

# Utah Tech University Library Internal Guidelines & Procedures

## Special Collections & Archives

### 1. Researcher Access and Responsibilities

#### 1.1. Access to Special Collections & Archives Materials

- 1.1.1. Materials and collections in Special Collections & Archives at Utah Tech University (“the University”) are open and freely available to researchers during scheduled open hours or by appointments made at least five (5) business days in advance.
- 1.1.2. All researchers must present photo identification and submit a completed application for research (see addenda Special Collections & Archives Forms) prior to use of materials. An application for research is valid during the academic year. A new application for research must be completed each academic year.
- 1.1.3. Access to materials and service may be withdrawn if researchers have not submitted an application for research, fail to abide by reading room policies, exhibit a disregard for the care of materials, or fail to observe instructions from staff.
- 1.1.4. Materials may not be checked out or leave Special Collections & Archives.
- 1.1.5. Special Collections & Archives cannot guarantee all confidential materials are confidential. Researcher is responsible for maintaining confidentiality of private materials.

#### 1.2. Reading Room Policies

- 1.2.1. Materials may be used only under library staff supervision in the Special Collections & Archives Reading Room.
- 1.2.2. Only the following are allowed at reading room tables when materials are in use: notepaper, pencils, laptops, cameras without flash, and silenced cell phones. Photography of materials for personal / educational use is permitted, except when prohibited by restrictions.

- 1.2.3. The following items must be placed in the designated area and are not allowed at reading room tables: coats, handbags, briefcases, backpacks, other personal belongings. Ink pens, markers, food, and liquids are prohibited.
- 1.2.4. The researcher must use great care in handling of materials and follow any directions from reading room staff. Researchers should always retain the existing order in folders and boxes, and be careful not to mark or fold materials. Any errors in the arrangement or filing order of records should be called to the attention of the staff. The researcher's hands must be clean. Gloves will be provided and must be worn by the researcher if directed to do so by Special Collections staff. Leaning or putting pressure on materials is not allowed. Fragile materials may be restricted.
- 1.2.5. Only one box, folder, or item of research material is allowed on the research table at any one time. The researcher is responsible for all materials until they are returned. Another box/folder/item will be given to the researcher when requested and the previous box/folder/item has been returned.
- 1.2.6. All materials and personal belongings must be clearly visible to the staff at all times. On request, all personal notes, papers, and personal reference books must be presented to the staff for inspection before the researcher leaves Special Collections & Archives. Theft or mutilation of materials is a crime that will be prosecuted. Sec. 76-6-801 to 803, Utah Code Annotated

## 2. Collecting Policy

### 2.1. Responsible Collecting

- 2.1.1. Special Collections & Archives is committed to a policy of responsible collecting to best serve the public and effectively allocate resources. Consideration is given to the available storage space, staff ability to process material, the preservation of materials, and the ability to grant access to materials. Additionally, Special Collections & Archives will not accept archival materials collected primarily by other repositories without good cause. Donors will be directed to the appropriate collecting repositories.

2.1.2. Utah Tech University provides access to its collections as an unaltered, authentic historical record to aid in the research and understanding of history, while acknowledging their impact on various peoples and groups. Some collection materials are reflective of past cultures and prejudices, including images or words that are inherently offensive, insensitive and harmful. The University does not support, condone or endorse these harmful ideas, behaviors or attitudes, and they do not reflect the official opinion of the University. Rather, the University embraces a culture that prioritizes diversity and inclusion, as demonstrated in the University's Mission, Core Themes and Values.

## 2.2. Subject Areas and Formats

### 2.2.1. Subject and Emphasis Areas Collected

- History of Utah Tech University
  - Official publications, reports, announcements, etc.
  - Internal college, department, office, and other records of permanent retention value.
  - Personal papers of faculty and staff pertaining to their time with the University or in St. George.
  - Records of student and campus groups.
- Histories of the diverse cultures, including Native American peoples, Latino and Hispanic communities, Latter-Day Saints, various Mormon fundamentalist groups, other religious communities, and growth related to people relocating, within the geo-graphically contiguous areas of Washington and Kane counties, the Arizona Strip, and the Big Muddy region of Nevada.
- Mormon studies including The Church of Jesus Christ of Latter Day Saints and Mormon fundamentalist denominations such as, Fundamentalist Latter Day Saints (FLDS), Centennial Park, Apostolic United Brethren (AUB), and others related to Southern Utah experience and history.

