

Related Entries: (Not identified at this time)

Naming Rights for School District Facilities

1) Purpose

The purpose of this policy is to establish the criteria and procedures for granting naming rights in relation to School District of Lee County (herein referred to as "District") facilities and property. This policy establishes an equitable process by which the School Board (herein referred to as "Board") can assume its responsibility for naming District-owned facilities. This policy governs naming rights for facilities and buildings, and is separate and distinct from other policies that may govern school names.

2) Authority

Prior to formal action by the Board, the nomination in the form of an application shall be referred to the Superintendent or designee, followed by an evaluation by the Professional Standards and Equity Department, and then a full review by a committee of stakeholders appointed by the Superintendent as stated in this policy.

When a nomination or request is made to name a facility on a school campus, the review committee membership shall number between ten (10) to twelve (12) representatives and shall, at minimum, consist of a school administrator, School Advisory Committee (SAC) chairperson, Parent Teacher Organization (PTO) chairperson, student government representative, school development administrator, representative from the Communications Department, representative from the Business and Finance Division, representative from the Facility Development and Programming Services Department, and two (2) representatives from the community.

When a nomination or request is made to name a facility that is not located on a school campus, the review committee membership shall number between eight (8) to ten (10) representatives and shall, at minimum, consist of an administrator (or designee) representing the facility under consideration, two (2) non-administrative employees representing the facility under consideration, representative from the Business and Finance Division, representative from the Communications Department, representative from the Facility Development and Programming Services Department, and two (2) representatives from the community.

Subsequent to discussion and consideration, the committee, if the nomination is found to be acceptable, will make a recommendation on the nomination to the

46 Board for formal action. The committee shall vote on a list of acceptable
47 nominations in the event that more than one nomination is received for the same
48 facility. The nomination that receives the most votes shall be forwarded to the
49 Board for formal action.

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51 The District shall not grant a naming right without the informed consent of the
52 individual whose name is to be used or the named party's legal representative.

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54 The Board reserves the right, in all cases, to refuse to name a particular
55 facility/piece of property. This policy is not intended to create a right for any
56 individual, company, or other legal entity to obtain the naming of a District facility
57 upon the establishment of certain criteria. All decisions concerning naming of
58 School District facilities are at the complete discretion of the Board.

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60 3) General Guidelines

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62 There are two (2) circumstances in which naming rights may be considered and
63 subsequently granted; Naming Rights in Consideration, and Naming Rights in
64 Recognition.

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66 The following criteria may be considered when naming school facilities or ancillary
67 facilities:

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69 a) Naming Rights in Consideration

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71 "Naming Rights in Consideration" is in consideration of financial contributions,
72 sponsorship or other commercial transactions. Naming rights may be granted
73 in return for provision to the District of an appropriate financial contribution or
74 sponsorship, including provision or supply of equipment, materials, land or
75 services.

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77 The solicitation of naming rights with the intent of securing financial
78 contribution and the subsequent granting of such naming rights are at the full
79 discretion of the School Board.

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81 An agreement addressing the nature of naming rights will be entered into
82 between the parties or their representatives, such agreement to be governed
83 by the provisions of this policy.

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85 All such agreements are subject to the District's requirements for contracts, as
86 set forth in Board Policy and related regulations. Nothing in this policy shall be
87 construed as to provide a provider of goods, services or financial contribution
88 an automatic naming right. All such rights are subject to Board approval under
89 the terms of this policy.

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b) Naming Rights in Recognition

“Naming Rights in Recognition” is in recognition of goodwill or any significant contribution to the District that the Board wishes to honor. Naming rights may be granted at the discretion of the Board in recognition of the party it wishes to honor.

One (1) of the following criteria must be fulfilled in order for the granting of naming rights in recognition to be considered:

1. Recognition of outstanding service to the District; or outstanding service to the Lee County, Florida community.
2. Recognition of the achievement(s) of distinguished District alumni.
3. Recognition of charitable contributions.

The District may solicit suitable donations from the advocates of such recognition, particularly if the request comes from other than family members.

The granting of naming rights in recognition is determined through a committee review as provided in this policy and at the discretion of the Board, with the consent of the party or the individual whose name is to be used.

c) Granting Naming Rights

In granting naming rights, either in consideration or in recognition, due regard shall be taken of the need to maintain an appropriate balance between commercial considerations and the role which names of buildings and space play in contributing to the district’s sense of identity as well as in assisting students, staff and visitors to orient themselves within the campus/facility.

Any and all entitlements and attributions granted in conjunction with naming rights, including but not limited to signage, must be reviewed by the committee and approved by the Assistant Superintendent of Operations prior to installation in or on school district property. Any permanent or nonpermanent fixtures shall be the sole property of the District.

The District recognizes that the official names of its facilities are vital to their public image. Therefore, granting of naming rights must always be consistent with the District vision, mission and shared purpose. The long-term effects of the naming rights must be considered. The department/school affected by the naming right to be granted must be consulted before any decision is made.

Naming rights shall not be granted to commercial entities associated in any way with non-socially responsible policies including, but not limited to, the sale of tobacco, alcohol, illegal drugs, weapons, or any other products or services not appropriate for use by minors; the use of vulgar and plainly offensive, obscene, or sexually explicit language; the advocacy of the violation of law or

140 District policy. Naming rights shall not be granted to commercial entities
141 associated with the advancement of any political organization; the promotion
142 or opposition of a candidate for elected office or a ballot measure; or
143 association with any company or individual whose actions are otherwise in
144 violation of law. Naming rights shall also not be granted to religious
145 organizations.

