

Cline Library

Special Collections and Archives Collections Management Policy

Last updated October 1, 2021

Overview

The Collections Management Policy communicates to current and prospective donors how materials offered to Cline Library's Special Collections and Archives (SCA) will be acquired and managed. Through this policy, the department ensures that acquisitions, deaccessions, and loans are conducted in a manner that is consistent with SCA, Cline Library, and NAU's respective missions and [ethical obligations](#), complies with applicable law, and reflects the highest ethical and professional standards for [libraries](#) and [archives](#).

As a non-profit institution, Special Collections and Archives and Cline Library comply with applicable local, state, and federal laws, international conventions, and specific legal standards governing trust responsibilities. Of particular note is SCA's commitment to integrating the [Protocols for Native American Archival Materials](#), which Cline Library endorsed in 2006, into all aspects of the acquisition and management of Native American and Indigenous resources in SCA holdings. Please [contact the department](#) to learn more.

Acquisitions

[Acquisition](#) - *the process of seeking and receiving materials from any source by transfer, donation, or purchase. Materials physically and legally transferred to a repository as a unit at a single time; an **accession**.*

[Deed of gift](#) - *an agreement transferring property and/or title to property without an exchange of monetary compensation. In archives, deeds of gift frequently take the form of a contract establishing conditions governing the transfer of title to materials and specifying any restrictions on access and use of said materials.*

Legal title - ownership of property that is recognizable or enforceable in a court of law, or one that is complete and perfect in terms of the apparent right of ownership and possession, but that, unlike equitable title, carries no beneficial interest in the property.

Literary rights - copyrights granted under federal law to authors of creative works at the time of the work's creation in a fixed, tangible form. These include the legal authority to reproduce the work, prepare derivative works based on the work, distribute copies of the work, and publicly perform, display, or transmit the work.

Transfer - the process of moving records as part of their scheduled disposition, especially from an office to a records center, or from a records center to an archives. Usually used to indicate the process of moving institutional (e.g. governmental) records rather than personal papers.

SCA typically acquires archival (primary source) and published (secondary source) material through gift (donation) and bequest for the Colorado Plateau Archives and through gift or transfer for the Northern Arizona University Archives. The authority to accept material into SCA rests with the Head of SCA. Please see the [Collection Development Policy](#) for more information.

Donating archival (primary source) materials to SCA involves the legal and physical transfer of materials, legal title for materials, and any associated rights (intellectual, literary) held by the donor to the Arizona Board of Regents. The primary legal instrument through which this is done is the deed of gift. Non-archival donations (i.e. publications) and transfers of official NAU records utilize legal instruments other than the deed of gift, such as the SCA Publications Deed of Gift and the NAU Records Transfer Form.

As part of its commitment to the [Protocols for Native American Archival Materials](#), SCA pays particular attention to materials that would be construed as culturally sensitive or affecting the personal or cultural privacy of third parties, and considers these concerns when acquiring materials into its holdings. SCA may choose not to acquire materials due to various factors outlined in more detail in the [Collections Development Policy](#). Please [contact the department](#) to learn more.

Commitments to Donors

It is important for current or prospective donors to understand the commitments SCA makes to its donors and transferees, as well as to the materials themselves.

SCA strives to be as open and transparent with its donors and transferees with regards to the acquisition and management of its materials as possible.

Pre-acquisition Considerations

It is SCA and Cline Library's policy to not provide monetary appraisals, whether formal or informal, to donors or members of the general public.

Current or prospective donors should be aware of the implications of transferring legal title and/or intellectual or literary rights (also known as copyrights) to Special Collections and Archives, Cline Library, and the Arizona Board of Regents. Donors who are still actively utilizing their materials for personal, educational, or commercial projects may wish to delay their donation until such time as they no longer have need of their materials. Donors are encouraged to secure copies for themselves (for personal use only) prior to donating materials to SCA.

All material donated to SCA is subject to departmentally-imposed access restrictions relating to Personally Identifiable Information (PII), third-party privacy, and cultural sensitivity concerns, in addition to any access restrictions required by applicable state and federal law. Donor-imposed restrictions on access to or use of materials are generally discouraged and will only be considered on a case-by-case basis.

SCA is under no legal obligation to accept materials offered, transferred, or bequeathed to it by external (non-NAU) donors. If SCA receives unexpected or unwanted items that accompany anticipated gifts of materials (offered, transferred, or bequeathed), SCA and Cline Library reserve the right to deaccession these materials.

Please [contact the department](#) to learn more.

Post-acquisition Considerations

After acquisition, it may be found that materials are subject to restrictions due to local, state, or federal law and legislation. Additionally, SCA may identify and restrict material which negatively impacts third-party privacy and/or cultural privacy. In these cases, materials may be restricted and/or considered for restriction, disposition, or deaccession as per the wishes of the donor as expressed in the SCA Deed of Gift.

Cline Library and SCA have endorsed the [Protocols for Native American Archival Materials](#). As such, archival (primary source) materials focused on Native

American and Indigenous peoples are subject to periodic cultural review by the respective community/ies and facilitated by SCA or Cline Library. These reviews may result in access or use restrictions and/or disposition or deaccession, as per the wishes of the donor as expressed in the SCA Deed of Gift.

If archival materials previously donated to SCA are discovered to be the legal property of another individual, institution, or agency, SCA will consider transferring materials back to their legal title holders or the donors and/or work with the title holders on providing responsible access to and use of these materials.

Please [contact the department](#) to learn more.

Loans

[Loan](#) - the temporary transfer of materials from one party to another. Archives may borrow or lend materials from individuals or other organizations for the purposes of exhibition, consultation, or reproduction.

SCA manages both incoming and outgoing loans of materials. Incoming loans are predominantly executed while materials that have been offered are being considered for formal acquisition. Outgoing loans govern the transfer of archival (primary source) holdings and/or surrogates to another repository or individual for an established amount of time.

Incoming Loans

Any incoming material being loaned to SCA for a finite period of time must be documented with an Incoming Loan Receipt, signed by the lender and an SCA signatory. The Incoming Loan Receipt enumerates the conditions of the loan, the rights and responsibilities of the lender and SCA with regard to the care and insurance of the objects, and the duration of the loan. Permanent loans, or loans without an end date, will not be accepted.

Loaned materials will either (1) be converted into a permanent acquisition by completing the SCA Deed of Gift (see Acquisitions, above); or (2) be returned to their lenders at the end of the specified loan period, in accordance with SCA's accepted procedures, unless otherwise specified by the lender. Please [contact the department](#) to learn more.

Outgoing Loans

SCA very rarely loans out original material from its archival collections. In almost all cases, surrogates (duplicates) will serve for access purposes.

Any outgoing loans must be documented with an Outgoing Loan Receipt, signed by the borrower and a SCA signatory, enumerating the conditions of the loan, the rights and responsibilities of the borrower and SCA with regard to the care and insurance of the materials, and the duration of the loan. Please [contact the department](#) to learn more.

Deaccessions

***Deaccession** - the process by which an archives, museum, or library permanently removes accessioned materials from its holdings; to remove archival resources from intellectual and physical custody.*

SCA reserves the right to deaccession or cull donated materials as they are being processed by returning said materials to the donor or disposing of them by destruction or transfer to another repository. The donor is instructed to indicate their preference on the SCA Deed of Gift.

To explore Special Collections and Archives' Collections Management Policy in depth, please [contact the department](#).