

TOPIC: Proposed Revisions to USM BOR VI-4.00 – Policy on the Naming of Facilities and Programs

COMMITTEE: Regents Advancement Committee

DATE OF COMMITTEE MEETING: October 8, 2020

SUMMARY: National events have, in recent years, heightened the focus on the ways in which higher education institutions honor individuals through the naming of programs, facilities, and other spaces. The revised policy 1) increases the due diligence required in forwarding a name for consideration; 2) requires campuses and regional centers to formalize their own policy regarding naming's at the institutional level (those that do not go to the Regents for approval); 3) expands upon the process and considerations needed to request the removal of a name and; 4) provides in an appendix guidelines for institutions considering the removal of a name. These revisions are intended to provide deliberative and thoughtful parameters for USM institutions as they seek to name spaces or programs or if they need to revisit a particular naming.

ALTERNATIVES(S):

FISCAL IMPACT:

CHANCELLOR'S RECOMMENDATION:

COMMITTEE RECOMMENDATION:

DATE: 10.8.2020

BOARD ACTION:

DATE:

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VI-4.00 – POLICY ON THE NAMING OF FACILITIES AND PROGRAMS

(Approved by the Board of Regents on January 11, 1990; amended January 24, 1991; amended April 4, 1997; revised February 15, 2013; revised December 12, 2014; revised and approved May 1, 2020; amended [DATE])

The Board of Regents of the University System of Maryland (USM) wishes to encourage opportunities for significant philanthropy to its member institutions through the naming of major facilities and programs. The Board also encourages the naming of major facilities and programs that honor scholars and other distinguished individuals who are preeminent in their field of endeavor and/or have contributed meaningfully to the USM or to any of its constituent institutions. Any such naming must undergo a high level of consideration and due diligence to ensure that the name comports with the purpose and mission of the USM and its institutions. No naming shall be permitted for any entity or individual whose public image, products, or services may conflict with such purpose and mission.

I. Applicability

This policy shall apply to the following:

- A. **Facilities:** planned and existing buildings of all types, major new additions to existing buildings, as well as institution grounds and athletic facilities, all major outdoor areas including streets, entrances, gates, and landscape features such as quadrangles, gardens, lakes, fountains, and fields.
- B. **Programs:** colleges, schools, departments, centers, institutes, and programs, including those that are online or virtual.

Items not covered: interior space within facilities (laboratories, classrooms, practice rooms, lecture halls, etc.); minor landscape features such as benches or sidewalk bricks; scholarships, fellowships and chairs. Institutions ~~should~~ shall develop their own naming policy for these items. In cases where there may be some question regarding the need for [Board of Regents](#)' approval, the Chancellor will determine which naming opportunities require approval.

II. Philanthropic Naming of Facilities

Requests made to the Board of Regents to name a new facility or renovated existing facility must comply with the following guidelines:

- A. The proposed gift should contribute significantly to the realization or completion of a facility or the enhancement of a facility's usefulness to the university.

- B. All requests should demonstrate that the institution has maximized the potential of fundraising in association with facility naming. To receive best consideration, the Board recommends the following:
1. For institutions considered research intensive institutions in the Carnegie classification (University of Maryland, Baltimore; University of Maryland, Baltimore County; and University of Maryland, College Park), the present value of the gift should be an amount equal to or greater than 15 percent of the cost to construct or substantially renovate the building proposed for naming.
 2. For all other institutions, the present value of the gift should be an amount equal to or greater than 7.5 percent of the cost to construct or substantially renovate the building proposed for naming.

The naming of existing buildings not targeted for substantial renovation will be considered on a case-by-case basis. The underlying principle of such naming should be to honor a significant gift or history of significant giving to the institution.

- C. Gifts made to fund the direct costs of construction or renovation, or to establish an endowment in support of maintenance or program costs, are encouraged and will receive more favorable consideration.
- D. [The building to be named](#) should be approved for construction or renovation in the Capital Improvement Plan.
- E. If a naming opportunity is being considered for a set period of time (naming rights to an athletic field, for example), the cost of installing and removing the name should be a consideration, and plans accounting for those costs should be included in the request to the Board.
- F. The gift may be in cash or in the form of a legally binding pledge, provided however, that if in the form of a pledge, it should be paid in full within five years. A portion of the gift may be in the form of an irrevocable trust or bequest, provided that the donor is age 75 or older. If a bequest, there must be a legally binding pledge backing up the bequest. The Board of Regents may consider exceptions to these gift provisions as listed in this item if a strong rationale is provided.

