

## *Chapter One*

# **Donor Preparedness and the Archival Program**

Without any prior notice, a potential donor walks into a special collections department at a small college on a Tuesday morning with a shoebox tucked under his arm. The archivist at the front desk, still preparing for the day, greets the person. After a brief conversation, a potential donation appears to be unfolding. The archivist, still scrambling to open the reading room, asks the person to wait to talk with the director of the department, who is running late. The donor has a collection of letters from a relative who graduated from the college in the 1920s. After waiting thirty minutes, the frustrated potential donor walks out without saying a word and goes unnoticed by the front desk archivist who is immersed in his computer screen and e-mail inbox. A few minutes later the director of the department arrives and learns that a potential donor was waiting to talk with her. However, the reading room is empty—no potential donor and no potential donation of school history.

Unfortunately the above scenario is common in archives of all kinds. For many archives, the responsibility of donor relations and collection development rests on one person who is in charge of the program. Without shared responsibility for donor work, there are often few opportunities for archivists to enhance their skills in donor relations. Further, many archivists work in narrowly defined positions and are unfamiliar or unaware of how new materials are identified and acquired. Ironically, the archivists with the greatest responsibility for donors miss opportunities from walk-in donors because they are visiting donors or investigating potential collections. For these and other reasons many archives and archivists are unprepared for donors.

This chapter is focused on how archives and archivists prepare for donors. Whether the donor walks in to an archives program unannounced, makes contact beforehand, or is already known to those in the program, archivists

must be able to respond in a clear, efficient, and consistent manner. Informed archivists know what their program collects, where new collections come from, and who, if anybody, has responsibility for donor work. Donors have a wide range of motivations for entrusting their material to an archives program, and archivists must be able to factor in the various reasons behind a donation. Once the donation process begins, archivists communicate to donors the policies, procedures, legal ramifications, and other considerations of a donation.

It is crucial to have a plan and to be prepared for donors. That strategy should be shared, refined, and carried out by all members of an archive. Donor work is the responsibility of all employees in an archival program, even if one or two archivists take the lead in the process. This chapter is an overview of what archivists consider before a donation takes place and how to use that knowledge to be prepared for the next donor. It describes some common approaches to donor planning by considering the kinds of collections to accept or not accept, the reasons why donors donate, and the forms and agreements that are used in the process of transferring a collection from a donor to an archival repository.

## TYPES OF ARCHIVAL PROGRAMS

There is great diversity of archival programs in the United States. Each program has unique features, such as its collections, mission, services, facilities, and programs.<sup>1</sup> Archives serve many different purposes, each archive has its own history and traditions, and the very people who operate and regularly use archives often define the program. Some archives function similar to other cultural heritage institutions, like collecting museum artifacts, while other archives are more traditional and offer access to official records, such as court documents. Sometimes archives are large stand-alone entities, such as the National Archives and Records Administration; other times archives are a small part of a larger institution, like a corporate archives for an automobile company. The structure of each archives program also varies according to resources, practices, and mission. Simply put, no two archives programs are exactly the same.

In just the past few decades, the number and type of archives programs expanded. Traditionally there were two kinds of archives: one that sought official institutional records or one that collected on particular topics or formats.<sup>2</sup> That definition broadened to reflect the reality that many archives programs serve an official and collecting function, as well as administer other services for their institution.

This expanded definition is due to several factors including the proliferation of archives programs, the changing nature of scholarship and communi-

cation, overlap in institutional mission and services, and the merging of archival units into larger departments.<sup>3</sup> Archives programs collect a wide range of material, serve diverse constituencies, and document often forgotten or ignored changes in society. As part of those shifts, the structures of today's archives programs are complex, always changing, and sometimes filled with employees who may not be trained archivists.

Despite the differences and unique features, archives programs follow the basic principles that guide archival work. First, all archives programs are focused on the shared purpose to collect, store, preserve, protect, and provide access to documentary evidence with enduring or research value. That material comes in the form of archival records, manuscripts, personal papers, multi-media materials, or other historical collections. Second, all archives programs are charged with protecting the authenticity and archival context of the material under their purview. Archival theory is based on provenance, original order, and collective control when assessing and organizing collections. Finally, archives and their employees are ethically responsible for providing equal and unbiased access to collections and ensuring that the material under their care will be available for future generations.<sup>4</sup>

One way to categorize today's archives programs is to focus on their primary source of origin and ongoing support (i.e., which institution funds and supports the program). With those general parameters, there are three main types of archival programs in the United States: academic, government, and private. Understanding these categories, and how they relate and overlap, informs decisions about building a donor program.

Historically, academic archives programs developed as a way to keep colleges and universities functioning while also documenting institutional history. Academic archives are programs directly or indirectly connected to a college, university, or institution of higher education. Archivists, librarians, rare book experts, and records managers are the most common professionals working in academic archives. The types of material in academic archives include official records based on the units or departments within the institution, publications like yearbooks, photographs of campus and students, student scrapbooks, video recordings of athletic events, and objects such as banners and cadet swords. Primarily, academic archives document the history of their institution by collecting official records and unofficial materials. Sources of funding for academic archives come from state, federal, or other sources, depending on whether the school is public or private.<sup>5</sup>

Often identified as college or university archives, the majority of academic archives are based in the school's library system. Whether part of a library system or not, many academic archives programs have a direct connection to campus records management activities. Some academic archives work with their school's information technology department to help manage campus electronic records. Archival programs in libraries can also be stand-alone

departments or part of a special collections unit. Other academic archives programs exist outside of the main library system, such as a research center or a separate library operation. Often these archives programs developed through the institution's upper administration, such as the president's office, or even within a history department, instead of within a centralized library system.

