

Fall 2004

## Libraries and Donors: Maintaining the Status Quo

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### Recommended Citation

Cox, Steven (2004) "Libraries and Donors: Maintaining the Status Quo," *The Southeastern Librarian*: Vol. 52 : Iss. 3 , Article 7.  
Available at: <https://digitalcommons.kennesaw.edu/seln/vol52/iss3/7>

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## Libraries and Donors: Maintaining the Status Quo

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### Introduction

Many librarians who manage special collections are grateful for the donations of items or collections that fall within their mission and collection scope. In turn, most donors find satisfaction in knowing that their gifts are housed in repositories, where they will be preserved and maintained by qualified staff and available to patrons for future years. Oftentimes donors, after receiving formal acknowledgement and sincere thanks for their donations, disappear back into the public landscape, perhaps glad to have found a new home for all those books or items. Their donations are unconditional—no strings attached and no demands for special recognition. The feeling that they have donated their items to worthy institutions is enough to please them.

In most cases, our ensuing relationships with donors are valuable and enjoyable. People and families occasionally give to libraries books, artwork, and monetary gifts and endowments. Their thoughtfulness and generosity often knows no bounds.

In rare circumstances, however, we find ourselves dealing with donors who present challenges. To the point that the librarians begin to regret having accepted their contributions, some donors follow their gifts with hints or demands that their contributions be given a large amount of attention. What drives donors to act in such a manner? What can be done about it? Can librarians do anything to prevent such behavior?

### Review of the Literature

Much has been written in the professional journals concerning gifts and donations to libraries. Many of these articles reflect on accepting gifts and donor relations. There is a shortage of articles, however, about refusing donations and dealing with donors who have overly high expectations of something in return

for their generosity. Paul L. Little and Sharon A. Saulmon write that donations to libraries should be classified as gifts. Libraries, they add, should address and identify the areas of need; and criteria should be set to determine which donations are kept. This criteria includes aspects such as whether the donation meets community needs; the donor remains financially involved in future expansions of the donation; the library retains control over the size and content of a collection; how the collection will be housed; and that there are no donor-imposed constraints.<sup>1</sup>

Ed Buis writes that gifts are never truly free. They cost the library time and money to process and may create problems later. Policies concerning gifts may save a librarian time in making decisions if the policies contain statements regarding the library's needs, acceptance of gifts without restrictions, and gifts other than library materials.<sup>2</sup> As Jennifer Paustenbaugh points out, special collections play an important role in shaping identities of libraries through exclusive and unique collections and materials. She adds that special collections librarians must lay the framework by developing a history of providing excellent care of their collections and professional stewardship to its donors. After all, donors may well make further donations and gifts in the future. Paustenbaugh also states that donors often have a greater emotional attachment to a donation of objects or their creations than they would to a monetary donation. Even though they might have made gifts of money in the past they would probably "require and deserve explicit communication about the proposed care of the material and what they may expect in terms of stewardship reports."<sup>3</sup> Veneese Nelson writes that if handled properly, gifts can be a cost-effective means of acquiring useful material. Nelson adds that a library needs a gift

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<sup>1</sup> Paul L. Little and Sharon Saulmon, "Gifts, Donations and Special Collections," *Public Libraries* 26 (spring 1987): 8-10.

<sup>2</sup> Ed Buis, "Killing Us With Kindness," *Collection Building* 11, no. 2 (1991): 10-12.

<sup>3</sup> Jennifer Paustenbaugh, "Fundraising For Special Collections," *The Bottom Line* 15, no. 4 (2002): 186-89.

policy, a gift procedure and a gift form. Disposing of unwanted gifts can be done by exchanges, donations, selling or discarding.<sup>4</sup>

Janice Norris points out the value of gifts and donations, stating that they can be important parts of collection development in that they can replace or add rare or out-of-print items.<sup>5</sup> Benita Strnad writes in her article that many donations are not suitable for a particular library, and that many donors only want to be rid of the books or items. She emphasizes the importance of collection development policies to help explain the type of items the library collects.<sup>6</sup>

Major donors are significant to institutions, Andrea Lapsley writes, because their gifts are often large enough to make a difference. Identifying major donors and the amount to ask for, she adds, is not often easy. The important keys are to identify, cultivate and solicit major individual prospects. Formulating plans for cultivating donors and soliciting are the first steps. Inviting the potential donor to consider a donation or gift should follow.<sup>7</sup>

