



MADN-LIB

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Library Policy Operating Memorandum No. 3-1

Gifts and Donations

	Para
Purpose	1
Applicability.....	2
Authority to Accept Gifts	3
Scope of Collections	4
Condition of Gifts.....	5
Terms of Gifts	6
Access to Donated Materials	7
Materials on Deposit or Loan.....	8
Copyright.....	9
Appraisals and Tax Deductions for Charitable Gifts	10
Acknowledgement	11
Coordination.....	12
Physical Transfer of Materials	13
Retention of Gift Records	14
Exceptions.....	15
Proponent	16
Expiration	17

1. **PURPOSE:** The United States Military Academy Library exists to provide library and information services to support cadets, faculty, and staff as well as to document the history and contributions of West Point, the U.S. Military Academy, and Academy alumni. To that end, the USMA Library accepts gifts-in-kind to support these missions, and can receive funds through the West Point Association of Graduates and Directorate of Academy Advancement in furtherance of these missions.

2. **APPLICABILITY:** This policy applies to all individuals or entities wishing to provide gifts and/or gifts-in-kind to the USMA Library.

3. **AUTHORITY TO ACCEPT GIFTS:** The Librarian, USMA is authorized by the Superintendent, USMA to accept gifts-in-kind up to \$5,000 in value. Gifts exceeding this value will be accepted by either the Superintendent, USMA, or the Secretary of the Army per federal





law and U.S. Army regulation. The Librarian, USMA will advise donors regarding the proper process and accepting authority for any other type of gift including monetary gifts or endowments.

4. **SCOPE OF COLLECTIONS:** The USMA Library collects materials appropriate for a general undergraduate research collection as well as materials related to the history of the West Point Military Reservation, the United States Military Academy, and graduates of the United States Military Academy. The Library collects both published and unpublished works and manuscripts. Generally materials that do not fit into one of these areas of focus are better suited for another library. USMA Library staff can consult on the appropriateness of any given item or collection and provide references to other libraries or repositories as appropriate. Gifts of class rings are made in accordance with Library Policy Operating Memorandum 3-2.

5. **CONDITION OF GIFTS:** Generally, materials offered as gifts-in-kind to the USMA Library should be original and in good condition consistent with other materials made available in an undergraduate research library. Photocopies, duplications, and digital reproductions are generally not accepted. Materials that are damaged, brittle, moldy, heavily marked or defaced, or that have been discarded by other libraries are generally not accepted.

6. **TERMS OF GIFTS:** Gifts-in-kind that are accepted by the USMA Library become the absolute and unconditional property of the Library and cannot be returned to the donor for any reason. After the Library has taken possession of an item, the Library is free to make all decisions with respect to the processing, retention, storage, use, and disposition of that item. Materials, including portions of collective gifts, which the Library determines are not suitable for accessioning into the collections may be offered to other institutions or libraries, sold, or recycled in accordance with Library policies, procedures, and Federal law.

7. **ACCESS TO DONATED MATERIALS:** Donors are granted the same right to access and use materials they have donated as other members of the public (i.e., materials may be accessed after they have been processed, during normal business hours, and in accordance with the Library's then-current rules and regulations).

8. **MATERIALS ON DEPOSIT OR LOAN:** The USMA Library does not accept materials for our collections on deposit, loan, or under temporary custody agreements with donors, except in support of a specific event, exhibit, or curricular requirement. Such exceptions must be approved by the Librarian, USMA.





9. **COPYRIGHT:** In general, the USMA Library asks donors of unique and/or unpublished materials for which the donors own the copyright to transfer the copyright to the Library. In cases where the copyright is not transferred to the Library, it is understood that the Library may in its sole discretion and without further approval of the donor: (i) make copies of or otherwise reproduce any or all of the materials for preservation and reference purposes; (ii) make copies of the materials for research, educational, and editorial uses by third parties (any fees charged by the Library for this service are used to offset the Library's related costs); (iii) display and exhibit (and permit others to display and exhibit) and make copies of the materials for exhibition purposes or other related purposes, including exhibition catalogues, promotional materials (including posters), and informational materials about the Library; and (iv) post digitized versions of the materials on the Library's website.

10. **APPRAISALS AND TAX DEDUCTIONS FOR CHARITABLE GIFTS:** By law, the USMA Library cannot assign values to gifts-in-kind. For donations that exceed a value of \$500, IRS Tax Form 8283 must be filed. Guidance on the tax aspects of donations is provided by IRS Publication 526 (Charitable Contributions), Publication 561 (Determining the Value of Donated Property), and Publication 1771 (Charitable Contributions - Substantiation and Disclosure Requirements). Donors should arrange to have all appraisals completed prior to donation and the physical transfer of custody of materials to USMA Library.

11. **ACKNOWLEDGEMENT:** The USMA Library acknowledges all gifts-in-kind via letter. For materials processed and added to our collections, a note is made in the catalog record of the item with the name of the donor. Physical attribution or acknowledgement on gift materials purchased with gift funds or of gifts-in-kind will be made at the discretion of the Librarian, USMA, or in accordance with the gift agreement.

12. **COORDINATION:** Gifts and gifts-in-kind are coordinated through the administrative offices of the USMA Library. Generally, gifts should be pre-approved by email through the Office of the Librarian, USMA. We request a complete list of materials proposed for donation be sent via email to christopher.barth@usma.edu for an initial review by library staff.

13. **PHYSICAL TRANSFER OF MATERIALS:** Generally, it is the responsibility of the donor to send, ship, or deliver all donated materials to the USMA Library. All gifts-in-kind should be accompanied by a completed and signed Gift-in-Kind Donation Form available for download on the USMA Library website.





14. **RETENTION OF GIFT RECORDS:** The administrative office of the USMA Library maintains records of gifts made to the USMA Library.
15. **EXCEPTIONS:** Requests for exceptions to this policy should be made in writing to the Librarian, USMA.
16. **PROPONENT:** The proponent for this Dean's Policy Operating Memorandum is the Librarian, USMA, USMA Library, Office of the Dean, MADN-LIB, x3833.
17. **EXPIRATION:** This policy is effective until superseded or rescinded.

CHRISTOPHER D. BARTH
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