Government archives are programs at local (city or municipal), county, state, and federal levels. Historically, these programs were part of the public records tradition, which began in the colonial period as a national effort to ensure that government officials and members of the community would create and maintain public records. As part of that tradition, public records provided legal guarantees and inalienable rights for citizens. These programs collect, preserve, and maintain vital records, which include court decisions, marriage licenses, property deeds, birth certificates, wills, and voting lists. Federal and state archives maintain official government records and arrange the material in distinct units or record groups. Archivists, historians, records managers, and clerks are the most common professionals found in government archives. The majority of these programs depend on federal, state, or local funding.<sup>6</sup>

Government archives expanded to include the records of official government agencies and departments, especially during times of governmental growth such as the New Deal programs of the 1930s. Perhaps the most recognizable government archives program is the National Archives and Records Administration, which has numerous facilities across the country, including a series of presidential libraries and regional repositories.<sup>7</sup> However, government archives also include programs based in county courthouses, municipalities, and hybrid or pseudo-government organizations such as the Smithsonian Institution. Further, many government archives collect material that would not be considered official or vital, such as the vast collections of manuscripts and personal papers at the Library of Congress. Archives programs within public libraries, such as a history or genealogy room with manuscript holdings, are grouped with government archives since their institutions rely heavily on government funding for support.

Private archives are the third major category of archival programs. Their origins, purposes, and sources of funding are varied, but most have connections to the collecting or manuscripts tradition of the archival profession. A wide range of professionals work in private archives, including museum curators, librarians, records managers, and archivists. Significant collections in private archives include institutional records, manuscripts, objects and museum artifacts, and printed sources. Unlike government and academic archives, some private archives programs have fees associated with researcher access and use, or require that users have specific academic credentials or research projects in order to have access. Other private archives do not grant

public access to their collections, especially in the case of corporate or business archives where the mission is to support the company's needs and protect the legacy of the organization.<sup>8</sup>

One common example of a private archives program is a historical society, whose mission is to collect in specific historical areas and also to maintain the organization's records. In the United States there are several hundred historical societies at the state, regional, local, and community levels. Most historical societies are non-profit entities that receive funds from private and public sources. They operate with funds from membership dues, grants, and direct donations. Other historical societies are quasi-governmental but administered by a separate private organization.<sup>9</sup> Historical societies employ archivists, librarians, and curators and also rely on volunteers. In addition to archival and manuscript collections, many historical societies have galleries, permanent museum exhibits, and extensive public programs. Historical societies serve the needs of genealogists, family historians, and scholars. Most importantly, historical societies make significant efforts to involve their communities and members through programs, research services, and outreach.

Corporate archives are another type of private archives program. There are corporate archives within many for-profit corporations or large businesses, with the primary purpose to protect and manage the records of the organization and also to document institutional history. Corporate archives programs may be accessible to the public, but it depends on the organization and their policies of use by non-employees. In most cases, these archives programs are a unit within the company and are funded by the organization.

Special libraries and independent research centers are another type of private archives. Examples of such institutions include the Newberry Library in Chicago and the Huntington Library in Southern California. Similar to historical societies, most of these organizations rely on private funds, memberships, or donations to operate. Archivists, curators, librarians, and other professionals work in these archival programs. Special libraries and independent research centers maintain printed collections, manuscripts, archival records, art, objects, and extensive research files, often focused on specific areas of study, such as modern European history or the history of the American West. These archives support public programs and community outreach.

Despite the diversity of programs, there is significant overlap in the missions and operations of academic, government, and private archives. All of today's archives programs face similar donor challenges, especially the need to secure new resources beyond traditional sources of support. Increasing efforts to reach donors is one way to acquire collections, secure funding, and raise awareness. But to build a successful donor program, archivists must be prepared for donors. An important first step is defining what an archives program collects and does not collect.

## COLLECTION CLARITY

Collections have the power to define archival programs. Research collections of international significance at a large university archives or hundreds of family files at a community historical society are the results of targeted collecting. Other times, a few sudden but substantial acquisitions result in strong research collections in specific areas. No matter how collecting areas begin or develop, archives programs must have a policy to help guide the way.

Many archives programs started by collecting material in a broad and sometimes random fashion and later deciding which areas to target. Other archives began slowly and expanded rapidly because of a wealth of available material. Many of the archivists leading these programs literally could not or would not say “no.” The unpredictability of yearly funding also made collecting practices uneven. These trends contributed to the parallel problems of archives having large unprocessed backlogs and poorly described collections that are inaccessible. In the case of most government archives, laws and regulations define what is collected and retained. However, many government repositories expanded their mission to include receiving other types of material, such as a county courthouse collecting papers of local politicians or businesses. Similarly, these valuable collections remained underserved and inaccessible to researchers.

