

Special Collections and Archives

Gift Agreement

(Gift of Papers, Records, Photographs, and Other Historical Materials)

1. The Special Collections and Archives Department of Missouri State University, gratefully acknowledges receipt from:

of the following materials:

2. I, _____, hereby make a gift of and assign to the MSU Foundation and the Board of Governors of Missouri State University (MSU) the materials described above. I hereby grant, give, assign and transfer any and all right, title, and copyright which I possess to the contents of letters, photographs, and other materials to MSU for its use in fulfilling its research, educational, publication, and exhibition goals.

3. The disposition of any materials which the MSU Special Collections and Archives Department (the Archives) determines are duplicative, or which are deemed to have no research value, or are otherwise inappropriate for inclusion in the Archives will be the Department's prerogative, unless directed otherwise.

4. In the event that I may, from time to time, give additional papers to the Archives, title to such additional materials shall pass to MSU and all the provisions of this deed of gift shall be applicable to the additional materials. A description of the additional papers and other materials so donated and delivered will be prepared and attached hereto.

5. In making this gift, it is my intent that researchers who meet the requirements set forth by the Archives' General Use Guidelines may have full access to these materials. In addition, I agree that persons granted access to these materials may also make single copies in lieu of note taking. I understand that I have access to the materials at any time during the regular operating hours of the Archives and that I may request copies of donated materials for personal use. As a courtesy, reasonable copying and delivery expenses shall be borne by the Archives.

Signature of donor(s)

(Accepting on behalf of MSU Archives.)

Date

Date

See reverse for Explanation of Gift Agreement.

Explanation of Gift Agreement

This is a copy of a gift agreement that the Special Collections and Archives Department sends out to all donors of papers, records, or other materials. The purpose of the agreement is to document your gift, transfer the title and copyright to MSU, and to protect the rights of both the donor and the donee (the MSU Special Collections and Archives Dept.). The agreement addresses four questions:

1. Acknowledgement of your gift and description of material that you have deposited. This is usually a very brief description, longer descriptions may be attached if necessary. This part of the agreement is usually filled in by archives staff following an appraisal or field visit.

2. Assignment of copyright to Missouri State University. Under the law, any items that you or your ancestors have written are your literary property. If a researcher comes to the Archives and wishes to quote from your writings, or those of your family, he or she must first obtain permission from the copyright holder. For many researchers, this procedure is a time-consuming one. For our older collections, a particular problem arises in determining who are the current heirs holding the copyright to a manuscript. In order to facilitate the process of research at the archives, we ask donors to assign copyright to MSU to save donors the time and effort of responding to future researchers.

3. Disposal of non-archival material. Not every item in a historical collection is of sufficient value to warrant the cost of permanent storage or preservation. Because of our limited space and the increasing size of historical collections, the Archives must review the contents of each collection to determine what material is truly archival in nature and what is ephemeral, duplicative, or routine. Materials which do not meet archival appraisal standards are separated out and normally disposed of. This section allows you to determine whether or not we dispose of the material, return it to you, or send to another organization or person.

4. This agreement applies to any future gifts you may give to the MSU Archives. Rather than fill out and sign a new form for future gifts or accessions, this clause states any future donations from you will fall under the same conditions as this one.

5. Open or limited restricted access. We strive to make all our collections open and available for immediate research use. At the same time, we recognize that it might be appropriate for some files or parts of collections to be closed to researchers for a specific period of time. The archives staff will be glad to advise you about the types of restrictions currently being used. By signing the agreement, we also ask that you permit us to make photocopies of the materials for research use. Our researchers find that ordering photocopies is a more efficient use of their time than the time-consuming activity of copying documents by hand.

In addition, you have access to your donation (whether or not the collection has been processed) during our regular hours of operation and as a courtesy we'll provide you with free copies of certain records from your donation for your personal use. For example, there may be a certain section of an ancestor's diary you would like to share with a relative. We'll copy the section for you (onto acid free paper) and mail the copies to your address. Once your collection has been processed we will provide you with a free copy of the catalog or finding aid to the collection.