If a gift is to be accepted, Peggy Johnson points out that many institutions have statements that cover relations with donors but few have policies addressing the selection of gift materials. Since all possible criteria may carry accompanying caveats, flexibility is a necessity and considerations should include the appropriateness of the gift, costs associated, and any restrictions that accompany the gift.<sup>8</sup> Mary Bostic writes that there are several ways to effectively handle gifts. The suitability of each

gift should be judged by the same standards applied to regular library items.<sup>9</sup>

Nicholas Basbanes writes that libraries, in order to acquire valuable collections, will often acquiesce to the whims of the donor. He adds that this situation could pose a problem, but not an insurmountable one. Their whims may be as simple as keeping the collection together as a unit. Or they could be slightly more demanding by asking, for instance, to keep collections sealed for a certain amount of time or to keep fresh flowers in front of the donor's portrait. Basbanes also writes that one of the major issues facing special collections librarians is the relationship of their libraries with private collectors, especially those who have amassed major holdings on particular subjects. These collections existed originally to satisfy the passions of their creators, as well as a way to achieve a sense of immortality.<sup>10</sup>

Declining gifts is not always easy, writes Kathleen Huston in an article about refusing gifts. But, she adds, there are valid reasons to do so. She includes the following in her list of reasons: Staff time and effort exceeds the gift's value; the gift meets neither selection criteria nor community needs; there are strings attached; the collection is too old and in poor condition; and the political or public relations price is too high. A librarian must be polite and direct but give the would-be donor the opportunity to save face. Invoking existing policies and donor forms may help.<sup>11</sup> Donald L. Dewitt, in another article dealing with refusing unsolicited gift collections, states that an offered gift or donation represents the donor's concept of the mission of the institution to which the donor makes the offer. Accepting the gift serves to reinforce the donor's self-identity and concepts. Refusing the gift rejects the donor's judgment as well as his gift.<sup>12</sup>

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<sup>4</sup> Veneese C. Nelson, "Buried Alive In Gifts," *Library Journal* 113, no. 7 (1988): 54-6.

<sup>5</sup> Janice G. Norris, "A Subject-Oriented Approach to Gifts Management and Donor Relations," *Collection Management* 27, no. 1 (2002): 41-57.

<sup>6</sup> Benita Strnad, "How to Look a Gift Horse in the Mouth, or How to Tell People You Can't Use Their Old Junk in Your Library," *Collection Building* 14, no. 2 (1995): 29-31.

<sup>7</sup> Andrea R. Lapsley, "Major Donors, Major Gifts," *The Bottom Line* 9, no. 2 (1996): 40-3.

<sup>8</sup> Peggy Johnson, "When to Look a Gift Horse in the Mouth," *Technicalities* 13, no. 6 (1993): 10-13.

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<sup>9</sup> Mary J. Bostic, "Gifts to Libraries: Coping Effectively," *Collection Management* 14, nos. 3-4 (1991): 175-84.

<sup>10</sup> Nicholas Basbanes, "Collectors and Libraries: Some Studies of Symbiosis," *Rare Books and Manuscripts Librarianship* 8, no. 1 (1993): 37-48.

<sup>11</sup> Kathleen Raab Huston, "How to Look a Gift Horse in the Mouth: Saying No to Donors," *The Bottom Line* 3, no. 1 (1989): 174-7.

<sup>12</sup> Donald Dewitt, "Unsolicited Marginal Gift Collections: Saying No or Coping with the Unwanted," *Library Acquisitions* 12, nos. 3-4 (1988): 357-62.

Little has been written concerning the reluctance, remorse and grief some donors experience in parting with their collections or items. Lucy Caswell explores this issue and writes that donors, much like people who experience the stages of grief, suffer levels of anger, bargaining and depression. Owners, she writes, have a significant attachment to the item or collection in that they have “put time, intellectual effort, and money into building their collection.”<sup>13</sup>

### Gift Proposals

In addition to spending large amounts of time processing collections and managing their department, librarians occasionally work with potential donors. The contributor may initiate contact by means of a letter, a personal visit, or a phone call. The would-be donor describes what he or she has to donate, and the librarian must decide whether to pass, to find out more about the item or collection, or to accept it. A historian’s donation of his personal research library could add an important collection to a library. A collection on a theme of interest, either locally or more widespread, can bring some recognition and prestige to a library, as Paustenbaugh notes, especially in an age where libraries are becoming more technology-oriented.<sup>14</sup> The individual who makes the decision on accepting or refusing donations and gifts would do well not to accept a contribution on the spot, but to personally view the offered material first and to obtain information about the donor.

Perhaps the donor is a prominent citizen. Maybe the donor is a citizen who wants to donate a collection of Benjamin Franklin’s letters, or hundreds of seventeenth-century rare books, or even a lifelong collection of oddly shaped gourds.