Creating a strong collection development policy is a positive step away from ambiguous or haphazard collecting traditions. The process of creating a policy begins with a collections survey. During the survey, a team or an individual gathers collection-level information about the processed and backlog materials, by examining finding aids, acquisitions files, and the collections. As part of the process, archivists record information about scope and content notes, subject headings, the linear or cubic footage, the provenance or source of each collection, and any significant uses of the collection for instructional or scholarly purposes. In the process, archivists identify collections with possible use restrictions, joint ownership, preservation concerns, and digitization potential.<sup>10</sup>

Once the data is collected, the survey team creates a collections report with general recommendations about the program’s future collection development initiatives. More than just a list of existing collections, the report notes consistent patterns in processed and unprocessed collections such as frequently occurring subjects, individuals, formats, time periods, and types of media. The report identifies the program’s known collection strengths, the weak areas, and segments with the greatest potential for growth. It also points to collections that are candidates for deaccessioning. The data collected for the report identifies collecting areas of focus and areas to potentially discontinue.<sup>11</sup>

Using the results of the survey, archivists create a collection development policy for the program. A collection policy is based on the findings of the survey and report, past experience, known resources, and some assumptions about the future. Much like a mission or vision statement, it summarizes the collecting purposes of an archives program. A strong collection development policy should state in a few sentences or a short paragraph exactly what the archives program collects and what it does not collect. It should be unambiguous in its scope and encourage the donation of material in specific areas, rather than being too broad. The policy should be rigid enough to determine which materials fit or do not fit the scope, which provides the archivist with flexibility to take some items and not others. For archivists faced with sudden acquisition decisions, the policy should be specific enough to allow them to say both “yes” and “no” to potential donors and their collections. The policy should also be flexible and adaptable as new resources, collections, and research interests emerge. The collections development policy governs acquisition decisions of the program and should be widely shared with and communicated to the public.<sup>12</sup>

A short, clear, and publicly available collection development policy is a vital part of a strong archives program. Following the established policy is even more important. Collection development is a shared responsibility for all archivists, whether their job is focused on reference, instruction, processing, or digitization. All members of an archives program, not just the leader of the program or the person responsible for donor relations, should be familiar with the kinds of collections that have been acquired and current collecting priorities. Acquisition decisions, whether positive or negative, should be shared with all employees within the program in order to avoid conflicting communication and information. Clarity on what a program collects and what a program does not collect is crucial for donor preparedness.

## SOURCES OF DONATIONS

To prepare for donors, archives must know the common sources of donations. A donation is defined as transferring legal title of property without compensation. A simple form, such as a deed of gift, documents the transfer and includes the details of the donation. For archives, the donor may be a person, a group, or an institution.<sup>13</sup> Most commonly, a donation consists of a donor transferring historical or archival material to an archives program. Donated materials are organized as collections of official records, family papers, faculty papers, manuscripts, or other groupings. These collections include formats such as documents, correspondence, photographs, official records, diaries, ledger books, hard drives, electronic media, printed publications, and objects.

A direct donation of funding or other resources is a second form of a donation made to archives programs. Supporters contribute funding for general archival purposes or for specific projects, such as funding to purchase archival supplies to house an architectural collection. Larger donations often form endowments, and the interest generated from the base gift can be used to support daily operations, pay employee wages, or purchase new collections.

Finally, a donation to archives can be in the form of outreach and involvement. For example, supporters donate their time to process a collection, secure space in a print and online publication to announce events at the archives, or represent the program while serving on the board of a community organization. These types of donations are more indirect, but they are extremely beneficial and raise awareness for the program.

Donations to archives can be a combination of material, funding, and other contributions. There is considerable overlap in the sources of donations for government, academic, and private archives. Identifying the most likely sources of material for an archives program will lead to effective donor relations.

For government archives the most common kind of donation is in the form of official material mandated by law to be transferred to the archives. Clerks, administrative assistants, records officers, and other professionals with the responsibility of managing and protecting active records are by default the donors of material to archives. In this case the location is not a choice, but the steps in the process are identical. Other records or material comes from local residents, affiliated organizations, or businesses. For example, a state library and archives launch an active lecture series, which brings in Civil War scholars, historians, and collectors. Following each lecture an archivist is available to talk with potential donors about their collections. Similarly, a manuscripts division within a public library works with local groups, historians, or an advisory board to solicit new material and funding for their archives.

Academic archives rely on donors for official records and other historical material. If a college or university has a records management program, archivists work with records managers to receive official records for the archives. Administrative assistants, department heads, and other personnel are also common donors of official materials. Departments or campus units are sources of research material or files from faculty and employees. Some academic archives avoid or limit the acquisition of faculty papers, while other programs seek out such collections.<sup>14</sup> Alumni and other school supporters are frequent donors to academic archives. Off-campus organizations and individuals with no institutional affiliation also support academic archives with donations of material and resources. For example, a potential donor purchases a store ledger book at a yard sale that documents business transactions



between the store and the town's college. The donor has no affiliation to the school but decides to donate the item to the college archives so that it will be available for researchers.

Private archives rely on a broad base of donors to support their operations and acquire new collections. Historical societies depend on outreach to the scholarly and local communities for donor support. Membership costs provide some level of support. In a similar way, special libraries, like independent research centers, depend on donations from members, scholars, and other supporters. For example, a member of an advisory board for an independent research library is also a board member of a regional energy company, which makes frequent donations to non-profit organizations in the area. The board member refers an archivist to someone in the company to discuss potential ways to support the archives.

