

DES MOINES PUBLIC LIBRARY GIFT POLICY

GIFTS

Books and other items may be accepted as gifts in any department or branch of the library by the approval of the director, deputy director, branch manager or their designee. No gift materials may be added to any branch or department without approval. The donor of any gift should understand that the library reserves the right to assign gifts wherever the need is greatest or to dispose of them in some other way if, they are not needed.

Monetary gifts, bequests, and endowments to the library may be made through the library director, deputy director, or branch manager, or to the Des Moines Public Library Foundation by consulting the Foundation's executive director.

A policy for the acceptance of books and related materials as Living Memorials is described in Appendix I.

The gift of funds to purchase library materials for any special occasion (such as birthday, anniversary, thank you, etc.) may be arranged through the executive director of the Des Moines Public Library Foundation.

It is the policy of the library not to accept special collections of books to be kept together as a separate entity. Gifts donated with special conditions or restrictions are generally not accepted. Historically significant items may be accepted with restrictions, approved by the library director, and specified in the Deed of Gift form (Appendix II). Patrons or organizations who wish to give gifts of significant size to the library are referred to the library director or the executive director of the Foundation. Gift collections may be accepted with the understanding that they will be integrated into the general collection, the only form of donor identification being a bookplate.

Books, or other materials, donated to the library become property of the Des Moines Public Library system. Books, or other materials, that are donated to the library may be used to replace titles or items in the present collection of any library facility in the system. If the book or any other donated item given to the library cannot be used in the collection of the library, the item may be placed in the library's book sale to generate revenue for the library, or the items may be disposed of as the library deems appropriate.

Books advocating the principles and practices of a specific religious denomination are not purchased, but may be accepted as gifts if they otherwise fit within library collection guidelines.

The library does not assume responsibility for replacing worn or lost copies of donated titles nor for purchasing new or revised editions of titles which were originally donated as gifts.

Approved by the Board of Trustees

September 14, 1999

Revised June 15, 2010

Revised September 18, 2012

Revised November 20, 2018

APPENDIX I

LIBRARY GIFTS AND LIVING MEMORIALS

Des Moines Public Library

A thoughtful and rewarding act is the giving of books and other library materials as memorials in honor of a friend or relative. The Board of Trustees of the Des Moines Public Library welcomes memorials and has a policy governing their acceptance and addition to the library's collection.

Donors wishing to honor friends and relatives by a library memorial should contact the Des Moines Public Library Foundation office where the gift will be formally accepted and recommendations for purchase offered if desired.

1. Memorials should be satisfactory to both the donor and the library. It is suggested that materials of continuing interest and usefulness be selected, as most donors would prefer making a gift with some degree of sustainability in the library.
2. Materials accepted as memorials should conform to the library's *Collection Development Policy*. The donor may make a specific request(s) for the use of their contribution or they may leave the selection entirely to the discretion of the library.
3. Usually memorial items will be added to the Central Library collection. However, if requested, memorial volumes may be assigned to any of the branch libraries of the system.
4. Checks for memorials should be made payable to the Des Moines Public Library Foundation. The library will assume responsibility for ordering memorial materials. These gifts are deductible for income tax purposes.
5. The Foundation will mail a letter to the family of the deceased informing them of the donation and a thank you letter to the donor.

APPENDIX II

DEED OF GIFT

(Individual Gift)

I, the undersigned Donor, hereby donate and convey to the Des Moines Public Library, subject to the Terms and Conditions attached hereto, all right, title, and interest that I possess in the physical personal property described in Section 2 of this Deed, below.

1. Donor Information

Name: _____ Telephone Number _____

Name of Spouse (if any): _____

Street address: _____

City/State/Zip: _____

E-mail address: _____

2. Description of the Property:

3. Date Des Moines Public Library or its Agent Took Possession of the Property:

4. Donor Acquisition Information:

The Property was acquired by Donor on (date) _____ by (check one below):

Gift Inheritance Purchase Debt satisfaction Other:

5. Intellectual Property

A. Intellectual Property Interests:

This section deals with the copyright, trademark, literary rights, artistic rights, or patents (collectively, "Intellectual Property Rights") that may be associated with the physical materials being donated. Please check one of the following:

- I own and control all right, title, and interest, including the Intellectual Property Rights in some or all of the donated Property. (Please indicate below or on a separate page the materials for which you own and control the Intellectual Property Rights and the nature of your rights, e.g., copyright, trademark, sole/joint owner, heir, literary executor, etc. Please list any other licensees).
-

- I do not control Intellectual Property Rights in any of the donated Property.

- To the best of my knowledge, the Intellectual Property Rights are controlled by:

Name: _____

Address: _____

Phone Number: _____

E-mail address : _____

B. Intellectual Property Conveyance:

If you have indicated that you own all right, title, and interest, including the Intellectual Property Rights, in some or all of the donated Property, please check one of the following boxes (one box only):

- I have checked this box, indicating that I wish to transfer, convey and assign to Des Moines Public Library all right, title and interest, including Intellectual Property Rights that I own and control in the above-described Property.

 - I have checked this box, indicating that I do not wish to transfer Intellectual Property Rights, but I give permission for the Des Moines Public Library to make copies for users of the material for educational, scholarship and research purposes, in any medium.
-

Donor's Signature

Date

Des Moines Public Library Representative

Date

Terms and Conditions

Des Moines Public Library has accepted Donor's gift of the Property (and, if applicable, Intellectual Property) listed above, subject to the following terms and conditions:

1. By execution of the Deed of Gift, Donor expressly represents and warrants to Des Moines Public Library that they are the sole lawful owner of all right, title, and interest to the Property or that Donor is fully authorized by such owner to enter into this Deed of Gift. If Donor is not the sole owner, all owners must also execute a Deed of Gift. Donor further represents that the Property is free and clear from any and all encumbrances, that there has been no prior pledge, option or gift of any part thereof to any person, and that Donor has the right to give or transfer the Property.
2. Donor acknowledges that upon execution of this Deed of Gift, the Property irrevocably becomes the property of the Des Moines Public Library. The display, use, maintenance, and disposition of the Property are at the sole discretion of the Des Moines Public Library.
3. Donor represents and warrants that no customs laws, tax laws, laws of inheritance, or other laws or regulations applicable to the Property, its export or import, have been broken.
4. Donor represents and warrants that there are no claims, judgments, liens or other encumbrances of any kind whatsoever against the Property, any portion of the Property, or title to it.
5. The Internal Revenue Service has determined that Des Moines Public Library is organized and operated exclusively for educational purposes and is exempt from federal income tax pursuant to Section 501(a) and (c)(3) of the Internal Revenue Code. Des Moines Public Library does not advise donors on tax matters and suggests that Donor direct any questions regarding donations as charitable contributions to Donor's tax advisor or an office of the Internal Revenue Service. Des Moines Public Library does not appraise donations but will make the Property available for appraisal upon the request of Donor.
6. Donor will defend, indemnify, and hold Des Moines Public Library and the City of Des Moines, Iowa, harmless from claims or allegations arising from or relating to a breach of Donor's warranties or representations herein established.