## 2.3. Formats Collected

### 2.3.1. Published and Printed Materials:

- Atlases (selected and limited)
- Biographies and autobiographies
- Books and pamphlets
- Broadsides
- Directories
- Engravings
- Ephemera
- Lithographs
- Maps
- Memoirs and other primary sources
- Negative and positive photographic film
- Newspapers
- Periodicals
- Photographs in all formats
- Postcards
- Posters
- Sheet music
- Sound recordings
- Student publications
- University publications

### 2.3.2. Unpublished and Archival Materials

- Business and organizational records
- Diaries, journals, and similar first-person accounts
- Ledgers and account books
- Letters and correspondence
- Limited memorabilia
- Manuscript drafts and research notes
- Maps, surveys, and similar items
- Meeting minutes and agenda
- Professional, personal, and family papers
- University records

### 2.3.3. Audio / visual

- Audio recordings (in good condition and of substantial value to collecting areas)
- Moving images (in good condition and of substantial value to collecting areas)
- Music
- Oral histories
  - Analog and digital formats present difficulties for preservation and access. Special Collections & Archives weighs the value of the information contained against the challenges presented by the format preservation and access and will make decisions on a case-by-case basis.

#### 2.3.4. Electronic or Digital Material

- Electronic materials may be accepted, if the materials were created by the donor.
- All electronic files should be organized prior to donation and in open or standard proprietary file format.
- Donation should be made with the understanding that the materials may be placed online.

#### 2.3.5. Not Collected

- Textiles / fabric materials, including, clothing, bags, flags / pennants, etc. Exceptions for key objects that document the University's history are determined by the Head of Special Collections & Archives.
- Three dimensional objects, such as, statutes, awards, historical artifacts.
- Artwork.
- Damaged materials that are deteriorated to the point that they cannot be used, materials with mold / mildew, or other condition that endanger other materials in the collection.

### 3. Material Gift/ Donations

#### 3.1. Acquisitions and Donations

- 3.1.1. Special Collections & Archives acquires and accepts donations that meet the criteria in the Collecting Guidelines section above.

- 3.1.2. Copies of items will be accepted as a last resort when an original cannot be obtained.
  - 3.1.3. A donor should hold ownership rights and, where necessary, copyright for the material, if the material is not in the public domain, and will be asked to sign a release form transferring ownership and copyright to the University Library. The donor holds all responsibility for determining ownership and copyright of the material.
  - 3.1.4. The University does not conduct appraisals of material for tax or other purposes.
  - 3.1.5. An initial assessment of materials and their suitability for the collection will be conducted by the Head of Special Collections Librarian & Archives prior to acceptance of any donation. Special Collections & Archives reserves the right to decline donations.
  - 3.1.6. Special Collections & Archives actively seeks to obtain grants and also accepts monetary donations through the Development Office toward maintenance and processing of collections, transcribing oral histories, and projects to enhance access to the collections.
- 3.2. Ownership of donations
- 3.2.1. Donation of materials may be accepted through deed of gift, bequest, or other legal documentation that transfers all physical and intellectual property rights to the University Library.
  - 3.2.2. Special Collections & Archives will not accept items or collections on “deposit” or “loan” or by any other means whereby the University Library does not become the owner of the items.
  - 3.2.3. Special Collections & Archives will not knowingly acquire items that have been stolen or illegally exported.
  - 3.2.4. Special Collections & Archives has the right to determine retention (in alignment with Utah Retention Schedules), location, cataloging treatment, and other considerations relating to the use or disposition of the material.
- 3.3. Restrictions

3.3.1. Under the direction of the Special Collections & Archives mission statement, providing access to materials is an essential role. Restrictions to collections prevent full and equal access and should be kept to a minimum.

#### 3.4. Archival Collections - Donor Restrictions

3.4.1. Donor restrictions must be made at the time of donation and may only be made by the creator (author, photographer, artist, etc.) of the material.

3.4.2. All donor restrictions must be approved by the Head of Special Collections & Archives or the Dean of Library and Learning Services before a collection is accepted.

3.4.3. The only restriction donors may designate is to limit access for a specified number of years. This restriction may be placed on an entire archival collection, a portion of collection, or an individual item. Restrictions will only be implemented if restrictions are clearly identified.

