



Committee Meeting: Policy Committee	Date: November 17, 2017
Committee Chair: Kathleen Masiello	
New or Edited: Edited VI-A-1	

POLICY NAME: College Naming Rights Policy

POLICY TYPE: Board Policy

SUBMITTED BY: Executive Vice President of Institutional Advancement and Efficiency
Michael J. Pietkiewicz

ISSUE OR STATEMENT OF PURPOSE: To ensure that all college buildings, facilities, grounds, equipment or other assets are named in a manner consistent with the vision, mission and values of Erie Community College, and to establish general guidelines for the “naming of things” in recognition of philanthropy for the benefit of Erie Community College.

NEW OR EDITED POLICY: Edited VI-A-1

The Erie Community College Foundation seeks to generate support by providing opportunities for naming rights in the form of philanthropic support and sponsorships. This Naming Rights Policy will insure that the reputation and integrity of Erie Community College is maintained and that a fair, equitable and transparent process is in place by providing a framework for the Erie Community College Foundation to seek new opportunities that generate financial support to advance Erie Community College’s mission.

This policy applies to the naming of all permanent physical facilities of Erie Community College, as well as programmatic support, in recognition of a donor’s generosity. Because such gifts will be substantial in amount and may reflect on Erie Community College in perpetuity, naming opportunities and the terms and conditions associated with such naming, shall be generally based on the most current (March 2010) SUNY Opportunities Policy and Procedure guidelines and parallel practices of other NYS Community Colleges -- while reflecting the specific needs and conditions of Erie Community College and the Erie Community College Foundation. Naming values once agreed to by all parties are not subject to change.

Naming is a form of donor recognition. It is not intended to reflect actual or replacement cost, nor does it restrict where a gift is spent unless otherwise specified by the donor or committed to by the Foundation in the process of securing the gift.



Policy Name: College Naming Rights Policy – **Continued**

Types of Facilities:

Major facility: Any large or prominent facility. Examples include large or well-known structures, academic buildings, facilities that receive frequent visits by the general public; prominent interior spaces such as an atrium, auditorium, library, major conference rooms, the floor of a building, a playing surface; and prominent exterior spaces, such as college access/circulation roads, athletic fields, and quadrangles or open/natural spaces used for educational purposes, or as a student amenity.

Minor facility:

A space or facility which has a lower public profile or utilization by the general public including classrooms, offices, lounges, laboratories, work spaces or small conference rooms. In case of doubt, a facility should be considered minor.

A. Policy

1. The naming of a physical or non-physical asset of Erie Community College is appropriate when a significant gift, as stated per campaign goals and objectives or in relationship to the overall cost of a physical or non-physical asset, is received for the benefit of the College through the Erie Community College Foundation, Inc. and the donor has expressed an interest in or directed his/her donation(s) to a specific program, building or facility.
2. A physical or non-physical asset may be named on behalf of an Individual, business or legal entity.
3. The naming of a physical or non-physical asset in recognition of a donor or a donor's honoree implies a promise to that donor that the asset will be maintained in perpetuity and, if change is unavoidable, that an alternative means of recognizing the donor or honoree will be found.
4. All combinations of gifts, pledges, and irrevocable deferred gift arrangements are acceptable forms of philanthropy to support naming commitments.

With respect to deferred gifts, while the naming commitment may be immediate, the required gift amount may be set higher because of the delay in the Foundation's receipt of the gift.

Naming right pledge payments must be completed within 5 years. The Erie Community College Foundation may elect not to formally recognize the naming right until a minimum of 50 percent of the pledged funds has been received.

5. Buildings, campus grounds or other physical facilities cannot be named for individuals currently employed by Erie Community College, Erie County, the State of New York or elected officials currently in office.



Policy Name: College Name Rights Policy – **Continued**

6. To support the naming of a non-physical asset (e.g. center, institute, program, academic unit) through the establishment of an endowment, the amount of the endowed gift must be sufficient to generate annual earnings that would be necessary to sustain the non-physical asset on a permanent basis. The Foundation has set a minimum expectation of earnings of 5% annually. The funding required to establish an endowment will be determined on a case-by-case basis specific to the building, facility, space or program.
7. All naming agreements will allow for modification or removal of the naming if a future action or event occurs that will cause irreparable injury to the college's image, reputation, or ability to pursue its mission.

