

Memorandum of Understanding

Original October 14, 2016.

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The Eastern Academic Scholars' Trust (EAST) is a shared print retention partnership of academic and research libraries across the eastern regions of the United States. The mission of EAST is to ensure scholars, including faculty and students have access to the scholarly record of print monographs, print journals, and serials through multi-library collaborative arrangements that ensure copies of even infrequently used materials are retained in sufficient number to be readily available. The continued need for access to print copies requires collaborative agreements among libraries to ensure that individual collection management decisions do not eliminate materials to the detriment of scholarly needs.

This document acts as the membership agreement for EAST and provides the mechanisms by which materials are designated for retention and made available to EAST members. Included in this document are references to separate documents which, as they are more dynamic, are maintained on the EAST website (www.eastlibraries.org). These documents include the EAST governance policies, major operating policies of EAST and the EAST members rights and responsibilities document.

1. Participation

- 1.1. Members:** Membership in EAST is open to academic and research libraries in the eastern regions of the United States that wish to participate to steward shared collections for regional retention and loan. The eligibility of EAST membership will be determined by the EAST Governing Body, currently the EAST Executive Committee.
- 1.2. Membership Term:** In order to promote stability of the program, members agree to join EAST for an initial 3-year term. Thereafter EAST membership is renewed annually on a 12-month term.
- 1.3. Retention Partners:** Members that agree to hold designated items for the retention period are known by EAST as Retention Partners. Retention Partners can choose to participate as a Monograph Retention Partner and/or a Journal/Serial Retention Partner.
- 1.4. Supporting Partners:** Members that have not elected to make retention commitments but are willing to participate in EAST in return for the right to borrow from EAST collections are known by EAST as Supporting Partners.
- 1.5. Membership Rights and Responsibilities:** All EAST members have the right to borrow materials from other EAST member libraries, participate in the governance of EAST, and have a voice in the future of EAST. An EAST member library or group is responsible for appointing Voting Members to participate in approval of major EAST policies and processes. EAST members are also responsible for lending to other EAST member libraries per agreed upon policies. Additional rights and responsibilities of EAST are outlined on the EAST website (www.eastlibraries.org).

2. Governance

2.1 Governing Body: The Executive Committee (EC) or its successor provides the primary governance for EAST. Specific details on governance are provided on the EAST website (www.eastlibraries.org)

2.2 Operations Committee: A standing EAST Operations Committee will oversee issues related to policy and procedure development, the selection of materials for retention as well as issues related to disclosure of retention commitments, and access and delivery of retained materials. Policy recommendations developed by the Operations Committee will be submitted to the EAST Governing Body for approval. Nominations for the Operations Committee are determined by a simple majority of the participating Voting Members. Specific details are provided on the EAST website (www.eastlibraries.org).

2.3 Working Groups: EAST working groups will be appointed by the Governing Body and/or the Operations Committee as needed.

2.4 Administrative Host/Organizational Status: EAST may engage an Administrative Host to provide program management and member support as well as act as the fiscal agency for EAST, including procurement of and management of outside grant funding. Initially, the Boston Library Consortium has served as the Administrative Host for EAST. EAST is managed as an independent program, separate from other programs, services, and activities of the BLC. There is no requirement for EAST members to join the BLC or for BLC members to join EAST. EAST may choose, in the future, to modify its organizational status. Any such change would not impact the terms and conditions of this Memorandum of Understanding.

2.5 Project Team: EAST is staffed by a Project Team whose members may vary over time. The Project Team's responsibilities include providing program management and general administrative support.

3. Duration of Retention Period

Retention Partners agree to hold the designated items for the agreed upon retention period. The EAST Governing Body will revisit the retention period at least once every five years to determine if circumstances warrant extending or reducing the commitment period for certain kinds of materials.

EAST retention commitments survive membership in EAST (see Section 9.2)

4. Selection and Identification of Retained Materials

4.1. Selection: The EAST shared print collection consists of monographs, serials, and journals. Materials will be identified for inclusion through collection analysis or by other methods and a related decision-making process. The EAST Governing Body may periodically identify new categories of materials for retention as recommended by the membership.

4.2. Allocation: In keeping with its mission to retain scholarly print content, EAST will establish base expectations for participation in retention. Each Retention Partner is expected to retain holdings at an equitable rate as determined by the collection analysis or other agreed upon methodology.