3.4.4. Restrictions cannot be imposed by the donor, family of donor, community, or any other person, after the transfer of physical and intellectual property to the UniversityDSU has occurred.

- The only exception to this is if the creator (author, photographer, artist, etc.) of the work did not donate the material and later learns of the donation. In which case, the creator may ask for a restriction for a specified number of years.

#### 3.5. Oral History Collections - Donor Restrictions

3.5.1. Narrator restrictions should be noted at the time of signing the Oral History Release Form or during editing/review process before the final transcript has been created, and must be made by the narrator.

3.5.2. Narrators have three options for restricting collections, including:

- The narrator may choose to have their name redacted.
- The narrator may choose to not have the interview available on the internet.
- The narrator may choose to close to research for a specified number of years.

- 3.5.3. Restrictions cannot be imposed by the donor, family of donor, community, or any other person, after the transfer of physical and intellectual property to the University has occurred.
- 3.5.4. Retroactive donor release forms submitted to nearest kin does not allow for the nearest kin to ask for a restriction or deaccession/destruction of oral history without substantial reason. All requests must be written and submitted for approval by the Head of Special Collections & Archives or the Dean of Library and Learning Services.
- 3.6. Restrictions by Special Collections & Archives Staff
- 3.6.1. Access may be restricted due to the material's fragile condition, in which handling may cause irreparable harm to the material itself.
- 3.6.2. Fragile condition includes, but is not limited to:
- Fragile and brittle paper
  - Pencil, chalk, charcoal, or other medium which may smudge
  - Cracking, flaking, or vinegar syndrome of emulsion or film
  - Poor condition of book bindings
  - Broken glass plate negatives
  - Unprocessed collections
- 3.6.3. Staff may grant use to fragile materials for verified and approved research, if proper handling procedures as directed by staff are used (gloves, book rests, supports, etc.)
- 3.6.4. Restrictions will be placed to meet federal and state privacy laws, including but not limited to:
- GRAMA
  - FERPA
  - HIPPA
  - Due to the nature of our collections, it is not always possible to anticipate the location of such private information, and the researcher is held responsible for the inappropriate or unlawful use of any such information they encounter during their research.

#### 4. Accession and Deaccession

##### 4.1. Accession



4.1.1. All materials approved for permanent addition to the collection by the Head of Special Collections & Archives must have all appropriate gift forms and a description of the materials' provenance completed before accession. Each acquisition will be assigned an accession number, and all paperwork related to the acquisition of the items will be maintained permanently in Special Collections & Archives' accession files and collection management system.

#### 4.2. Deaccession

4.2.1. Deaccession is the official removal of accessioned materials from Special Collections & Archives collections.

4.2.2. Materials may be deaccessioned due to loss of items by theft or other means. Deteriorated materials beyond repair and mold / mildew / pest infected / or other issues that threaten the stability of the entire collection, will be deaccessioned and destroyed. Materials outside the collecting scope or multiple copies of the same item will be deaccessioned and disposed of through transfer / exchange with other historical repositories or by sale at public auction. Materials that have met state mandated retention periods may be deaccessioned and disposed of as directed under state laws.

4.2.3. Deaccession does not apply to items removed or discarded in the course of regular archival appraisal and processing of collections or materials that have not been accessioned.

#### 4.3. Criteria for Deaccessioning

4.3.1. Items may be deaccessioned when:

- They duplicate other material in the collections which are in equally good or better condition.
- They are of marginal use, are outside the collection policy scope, or would be more appropriately housed at another institution.
- They are in such poor condition as to be virtually unusable or threaten other collections or staff.
- They are missing, and there is little hope of their being found or recovered.

#### 4.4. Procedures

4.4.1. The Head of Special Collections & Archives will recommend items for deaccessioning to the Dean of Library & Learning Services. The Dean of Library & Learning Services has final authority over deaccessioning decisions. Before proposing items for deaccessioning, the Special Collections Librarian & Archivist will make every effort to resolve issues of uncertain ownership and comply with the intentions of donors and restrictions on collections.

4.4.2. All sales of deaccessioned items will be treated as other surplus materials at the University and sold through the public surplus website. Alternatively, Special Collections & Archives may exchange or transfer items to other historical repositories. Library staff and affiliates of the University Library may not acquire deaccessioned items directly from Special Collections & Archives.

