To ensure naming opportunities are managed in a consistent manner, the University of North Dakota (UND/University) follows a specific process for naming or renaming of buildings, property, areas within buildings or other facilities, and major academic units, institutes, and colleges that are owned or operated by the University.

### REASON FOR POLICY

The University of North Dakota (UND) wishes to continue its time-honored tradition of naming University buildings, properties, areas within buildings or other facilities, and major academic units, institutes, and colleges to recognize scholarly distinction, devotion, distinguished service, and generous gifts. This policy ensures that naming opportunities are managed in a consistent manner and according to these guidelines and will supplement and align with North Dakota State Board of Higher Education (SBHE) policies 100.6(4)(m), 307.1, and 902.12 and North Dakota Century Code.

### SCOPE OF POLICY

This policy applies to:

- President
- Vice Presidents
- Deans, Directors & Department Heads
- Area Managers & Supervisors
- Faculty
- Staff
- Others: University Affiliated Foundations, University Benefactors

### RELATED INFORMATION

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[NDCC 15-10-12.1](https://www.legis.nd.gov/cencode/t15c10.pdf#nameddest=15-10-12p1) – Acceptance of buildings and campus improvements

[SBHE Policy 100.6(4)(m)](https://ndusbpos.sharepoint.com/:w:/s/NDUSPoliciesandProcedures/Eazt6i2zpFFpJT9EyF_oloBAYbhPqc5niNFhtJ9zu2Kqw) – Authority and Responsibility of the State Board of Higher Education

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DEFINITIONS

Affiliated Foundation  Foundations/associations with a direct affiliation to UND, including UND Alumni Association & Foundation, UND Aerospace Foundation, EERC Foundation, and UND Center for Innovation Foundation.

Naming Agreement  Document drafted between the donor and an affiliated foundation. Includes all gifts and conditions that involve naming recognition.

Honorific Naming  Naming that recognizes individuals who have made exemplary or meritorious contributions to the UND or who represent the ideals of the University in society.

Naming Committee  A committee appointed by the president which includes provost/vice president for academic affairs, VPFO vice president for finance and operations, UND Alumni Association and Foundation CEO, general counsel, a faculty member appointed by University Senate Executive Committee, and other members, as necessary.

NDCC  North Dakota Century Code

SBHE  State Board of Higher Education
PRINCIPLES

Overview

The UND Finance & Operations Division and, in consultation with UND Alumni Association and Foundation have established this policy and review process to achieve consistency, and ease of compliance with UND and SBHE policies.

The vice president for finance and operations (VPFO) is responsible for managing the naming review process and assisting, as necessary, in its effective implementation. The VPFO, with the assistance of the provost and UND Alumni Association & Foundation (UNDAAF) chief executive officer (CEO) Naming Committee, will advise the president on naming issues, policy, and procedures, as needed, and may establish subcommittees as appropriate to carry out any duties and responsibilities deemed necessary.

The ultimate authority for naming at UND rests with the president, except for the areas specifically requiring final approval from the SBHE. The president retains discretion to make exceptions or alter criteria or conditions of this policy and corresponding procedures as appropriate to the circumstances and in compliance with SBHE policies/procedures.

Naming Philosophy

Naming Philosophy

The naming policy helps ensure that gifts with associated naming rights are managed in a consistent manner, and according to established UND guidelines. It is also designed to provide donors and honorees with equitable and consistent recognition and stewardship for their generous support and relationship to UND.

PROCEDURES

Naming Associated with a Gift

The primary purpose of naming associated with a gift is to allow UND to recognize and honor a gift contributing substantially to a project or item's funding. A naming may be associated with a gift, so long as the criteria set forth in this policy are met and UND (and SBHE if appropriate) approval is granted.

The entity receiving the gift (e.g., affiliated foundation) will consider the following criteria when considering a naming opportunity associated with a gift:

- Consistency with the mission, vision, reputation, and values of the University;
- Whether a name may imply the University's endorsement of a political or ideological position or the use of a particular product or service;
- Potential conflict of interest (primarily in cases of corporate or organizational naming gifts);
- Potential conflict with existing named entities or spaces. UNDAAF shall provide written documentation of its efforts to contact descendants or representatives of the original donor/honoree and be prepared to provide that information to the Naming Committee and SBHE upon request; and
- The relationship (past, present, and/or future) of the individual(s) or organization to the University.

A quarterly summary, prepared by the UNDAAF, of all proposed naming associated with a gift and a copy of
the corresponding naming agreement will be sent to the VPFO. If no communication is received by the entity submitting the report, the naming will be deemed approved.

UNDAAF will provide written documentation of its efforts to fully vet the donor. This includes, but is not limited to, conducting a background check, and contacting the descendants or representatives of the donor.

A summary, prepared by UNDAAF, of a proposed naming will be sent to the VPFO, at a minimum, on a quarterly basis. A copy of the corresponding naming agreement will be provided upon request of the Naming Committee. The VPFO, with the assistance of the Naming Committee, will review the materials and advise the president on the proposed naming. Upon approval by the president, and when required by policy, the VPFO will submit the request to the North Dakota University System (NDUS) chancellor for further action by the SBHE.