Sources of donations for corporate archives are similar to the groups who support government archives. Most commonly, corporate archives build their collections on official records and materials from offices or departments within the organization. Materials are collected through a records management program or a more informal process. In addition, donors to corporate archives are former employees, company stakeholders, or collectors.

The main purpose of a donation is to improve the overall effectiveness of an archives program. Donations come in many forms and bring immediate and long-term benefits. New materials enhance research, generate scholarly discourse, and expand the documentary record. Some donors understand these goals before contacting an archivist, while other donors need the help of an archivist to explain how a gift might improve an archives program.

## WHY DONORS DONATE

Donors are motivated to make gifts to an archives program for many reasons. Understanding the reasons or motivations behind donations prepares archivists to work with donors, especially the surprise or unexpected donors. The following categories represent some of the most frequent donor motivations.<sup>15</sup>

### **The Right Thing to Do**

One of the most common reasons behind a donation is that a donor concludes that placing their collection, funding, or other resources in the hands of an archives program is simply the right thing to do. Such donors have little self-interest and are focused on the larger benefits, such as access for scholars, placing material alongside complimentary collections, guaranteeing that the material will survive long after their passing, or creating an endowment to support the program. This form of motivation may develop over decades or a

lifetime. For example, a family has in their care a collection of letters from a relative who fought in the Mexican War. During a family reunion, the eldest member of the family announces that she wants to donate the letters to a historical society in Texas that has many collections of original sources related to the Mexican War. She based the decision on three factors: the letters need to be publicly accessible; the letters should be in a repository with other original accounts of the Mexican War; and future generations of their family need to know that their connection to the past has been preserved and protected. Clearly, the arguments for the donation are that it is the right thing to do for not only the family but the letters themselves. The family concurs and she contacts the historical society to start the donation process.

Other times a donation based on making the right choice for the donor and the material happens suddenly. Donations frequently occur at critical moments of life changes, such as moving or following the death of a relative. In these situations there is a limited window of time to make a decision about a donation and to expedite the process. In the case of the death of a family member, estates may need to be settled quickly, which results in houses cleared of possessions. In the process, relatives or the executor of the estate discover original material, collections of books, objects, scrapbooks, and other sort of material with potential historical value. Following such discoveries, there is the practical realization that items should be donated to an archives because they belong there, and not in a landfill. Sometimes people designate a donation of material or funding in their wills, but do not communicate that information with their family. As a result archives receive sudden calls from a relative or a lawyer regarding the wishes of someone recently deceased. Archivists must be able to respond to such urgent demands by offering to review material while also keeping a level of respect and sympathy for the wishes of the donor, the family, and the recently deceased.<sup>16</sup>

A decision to donate for largely selfless reasons also results from long-term involvement with an archives program. For example, an English professor at a medium-sized university is a frequent visitor to the university archives, which is part of a special collections department. Over the course of twenty years of teaching and producing scholarship, he has collected medieval manuscript leaves. Although the special collections department only has a few pre-printing press items, the professor wants to donate his collection and funding to support student research scholarships on medieval history. Positive experiences in the reading room, instructional sessions for his graduate students, and past collaborations on digital projects were important factors in helping the professor to consider a donation.

Often the positive influence of an archives program sways donors to make a final decision based on the right reasons. Archivists prepare for altruistic donors by being ready to articulate the purposes of their program and explaining the donation process from start to finish. Having a clear

collection development policy on the program's website will allow potential donors to consider their options before contacting an archivist. The sometimes sudden and urgent nature of donations makes it imperative for archivists to be ready to move quickly and keep open lines of communication. Donations of funding often require input from development officers or financial managers, so archivists must make those connections beforehand. Selfless donations have few limits, and archivists can play an important role in helping the donor make decisions with the widest range of benefits for all.

### **Sense of Immortality**

Many potential donors are interested in contributing to archives programs as a way to give back while also recording their own legacy. Much like a published book is evidence of an individual's scholarly contribution, many people view archives as a way to convey the power of immortality by preserving material, information, and history for future generations. These donors often see that their collection and their donation is a part of history worth recognizing. Their motivations are altruistic, but many of these donors prefer some sort of recognition for their efforts. For example, a donor makes an enormous donation to endow the operations of an archives and the program is renamed the Jane Smith Special Collections Department. When building new facilities or renovating, archives offer naming opportunities such as reading rooms or engraved bricks adorning the structure. This sort of physical manifestation of support appeals to many. Other donors are satisfied that their names appear in the online finding aid as the donor of the collection.

Donors with this type of motivation often require extra attention and time from archivists before, during, and after the donation. They understand that their donation is significant and want to continue their relationship with the archives. A positive result of such an ongoing relationship is future donations of collections, resources, or their time. These outgoing donors serve as representatives of the archives program in both informal and formal settings. However, some donors with this type of motivation are not ready to let go of either the collection or the limelight associated with the gift. Archivists have to limit their time with certain donors motivated by the immortality of a donation in order to remain connected with other donors.

