

# **MARSHALL UNIVERSITY BOARD OF GOVERNORS**

## **Rule No. GA-8**

### **Naming Policy for Programs and Facilities**

#### **1 General Information.**

- 1.1 Scope: This policy sets guidelines for naming Marshall University Programs and Facilities.
- 1.2 Authority: W. Va. Code §18B-1-6
- 1.3 Passage Date: August 8, 2023
- 1.4 Effective Date: September 15, 2023
- 1.5 History:
  - 1.5.1 MUBOG Policy No. 35 replaced current MUBOG Policy No. 2 which was approved on January 23, 2002. At that time, MUBOG Policy No. 2 was repealed. The policy was renumbered to MUBOG Policy No. GA-10. In 2023 this policy was amended to clarify who may approve Naming Opportunities.

#### **2 Purpose.**

- 2.1 This policy is designed to ensure that any unit or facility that is named at Marshall University (University) honors individuals of extraordinary achievement and whose accomplishments are of enduring distinction and value. In addition, naming opportunities may be granted in honor of an individual who has made a significant and far-reaching impact on Marshall University through:
  - 2.1.1 Extraordinary public service or service to the University without consideration of a monetary contribution.
  - 2.1.2 A major monetary gift made to the University in accordance with the terms of this policy.

#### **3 Definitions**

- 3.1 For purposes of this policy the following definitions shall apply:
  - 3.1.1 The term “Unit” refers to any office, position, department, center, institute organization, or resource that may be named.
  - 3.1.2 The term “Facilities” refers to any existing or proposed, rooms, exterior spaces, interior spaces, architectural features, open spaces, as well as landscape materials or objects and associated exterior furnishings which may be marked by a tablet or plaque and all other areas owned, operated or controlled by Marshall University.
  - 3.1.3 The term “Programs” include departments, degree programs, archives, collections, and other Units associated with University functions.

#### **4 Naming Approval**

- 4.1 President
  - 4.1.1 The President has final authority to establish the names of Units, Programs, and Facilities.
  - 4.1.2 The President will report any such naming to the Marshall University Board of Governors (MUBOG) at its next regular meeting.

## 4.2 Board of Governors

- 4.2.1 The MUBOG has final authority to establish the names of buildings, streets, athletic courts, athletic fields, or athletic stadiums as well as colleges, and schools.

## 5 Overview

- 5.1 All naming opportunities shall involve individuals who have attained achievements of extraordinary and lasting distinction or who have made a significant contribution to the University. The names of areas and physical spaces outlined in gift agreements that involve naming should be worded in a manner that will not restrict the future use of the space. Wording for signage or plaques designating a named area, building or physical space should be developed accordingly. Generally, a commitment to name a unit or facility does not permit the honoree to exploit the naming opportunity in any trade, business, advertising, marketing, or other commercial purposes. Such exploitation for a commercial purpose may adversely affect the ability of the University to obtain tax exempt financing.
- 5.2 Naming opportunities and monetary thresholds for such consideration are set forth in the accompanying Administrative Procedure. These naming thresholds must be funded in full within five (5) years, unless otherwise agreed to by the President, in writing.
- 5.3 The restrictions set forth herein must be included in all gift agreements for which a naming of a facility or unit is involved.
- 5.4 Unless otherwise stated, the name will generally remain on the unit or facility for the life of the unit or facility, not to exceed 100 years. The proposed number of years for naming the unit or facility will be identified when it is presented to the MUBOG for approval. The gift agreement will specify the number of years during which the unit or facility will be named and it will include the clause that any name changes during that period will be at the University's sole discretion, subject to approval by the MUBOG.

## 6 Naming of Facilities – Buildings & Physical Spaces

- 6.1 If the proposed naming opportunity for a building or physical space involves a major gift, the gift must be paid in full within five years (e.g., cash, cash equivalents, marketable securities, or contractual pledges). Planned commitments, with the exception of charitable lead trusts, which must be funded with cash or marketable securities, may not give rise to an opportunity to name buildings or physical space. However, exceptions may be made by the MUBOG under extraordinary circumstances. Gift agreements for the naming of new or renovated buildings or physical spaces (before construction completion) must allow for the unrestricted use of the donated funds for the specified project. This practice allows the University the flexibility to use bonds or other funding mechanisms for construction. The minimum contribution giving rise to the opportunity of naming a building or physical space for new construction or renovations should equal to 33 percent of the total project cost. New construction or renovation cannot commence until sources for 100 percent of the total project cost, including the maintenance endowment, are identified. If the University decides to fund a building project with funds other than donations, an exception may be made to the 33 percent rule or the maintenance endowment rule when setting the donor gift level for naming.

## 7 Naming of Units – Schools, Colleges, Centers, Institutes, Departments, Programs, Positions, etc.

- 7.1 If the proposed naming opportunity involves a major gift, the gift must be paid in full within five years (e.g., cash, cash equivalents, marketable securities, or pledges with not more than a 5-year

duration). Irrevocable planned commitments may be considered. This payment period must be included in all naming agreements.

## **8 Removal of a Name**

- 8.1 The MUBOG has the authority and responsibility to remove any name when appropriate.
- 8.2 Situations or circumstances may dictate that the parameters under which a place name was bestowed at the institution have changed to the extent that consideration must be given to removing the name from a building or other place on the campus(es). Accordingly, the situation or circumstances by which a name may be removed from a facility or unit may include, but are not limited to the following:
  - 8.2.1 The monetary or contractual commitment is unfulfilled by the donor at the completion of the agreed payment period.
  - 8.2.2 The honoree fails to maintain the high standards of Marshall University or the MUBOG;
  - 8.2.3 The honoree, person or entity, engages in conduct that constitutes an act of moral turpitude; or
  - 8.2.4 Such other appropriate reasons as determined by the President or MUBOG.
- 8.3 The MUBOG will judge each naming removal situation individually based on the facts.
- 8.4 No decision will be made without taking into account the facts that are relevant to the decision.
- 8.5 The president of Marshall University will endeavor to ensure that the removal of a name is consistent with the interests of Marshall University.
- 8.6 Procedures for the Removal of Names. When it becomes apparent that there may be a reason to consider the removal of a name from a facility at Marshall University the following shall occur:
  - 8.6.1 The Senior Vice President for Academic Affairs and Provost and/or the Senior Vice President for Development shall review the original naming history and all salient circumstances surrounding the removal recommendation.
  - 8.6.2 The Senior Vice President for Academic Affairs and Provost and/or the Senior Vice President for Development presents the naming history to the President who shall make a determination as to whether a name should be removed.
  - 8.6.3 If the President agrees that the name should be removed, the President shall recommend to the MUBOG that the name should be removed.
- 8.7 The removal of a name requires the approval of the MUBOG. This provision must be included in all naming agreements. The donor or his/her designee will be informed of the change in writing, notice of which shall be mailed by certified mail to the person or designee identified in the naming agreement 60 days prior to the removal of the name from the facility or unit. The decision of the MUBOG is final.