#### 4.5. Transfer of University Materials

4.5.1. The Head of Special Collections & Archives and designated Special Collections & Archives staff may accept transfers from University colleges, departments, and offices with no further authorization required. Transfers should include a box level inventory of materials.

### 5. Copyright, Reproduction, and Use

5.1. In-house digitization services are designed for access purposes, and publication quality files cannot be guaranteed. Users are responsible for any post-digitization clean-up work that is needed for publication purposes

5.2. In receiving a reproduction or licensing use agreement, the user assumes all responsibility for infringement of copyright or other rights in the use of the material. The user must agree to defend, indemnify, and hold harmless the Libraries, the University and its Trustees, officers, agents and employees, from and against any and all liabilities, losses, demand, penalties, costs, expenses, attorneys' fees, lawsuits, fines, judgments, or causes of actions, including but not limited to claims relating to infringement of copyright, trademark, invasion of rights of privacy or publicity, or libel that arise either directly or indirectly from any use by the requestor of the images and/or materials provided by the University Library.

### 5.3. Copyright

- 5.3.1. All reproduction, photocopying, and scanning must be done by Special Collections & Archives staff members. Materials must be kept in original folders and described on the Reproduction Request form (see addenda Special Collections & Archives Forms). Reproduction of materials is subject to staff approval and is not allowed if it would damage the material, violate copyright laws, or if the material is restricted.
- 5.3.2. It is the responsibility of the person using library materials to determine the copyright status of individual items and to use library materials in accordance with copyright law.
- The library can only grant permission for use for materials in its collections with written transfer of intellectual copyright by the copyright holder.
  - Copyright law protects unpublished and published materials. Researchers must determine whether the work has passed into the public domain or find the copyright holders and get permission to use the material.
  - Special Collections & Archives will not research concerning the existence and/or whereabouts of rights holders on behalf of researchers. To the extent the Special Collections & Archives provides available information, the Library does not warranty the accuracy of such information and shall not be responsible for any inaccurate information. Special Collections & Archives will not facilitate or execute requests for permission.
  - Section 107 of the U.S. Copyright Act provides a framework for identifying certain types of uses, such as criticism, comment, news reporting, teaching, scholarship, and research, as examples of activities that may qualify as fair use. Researchers do not need to seek the Library's permission to publish or use portions of text or images from a collection (constituting a non-substantial percentage of the total collection) if the use is considered fair use.
- 5.3.3. Under certain conditions specified in copyright law, libraries and archives are authorized to furnish a photocopy or other reproduction. If a user makes a request for, or later uses a photocopy or reproduction for

purposes in excess of fair use, that user may be liable for copyright infringement.

- 5.3.4. The Library's provision of a copy does not constitute permission by any copyright holder and is not a substitute for the user's diligent compliance with all applicable copyright requirements. This University institution reserves the right to refuse to accept a copying order if, in its judgment, fulfillment of the order would involve violation of the copyright law.

#### 5.4. Reproduction

- 5.4.1. Reproduction is defined as the duplication of any item held by Special Collections & Archives in any format and through any method. For example, a book page photocopied, a manuscript page scanned, an audio cassette transferred to a MP3 file, etc. See Policy 608 for reproduction guidelines.

- Reproduction Standards
- All material will be scanned once as a master file and saved on the server. (Master file is scanned at appropriate high resolution (minimum of 300 dpi), as tiffs, with 24 bit color or 16 bit grayscale.)
- An access copy (300 dpi jpg) will be made from the master file and will be sent electronically to the requester.
- Audio and VHS cassettes will be digitally converted if necessary and allowable under copyright law. An MP3 or MPEG access file will be sent electronically.
- Video and film on reels cannot be digitally converted at this time.
- CD, DVD, photo prints, or mailing of reproductions will not be offered.
- All digital items will be delivered via email with a link from which the reproductions can be downloaded for a limited time. Photocopies must be picked up in person.

#### 5.5. Use

- 5.5.1. Use is defined as the way in which a reproduction of an item held by Special Collections & Archives may be used beyond its original purpose. For example, publications, commercial sale, educational use, personal use, exhibit, display, etc. See Policy 608 for guidelines.
- 5.5.2. Use licenses (see addenda Special Collections & Archives Forms) can only be granted for materials for which the University owns the intellectual rights.

