

WAYNE COMMUNITY COLLEGE HISTORICAL ARCHIVES

EXPLANATION OF DEED OF GIFT

The Deed of Gift form is designed to transfer ownership of and legal rights in materials, which you as a Donor are conveying to the Wayne Community College Historical Archives to be administered in accordance with its established policies. The Deed of Gift form constitutes the transfer of title and serves to define the terms of the transfer.

It is recommended that, whenever possible, the Deed of Gift form be used to document all in-kind gifts of \$250 or more to the Wayne Community College Historical Archives, and for in-kind gifts below that amount which include unique archival materials for which copyright conveyance may or may not be involved. Please be aware that the Wayne Community College Historical Archives staff does not provide appraisal services, nor does any staff member recommend any particular commercial appraisal service.

Donation of Gift. The “Description” portion of this section will be completed by a Wayne Community College Historical Archives representative. The Description of the donation will describe the material being transferred and date received on site.

Disposition of Materials. In order to make the most effective use of resources, the Wayne Community College Historical Archives reserves the right to determine the disposition of donated materials.

Terms and Conditions. Although most Donors will have no need to limit access to materials which they are donating, the option of placing reasonable restrictions on access to the materials or a portion of the materials is available to a Donor. The Director of Library Services or the Archivist will be happy to discuss the terms of restrictions with a Donor. Any restrictions on access mutually agreed to will be for a specific period of time and will apply to all researchers.

Copyright Interests. Because assignment of copyright is often complex, the Wayne Community College Historical Archives staff is happy to work with the Donor to clarify questions of copyright control. Copyright in writings and original creations contained in a donated collection is controlled by the individuals or organizations who created them unless the copyright has been conveyed legally to the Donor or other party.

If you, as a Donor, control the copyright in all or some of the materials being donated, please check the first box in this section of the Deed of Gift and explain the extent of your copyright control.

If you, as a Donor, do not control copyright in any of the donated materials, please check the second box.

If you have any information about the holder of the copyright, please check the third box and supply as much of the requested information as possible.

Copyright Conveyance. The Wayne Community College Historical Archives encourages Donors to transfer any copyright they may control to the Archives whenever possible. Copyright ownership by the Wayne Community College Historical Archives facilitates use by scholars. If you wish to do so, please initial the first paragraph in the “Copyright Conveyance” section of the Deed of Gift.

Assignment of copyright may be conditional. For example, a Donor may wish to stipulate “Copyright retained during my lifetime” or something similar in the “Limitations” space provided on the Deed of Gift.

Change in Provisions. If a Donor feels that any terms in the agreement should be deleted, the Donor is encouraged to discuss the matter with the Director of Library Services or the Archivist to verify that the desired change in terms is feasible.

Acknowledgment of Receipt of Gift. This section of the Deed of Gift serves to formally acknowledge the receipt of a donation under the terms mutually agreed to by the Wayne Community College Historical Archives and the Donor. The Donor will receive a copy of the Deed of Gift form signed by the Director of Library Services or the Archivist. In-kind gifts independently valued by a professional appraiser at \$250 or more will be reported to the Wayne Community College Foundation, who will send the Donor an official receipt for charitable deduction purposes.

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