

1. **Discussion of Consent Agenda Items Provided for Information or Approval of the Committee on Educational Policy:**

Information Items -

- 1) Information on Undergraduate Programs
- 2) Information on Graduate Programs

Action Items - None

(See Appendix I)

2. **Proposed Revision to Policy and Procedure for Naming University Facilities (AD-5)**
(See also Agenda Item 10, Page F&PP 6)

It is recommended that the Policy and Procedure for Naming University Facilities (AD-5) be amended. Presently, University policy addresses only the naming of facilities. Incorporating the naming of academic units like campuses, colleges, schools, departments, etc., modernizes the policy and reflects current University practice of naming major academic units for substantial gifts. The Board of Trustees continues to have the responsibility of naming major academic entities.

Recommended changes also provide guidance in two areas of increasing concern to all public charities, including universities. The first area concerns the duration of someone's name on a facility and obligates the University to retain the name on a facility only for the useful life of the structure, however long that may be, and declares that the University is not obligated to build a replacement facility and name it for the original donor should the originally named structure ever be razed. The second area concerns the revocation of a name on a facility or academic unit. Institutions, including some Big Ten universities, have faced difficult circumstances over the past decade respective to the continuance of a name on a building or academic unit when doing so may not be in the best interest of the institution. The recommended change provides a course of action for the administration and the Board of Trustees to follow, should they so choose, if Penn State faced such circumstances.

Will the Committee on Educational Policy recommend to the Board of Trustees approval of the following revisions to the policy and procedure for Naming University Facilities:

POLICY AD05 - NAMING UNIVERSITY FACILITIES AND ACADEMIC UNITS

PURPOSE:

To state the University's policy on naming University facilities **and academic units**.

GENERAL:

It is the policy of the University to name certain of its **facilities (buildings, parts of buildings, roads, and plazas) and academic units (campuses, colleges, schools, departments, centers and institutes)**, in honor of benefactors (~~individuals, corporations, and private foundations~~), and persons **other parties** who have made substantial contributions to the University or to education in general.

2. Proposed Revision to Policy and Procedure for Naming University Facilities (AD-5)
(Continued)

GUIDELINES:

The following guidelines apply:

1. Ordinarily, University **facilities and academic units** ~~buildings, roads, and plazas~~ will not be named for persons who are actively involved in or related to University operations. This includes members of the faculty and staff, board of trustees, advisory boards, legislators, and governmental officials. University **facilities** ~~buildings, roads, and plazas~~ may be named for persons who have retired from active employment with the University after a sufficient time has elapsed from the date of the individual's retirement. This date should be determined by the Facilities Naming Committee.
2. When naming **University facilities** ~~buildings, parts of buildings, roads and plazas~~ for corporations, the appropriateness of the corporate name in a public context should be taken into consideration. If the name of a corporation changes after a University facility is named for the corporation, the name of the University facility would remain the same unless a change is recommended by the Facilities Naming Committee in accordance with this policy. Corporate names may not be used for academic units ~~such as colleges, schools, and departments~~.
3. **When possible, B**building names should include a designation of their primary function:
 - Student living and dining quarters are designated as "halls" or "commons."
 - Buildings occupied by laboratories are designated as "laboratory."
 - Buildings primarily occupied by offices and classrooms are to be designated "building."
 - Special-use buildings may bear the name of that use separately or in combination with a person's name; for example, McCoy Natatorium or Pattee Library.
4. Parts of a building or area may be named separately to recognize benefactors who wish to underwrite the cost of the sub-unit or portion thereof, or persons who have made substantial contributions to the University or to education in general. In such cases, an appropriate plaque may be installed to acknowledge the naming. In such cases where the actual naming of the sub-unit may not be appropriate (individual faculty or staff office), an appropriate plaque may be installed outside of the office to acknowledge the contribution by the benefactor.
5. A uniform system of external marking of buildings is to be used University wide. These external markings should be approved by the Office of Physical Plant. In instances where buildings are named for benefactors or others, a plaque may be located in the lobby or other appropriate area of the building giving the full name and brief identification of those honored.
6. It is the general University policy to name buildings for benefactors (or parties benefactors are seeking to honor) only with the required minimum gift commitment of 50 percent of the cost of the funding needed for new construction or major renovations. Such a gift commitment must be payable over a five-year pledge term. ~~The amount will vary with each individual situation and t~~This requirement should be viewed as a guideline. **The University President has authority to make exceptions and recommend the naming action to the Board of Trustees for approval.**
7. Gifts made through an irrevocable deferred gift technique--including, but not limited to a charitable remainder trust, pooled income fund, charitable gift annuity, deferred pledge agreement (estate note), or contract to make a will--have special considerations as follows:
 - a. Such gifts generally will not be accepted for the purpose of naming new University buildings or parts of new buildings for which contributions from private sources are needed for construction costs.

