

# ***Policies and Procedures***

<b>SECTION:</b> <b>Financial</b>	<b>NO.</b> <b>3.1.23.</b>		
<b>CHAPTER:</b> <b>General</b>	<b>ISSUED:</b> 3/5/12	<b>REV. A</b>	<b>REV. B</b>
<b>POLICY:</b> <b>Naming Rights Associated with Capital Construction Projects</b>	<b>PAGE 1 OF 4</b>		

## **PURPOSE**

It is the policy of Creighton University to offer donors the opportunity to name proposed and existing buildings, facilities, and areas or parts thereof in exchange for a qualifying contribution. The purpose of this policy is to provide guidance for management in soliciting donor support for capital projects that include naming rights. The University's Board of Trustees has discretion to approve naming gifts outside of these guidelines.

## **POLICY**

Funding a capital project is formally opened through execution of a signed gift agreement. The gift agreement reflects the donor's promise to contribute a stated amount, the donor's wishes concerning the use of the gift, and provides assurance that the gift will be used in accordance with the donor's wishes.

### **I. Building Support**

The University will consider naming new or existing facilities in honor of those whose gifts have had an extraordinary impact on the University. This recognition is a powerful affirmation of the donor's partnership with the University's mission. Any proposal to name a facility must have prior approval of the President before discussion with the potential donor, and is ultimately subject to approval by the Board of Trustees.

The following guidelines must be met for a naming opportunity to be offered to a donor for a structure.

- For new construction, the gift must be not less than 50 percent of total project costs and must include an additional gift to create an endowment that will support not less than 10 percent of the anticipated annual operating costs of the new facility. The required operating cost endowment will be determined in consultation with Facilities Management and using the established University endowment distribution formula.
- For renovation of an existing structure, the gift must not be less than 35 percent of the total project costs. There is no requirement for an operating endowment provided the renovation does not materially increase operating costs.
- For an existing structure with no related construction, the gift must be not less than 35 percent of replacement value of the structure. There is no requirement for an operating endowment.
- The University recognizes that some University owned buildings generate a clearly defined revenue stream that can be used to reduce the cost of construction and/or the ongoing operational costs associated with the building; for example, residence halls, research facilities and medical clinics. The Board of Trustees reserves the right to reduce the minimum amount required from a donor to name a building that has a clearly defined revenue stream, but in no event will the minimum be less than 35% of total project costs. A separate endowment for the operational support of the building shall remain a required component for the naming rights opportunity.

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## **II. Financial Considerations Associated with Capital Projects.**

The University is aware that the costs associated with renovation of existing facilities and the costs associated with the construction of new facilities have a direct impact on University budget and an indirect cost to the University's most prized asset, its students, through the possibility of higher tuition and fees needed to offset these costs. In order to minimize these financial costs and their potential negative impact to the students the following guidelines must be met for a naming opportunity to be offered to a donor for a structure.

- The construction project must be approved by the Board of Trustees through the University's established capital project approval process.
- Prior to the public announcement of the University's intent to construct and/or renovate a building the University shall have received a written funding commitment from the Naming Donor consistent with these policies.
- Prior to ground breaking and/or commencement of construction the University shall have received written pledges representing 100% of total project costs.
- Prior to ground breaking and/or commencement of construction the University shall have received from the Naming Donor an amount equal to not less than 50-100% of the anticipated total project costs; and, shall have also received 50-100% toward the funding of the operational endowment for the building. The specific percentage shall be at the discretion of the Board.
- Written funding commitments from the Naming Donor shall be for a term of years not more than the anticipated time for the completion of the construction and/or renovation of the facility; and, shall be secured by a binding commitment from the Naming Donor's estate.

## **III. Administrative/Commemorative Temporary Naming**

Any proposal to temporarily name a building or an area within an existing building to commemorate an individual for his or her loyalty, dedication, and/or service to the University must have prior approval of the President before discussing with the honoree or the family of the honoree; and, is subject to approval by the Board of Trustees. All buildings or areas within an existing building temporarily named pursuant to this paragraph may, upon approval by the Board of Trustees, be renamed should a subsequent donor make a qualifying contribution as set forth above, for the naming of an existing building or area within an existing building.

### **Removal of Names**

Given the perpetual nature of the University, it is likely that a named building or area within an existing building will someday be either demolished or substantially remodeled to improve its function and/or to create a completely new use of the space. All donors to the University should be made aware of this possibility. Should such an event occur, the University will review the circumstances and attempt to find a way to recognize the donor in a way that is consistent with his or her original intent.

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In the event a named building or area within an existing building is destroyed by fire or an act of God, the University is not required to rebuild the building or area within an existing building. However, if the University uses insurance proceeds to reconstruct the building or area within an existing building and the proceeds exceed 66 percent of said expense, then the University shall maintain the name of the donor on the building or area within an existing building.

The University reserves the right to remove the name of a donor from a building or area within an existing building if the donor fails to honor his/her financial commitment associated with the naming rights or has engaged in conduct that besmirches the reputation and goodwill of the University. Said removal shall be by a majority vote of the Board of Trustees.

## **Inventory and Signage**

The Office of Donor Relations in the Division of University Relations is charged with maintaining an inventory of naming opportunities and working in cooperation with Facilities Management to design and install donor naming-related signage consistent with established campus design standards.

## **PROCEDURE**

### **I. Naming New Facilities: 50 percent of total project costs plus an endowment that will support 10 percent of the annual operating costs of the facility**

Deferred gift commitments will not be counted toward either minimum requirement, unless full funding from other sources is available for construction and the endowment.

### **II. Renovation of Existing Facilities: 35 percent of the budgeted total renovation project costs**

Renovations to an existing facility may be named by a donor with a gift in an amount equaling 35 percent or more of the budgeted total renovation project costs.

### **III. Naming Existing Facilities: 35 percent of replacement value**

Existing facilities may be named by a donor with a gift equaling 35 percent or more of the replacement cost of the facility. A donor with a deferred gift commitment may name existing facilities, but only the present value of the deferred gift commitment will be counted toward the minimum and the deferred gift must be irrevocable.

### **IV. Naming Areas Within Buildings: Determined on a case by case basis**

Naming opportunities for labs, lecture halls, seminar rooms, etc. in **new construction** will be determined as the design and construction work allow and will be priced in accordance with other naming opportunities existing within the structure.

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Naming opportunities for labs, lecture halls, seminar rooms, etc. in **renovated structures** will be developed as campaign needs are refined and will be priced in accordance with other naming opportunities within the existing structure.

Required gift levels for naming defined areas of any building, *i.e.*, labs, lecture halls, seminar rooms, etc., will be recommended to the President by the Vice President for University Relations in consultation with the Dean(s) or other senior administrator whose program occupies the space. Minimum gift levels will take into consideration the visibility of the defined area, the nature of the activity housed in the named area, the attractiveness and location of the area, and an evaluation of the cost of building or replacing the space to be named.

### **AMENDMENTS OR TERMINATION OF POLICY**

The University reserves the right to modify, amend or terminate this policy at any time.