

**Whitman College and Northwest Archives
Deed of Gift Donor Agreement**

I/We, _____ (hereinafter referred to as the Donor), hereby give, donate, convey, and release the materials described below to the Board of Trustees of Whitman College (hereinafter referred to as the Donee), together with all my right, title, interest, and ownership in the below-mentioned documents, with the intention to vest all such rights irrevocably in the Donee. Unless otherwise stipulated, legal title of the materials shall pass to the Donee on their delivery to the Donee.

Description of Materials: Please include information about material types included (documents, diaries, correspondence, etc.) and the extent or size of the collection. Attach a separate document if necessary. For digital files, please complete Appendix A.

Information about the Creator(s): Please include any known biographical or historical information. Attach a separate document if necessary.

Dates of creation of the materials:

TERMS AND CONDIDITONS

1. **Copyright:** The Donor hereby gives, transfers, and assigns to the Donee all rights of copyright which the Donor has in (a) the materials and (b) in any of the Donor's works as may be found among any collections of materials received by the Donee from others, in the United States and throughout the world.
2. **Title:** Legal title of the materials shall pass to the Donee upon their delivery to the Donee.
3. **Disposition:** The location, retention, cataloging and preservation of the materials and other considerations relating to their disposition are at the discretion of the Donee in accordance with its policies. Items not retained during the initial processing or future reappraisal by the Donee shall be (initial on the line next to A, B, or C):
A. Discarded _____ B. Returned to the Donor _____ C. Other (please describe): _____
4. **Additional Donations:** In the event that the Donor or the Donor's estate may from time to time hereafter give, donate, convey to the Donee other materials, title to such additional materials shall pass to the Donee upon their delivery, and all the provisions of this instrument of gift shall be applicable to such additional materials. *The Donee may request additional descriptive information about any additional donations.*
5. **Restrictions:** The materials donated listed in this Deed shall be available for access and use by the public without restrictions unless specified in this document or the attached inventory. If any restrictions are imposed, a termination date must be stipulated. All restrictions must be documented with appendices to the deed of gift and approved by the Archivist.

6. **Duplication:** The Donee reserves the right to duplicate, reproduce, scan, or otherwise reformat these records for the purposes of preservation, access, display, research or education within the limits of copyright law.

DONOR CONTACT INFORMATION

Name(s): _____

Permanent Address: _____

Phone: _____ Email: _____

Relationship of donor to the creator or collector of this gift (if you are acting on behalf of someone else): _____

ARRANGEMENT, DESCRIPTION, AND ACCESS

The Donee will endeavor to arrange, describe, catalogue and make available this donation in a timely manner, and in accordance with professional best practices. Additional funding and resources may have to be obtained before the Donee is able to fully process and catalog these materials.

SIGNATURES

The Donor understands and agrees to the terms and conditions described herein:

Donor Name(s): _____

Signature(s): _____

Date: _____

The Donee accepts these materials and agrees to the terms and conditions described herein:

Donee representative: _____

Signature: _____

Date: _____

This section to be completed by Archives staff

Accession number: _____

Title: _____

Date received: _____

**Whitman College and Northwest Archives
Deed of Gift Donor Agreement**

Appendix A

Complete this section only if your donation includes born-digital records, such as emails, word processing documents, spreadsheets, audio files, etc.

On what operating system were the files created?

- | | |
|-----------------------------------|---------------------------------------|
| <input type="checkbox"/> Windows | <input type="checkbox"/> Unknown |
| <input type="checkbox"/> Apple OS | <input type="checkbox"/> Other: _____ |
| <input type="checkbox"/> Linux | |

Does the transfer include any digital media? Choose all that apply.

- | | |
|--|--|
| <input type="checkbox"/> Floppy Disks (3.5") | <input type="checkbox"/> Internal or external drives |
| <input type="checkbox"/> Floppy Disks (5.25") | <input type="checkbox"/> Other: _____ |
| <input type="checkbox"/> Optical media (CDs, DVDs, etc.) | |

Are any of the files email? If so, which client?

- | | |
|---|--|
| <input type="checkbox"/> Outlook (Windows) | <input type="checkbox"/> Google Mail (Gmail) |
| <input type="checkbox"/> Outlook (Thunderbird) | <input type="checkbox"/> AOL (Desktop) |
| <input type="checkbox"/> Apple Mail (Mac) | <input type="checkbox"/> AOL (Web) |
| <input type="checkbox"/> Apple Mail (Thunderbird) | <input type="checkbox"/> Other: _____ |

Are any files password protected? If so, do you have access to the password?

Do the files contain any sensitive or confidential information, such as tax records, medical records, or student records? If so, where are those records most likely to be found in the donation?

Though it is uncommon in cases other than donation of a physical hard drive, during processing, the Archives may come across hidden, system, or previously deleted files that may document that donor's use of computers or systems. Hidden and system files may include files that were deleted by the user but not emptied from the trash and log files that document the types of software used, all computer users, and dates and times of updates. If found, does the Archives have permission to delete these files?

- Yes
 No

If "Yes," we will find all hidden and system files to the best of our ability and delete them permanently.