### **Institutional Allegiance**

A love for the institution motivates donors to contribute to archives. These donors have a personal or professional connection to the larger institution, of which the archives is part, or they have a bond to the archives program itself. Donors of this type are drawn to the institution because of other factors such

as their belief or admiration of the institution's mission, leadership, academic programs, facilities, collections, services, or types of community outreach. In academic archives, alumni and school supporters represent a large part of the donor base. The donors are often motivated by the school's history; they recognize the opportunity to improve some component of the campus experience; or they simply want to give back to the institution that gave so much to them. In other types of archives programs, donors have a deep sense of institutional connection and want their gift to enhance an already strong base.

Preparing for donors with a strong institutional allegiance requires knowledge of the institution's past and present. For example, a college archivist talking with a graduate of the late 1960s should be familiar with the school's major events from the period—who was president, the details of numerous campus sit-ins, the sudden growth of the student body, and the construction of a new library where the archives program is now located. The archivist must not make assumptions about the donor while a student (e.g., the student participated in sit-ins), but should be able to make general connections to the period that the donor was a part of. As another example, a corporate archivist encounters a retired employee who wants to volunteer their time and donate their personal collection of the company's printed advertisements from the 1940s. Finally, a donor worked on President John F. Kennedy's 1962 campaign and wants to make a gift of funding to support research at the Kennedy Presidential Library in Boston.

When working with donors who have a strong bond to the archives or the larger institution, archivists must be prepared to explain immediate and future needs. Too often donors arrive and ask what is needed or how their gift might be used, only to receive a vague response from an unprepared archivist. Instead, archivists should be clear about their program's anticipated needs in general areas including collection development, staffing, computer and other equipment, public programs and outreach, and facilities. Each donor has different interests, so it is the archivist's challenge to connect them with an area that needs new resources and satisfies the donor's desire to support the institution and the archives program.

This type of donor is commonly self-motivated and at the point of initial contact is likely unknown to archivists and the institution's fundraising unit. As a caveat for working with a donor with this type of motivation, archivists should be prepared to do more listening than talking. Often these donors have stories to tell about their former workplace, alma mater, or subject of research, and archivists should be attentive and courteous to their needs.

## **Tax Deductions**

A donation of material, whether books, manuscripts, family papers, photographs, or other archival items, to an archives program may be eligible for a

personal deduction on annual federal income taxes. There is a general assumption that tax benefits and possible deductions for a charitable donation are chief motivators for donors to archives. However, that factor is usually a secondary or non-existent reason for a donation of material to archives. The majority of donations to archives begin for altruistic reasons, and at some point in the negotiation process the donor and archivist discuss potential tax benefits. Other times the idea of a tax deduction does not occur to the donor, or when first discussed donors take no interest in this option. Simply put, tax incentives for a donation are an added and optional benefit that archivists should mention but not force upon donors.

Archivists must be prepared for donors who are motivated by receiving income tax benefits because of their donation to an archives program. Archivists are not lawyers for the institution (even if they hold a law degree) and they are not experts on tax laws, but they need to be familiar with the process and potential tax benefits for donors. When it comes to tax advice, archivists should be prepared to answer basic questions and refer donors to experts. Perhaps the most complex part of advising donors about possible tax incentives is the process of determining the market value of the donated material. More details on the process of helping donors determine market value for the donation of material appears in chapter 5.<sup>17</sup>

### **Because They Have To**

Because of the position they hold, some donors are required to make a donation and have no choice. Many types of government archives, for example, rely on records keepers in offices, units, or agencies to comply with laws or mandates that require them to donate their material. This type of scenario is also common for college and university archivists who work with institutional records managers and administrative assistants to collect official materials for the archives. Such a motivation can be burdensome for the donor, who prefers to have an archivist remind them about a scheduled donation.

A transfer of material from one part of an institution to another is a donation. Even though these donors have little choice about making a donation, they deserve respect and attention from archivists and a high level of customer service. Part of the archivist's duty is to articulate the importance of the material being donated. Archivists must be familiar with legal requirements, records schedules, and past practices that have dictated the process, and should approach the process and person the same way they would approach their work with an unexpected altruistic donor.

## Cannot Bring Themselves to Throw Away Material

An all too common scenario for archives programs is a donor who needs to eliminate material from their own working and living spaces, but rather than throw away the material, some of which may have historical value, they want to give it all to an archives. These potential donations are perhaps some of the most risky for archives since the interaction is usually speedy, the amount of material can be large, and most importantly the historical value of the material is questionable. Few donors with this motivation have a clear concept of what an archives program collects, and they may base their intentions to donate on convenience or because they equate something old as possessing research value.

For instance, a potential donor to a historical society is cleaning out a storage unit with fifty boxes of material from the family's failed business from the 1990s. She wants to empty the unit, but because of the sentimental attachment to the collection, the donor cannot throw away anything. The donor assumes that either all the material is valuable to someone, or she recognizes her lack of expertise in evaluating the material. She decides that the nearby historical society, which collects local business records, might be interested in either keeping some of the collection or disposing of it. She drives her moving van with the boxes to the historical society in search of an archivist.

As another example of this motivation, a university professor accepts a position at another institution and wants the research notes that relate to the school's history to be part of the university archives. However, intermingled with those notes are files from other projects, student work, and other professional materials related to two decades of work at the university. Because of the urgency, the professor loads the material and leaves fifteen boxes on the library's loading dock with a handwritten note of explanation. The archivist arrives the next day to find the unexpected donation.