In some cases, an institution may wish to leverage donor funds to help move a building project forward in the capital projects queue. Such gifts must meet different criteria than those required for naming a building. Please refer to Policy [VI-4.20 - GUIDELINES REGARDING THE EFFECT OF DONOR FUNDING AND OTHER EXTERNAL FUNDING ON THE PRIORITIZATION OF STATE-FUNDED CAPITAL PROJECTS](#) for details regarding moving a building forward in the capital projects queue.

III. Philanthropic Naming of Programs

Requests made to the Board of Regents to name a program must comply with the following guidelines:

- A. The named gift levels for schools, colleges, departments, centers, institutes, and programs will be established on a case-by-case basis. Endowed gifts are strongly encouraged.
- B. Generally, the endowment established through the gift should generate 10 to 20 percent of the unit's operating budget on an annual basis, depending on the size of the unit.
- C. Gift terms required to name a program are the same as those set forth for facilities, as described above.

IV. Honorific Naming

In those cases where facility and program naming is honorific, they should be named for scholars and other distinguished individuals who are preeminent in their field of endeavor and/or have contributed meaningfully to the USM or to any of its constituent institutions. Although significant philanthropy made over a donor's lifetime may constitute a valid rationale for an honorific naming, honorific naming should not be used to circumvent the requirements of gift-related naming policies. The following guidelines apply to honorific naming requests:

- A. No campus facility or program will be named for individuals employed by or formally affiliated with the USM or the State of Maryland, unless and until one year has passed since the individual's USM or State employment or affiliation has ceased.
- B. The Board will consider exceptions to Section IV.A. under the following circumstances:
 - 1. If an individual has completed 10 years of service to the USM and is currently serving in a position of reduced responsibility (i.e. from institution president to faculty status).
 - 2. If there are health issues or special family circumstances.

V. Naming Resulting from Fundraising Appeals

On occasion, fundraising appeals are organized to honor an individual via the naming of a program or facility. In such cases, the total funds raised should conform with the gift minimums and terms described in Section II or Section III, as applicable.

The guidelines set forth in Section IV, Honorific Naming, shall also apply. Institutions launching such efforts should seek approval from the Board of Regents before launching a public campaign. Institutions should clearly describe in associated fundraising materials any prerequisites that are related to or limit the naming opportunity.

Upon completion of the fundraising appeal, institutions shall report to the Board of Regents that the conditions described in the request were met before the naming is announced to the general public.

VI. Process and Procedures

The USM Vice Chancellor for Advancement should be notified of possible facility or program naming discussions as early in the process as possible. All requests shall be approved by, and submitted through, the president of the requesting institution. A naming that involves a regional center shall be submitted via the executive director of the regional center in consultation with the president of the administrative (coordinating) institution, and the USM vice chancellor for administration and finance and the senior vice chancellor for academic and student affairs (on behalf of the chancellor). ~~by with administrative responsibility over the center~~ Cases Naming requests involving multiple institutions should be submitted jointly by the appropriate presidents. ~~Or,~~ in the case of a naming at the USM level, the request should be submitted by the chair of the Board of Regents.

Requests should be submitted six weeks prior to the full board meeting at which the request will be considered. Exceptions to the timeline may be considered by the Chancellor and the Board of Regents. Requests will be reviewed within the USM Office of the Chancellor before being submitted for review by the Board of Regents Committee on Advancement. The Committee on Advancement will then 1) decline the request, 2) request additional information or clarification, or 3) recommend approval by the full Board.

In making requests for naming of facilities or programs, the following information is to be submitted:

A. A detailed request in letter or memo form that should provide:

1. The namesake's name and relationship to the USM or institution, if applicable.

~~1-2.~~ A detailed report demonstrating that the namesake's background has been thoroughly considered; that the naming honors the values and mission of the institution; and that any controversies, if they exist, have been examined and judged to be immaterial to the naming.

~~2-3.~~ The gift amount and terms, including but not limited to any costs associated with the gift, if applicable.

B. For honorific naming, a clear rationale for the request, including a description of the honoree's accomplishments and contributions to the institution or USM, how the naming will reflect positively on the institution and/or the USM, and, if applicable, a justification for an exception to the provisions described in Section IV, Honorific Naming, above.

C. For a naming related to **launching** a fundraising appeal, a letter or memo outlining:

1. The namesake's name and relationship to the USM or institution.

2. The amount of funds raised in gifts and pledges and expected cash realized, including but not limited to any costs associated with the campaign.