Certainly, a large collection of valuable books or historical documents would get one’s attention. But the librarian may wish to consider several aspects of the potential contribution. Are there donor-imposed conditions? If the donation is a collection of books, are they mostly duplicates of

titles already extant in the collection? If so, might they be used to replace deteriorating copies? Does the donor want his donation to have a room of its own? Perhaps you accept the gourd collection, because it’s easier just to say yes, only to find it numbers in the thousands and will completely take up already dwindling storage space.

There are no clear-cut solutions to these situations. Every step must be handled carefully and with plenty of thought and consideration. The potential for a public relations imbroglio is too great to take such considerations lightly.

### Accepting Gifts

Many repositories have collections that do not fit into their acquisition policy or their mission. The reason for this discrepancy varies. The collection or an item may have accompanied a major cash donation. Perhaps a collection was accepted by someone else of authority and then subsequently handed over to the department with specific orders on how to handle it. Or, a previous librarian or administrator accepted it years earlier, feeling it was just easier to accept it rather than to decline it. Whatever the reason, the repository acquired the collection and, perhaps, is forced to permanently display it, or to give it a disproportionate amount of space and publicity. These policy incongruities present problems, both in the space taken up by the collection and the amount of time staff spends contending with the issue.

In some cases one might consider which is the worst scenario— refusing a gift and possibly offending the donor (with possible repercussions), or ending up with an inappropriate collection that serves no purpose other than to absorb much needed space. In the event a library ends up with a collection of marginal worth and interest, the decision must be made on what to do with it. Is it expected to be on permanent display? Will it take an inordinate amount of space? Will its donor insist that it be given priority treatment and display preferences over the other collections? Will there be costs for processing and maintaining the collection?

It is very likely that most donors do not consider the cost of processing and preserving the items or collections that they offer for repositories. Huston writes that the cost of processing should not be more than the value of the collection.

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<sup>13</sup> Lucy Shelton Caswell, “Grief and Collection Development,” *Library Acquisitions* 11, no. 3 (1987): 195-9.

<sup>14</sup> Paustenbaugh

Once donors have been informed and educated about this requirement they could very well see the need for additional cash gifts or endowments to accompany their offerings.

### The Psychology of Giving

Gift giving is usually well rooted in sincerity. Givers wish to bestow something of value and to feel that these gifts are useful and appreciated. There are various reasons people give gifts to libraries.

Individuals, as they grow older, become more aware of their mortality. With pride and satisfaction elderly people consider their possessions and work.<sup>15</sup> As they reflect over their lives, the desire to leave a legacy becomes stronger. Their goal might be to ensure that their passions, possessions, or creations do not die with them but live in perpetuity, representing their life and work. Dispossessing their belongings could also be precipitated by an event such as the serious illness or death of a loved one. The donors themselves may face moving into a long-term care facility for the elderly. It could be that they are experiencing trying times and are forced into a decision to give away special possessions. They have invested time, money and intellectual effort into their collection and evidently feel that it is valuable, beautiful, and symbolic of their accomplishments. As Caswell stated, in parting with these possessions they often feel a sense of grief.<sup>16</sup>

### Addressing Potential Problems

An ounce of prevention is worth a ton of cure; and in the case of donor problems, this maxim certainly rings true. Whether donations are solicited or unsolicited, there are certain aspects many librarians and archivists should address before accepting them:

- Does the donation fit in with the collection scope and acquisition policy?
- Will you be able to receive the complete collection, or are other parts of it being deposited elsewhere?
- Will you have the right to decide how and where the collection will be housed?

- Are there any restrictions, conditions or restraints the donor imposes upon the donation, and are they practical?

Acquisition policies (see appendix 1) may help prevent the problem of unwanted items and collections. A good acquisition policy should address the collection scope of the repository, and what can and will be done with donations. The policy should have a statement describing materials the library collects, with emphasized subjects and priorities. The policy should stipulate that the legal title to a donation passes to the library at the time of transfer of the items and that the repository, at that juncture, is free to maintain—or dispose of—the collection as it sees fit.<sup>17</sup>

If donors are setting unreasonable conditions, invoking an acquisition policy might be a reasonable way to deflect the donor's conditions or even the gifts. It will also let donors know what they can expect if and when their donations are accepted. This policy should have some flexibility, however, in the event someone shows up with items too significant to pass up. For this reason, policies should be re-evaluated periodically.

Some items in a donation may not be needed and their removal from the collection should be covered in an acquisition policy. For instance, a large donation of random books probably will contain some unusable titles. There are also bound to be duplicates of books already in the circulating collection— perfect candidates for the next *Friends of the Library* book sale.