2. **Proposed Revision to Policy and Procedure for Naming University Facilities (AD-5)**
(Continued)
- b. Ordinarily, such gifts may be accepted for the purpose of naming existing University buildings, or parts of buildings, provided there is no current need of funds for building renovations or expansion and that the face value of the gift is at least 75 percent of the replacement value of the building.
- c. Such gifts shall be accepted for the purpose of naming existing buildings, or parts of buildings, only if they are unrestricted. When received, the gift may be used by the then current college/campus dean or ~~chief executive~~ **chancellor** for worthy priorities of the college/campus.
8. It is the general policy of the University that roads, plazas, parts of buildings, and other appropriate areas named after benefactors will require the benefactor to contribute a predominant portion of the cost of the road, plaza, or sub-unit. The amount required for such naming will be determined by the President of the University upon the recommendation of the Facilities Naming Committee.
9. **The duration of the benefactor's name association with any building, or part of a building, be that benefactor an individual or an organization, shall remain in place for the useful life of that building, or part thereof so designated, subject to conditions set forth in the Authority to Name section of this Policy. In the event that a building, or any part thereof, named for a benefactor is removed or replaced at the expiration of its useful life, the University shall not be obligated to continue the name, nor shall it be obligated to name any new construction intended to replace the building, or any part thereof, after the benefactor. The University may seek other means to recognize the benefactor after the useful life of the building.**
10. **For substantial contributions, the University may, following internal consultation and with the prior approval of the Board of Trustees, name a University academic unit in honor of an individual.**

POLICY IMPLEMENTATION:

The leadership of academic units may forward recommendations for naming of such units to the University President for consideration and subsequent recommendation to the Board of Trustees.

The administrative committee on naming University facilities advises and makes recommendations to the President of the University on appropriate names for specific buildings, parts of buildings, roads, and plazas at all University locations. The committee is composed of the following members:

1. Associate to the President for Administration, Chair of the Committee.
2. Senior Vice President for Development and Alumni Relations.
3. Vice President for Commonwealth Campuses
4. Chair-Elect of the Council of Academic Deans.
5. Chair of the University Faculty Senate.
6. Associate Vice President for Physical Plant.

Communications with the committee should be through the **Office of the Senior Associate Vice President for Physical Plant, Secretary of the Committee Development and Alumni Relations**. Recommendations for naming a facility assigned to a specific academic or administrative unit will normally originate from the administrative officer of that particular unit. The committee will work closely with the dean or administrative officer to ensure that recommendations reflect University policy. In the case of facilities not assigned to specific units, the committee may generate the initial recommendations, based on available information.

2. Proposed Revision to Policy and Procedure for Naming University Facilities (AD-5)
(Continued)

Committee recommendations to the President should conform to the objectives outlined above. The committee shall keep a current list of all existing buildings that are appropriate for naming, if accompanied by a gift, deferred gift, or pledge commitment. This list should be reviewed annually by the Senior Vice President for Development and Alumni Relations and other appropriate University officials.

AUTHORITY TO NAME:

After receiving the committee recommendation for naming parts of buildings and plazas, the President of the University has the authority to make the final decision on the naming opportunity and apprise the Board of Trustees of his/her action.

In situations where parts of buildings and plazas may be funded by gifts, final negotiation with potential benefactors should not take place without first seeking the approval of the Facilities Naming Committee and the President of the University. The President, through the committee, will charge the appropriate administrative officer to negotiate with potential benefactors.

After receiving the committee's recommendations for naming buildings and roads, the President makes final recommendations to the Board of Trustees for consideration and action.

~~In situations where buildings are funded by gifts, and donor relations are of a sensitive nature, the President may seek concurrence from the President and Vice President of the Board of Trustees and make the final decision on naming the building or road. These cases will then be presented for information at the next meeting of the Board of Trustees.~~

Under no circumstances should final negotiations take place between an administrative officer of the University and a potential donor in naming a building or road without first seeking the approval of the Facilities Naming Committee and the President of the University.

If a building name is not forthcoming at the time the building has been completed, and a name is needed for identification purposes, only a generic name should be used, thus reserving the prerogative to bring forward a name that meets the established criteria at a later date. Examples of such generic names are: Oak Hall, Electrical Engineering East, Research West Building, North Hall, University Library, Music Building, etc.

In situations where a naming opportunity exists for an academic unit, the President has the authority to make final recommendations to the Board of Trustees for consideration and action.

The Board of Trustees shall have the authority to revoke the name of a University facility or academic unit in the event that the benefactor for whom the facility or academic unit was named: (i) is later convicted of a felony; or (ii) engages in conduct which, in the sole discretion of the Board of Trustees, is significantly detrimental to the reputation of the benefactor, such that continued name association between such individual and a University facility or academic unit would be contrary to the best interests of the University. If the benefactor is a corporation, the authority to revoke the name of a University facility bearing such corporation's name shall be exercisable by the Board of Trustees, upon recommendation of the President, in the event that any of the officers or directors of such corporation are later convicted of a felony or incur civil sanctions in their capacity as officers or directors of such corporation, which crimes or sanctions, in the sole discretion of the Board of Trustees, are significantly detrimental to the reputation of the corporation, such that continued name association between such corporation and a University facility would be contrary to the best interests of the University. Prior to the approval of a name revocation by the Board of Trustees as provided in this paragraph, the University shall provide the

2. **Proposed Revision to Policy and Procedure for Naming University Facilities (AD-5)**
(Continued)

benefactor, or a representative of the benefactor, the opportunity to voluntarily relinquish the name from the University facility or academic unit, as the case may be.

~~abc~~ - indicates deletion

abc - indicates addition

3. **Informational Report on the Council on Competitiveness**

The Council on Competitiveness is the only group of CEOs, university presidents and labor leaders committed to ensuring the future prosperity of Americans and enhanced U.S. competitiveness in the global economy through the creation of high-value economic activity in the United States. Deborah L. Wince-Smith, President of the Council on Competitiveness, will discuss the Council's efforts to bolster a national competitiveness agenda and present the critical components to securing global leadership.

A non partisan, non governmental organization in Washington, D.C., the Council believes that the best way to drive prosperity in a global economy is to have the most competitive workforce and business environment. The Council shapes the debate on competitiveness by bringing together business, labor, academic, and government leaders to evaluate over-the-horizon economic challenges and opportunities.

4. **Pending Legal Matters**

An informational report will be presented on pending legal matters relating to policies normally considered by the Committee on Educational Policy.