3. A rationale for the honorific naming, as described in Section IV.

4. As noted in Section V, institutions shall report to the [Board of Regents](#) regarding the completion of the campaign and fulfillment of the conditions of the request before the naming is announced to the general public.
- D. As applicable, the overall cost of the facility construction or renovation or the overall budget of the program to be supported. If the gift represents partial or total funding of the construction, remodeling, or renovation, the following information must be included:
1. A timetable for project implementation;
 2. Relationship of the project to the institution's long-range plans;
 3. Source and status of capital budget funds needed in addition to the gift;
 4. Operating budget implications, and sources of funds.
- E. The proposed name of the facility or program and, if applicable, the current name of the facility or program.
- F. A copy of the gift contract and/or pledge agreement, if applicable.
- G. A biographical profile of the prospective donor or recipient of an honorific naming.

Requests [involving negotiations with donors or honorific naming](#) will be held in the strictest confidence. [Exceptions will be considered if the requesting institution believes that public input is necessary to move forward with a naming.](#)

VII. Public Announcement

No public announcement of a philanthropic or honorific naming should be made prior to Board of Regents' approval. Public announcements should be scheduled in coordination with the Chancellor's Office to ensure proper representation from the USM Office and Board of Regents. In cases where a gift is funding new construction or substantial renovation, the Board encourages institutions to consider having 50% of the gift in hand before a public announcement is made. Public announcements regarding honorific naming will include the rationale for the naming, including background regarding the individual and how the naming reflects positively on the institution and the USM.

VIII. Removal of Name from a Facility or Program

As naming authority [for facilities and academic programs](#) lies with the Board of Regents, so does the authority and responsibility to remove a name.

- [A. Gift-related naming.](#) In the case of a gift-related naming, the Board of Regents reserves the right to remove names from facilities and programs when the gift remains unpaid beyond the five-year limit. Should this occur, the Board of Regents may name an area of the facility or

seek another appropriate naming opportunity that would be proportionate to the value of the gift received.

- B. Useful life. The naming of a facility or program follows the facility or program for its useful life unless otherwise determined by the Board of Regents. ~~Other situations may occur that would warrant the removal of a name from a facility or program in the USM.~~
- C. Controversial or Changed Circumstances. ~~If a previously approved naming violates the standards or values of the USM and its constituent institutions, compromises the public trust or reputation of an institution, or is contrary to applicable law, the Board of Regents may remove a name. The Board of Regents may take this action on its own initiative, or it may approve a request made by an institution. Removal of a name should be rare, and the case for removal must be compelling and well researched. Requests for removing a name shall be submitted by the institution's president, and in the case of multiple institutions, jointly by the appropriate presidents. A naming that involves a regional center shall be submitted via the executive director of the regional center in consultation with the president of the administrative (coordinating) institution, and the USM vice chancellor for administration and finance and the senior vice chancellor for academic and student affairs; (on behalf of the chancellor). in the case of a regional center, by the president of the administrative institution with administrative responsibility over the center; and in the case of multiple institutions, jointly by the appropriate Presidents. Requests shall include the following elements:~~
1. A detailed narrative describing the institution's process in considering the name removal. (Appendix A provides guidelines.)
 2. A listing of key considerations examined in making the decision to request a removal. (See Appendix A.)
 3. Consideration of any legal issues and costs associated with removing a name.
 4. Evidence of meaningful community input in considering the renaming.

Renaming of an institution must follow VI-2.00-Policy on Recommendations to Change the Name or Status of an Institution, which requires approval of the Governor and the General Assembly.

As with naming requests, requests to remove a name will be reviewed by the Board of Regents Committee on Advancement, which will 1) deny the request, 2) seek additional information, or 3) recommend the request for approval by the full Board of Regents.

IX. USM institutions and regional centers shall establish policies and procedures for all naming requests, including those not requiring Board of Regents' approval. Policies and procedures shall also be established for the removal of names or renaming.

X. USM institutions shall provide an annual report to the Regents on all such gifts and the form of recognition.

Appendix A

Guidelines on Renaming and Removal of Names at USM Institutions and Regional Centers

Naming of a facility or academic program is one of the highest honors an individual or organization can receive from a university, and the Board of Regents is aware of its great responsibility to ensure that such recognition honors its history, mission, and values. These guidelines are provided as a resource for institutions and regional centers to develop their own policies and procedures related to naming and renaming of facilities and programs. In general, naming recognitions have been awarded for the following:

- To honor individuals by recognizing exceptional contributions shaping the university.
- To commemorate university history and traditions.
- To honor long-term and significant financial contributions to the university.
- To honor financial contributions to support the structure or program being named.

