

Madan Bhandari University of Science and Technology

Naming of University Assets Rules 2080 (2023 AD)

The Board of Trustees of Madan Bhandari University of Science and Technology approved the following Rules pursuant of Clause 37 of Madan Bhandari University of Science and Technology Act, 2079 (2022 AD).

1. **Short Title and Commencement:** (1) These Rules shall be called "**Naming of University Assets Rules 2080 (2023 AD)**".
(2) These Rules come into force immediately.
2. **Definitions:** Unless the subject or context requires otherwise in these Rules:
 - a. **Asset** means the physical assets including buildings, rooms, fixtures, fittings, features, equipment and open spaces of the University.
 - b. **Donation** means a contribution or gift given by a person to the University in its capacity as a fund or cause and in support of that fund or cause. It is given typically for charitable or philanthropic reasons.
 - c. **Naming opportunities** means occasions where a specific name which is not a function description or designation may be placed on an asset of the University in consideration of a donation.
 - d. **Naming rights** means occasions where an entity separate to the University is granted permission to place its name on an asset of the University in consideration of a donation.
3. **Purpose and Scope:** (1) Purpose:
 - (a) To name existing and proposed tangible and intangible assets after founders, donors, volunteers, governors, staff members and others ("**University Community**") who have made exceptional contributions to the University and its mission or to the broader local, national or international community.
 - (b) To provide meaningful opportunities for the recognition of outstanding contributions by those who serve as inspiration for future generations of students, graduates, and members of the University Community.
 - (c) To Recognize exceptional contributions to the University or to the community and association with such extraordinary persons to strengthen the University its sense of heritage and connection to the community.
 - (d) The choice of names selected for such recognition should reflect how the University perceives itself, its mission and its values;
 - (e) The limited number of naming opportunities must be used judiciously;
 - (f) Ensure consistency in the tribute paid by the University to its staff, donors and other meritorious persons;

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(g) These Rules has been adopted as a means of ensuring that the above reasons, and the process and principles that guide the naming of University Assets, are clearly articulated, understood and uniformly applied by all those involved.

(2) Scope: (a) These Rules applies to the naming of all tangible and intangible assets (“University Assets”), whether existing or proposed, including but not limited to:

1. Tangible Assets: (a) buildings and parts thereof (wings, lecture and seminar rooms, laboratories, reading rooms, atria, foyers, etc.);

(b) collections of books, archives, art and other documentary and/or cultural materials;

(c) equipment;

(d) open spaces, gardens, fields, etc.; and

(e) other natural features or physical improvements.

2. Intangible Assets: (a) academic units (institutes, laboratories, centers, libraries, etc.);

(b) academic programs within one or more academic units;

(c) endowed or limited term chairs;

(d) awards, including scholarships and bursaries, to support or recognize students;

(e) fellowships, professorships and other academic position support;

(f) administrative posts (chairs, directorships, etc.);

(g) events, both academic (lectures, symposia, conferences, etc.) and non-academic (athletic and other extracurricular events, etc.); and

(h) student services and other services.

4. **Naming Principles:** (1) Naming of a University Asset shall be made in accordance with these Rules and all related procedures and guidelines.

(2) Each naming shall enhance the mission, values and priorities of the University while preserving the University’s integrity and academic freedom;

(3) Naming at the University shall be independent of all appointment, admission and curriculum decisions;

(4) Naming shall not be granted in a manner that implies the University’s endorsement of a political or ideological position or the use of a particular product or service;

(5) Naming of academic units and programs shall not impede the University from altering its academic and research priorities;

(6) Buildings, academic units, programs, institutes and centers shall be named only after individuals;

(7) Persons recognized in a naming must be of sound reputation;

(8) Naming of University Assets in recognition of an organization, including corporation, corporate foundation or other similar entity, (“**Organization**”) shall be permitted, however, for a defined period of time and shall exclude the naming of University Assets listed in sub rules (6) above.

