunities policy is reviewed with the Board of Trustees and Foundation Board as new fundraising plans are initiated for a campaign, when specific fundraising initiatives are launched or as the vice president of Advancement and University Relations or president deem necessary. This new policy is in full effect immediately, notwithstanding any prior policy, guideline, past practice, or prior naming of any university facility or program.

Board of Higher Education: Naming Rights Policy

http://www.mass.edu/bhe/lib/documents/FAAP/FAAP15-14_Motion_ApprovaloftheBuildingNamingRightsPolicy_withattachment.pdf