All such decisions must be first reviewed by Foundation Board of Directors and Board of Trustees Executive Committee and approved by the College President.

8. All proposed names for major facilities must be held in strict confidence during the review and approval process. There will be no general communication, public discussion or commitment made with regard to the proposed naming before all the necessary approvals have been completed.

B. Procedure

1. All permanently named building and grounds must be first vetted and approved by the Erie Community College Foundation which, in turn, will make a recommendation with appropriate documentation to the College President. For gifts which the President considers substantial, the President will convene a committee comprising of Erie Community College's Board of Trustees' Officers, the College President, and the Executive Committee of the Erie Community College Foundation. That will, in turn, make a decision on the naming rights opportunity.

If approved, the naming rights agreement will be made available to the Erie Community College Board of Trustees via electronic delivery within 48 hours of the Committee's approval for the Board of Trustees' ratification.

2. All other non-permanent physical assets and non-physical assets must be approved by the Erie Community Foundation and College President.
3. Each naming opportunity shall be reviewed carefully by the Office of the President, with all deliberate speed for compliance with applicable law, including laws related to prohibited gifts and ethical principles, especially where there is direct or indirect business or other continuing relationship between the donor and the College, the State University of New York, Erie County and/or their respective officers or employees.
4. All proposed naming rights shall be held in strict confidence during the review and approval process.



Policy Name: College Naming Rights Policy – **Continued**

5. The Foundation is legally required to maintain a record of all named physical and non-physical assets. Philanthropy related to naming rights is included in the Foundation’s quarterly reports to the Board of Trustees, in the Foundation’s Annual Report and in its federally reported 990 and annual audit. In addition to these publicly available reports, the Foundation will provide a copy of the records to the Erie Community College Trustees at the Annual meeting and to SUNY when requested.

Minimum gift required for consideration of naming rights

The Foundation, in consultation with the College President or his/her designees, shall establish appropriate levels of philanthropy that result in naming opportunities on a project specific basis. As a rule, named Endowments shall be sufficient to be self-sustaining with the principal maintained as a restricted gift in perpetuity and distributions based on interest earned on the gift.

DOES IT SUPERCEDE A POLICY/WHICH ONE: Policy VI-A-1

POLICY COMMITTEE RECOMMENDED ACTION:

Policy Committee recommends the Board of Trustees approve the Board policy under the Report of the Chair, Ad Hoc Committee Reports, and Policy Committee. This Policy supersedes all prior policies/procedures and practices related to College Naming Rights Policy.

POLICY COMMITTEE MEMBERS PRESENT: Trustee Kathleen Masiello, Trustee Susan Swarts, Student Trustee Rebecca Krakowiak, Executive Vice President of Institutional Advancement and Efficiency Michael J. Pietkiewicz, Vice President of Enrollment Steven Smith, Director of Registrar Paul Lamanna, and College Senate Representative Michael Delaney

DATE OF BOARD APPROVAL: December 14, 2017.

POLICY COMMITTEE TEAM FOLLOW-UP:

Following Trustee approval this Board Policy will be included in the Erie Community College Board of Trustees Policy Manual, and shared with the Executive Committee of the ECC Foundation and its full membership.

INFORMATION/INPUT CONSIDERED DURING POLICY COMMITTEE DELIBERATIONS:

- ECC By-Laws
- ECC Foundation By-Laws
- SUNY Document 9252, Procedure Title: Naming Opportunities on State University Campuses
- Monroe Community College-Foundation Naming Opportunities Guidelines



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- Hudson Valley Community College-Foundation Policy on Naming of Facilities, Programs and Support Funds
- Suffolk County Community College-June 26, 2008 Board of Trustees meeting minutes

The Guidelines for Naming Space and Facilities document was reviewed by members of the Erie Community College Senior Executive Staff, members of the ECC Foundation Board and members of the ECC Board of Trustees. This Policy was reviewed and discussed by the Policy Committee on October 20, 2017 and November 17, 2017.