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147 The Board may provide opportunities for the naming of the portions of school
148 facilities and ancillary facilities such as those listed below:
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- 150 1. Auditoriums/Theaters
- 151 2. Gymnasiums
- 152 3. Libraries
- 153 4. Gardens/Walks
- 154 5. Athletic Fields/Facilities
- 155 6. Concessions/Locker Rooms

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157 d) Facilities Named After a Person
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159 For a facility to be named after a person, that person shall be of exemplary
160 moral character; have made an outstanding contribution to education,
161 humanity or community; or have displayed outstanding leadership; or be a
162 person of historical significance. The person, if an employee of the District,
163 should have retired or left employ of the District a minimum of five (5) years
164 prior to the nomination or is deceased. It shall be the sole responsibility and
165 right of the Board to determine whether the person meets these criteria. The
166 Board reserves the right to revoke the name should it discover information
167 about the individual that would lead to the individual not meeting the
168 requirements set forth herein.
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170 e) Facilities Named After a Company, Group, or Product
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172 Facilities may be named after major contributors to the District. For a company,
173 group and/or product name to be used, it must, as determined by the Board,
174 have and maintain an exemplary record and positive public, and nonpartisan
175 image. The Board reserves the right to revoke the name should information be
176 discovered about the company, group and/or product that would result in
177 failure to meet the requirements set forth herein.
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179 f) Monetary Valuation of Naming Rights
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181 The Board will evaluate the financial value of naming rights based on a review
182 of the market for naming rights. Monetary valuations will be assigned to
183 naming rights using the base values established for available naming
184 opportunities. An initial naming rights fee will be required for the cost of the
185 physical display and is non-refundable.

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g) Distribution of Generated Naming Rights Revenue

The distribution of all net compensation received by the District pursuant to this policy shall be negotiated on a case-by-case basis

h) Physical Display of Naming Rights

The physical display of the Naming Rights shall be decided or negotiated on a case-by-case basis. In the case of buildings, the physical display of the Naming Rights will take into account the identification of the District and comply with all applicable laws and regulations including, but not limited to, zoning requirements.

The Superintendent or designee shall determine and/or approve the naming title, all design considerations such as colors, shapes, and sizes along with the location of any and all signage or fixtures to be displayed in and/or on school facilities and/or equipment.

i) Duration of Naming Rights

Facilities officially named through “Naming Rights in Recognition” shall not be renamed except as determined by the Board. The duration of naming rights granted through “Naming Rights in Consideration” shall be negotiated on a case-by-case basis and reviewed every five (5) years after the rights are granted. The Board shall have the authority to renew or revoke the naming of a facility at the time of review.

j) Change in Name

A name granted through “Naming Rights in Consideration” may be changed by mutual agreement between all parties. For example, when a company changes its name, the naming right may be changed to reflect the new name. A fee to update any signage reflecting the new name will be assessed at the time of the change. If the grantee refuses to pay the fee, the District reserves the right to remove the name and revoke the rights. “Naming Rights in Recognition” and “Naming Rights in Consideration” are non-transferrable.

k) Grandfathering of Named Facilities

District-owned facilities named prior to this policy shall adhere to any contract terms established with the donor and approved by the Board. If no such contract exists, naming rights shall continue for the useful life of the property or facility unless revoked as determined by the Board at any time.

- 233 l) Renewability of Naming Rights in Consideration
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235 Naming Rights in Consideration shall be considered for renewal by mutual
236 agreement between all the parties every five (5) years.
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- 238 m) Limit of Naming Rights
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240 1. On The Part of the District
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242 The District's right to use the name and other brand elements of the
243 named party shall only be permitted by express agreement with the
244 individual whose name is being used.
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246 2. On The Part of the Named Individual
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248 The individual after whom a building or facility is named, shall have no
249 rights to the purpose to which that building or facility is applied unless
250 provided for in the specific contract between the parties. The Board will
251 not agree to any condition in a contract that could unnecessarily limit the
252 following: progress towards the district's mission and purpose, statutory
253 obligations, or the local authority of the District.
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255 In turn, the named individual shall bear no liability in respect of that
256 building or facility unless provided for in the specific contract between the
257 parties. Any such limits must be included in any naming right agreement.
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- 259 n) Termination of Naming Rights
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261 1. On The Part of the District
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263 The Board shall have the authority to revoke the naming of a facility for
264 any reason in the unfettered discretion of the Board at any time. The Board
265 may choose to establish a higher standard for revocation through approval
266 of a naming rights contract. Any prepaid financial contributions will be
267 proportionally refunded except in the case of termination prompted by an
268 individual, company, or product's inappropriate public image as described
269 in Section 3(c).
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271 2. On The Part of the Named Party
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273 The named party may, without refund of consideration and, at its sole
274 discretion, terminate its acceptance of the naming rights prior to the
275 scheduled renewal date upon request to the Board.
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- 277 STATUTORY AUTHORITY: 1001.43(4), F.S.
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279 Adopted: 05/04/16