**Naming Agreement**

All gifts that involve naming recognition covered under this policy must be documented in a written naming agreement between the donor and affiliated foundation or UND. All naming agreements will reference "subject to approval of the University of UND and/or the North Dakota and/or the North Dakota State Board of Higher Education SBHE."

Certain restrictions may apply to any proposed naming of a property, program, or facility financed with the proceeds of tax-exempt bonds.

**Naming Valuation**

A gift associated with a naming shall constitute a significant portion of the total cost of the project item to be named. The gift shall must either:

a. Fund the total cost of the project to be named; or

b. Provide substantial funding (e.g., at least 50%) for that portion of the total cost which would not have been available from another source (such as federal or state loans or appropriations, student fees, or bond issues).

c. Naming may go into effect before the gift is paid in full, at the discretion of the entity receiving the gift associated with a naming. If the pledge obligation is unfulfilled and/or written off, the University may revoke the naming.

d. Deferred gifts or pledges longer than 10 years will generally not be considered for naming opportunities.

- Fund the total cost of the item to be named; or
- Provide substantial funding (e.g., at least 50%) for that portion of the total cost which would not have been available from another source (such as federal or state loans or appropriations, student fees, or bond issues).

Naming may go into effect before the gift is paid in full, at the discretion of the entity receiving the gift associated with a naming. If the pledge obligation is unfulfilled and/or written off, the University may revoke the naming.

Deferred gifts or pledges longer than 10 years will generally not be considered for naming opportunities.

A naming for an existing space should constitute at least half of the replacement cost of the space that is being named.
Honorific Naming

On a rare occasion, the president may consider an honorific naming. Honorific naming may take place to recognize and honor individuals who have made exemplary or meritorious contributions to UND or to society.

Requests for honorific naming will contemplate the following criteria when considering an honorific naming opportunity:

- Reflects the mission, vision, reputation, and values of the University through remarkable service and leadership of lasting value to the University or society;
- Reflects the mission of the University through pinnacle achievements in discovery, scholarly work, and citizenship;
- Reflects the mission of the University through a longstanding relationship of engagement and support that has contributed to qualitative and transformational University advancements; and
- Represents the highest degree of historical significance.

UNDAAF will provide written documentation of its efforts to fully vet the honoree. This includes, but is not limited to, conducting a background check, contacting the descendants or representatives of the honoree, and obtaining permission for the naming to occur.

Recommendations for honorific naming may be proposed by any dean, vice president, or affiliated foundation to the VPFO. The VPFO, with the assistance of the Naming Committee, will review the materials and advise the president on the proposed naming. Upon approval by the president, and when required by policy, the VPFO will submit the request to the NDUS chancellor for further action by the SBHE.

Restrictions on Honorific Naming

Any naming in honor of UND administrative officials, faculty, or staff members, or for elected or appointed public officials normally occurs at least two years after the individual's retirement from the University or public office, or death.

Naming that brings into question the reputation of the University is subject to rejection or termination after approval.

Trees, Benches, Memorial Bricks or Plaques

UND must balance the desire to place trees, benches, memorial bricks, or plaques with the overall aesthetic appearance of campus and maintenance of campus facilities. UND strives to manage these items in a way that considers the campus master plan, ensures appropriate use of available space, and reduces unnecessary expenditures of University resources used to repair and/or replace the items.

Requests for these items must be submitted to UNDAAF and should follow a similar set of criteria as that is used for naming (see Naming Associated with a Gift). Gift levels should cover any purchase, installation, and maintenance costs of the item, and commemorative plaque. UNDAAF may consult with or defer to the Naming Committee with questions concerning the acceptance of or plaques associated with these items.

UNDAAF works with UND Facilities Management when considering these items and in determining the appropriate placement of them.
SBHE and Legislative Approval

Specific naming opportunities identified in SBHE policies 100.6(4)(m), 307.1, and 902.12 also require the approval of the SBHE.

SBHE approval is required to name campus buildings, building additions, auditoriums, and stadiums. SBHE approval is also required to create, discontinue, or name a school, college, center or institute. All requests requiring SBHE approval shall be submitted to the VPFO, along with the naming agreement. The VPFO will submit University approved requests to the chancellor and forwarded to the SBHE with the chancellor’s recommendation.

SBHE approval is required to:

- Name campus buildings, building additions, auditoriums, and stadiums (see Related Information - SBHE Policy 902.12);
- Create, discontinue, or name a school, college, academy, center, or institute (see Related Information - SBHE Policy 307.1); or
- Name professorship or endowed chairs (see Related Information - SBHE Policy 100.6).

All requests requiring SBHE approval must first be approved by the president. The VPFO will then submit the requests and corresponding naming agreements to the NDUS chancellor (or respective vice chancellor) for further action by the SBHE.