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- (9) For any naming of a University Asset, the University shall seek, where possible, the written permission from the intended honoree, or, if deceased, members of the intended honoree's family; and
- (10) Naming of University Assets shall comply with University funding minima and standards in effect from time to time.
5. **Naming Authority:** (1) Authority for the approval of the naming or renaming of University Assets is vested in the Board of Trustees as per these Rules.
- (2) The Board of Trustees shall retain its authority to approve naming of academic units, programs, institutes, centers, buildings and other significant tangible assets ("Significant Assets").
- (3) Subject to Sub Rule (2) above, The Board of Trustees, however, delegates its authority to name University Assets to the President, with due respect to the approval process outlined in Rules 8. The President shall report annually to the Board of Trustees on the exercise of the President's authority.
6. **Duration of Naming:** (1) Naming Recognizing Individuals
- (a) Any naming of a University Asset recognizing an individual shall remain in place for either the useful life of the asset or a limited term, as agreed to by the parties, and subject to the further terms hereof.
- (b) The duration for a naming recognizing an individual shall be consistent with University practice, taking account of the relevant person's association with the University and giving history, as applicable, as well as the size and prominence of the asset in question. Generally, the duration shall not be more than 100 years.
- (c) Notwithstanding Rule 6 Sub-Rule (1) (a) where (i) a University Asset is named after an individual, and (ii) the University Asset so named is directly supported by an endowment fund (such as endowed Chairs or scholarships), the University may maintain such naming for the term of the endowment (in most cases, for a perpetual term).
- (2) Naming Recognizing Organizations:
- (a) Any naming of a University Asset recognizing an Organization shall be for a limited term.
- (b) Notwithstanding Sub-Rule (2) (a) above, where (i) a University Asset is named after an Organization, and (ii) the University Asset so named is directly supported by an endowment fund (such as endowed Chairs or scholarships), the University may maintain such naming for the term of the endowment (in most cases, for a perpetual term).
- (3) Derogation. To request a derogation from this Rules 6, the Naming Sponsor (as defined in Sub-Rule 8.2 below) shall make a recommendation to the person(s) vested with the Naming Authority, pursuant to Rules 5, for final decision-making.
7. **Timing of Activation:** (1) No commitment (verbal or written) shall be made by the University or any member of the University Community to any person for the naming of a University Asset without first obtaining the requisite approvals in accordance with Rules 8.

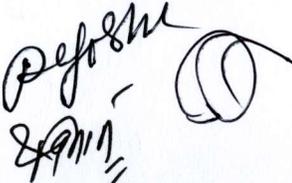
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- (2) Once such approval has been granted, any naming in recognition of a donor will only take effect once a significant portion of the donation has been received by the University.
- (3) Notwithstanding Sub-Rule (2) above, any naming of an award (including bursaries and scholarships) to support or recognize students shall take effect at the time of approval (either in accordance with Rules 8.
- (4) Naming of a tangible University Asset or a Significant Asset in honor of a member of the University Community who has retired or departed from the University, or in memory of a member of the University Community who is deceased, shall not be conferred until two (2) years following the honoree's retirement, departure or death.
 - (a) Any exception to the naming delay contemplated in Rules 4 above shall be at the request of the Naming Sponsor and subject to approval by the person(s) vested with the Naming Authority, pursuant to Rules 5.

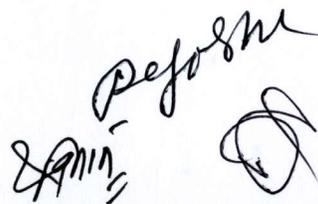
8. Approval Process: (1)

- (1) Naming recommendations may originate from any member of the University Community who shall forward a recommendation in writing to the individual with the overall responsibility for the asset in question, including but not limited to: A Vice president - Academic and Research (the "Naming Sponsor").
 - (3) The Naming Sponsor shall evaluate the proposed naming and, if it is deemed worthy of further action, shall develop a written naming proposal, incorporating the principles set forth in Rules 4 above, and in accordance with the requirements in Rules 9 below, supporting the case for the naming, and seek the written opinion of the Vice President (Academic and Research) and Vice President (Administration and Finance) on the merits of pursuing the proposal.
 - (4) Once these opinions have been received, a recommendation is made to the President, including the opinions of the Vice President (Academic and Research) and Vice President (Administration and Finance). All opinions must be unanimously supportive of the Naming Proposal before further steps in the approval process can be taken.
 - (5) The President once satisfied that the Naming Proposal conforms to these Rules and that the recommendation is deserving of support, may, subject to the following paragraph, grant approval to the naming.
 - (6) In the case of the naming a Significant Asset, the President shall consult with an *ad hoc* committee composed of members of the Board of Trustees, the Academic Council, and the University Community. Following such consultations, the President may recommend approval of the Naming Proposal to the Board of Trustees.
 - (7) The *ad hoc* committee stipulated in sub-rule (6) above shall be formed by the President.
 - (8) Notwithstanding any of the provisions of this Rules 8, if a proposed naming relates to campus development (e.g. construction or renovation) or the creation of a new academic unit, program, institute or center, all necessary governmental and University approvals for such development or creation must be obtained before a naming may be finally approved.
- 9. Contents of Naming Proposals: (1)** Naming proposals shall be in writing and shall contain the following:

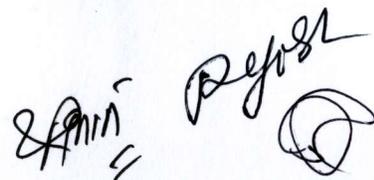
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- (a) a clear description of the naming recommendation being proposed;
 - (b) a clear indication of the importance of the naming to the University;
 - (c) the proposed term (and rationale therefor) of the naming and its short- and long-term implications, including a provision for the future renaming of the asset;
 - (d) the appropriateness of the timing of the naming (where the naming is in recognition of a retired or deceased individual);
 - (e) other particular conditions, concerns, or impacts of the naming on the academic unit and/or the University;
 - (f) a provision acknowledging that due diligence has been conducted; and
 - (g) a provision incorporating the provisions of these Rules as an integral part of the proposal or agreement.
- (2) Naming Proposals associated with donors, in addition to the matters referred to in sub-rule (1) above, shall be approved by the relevant parties and also contain:
- (a) a statement as to the nature and impact of the gift meriting named recognition and the expected schedule of payment;
 - (b) the significance of the gift as it relates to the realization and/or success of the project/priority or to the enhancement of the project's/priority's usefulness to the University; and
 - (c) where the naming is to be of a new unit or program, its relevance, sustainability and impact on the University's or faculty's strategic priorities.
10. **Due Diligence:** (1) The Naming Sponsor shall conduct an appropriate due diligence to be reasonably assured that the person honored by the naming is of sound reputation and that the naming complies with these Rules.
- (2) The person(s) vested with the Naming Authority, pursuant to Rules 5, shall be satisfied that the obligation of due diligence has been fulfilled.
11. **Confidentiality:** (1) Any discussions of a proposed naming, including Naming Proposals, shall be dealt with in the strictest of confidence by all parties involved in the process until the naming is publicly announced by the University.
12. **Renaming of University Assets:** (1) The University may rename an asset under the following circumstances:
- (a) if a named asset has been or will be altered in its form, nature or use;
 - (b) at the expiration of the useful life of the asset or term of a naming, if applicable; or
 - (c) if a naming is terminated in accordance with Rules 13 below.
- (2) A proposal to rename an asset or to add a second name shall adhere to the same procedures and criteria for naming set out above. Any eventual approved renaming is subject to the further naming terms of these Rules.

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- (3) For a proposed renaming pursuant to Sub-Rule (1) - (a) or (b), the Office of the Vice President (Administration and Finance) shall consult the head of the relevant unit concerning the potential renaming of an asset under the purview of such head of unit.
 - (4) For a proposed renaming pursuant to Sub-Rule (a), which may involve (a) renaming of the original asset named for the balance of an applicable term; or (b) naming of a different asset for the balance of an applicable term; the University shall consult the other party or parties concerned (e.g. donor, donor representative), if practicable.
 - (5) In the event of an approved renaming, which relates to a gift agreement or other agreement in effect, the University and the party or parties concerned shall document the revised naming terms and conditions by a signed agreement in writing, where possible.
13. **Revocation of Naming:** (1) A naming may be revoked where retention of the name would be prejudicial to the University's reputation and/or found to be in contradiction to the University's mission or values.
- (a) In the event of a revocation of a naming in recognition of a donor pursuant Sub-Rule 13 (1) above, the University shall not be required to return any portion of the gift already received.
 - (2) In addition to the rights of the University set forth in Sub-Rule (1) above, the University shall retain the right to revoke a naming in recognition of a donor if there is a shortfall in the anticipated payment(s), following reasonable notice to the donor and an opportunity to cure.
 - (a) In case of such a shortfall, the University may (1) revoke the naming and offer the donor(s) an alternate naming commensurate with the actual giving level; and (2) shall not be required to return any portion of the gift already received.
 - (3) The person(s) vested with the Naming Authority, pursuant to Rules 5, has the authority to revoke a naming pursuant to this Rules 13. Any revocation herein shall be contingent on fulfillment of the obligation of due diligence by the individual(s) responsible for recommending the revocation of a naming (to be referred to as the "**Revocation Sponsor**").
 - (4) The revocation process shall parallel the approval process pursuant to Rules 8 and the Revocation Sponsor shall take the lead in following all of the steps in the revocation process in the same manner that the Naming Sponsor leads the steps in the approval process.
14. **Plaques and Signs Recognizing Names:** (1) Plaques and other signs recognizing a naming shall be of generally uniform design and contain the name of the honoree and the date of dedication or, as appropriate, the date on which the project was substantially completed.
- (2) All plaques and signs are subject to University policies and guidelines applicable to signage. Names may be abbreviated where there are space constraints such as in campus maps or in online communications.
15. **Records:** (1) Once final approval of the naming has been granted and the naming has been publicly announced, a copy of the Naming Proposal, Memorandum of Agreement, deed of donation, record of approval and other relevant documents shall be deposited with the Secretariat.

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- (2) The Office of the Vice President Administration and Finance shall also keep a complete record of all Naming Agreements and related documents for any naming associated with a philanthropic gift.
- (3) The Office of the Vice President Administration and Finance shall be responsible for maintaining and updating an inventory of named assets.
16. **Legal Review:** (1) Legal experts shall review Naming Proposals, Memoranda of Agreement, deeds of donation and other relevant documents relating to the following; and shall make recommendations to the President concerning any legal and contractual aspects of:
- (a) Naming in recognition of a donor or honoree
 - (b) Modifications of any naming
 - (c) Revocation of any naming
17. **Authority to Approve Procedures:** The Executive Council is vested with the authority to approve procedures as they relate to these Rules.

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