- 4.3. **Validation:** The Governing Body may recommend validation requirements for metadata, inventory confirmation, or physical condition for retained volumes, but any such requirements would not be automatically applied retroactively without Retention Partner consent.
- 4.4. **Disclosure:** Retention Partners will record EAST retention commitments in their local catalogs in an effort to prevent withdrawal of these volumes. Retention Partners will disclose EAST retention commitments in regional and national/international systems in ways that are consistent with emerging national or international standards. Specific details will be developed and approved by the Governing Body as part of the EAST operating policies.
- 4.5. **Discovery:** Discovery of EAST retention commitments will be made via local, regional, and international catalogs.

5. Ownership and Maintenance of Retained Materials

- 5.1. **Ownership:** Retention Partners will maintain ownership of the materials for which they agree to retain. Retention Partners agree not to discard, donate, or otherwise relinquish ownership or control of any of the retained materials prior to the end of the Retention Period except to transfer materials to another EAST Retention Partner or with permission of the Governing Body. Materials so relocated become the property of the other Retention Partner (if allowed by state laws and regulations).
- 5.2. **Location:** The EAST shared print collection will be a distributed collection with volumes maintained at the Retention Partner libraries, either in traditional campus locations or in library storage facilities at the library's discretion.
- 5.3. **Original Form:** Retention Partners agree to maintain retained materials in their original, print artifactual form whenever possible.
- 5.4. **Lost or Damaged Materials:** Retention Partners are expected to follow EAST procedures available on the EAST website (www.eastlibraries.org) for replacing lost or damaged volumes and make every reasonable effort to ensure the volumes are replaced within the EAST collection.

6. Access to Retained Materials

- 6.1. **Access:** EAST materials will be held as an accessible light archive with volumes available for lending to other EAST libraries based on local library practices.
- 6.2. **Lending:** The EAST members strongly support a practice of free lending across the member libraries. EAST members may use their own institutional policies to fulfill requests for EAST holdings. Libraries that choose to opt out of free lending may be charged to borrow from any other EAST member at the lending member's discretion.
- 6.3. **Delivery Modes:** Members agree to deliver physical volumes upon request using existing ILL or consortia delivery methods. Members may require in-library use at the borrowing library for certain items (e.g. based on condition, rarity). Where possible, delivery will be made through scanning and digital delivery, e.g. for an individual chapter or article in the case of journals. Members will commit to deliver and return materials expeditiously via the established resource-sharing

mechanisms appropriate to each request.

7. Major Operating Policies and Procedures

The EAST Governing Body will review and approve EAST operating policies and will have authority to revise those policies and procedures from time to time as needed. Such policies are available on the EAST website (www.eastlibraries.org).

8. Financial Obligations

8.1. Financial Support to the EAST Program: Members shall provide financial support to EAST through membership fees/and or other cost sharing formulas as approved by 2/3 of the participating Voting Members.

8.2. Absorbed Costs: Retention Partners agree to be responsible for all costs and expenses associated with maintaining retained materials.

9. Withdrawal

9.1. Withdrawal of EAST Member: If an EAST member decides to withdraw from EAST, that member is required to provide a written notice to the EAST Governing Body at least twelve (12) months prior to the date of their membership renewal (See Section 1.2). The EAST member must continue to pay any required participation fees during the 12-month notice period. A waiver of the one-year term may be granted by the EAST Governing Body in certain instances, such as a disaster, financial exigency, or institutional mandate.

9.2. Retention Partner Withdrawal: In the case a Retention Partner withdraws from EAST and/or can no longer retain materials, the Retention Partner shall work with EAST members through the Operations Committee on retention reallocation options.

10. Modifications/Amendment of the MOU

This agreement will be reviewed annually on a twelve (12) month cycle. The review shall occur at least 60 days prior to renewal of commitment, which will typically be July 1. Any major amendments or modifications must first be approved by 2/3 of the EAST Governing Body and then by a simple majority of the participating EAST Voting Members.

EAST Member(s) Signatory:

[Institution or Group/Consortium Name]

[Role/Title at Institution or Group/Consortium]

[Signatory] Date

[Print Name]

Please indicate your EAST membership type or types:

- Monograph and Serials/Journal Retention Partner(s)
- Monograph Only Retention Partner(s)
- Serials/Journal Only Retention Partner(s)
- Supporting Partner – Individual Library
- Consortia Supporting Partner (Member libraries to be listed below)

EAST Signatory:

[Role/Title at EAST]

[Signatory] Date

[Print Name]