The "walk-away" donations are perhaps the most difficult type of donations for archivists to deal with. When collections are left at the loading dock or the front door, archivists should do an initial review of the material before officially accessioning it. In advance of these unexpected donations, archivists must make sure that their website and other promotion material provides clear information about making a donation, contacting an archivist first, and the right of archivists to discard or not accept unsolicited donations.

Accepting or receiving donations from the donors who cannot bear to discard the material results in numerous collections in the archival backlog with little if any accession documentation. Backlog collections with no deed of gift or little donor information are easily classified as low-priority collections for processing. Over time these collections languish, and institutional memory of the donation evaporates. The process of discarding portions of or

entire collections is complicated, especially for public institutions that consider donated materials as institutional property. For instance, when a university archivist at a land-grant school accepts professional files from a professor, the material becomes property of the state. Eliminating or deaccessioning certain parts of the collection, such as textbooks and publications, requires the archivist to work with fixed assets managers and follow university protocol about disposing of state property.

Preparing for these donors is difficult since they are unexpected and their decision to donate has already been made before contacting the archives program. Because of their inability to discard the material themselves, these donors view the archives program simply as a way to unload their burden. These donors expect that archives will take great interest in their collection and may later be shocked to learn that the archives added their donation to the recycling bin.

## THE DEED OF GIFT AND OTHER DONATION FORMS

Archives rely on a small number of forms to record the transfer of property to an archives program. The first type of form is an exchange of letters between the donor and an archives program. The exchange may be simple, such as a donor mailing a package of company publications with a cover letter stating that they wish to donate the items to the archives program. Other times, there may be ten years of correspondence between a donor and the archives related to a donation of glass plate negatives of an early photographer and naturalist in California before the material is finally donated. The correspondence indicates the basics of a donation: the donor's intentions, the material being donated, and what the archives agrees to do with the donation.<sup>18</sup>

Wills are another common form used to represent donations to archives. Donors specify in their will that funding or material will be donated to an archives program following their death. As noted before, sometimes archivists first learn of the donor's intentions to donate after the donor is deceased and the executor is fulfilling the details of the will. Such donations may be unwelcome, especially if the material does not fit the purposes or collecting areas of the archives. Other times, a will makes a direct contribution of funding to an archives program. Development officers encourage donors to arrange gifts and donations while they are still living and communicate those details to those directly affected. When donors to archives are involved in the process of estate planning or have been identified as major donors, archivists must be part of the conversations.<sup>19</sup>

A deed of gift is the most common legal instrument used to make a donation. This simple document legally transfers property to an archives program. It establishes that the donor has ownership and the right to donate

the material. The deed of gift includes the terms of the donation, such as what the archives may or may not do with the collection or possible restrictions that the donor would like to place on the donation. Finally, the form gives a brief description, or refers to a more detailed inventory, of the material so there is no ambiguity in exactly what is being donated. A deed of gift can include other information, but the point is to clearly state who is donating, what they are donating, and to whom they are donating. Unlike letters and wills, the deed of gift is signed and dated by both the donor and a representative of the archives program. A deed of gift is a legally binding form that stipulates the conditions of a donation. The deed of gift is simple, concise, and unambiguous in nature, and the template is usually created with the help of the organization's legal department. More than other forms of transfer, the deed of gift is the most legally binding instrument for a donation.<sup>20</sup>

Another way to conceptualize and create a deed of gift form is to consider a set of questions that must be answered. First, who is the donor? The deed of gift must articulate who is donating the material and then that person must sign the form. Their signature symbolizes that they have ownership of the material and have full rights to make the donation. Second, who is the recipient? Most donations are actually given to the institution that the archives program is part of, such as the college itself and not the college archives. Also, the archivist receiving the material on behalf of the program and the institution must be identified and sign the deed of gift. Next, what materials are being donated? The deed of gift can include a short description with the shelf size, date range, formats, and general historical coverage, or it can refer to a much lengthier inventory of the collection. Also, are there any restrictions on use of the collection? Some donors want to place access limitations on their collections, such as a request to keep correspondence files closed until the death of the donor. Other donors want to retain specific intellectual property rights or not allow their material to be digitized and placed on a public website without their approval. These considerations are important and must be thoroughly discussed before an archives program agrees to take the material. Finally, what does the archives program agree to do with the donation? The deed of gift should include a summary of the responsibilities that the archives program takes for the collection, such as saying that archive agrees to arrange, describe, preserve, manage, and provide access to the donation in perpetuity.<sup>21</sup>

Temporary agreements between donors and archives constitute a final category of forms used in the donor process. Many archives began their program by acquiring collections on deposit, loan, or bailment. One justification to acquire collections in this manner is that a program can quickly build collections and, if they can demonstrate good stewardship to the owner, acquire those collections on a permanent basis after the loan period. But it is more common for collections on deposit or loan to remain on loan or deposit.