Removal of a name should be rare, and those making such a request should understand that their case must be compelling and well researched. Removal of a name should not erase an important aspect of the university's past, and where possible, education about and reinterpretation of the name in order for the university community to deepen its understanding about its history may be a reasonable alternative to removal.

Considerations for Renaming or Removal of a Name

1. **The research and rationale of the original naming process.** Whenever available, the documents and discussions making the case for the original naming should be considered, as well as the rigor of the review process. Were those making the naming decision aware of the negative or controversial aspects of the namesake? Did the namesake's positive contributions outweigh those factors in the view of those authorizing the original naming?
2. **Clearly documented research about the prevalence and persistence of the namesake's objectionable behavior.** New research and reinterpretations about prominent figures can reveal behaviors and factors not known or emphasized at the time of the naming. In this case, consideration should be given to the centrality of the offensive behavior to the namesake's life as a whole, and whether the behavior was consistent with conventions of the time. The historical record of the subject's behavior should be substantial and unambiguous and made publicly available.
3. **The past and current effect of the namesake's behavior.** The individual's behavior and how it aligns with the educational mission and inclusive values of the university should be a factor. Did the namesake's action(s) cause hurt to individuals or groups that would have been avoided or corrected by contemporary peers? Does the use of the name undermine the ability of a significant number of individuals or groups to engage in, or feel a sense of belonging to, the university community? Is there a strong case that current values and standards have changed so appreciably as to make the name objectionable to the broader university or community?
4. **The namesake's relationship to the university.** Consideration should be given as to whether the namesake had an objectively significant and noteworthy role in the history of the university. Legal or other commitments the university has made to any donors (and their

heirs) in connection with the name in question and the legal and financial implications must also be considered.

5. **University community input.** The voices and views of the entire university community should be a factor in considering the naming request. A request to remove a name is likely to elicit strong opinions; it is essential that different perspectives are given respectful consideration. In cases where multiple institutions share a facility or academic program, input should be considered from every constituency.
6. **Possibilities for mitigation and interpretation.** In some cases, providing historical context and a reinterpretation of a name can be an opportunity to educate the university community about important aspects of its past. Consideration may be given as to whether the harm can be mitigated, and historical knowledge preserved, by recognizing and addressing the individual's wrongful behavior in a prominent and permanent way in conjunction with retaining the name.

Procedures

1. Students, faculty, staff or alumni desiring the removal of a name or a renaming should submit a request to the Office of the President. The request should include:
 - a. A letter providing a rationale for the request (it is recommended that the requestors review and respond to the considerations outlined above).
 - b. A petition of support signed by members of the university community. The President may impose a signature threshold in order to consider the petition. Alternatively, the President may determine that requests should come via resolution of the university's shared governance bodies.
2. The President will review the request for factual accuracy and relevance and determine if the request should undergo a formal review. The President may ask for additional information from the requestor(s) before moving forward with a review.
3. If the request undergoes formal review, the President may form a special committee. This committee may include faculty with relevant expertise, senior administrators, student leadership, and alumni or volunteer representation. This committee should be given a charge to:
 - a. Embrace the role of the university as a training ground for citizens and future leaders and be true to the university mission.
 - b. Ensure meaningful outreach to, and engagement with, the entire university community.
 - c. Understand and respect that the entire university community is its constituency, including those with different viewpoints from those making the request.
 - d. Apply intellectual rigor that will bring context, a respect for tradition balanced with regard for discovery and changing viewpoints, and a perspective that such decisions must serve the university for the long term, not just a particular moment.The committee may include other elements in its charge as appropriate.
4. The committee will review the request using the considerations listed above as a guide; it may choose to include additional considerations. The committee will present findings to the President.
5. Upon review of the committee's findings, the President will determine the appropriate action. If the President determines that removal of a name or renaming of a facility or academic program is appropriate, the President will submit a formal request to the Board of Regents. Renaming requests must follow the Board of Regents Policy VI-4.00 – Policy on Naming of Facilities and Academic Programs.

6. If the requested action is to change the name of an institution, the request must follow VI-2.00-Policy on Recommendations to Change the Name or Status of an Institution, which requires approval of the Governor and the General Assembly.