#### 5.6. Attribution

- 5.6.1. Any materials or images used for academic research or otherwise should be credited to Special Collections & Archives and fully cited according to a standard citation style guide.

### 6. Digital Collections

- 6.1. Digital Collections and preservation are used to create long-term access to material with intellectual significance and long-term value while increasing the ease of searching, browsing, and reuse.

#### 6.2. Digital Collections Priorities

- 6.2.1. Materials added to the digital collections will:
  - Support the curriculum, research, and teaching needs of the university
  - Increase and broaden access and use of Special Collections & Archives' unique materials
  - Ensure long-term preservation of materials
- 6.2.2. In consultation with the Library Dean/Associate Dean, factors used to help determine the priority of digitization include but are not limited to;
  - Copyright owned by Utah Tech University
  - Use demand
  - Cost/Funding

#### 6.3. Copyright and Personally Identifying Information

- 6.3.1. Special Collections and Archives strives to abide by all known U.S. laws pertaining to copyright and personally identifiable information ( i.e. HIPPA, FERPA, GRAMMA, etc.) as well as Policy 145.
- 6.3.2. Orphaned works may be added to Digital Collections if they satisfy the use demand, cost, and other determining factors.
- “An orphan work is a work that is in copyright whose copyright holder cannot be identified or located after a reasonable search.” (Alder et al., 2011, p.2)<sup>1</sup>
  - Items for which a reasonable search for copyright holder has been made but have been presumed orphaned will have the following note entered in Omeka’s Rights Holder field when published online:

If you are the copyright holder for this orphaned work, please contact Utah Tech Special Collections & Archives at [specialcollections@utahtech.edu](mailto:specialcollections@utahtech.edu) or (435) 634-2087 so we can update our information. Thank you.

#### 6.4. Digital Object Retention

- 6.4.1. Digital objects must be versioned/updated or decommissioned in the digital collections as part of regular business operations. All digital objects included in the digital collections are intended to be permanently retained.
- 6.4.2. Versions
- Versioning is the act of updating or editing a digital object already added to the digital collection. Previous versions of a digital object will be retained, but unpublished in the digital collections, and only the most recent version will be made available to researchers.

#### 6.4.3. Decommission

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<sup>1</sup> Alder, P., Band, J., Butler, B. (2011). *Resource packet on orphan works: Legal and policy issues for research libraries*. Association of Research Libraries.  
[https://www.arl.org/wpcontent/uploads/2011/09/resource\\_orphanworks\\_13sept11.pdf](https://www.arl.org/wpcontent/uploads/2011/09/resource_orphanworks_13sept11.pdf)

- Decommissioning is the complete removal of a published digital object from Digital Collections. Reasonable efforts shall be made to ascertain that the University has the right and responsibility to decommission the object before removing the object.

#### 6.4.4. Decommissioning Criteria

- Material may be decommissioned/ taken down (unpublished) from Digital Collections after consultation with the Library Dean/ Associate Dean.
- Factors under consideration include but are not limited to;
  - Private or sensitive information
  - Copyright infringement
  - Questionable integrity or authenticity of an object
  - Failure to further the missions of Special Collections & Archives, the Library, or the University.

6.4.5. Material will not be physically removed from Special Collections & Archives based on the above criteria. The material will remain available for in-person access.

#### 6.4.6. DMCA Notice & Take Down Policy

- To comply with the Digital Millennium Copyright Act (DCMA), the following notice will be available on the Digital Collections webpage.

If you own the copyrights for unattributed material published in Digital Collections, please contact us so we can update our information. If as, the rights holder, you wish for material which was published without your permission to be removed from the website, you may submit a request for removal notice to [specialcollections@utahtech.edu](mailto:specialcollections@utahtech.edu)

## 7. Addenda

- 7.1. Policy 608: Library Special Collections & Archives Reproduction, Use License, and Research Requests Policy
- 7.2. Special Collections & Archives Forms,  
[https://library.utahtech.edu/special\\_collections/forms.html](https://library.utahtech.edu/special_collections/forms.html)
- 7.3. Policy 145: Use of Copyrighted Materials

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Guideline Owner: Dean of Library and Open Learning Services

Guideline Steward: Head of Special Collections & Archives

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