According to NDCC section 15-10-12.1, approval of the legislature (or, if the legislature is not in session and it is not within six months prior to aof the next legislative session, budget section approval) is required to use donated funds, gifts, or grants, in whole or in part, to construct buildings or other improvements if the total costs exceed $700,000. The University must have SBHE approval to seek legislative or budget section authorization. In instances where construction or improvement costs associated with a naming request/change may exceed $700,000, the VPFO must review the naming request/change form prior to forwarding it to the NDUS chancellor for SBHE approval to seek legislative or budget section authorization.

Duration of Naming and Right to Rename

Duration or Revocation of Naming and Right to Rename

Unless otherwise specified in the naming agreement (and subject to the terms of revocation as set forth in this policy) naming is generally granted for the useful life of the thing that is named. However, UND reserves the right to re-name or remove a name on any building, property, areas within buildings or other facilities, and major academic units, institutes and colleges at any time (see Revocation of Naming and Changes to or Removal of Names). In the event of a renaming or name removal, UND shall have no financial or other responsibility to the original donor(s) or subject(s) of honorific naming.

Duration of Naming

Naming is generally considered permanent until or unless a facility is demolished, substantially renovated, or expanded, or an academic unit or other program is discontinued.

If circumstances change so that the purpose for which naming was established is or needs to be significantly altered, is no longer needed/ceases to exist, or if a physical structure is replaced, moved, significantly renovated, or no longer habitable, UND and/or UNDAAF will consult with the donor or donor’s estate if
practicable, to determine an appropriate way to recognize the original naming gift or. Additionally, UND and/or UNDAAF may consult with relatives and heirs, as well as individuals involved in the initial naming decision, if practicable, to determine an appropriate way to recognize the honoree. To the greatest extent possible, appropriate recognition of earlier donors and honorees may be included at Existing names will not automatically transfer to new or renovated structures. In such cases UND in a way that is consistent with the original intent of the naming reserves the right to assign a name to the new or renovated facility.

UND may remove a name upon the failure of a financial commitment, a substantive breach in the naming or gift agreement, or a significant change in the relationship of the individual or organization to UND.

If a major academic unit, institute, center, program, or other unit is discontinued, UND will consider alternative recognition, especially where the naming is supported by a gift. UND and/or UNDAAF will make all reasonable efforts to consult with the donor or donor's estate if practicable, to determine an appropriate way to recognize the original naming gift. Additionally, UND and/or UNDAAF may consult with relatives and heirs, as well as individuals involved in the initial naming decision, if practicable, to determine an appropriate way to recognize the honoree.

To the greatest extent possible, appropriate recognition of earlier donors and honorees may be included at UND in a way that is consistent with the original intent of the naming.

**Revocation of Naming**

UND may remove a name:

* Upon the failure of a financial commitment;
* A substantive breach in the naming or gift agreement;
* When association with the donor will materially damage the reputation of the University; or
* A significant change in the relationship of the individual or organization to UND.

Requests for revocation must be submitted to the VPFO by a vice president, the University president, the UNDAAF CEO, donor, or donor's designee. The VPFO, with the assistance of the Naming Committee, will review the materials and advise the president on the request. Upon a decision made by the president, and when required by policy, the VPFO will submit the revocation request to the NDUS chancellor for further action by the SBHE.

UND and/or UNDAAF will make all reasonable efforts to inform the donor or donor's estate if practicable, in advance of any revocation or change.

**Changes to or Removal of Names**

The removal of a name from a facility or academic unit must not be undertaken lightly, and it must be approached with respect for the considered judgments of the past, and with an awareness of the fallibility of our own judgments. The decision-making process must include, at a minimum, the following:

* An articulation of specific behavior(s) or course(s) of conduct on which the request for the removal of the name is based;
* A fact-finding investigation of the specific behavior(s) or course(s) of conduct, including an examination of contemporaneous records related to the consideration of the naming, and the historical, personal, and (if relevant) academic context, of the behavior(s) or course(s) of behavior;
* Thoughtful consideration of the impact on the University and the University community of both retention and the removal of the name from the facility or the organization, including but not limited to the following:
The nature of the specific behavior(s) and course(s) of conduct;
The centrality of those behavior(s) and course(s) of conduct to the donor's/honoree's life as a whole;
The prominence or role of named facility or organization in the daily life of the University;
The relationship of the donor/honoree to the university's history;
The degree to which retaining the name will interfere with the ability of the University community to teach, work, learn, and live in the community; and
Whether retention of the donor's/honoree's name compromises the University's mission or conflicts with the university's fundamental values.

The removal of or change in a name of an academic unit or other named items may be initiated by a vice president, the University president, or the UNDAAF CEO and submitted to the VPFO. The VPFO, with the assistance of the Naming Committee, will review the materials and advise the president on the proposed change/removal. Upon a decision made by the president, and when required by policy, the VPFO will submit the change or removal to the NDUS chancellor for further action by the SBHE.

Upon the removal of a name under this section, the name of the facility or academic unit will revert to the name immediately previous. If there is no previous permanent name, an administrative name will be adopted in accordance with this policy. The process for an initial naming will be utilized if the facility or academic unit is subsequently renamed.

FORMS

Naming Request/Change Form

APPENDICES

There are no appendices associated with this document.

Attachments

No Attachments

Approval Signatures

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