A deed of gift, or a gift agreement (see appendix 2), which spells out all conditions, restrictions, and expectations, can be one of the best tools for both parties of the exchange in the event that a misunderstanding arises. Both the donor and the accepting representative of the repository receiving the gift should sign this document. However, sometimes it is not enough in this situation to invoke a deed of gift if disagreements persist afterwards. You might just have to resort to good public relations, perhaps offering a compromise.

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<sup>15</sup> Linda L. Price, Eric J. Arnould, and Carolyn Folkman Curasi, "Older Consumer's Disposition of Special Possessions," *Journal of Consumer Research* 27, no. 2 (2000): 179-201.

<sup>16</sup> Caswell

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<sup>17</sup> Peggy Johnson, "Grace Under Pressure: Relations with Library Donors," *Technicalities* 13, no. 8 (1993): 5-9.

One of the best tools that you can use is an effective, sincere, diplomatic way to say “no” (and the earlier the better!). As Raab writes, “Saying no takes more preparation, more diplomacy and more professional finesse than saying yes.” As much difficulty as some people have in saying it, the ability to say “no” may very well prevent a future nuisance.

In extreme situations a repository might find it has no other recourse than to return a gift. This case is not without precedence. In 1989, the University of Utah returned \$15 million in stocks after the donor insisted that they name the medical center after him. UCLA, in 1998, returned a \$1 million grant after it was discovered that an overseas program that was started with the grant had restrictions that the school deemed unacceptable. Yale University, in 1995, even returned a \$20 million gift after the donor insisted that he be allowed to approve the faculty appointments for the department his gift would have created.<sup>18</sup>

After a donation is accepted, thorough and complete documentation is essential for the acquisition process and will help if problems arise in later years, as stated in the article by Little and Saulmon.<sup>19</sup> It is frustrating, when searching for documentation on the acquisition of a collection, to find there is none. Lack of documentation, deeds of gifts, or other important acquisition documents cultivates a breeding environment for problems.

### Public Relations

Good public relations and communication skills are essential when dealing with donors. Any time potential donors propose gifts, perhaps we should consider the possibility that they expect something in return. Will the relationships deteriorate when they come in a year later and fail to see their donations prominently displayed, or perhaps on the library sale table? Perhaps by asking donors why they wish to donate their items or collections to the library you will discover the truth about their intentions or desires.

Many donors come to us altruistically, and we don't want to offend them by turning down their offers and gifts. Remember, they are *giving* us something. It is hard to say “no” and, as Donald L. Dewitt states, “The fear of offending a donor is supported by the equally powerful one of being considered unknowledgeable, of passing up truly great collections that will go, because of ignorance, to a rival institution that takes everything without question.”<sup>20</sup> The staff person doing the negotiating or accepting should be able to express a need for the item or collection, to show some knowledge of the subject and material, and to explain how it will be used.

There should be a specific person in the library or repository who ultimately decides to accept or to decline donations and gifts. Reserving the right to refuse is essential so that donations do not come in “through the back door” or by someone else's approval. If a donation is declined this person should say something positive, as Huston suggests, such as expressing admiration for the motives the donor undoubtedly had in making the offer, or for the quality of the items.<sup>21</sup> Making suggestions as to institutions better suited for their donations may help soften refusals, but the suggestions must be informed and sincere, not just a measure to get rid of the donors.

In the consideration and acceptance of a collection of corporate, personal, or family papers it is important to examine, judge, sort and pack the materials yourself. This measure of care could prevent problems such as the loss of the original order, the disposal of important documents, or getting unusable items or duplicate material as part of the deal. You should keep in mind that after a donor dies his or her family might claim or attempt to gain ownership of the collection or items. Does the person offering an item or collection actually own, or have the authority or approval to donate, the material he or she is offering? A statement of ownership should be stated in the deed of gift. Is the item or collection valuable, and could it contain something that could be considered a family heirloom? Will the family of the donor make demands that burden the library staff?

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<sup>18</sup> Nicholas Basbane, *Patience and Fortitude: A Roving Chronicle of Book People, Book Places and Book Culture*, (New York: Harper Collins, 2001), 328-30.

<sup>19</sup> Paul L. Little and Sharon Saulmon, “Gifts, Donations and Special Collections.”

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<sup>20</sup> Donald Dewitt, “Unsolicited Marginal Gift Collections.”

<sup>21</sup> Kathleen Raab Huston, “How to Look a Gift Horse in the Mouth.”