Accession files are littered with short-term agreements, which contain a variety of conditions, restrictions, and time limits. In many ways, collections on deposit represent liabilities for the archives program.<sup>22</sup>

In rare cases, the uniqueness of the material makes a deposit or a loan worth the effort. For example, a university archivist agrees to accept the personal papers of the university's first president from a descendant for a five-year loan period, largely because the school is planning to celebrate its sesquicentennial anniversary. The greatest danger of accepting collections on loan or deposit is that the property holder usually reserves the right to retrieve the material at any time. If the owner retrieves the material, then it is no longer accessible to current and future scholars, and the removal of a loaned collection undermines and negates the time and resources that the archives program devoted to that collection. Perhaps more importantly, past scholarship based on that material suddenly has less validity since the material is no longer available for consultation at the archival repository.

When planning for donors, archivists consider the long-term consequences of the agreements and forms. An agreement that results in clear ownership of material for the archives is the right agreement. The advantage of using a deed of gift is that they are scalable, concise, unambiguous, legally binding, and adaptable. Further, donors appreciate a simple process and simple forms, especially when they have reached the decision to donate to an archives program.

## INTERNAL COMMUNICATIONS

For many archives programs, only one or two archivists have assigned responsibility for donor work. Institutions have administrative reasons for limiting the number of archivists involved in donor work. Most often the leader of the program works with donors, or an archivist focused on collection development is the point of contact for donors. In larger archives programs, the work of archivists can be very regimented and focused on specific activities, such as processing, reference services, preservation, or instruction. The result is that effective donor relations traditionally rested on a small number of professionals.

A more effective model for working with donors is to include a greater number of archivists in the planning and the process of accepting collections. While donors prefer to speak to only one or two people, instead of working with someone new each time they contact the archives, there are other parts of the donor process that should include other archivists. The integrated nature of archival work has contributed to less regimented duties for archivists and made it possible for others to gain experience in facets of donor work.

Sharing information and including others when appropriate is the best way to distribute donor responsibilities throughout the program. Some larger programs develop a communications strategy for donor work, while smaller departments form a small committee that meets as needed. Once roles are clarified, archivists share that list of responsibilities with everyone in the program. Another useful exercise for preparing for donors is to identify who is involved in the different stages of the donor process, any potential overlap of duties, and how to share information.

File rooms with donor and collection files are still common in archives, but much of this information can be stored electronically. Collections management software, such as Archivists' Toolkit, Archon, and ArchivesSpace, allows information about donors and donations to be quickly updated and accessible to all of those in the department. Archival software allows archivists to follow a donation from the time of initial contact to the completion of a finding aid.

Internal communication about potential donors can be informal, such as casual conversations or e-mails. Other times, significant donations require involvement from others outside of the program, such as another department head or even the chief executive officer of the company. The lead archivist directs the process, but they can only be effective if they communicate with others and include those who have a direct stake in the donation. Donations unfold at different intervals, but they can fall apart if the archives program does not maintain clear communication with the donor and with others in the program. All of the communication related to a potential donation must be documented in some way, shared as needed, and then kept permanently with other information about the donation.

## KEY POINTS

Before a potential donor walks into a special collections department at a small college on a Monday morning with a shoebox tucked under his arm, all staff members must be prepared. Donations happen over the course of years or within a matter of minutes, which makes it imperative that archives programs are prepared. All archivists, not just those leading the program or with designated responsibility for donor relations, have an obligation and a responsibility to understand the basic purposes of their program, what kinds of materials their program collects, and how to provide useful and professional advice to potential donors.

This chapter focused on common ways to prepare for donors. Effective donor work requires that archivists understand the mission, collection development objectives, and ongoing needs and limitations of their program. Understanding common motivations of donors is a crucial part of planning.

The majority of donations to archives programs are altruistic, intended to help a wide range of people and groups, demonstrate respect for the institution, and focus on the best possible location for their material, funding, or other support. Archivists are charged with helping the donor make the “right” decision even if that means that their donation goes to a rival institution. Some donors want attention or publicity for their donation, while others have an interest in receiving a tax deduction for their donation. Archivists must be ready to respond to such common requests. Additionally some donors are legally obligated to transfer their material to the archives and just need assistance to complete the transfer. These donors deserve respect and high-quality service.

There are a few standard forms used by archivists to complete a donation, with the deed of gift being the most common. A deed of gift represents a transfer of personal property. It is a legally binding document that confirms ownership, describes the material being donated, indicates any possible restrictions, and explains what the archives agrees to do with the donation. Archivists should carefully consider the short- and long-term effects of taking collections on deposit or loan. There may be good reasons to enter into a temporary agreement with a potential donor, but there are also plenty of reasons to avoid such arrangements.

The simplest way to be prepared for donors is to review past donations and practices, have clear lines of communication, and share responsibility for the many parts of the donor process. Every collection and donation to an archives program has a story behind it, and sometimes reviewing those stories helps clarify what a program should be collecting or how to avoid mistakes of the past. A donation of archival materials, funding, or other resources is a serious and sacred pact between archivist and donor, and archivists must be ready to work with donors at that level. As the next chapter explains, it is the professional obligation of all archivists to understand the expectation of donors and to work with them to reach common ground.

## NOTES

1. In this book, the term “archives program” covers a broad range of cultural heritage institutions that have a collecting, curatorial, informational, or archival function. Likewise, in this book the term “archivist” refers to a broad group of professionals who work within archives programs, not just professionally trained archivists.

2. Richard Pearce-Moses, *A Glossary of Archival and Records Terminology* (Chicago: Society of American Archivists, 2005), 30–32.

3. Aaron D. Purcell, *Academic Archives: Managing the Next Generation of College and University Archives, Records, and Special Collections* (Chicago: Neal-Schuman, 2012), 4–5.

4. James M. O’Toole and Richard J. Cox, *Understanding Archives and Manuscripts* (Chicago: Society of American Archivists, 2006), 119–32.

5. General sources on academic archives include: William J. Maher, *The Management of College and University Archives* (Chicago: Society of American Archivists, 1992); Purcell,

*Academic Archives*; Helen Willa Samuels, *Varsity Letters: Documenting Modern Colleges and Universities* (Chicago: Society of American Archivists, 1998); Christopher J. Prom and Ellen D. Swain, eds., *College and University Archives: Readings in Theory and Practice* (Chicago: Society of American Archivists, 2008).

6. General sources on government archives include: Bruce W. Dearstyne, *Managing Government Records and Information* (Prairie Village, KS: ARMA International, 1999); T. R. Schellenberg, *Modern Archives: Principles and Techniques* (Chicago: University of Chicago Press, 1956); T. R. Schellenberg, *The Management of Archives* (New York: Columbia University Press, 1965).

7. See Donald R. McCoy, *The National Archives: America's Ministry of Documents, 1934-1968* (Chapel Hill: University of North Carolina Press, 1978); Victor Gondos Jr., *J. Franklin Jameson and the Birth of the National Archives* (Philadelphia: University of Pennsylvania Press, 1981).

8. General sources on private archives include: James M. O'Toole, ed., *The Records of American Business* (Chicago: Society of American Archivists, 1997); Arnita A. Jones and Philip L. Cantelon, eds., *Corporate Archives and History: Making the Past Work* (Malabar, FL: Krieger Publishing Company, 1993).

9. Pearce-Moses, *Glossary*, 192.

10. John A. Fleckner, *Archives and Manuscripts: Surveys* (Chicago: Society of American Archivists, 1977), 2-6; Gregory S. Hunter, *Developing and Maintaining Practical Archives*, 2nd ed. (New York: Neal-Schuman, 2003), 22-31.

11. Hunter, *Practical Archives*, 38-41, 51-53.

12. Richard M. Kesner, "Archival Collection Development: Building a Successful Acquisitions Program," 117-19; Mary Lynn McCree, "Good Sense and Good Judgment: Defining Collections and Collecting," 104-11, both in *A Modern Archives Reader: Basic Readings on Archival Theory and Practice*, ed. Maygene F. Daniels and Timothy Walch (Washington, DC: National Archives and Records Service, 1984).

13. Trudy Huskamp Peterson, "The Gift and the Deed," *American Archivist* 42 (January 1979): 61-66.

14. General sources on collecting faculty papers include Tom Hyry, Diane Kaplan, and Christine Weideman, "'Though This Be Madness, yet There Is Method in't': Assessing the Value of Faculty Papers and Defining a Collecting Policy," *American Archivist* 65 (Spring/Summer 2002): 56-69; Tara Zachary Laver, "In a Class By Themselves: Faculty Papers at Research University Archives and Manuscript Repositories," *American Archivist* 66 (Spring/Summer 2003): 159-96.

15. See Deni Elliott, *The Kindness of Strangers: Philanthropy and Higher Education* (Lanham, MD: Rowman & Littlefield, 2006), 53-54; Paul H. Schneiter, *The Art of Asking: A Handbook for Successful Fund Raising* (New York: Walker and Company, 1978), 23-32.

16. See Geoff Wexler and Linda Long, "Lifetimes and Legacies: Mortality, Immortality, and the Needs of Aging and Dying Donors," *American Archivist* 72 (Fall/Winter 2009): 478-95.

17. See Kenneth W. Rendell, "Tax Appraisals of Manuscript Collections," *American Archivist* 46 (Summer 1983): 306-16; Society of American Archivists, "A Guide to Donating Your Personal or Family Papers to a Repository," available at: <http://www.archivists.org/publications/donating-familyrecs.asp>; Society of American Archivists, "A Guide to Donating Your Organizational Records to a Repository," available at: <http://www.archivists.org/publications/donating-orgrecs.asp>.

18. Peterson, "Deed and the Gift," 61-62; Gary M. Peterson and Trudy Huskamp Peterson, *Archives & Manuscripts: Law* (Chicago: Society of American Archivists, 1985), 24.

19. Victoria Steele and Stephen D. Elder, *Becoming a Fundraiser: The Principles and Practice of Library Development*, 2nd ed. (Chicago: American Library Association, 2000), 110-14; Peterson, "The Gift and the Deed," 62; Peterson and Peterson, *Archives & Manuscripts: Law*, 24.

20. Peterson, "The Gift and the Deed," 62-65; Lisa Browar, "An Oral Contract Isn't Worth the Paper It's Printed On," *Rare Books and Manuscripts Librarianship* 6 (1991): 102; Frank G. Burke, *Research and the Manuscripts Tradition* (Chicago: Society of American Archivists, 1997), 177.

21. Peterson, "The Gift and the Deed," 62–65.
22. Peterson, "The Gift and the Deed," 66; Ronald L. Becker, "On Deposit: A Handshake and a Lawsuit," *American Archivist* 56 (Spring 1993): 321; Browar, "Oral Contract," 105.