Publicizing gifts should be done on a gift-by-gift basis, and with the knowledge and cooperation of the donors. Reiterating such acknowledgements should also be done through official letters of acknowledgement and appreciation. Any agreement concerning naming opportunities should be restated in the letter. Keeping the channels open can be beneficial since, once a donor has given a gift, he or she could very well continue with additional donations.

Our job as librarians, archivists, and curators is an important one and a role many people do not fully understand nor appreciate. A donor's hidden agenda or best intention may start us on a road we do not wish to travel, and we must be cautious where we step. Nevertheless, many of our repositories are full of priceless items from generous donors. They function as a result of the good graces of local philanthropists. Without such generosity our collections would not be as bountiful as they are.

## Appendix 1: Acquisition Policy for Lupton Library Special Collections

### Mission

The mission for the Special Collections and University Archives in Lupton Library is to collect, preserve and conserve important historical items such as books, records and documents, personal papers and manuscript collections, historical documents, non-print items such as video and audio tapes, and art works that relate to and/or document the history of the University, the city of Chattanooga, the state of Tennessee, the South and the United States. These items of continuing value will be arranged and prepared by the Special Collections staff for reference and/or academic and scholarly research by persons having occasion to refer to them.

### Acquisitions Overview

The primary method of acquiring items and collections will be through donations. The purchase of items is rarely done but may be considered on an individual basis as items and funds become available. It is the duty and responsibility of the Special Collections librarian and the dean of the library to seek out, consider and accept items for inclusion into the Special Collections. Items falling into the scope of the areas listed in the mission will be given serious consideration, and items outside the scope will be considered on an individual basis, with such considerations as to its relevance to the University's curriculum, any conditions or stipulations imposed by the donor, its overall condition and preservation needs, its effect on the entire department, and whether it would be better suited at another location. In negotiating for and accepting any donations, the Special Collections cannot make any appraisals nor arrange for any appraisals of the items. Acceptance of a gift at an appraised value does not necessarily constitute endorsement of said valuation.

### Acquisitions Concerns and Donation Refusals

Certain concerns may make the acquiring of some items or collections problematic. These concerns may include:

- Donations which present a financial drain due to conservation or preservation needs
- Items which the special collections staff is unable or unqualified to maintain and store
- Items and collections which may require a large amount of space for storage
- Items or collections in formats which might require constant updating, reproducing, and/or duplicating
- Donations which come with particular conditions, stipulations or legal encumbrances which might make their access and use too restrictive or impractical, or which may cause an over-emphasis to that particular collection
- Duplications of items already held in the Special Collections

Items and collections that are loaned to us must have a clear date and time to which they are returned to lender or become the property of the special collections. Items of ephemeral or temporary interest will be considered on the basis of their long-term relevance to the Special Collections and immediate or long-term need by the University. Items of which we already hold copies will be considered on an individual basis as to the need for extra copies.

All items donated to or purchased by the Special Collections become the property of the University and/or state of Tennessee and will be administered according to the professional judgment of the special collection librarian and Dean of Lupton Library. Records and items determined to no longer have any value or which have deteriorated beyond practical use may be de-accessioned.



## Appendix 2: Deed of Gift for Lupton Library, University of Tennessee at Chattanooga

### Name and Address of Donor:

### Description of the Gift:

The donor gives to the T. Cartter and Margaret Rawlings Lupton Library of the University of Tennessee at Chattanooga the items described above and agrees that the Library will hereafter have unrestricted rights of ownership of the items. The donor recognizes that the location, retention, cataloging, and preservation of materials or other considerations relating to their use or disposition are at the discretion of the library in accordance with institutional policy.

Donor acknowledges that to the best of his/her knowledge s/he has ownership of the items indicated, and has the legal right to authorize this transaction.

### Terms and Conditions, if any:

### Copyright Interests:

\_\_\_ I represent and warrant that I control the copyright in some or all of the donated materials.

Please indicate what portions of copyright you control and the nature (sole/joint owners, heirs, literary executors, trustees, etc.):

\_\_\_ I do not control copyright in any of the donated materials.

\_\_\_ To the best of my knowledge, copyright is controlled by:

Name:

Address:

Phone Number:

Other Contact Information:

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Copyright Conveyance: If you wish to transfer, convey and assign to the University of Tennessee at Chattanooga any copyright which you control in the above-named materials, subject to the limitations, if any, stated below, please initial here: \_\_\_\_\_

Limitations, if any:

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\_\_\_\_\_  
Donor's Signature

\_\_\_\_\_  
Authorized UTC Library Representative

\_\_\_\_\_  
Date

\_\_\_\_\_  
Date

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