

**Terms and Conditions for Conducting Research in the
Historical Resources Center of the Research Medical Library
of The University of Texas M. D. Anderson Cancer Center**

The goal of the Historical Resources Center (“HRC”) is to collect, preserve, and make available for use the institutional records, personal papers, tape-recorded personal recollections, and other historical materials that document the role M. D. Anderson has played in advancing cancer medicine, science, and public policy. The HRC is available to Researchers who agree to the following terms and conditions.

I. Use of the HRC Collections

Permission to use the HRC and its collections may be revoked at any time and for any or no reason. Moreover, these terms and conditions may be changed at any time and in any manner by the HRC.

Researchers must abide by all of the premise rules of the HRC.

All HRC materials are non-circulating and must be used in the Reading Room in the presence of archival staff.

Researchers must sign in and check all personal belongings before using HRC collections.

Researchers must complete a brief registration form and produce some form of official photographic identification, such as a driver’s license, employee identification badge, or passport.

Researchers are encouraged to meet with the Archivist before undertaking a research project, because many of the collections are stored off site and require 24 hours to retrieve.

Researchers must complete a “Request for Material” form for each item requested.

No food or beverages are permitted in the Reading Room.

HRC staff will do all photocopying or digitization from HRC materials; however, a Researcher’s request for copies may be denied if the item is too fragile. Researchers must establish photocopy accounts or other arrangements for payment of copies.

Many of the collections are unprocessed, and some are restricted because of donor agreements or access policies. In some cases, Researchers will have to receive written permission to access to unprocessed or restricted material. Researchers may need to sign a confidentiality agreement in consideration of being granted access to unprocessed material. Additionally, collections containing protected health information (“PHI”) that has not been redacted are restricted. Please see Section V., Confidentiality, for further information.

Researchers are responsible for obtaining necessary publication rights and/or copyright clearances, prior to publishing.

The University of Texas M. D. Anderson Cancer Center, Historical Resources Center, must be properly credited whenever materials from it are cited.

II. Handling Guidelines

As many of the materials in the HRC are unique, irreplaceable, and often fragile, they must be handled with extreme care. Nothing must be placed on top of a book or manuscript, and Researchers may be asked to wear cotton gloves when using rare books, photographic material, and other fragile items. Material must be laid flat on the table or used with a provided book cradle.

Only pencils or laptop computers may be used for taking notes.

All requests for photographs from HRC materials will be handled by HRC staff, who will hand carry all items to be photographed to the Medical Graphics and Photography Department. Researchers are responsible for making payment arrangements directly with the Medical Graphics and Photography Department.

The filing order for manuscript or archival materials must be maintained, and no marks or annotations may be made on any documents. Any disarrangement of or damage to collections will be reported to the Archivist and may result in denial of research privileges. Researchers also will be personally responsible and liable for any damages to HRC materials.

III. Copyright Restrictions

The copyright law of the United States (Title 17, United States Code) governs the making of photocopies or other reproductions of copyrighted material.

Under certain conditions specified in the law, libraries and archives are authorized to furnish a photocopy or other reproduction. One of these specified conditions is that the photocopy or reproduction is not to be "used for any purposes other than private study, scholarship or research." If a Researcher makes a request for, or later uses, a photocopy or reproduction for purposes in excess of "fair use," that Researcher may be liable for copyright infringement. The HRC reserves the right to refuse to accept a copying order if, in the Archivist's judgment, fulfillment of the order would involve violation of copyright law.

IV. Indemnification

Researcher shall indemnify, hold harmless and, subject to the statutory duties of the Texas Attorney General, shall defend M. D. Anderson, The University of Texas System, their Regents, officers, agents and employees free from any loss, damage, claim or expense directly or indirectly related to or arising out of Researcher's use of the HRC and the HRC materials,

including all damage to the HRC materials and all lawsuits or claims for the infringement of any copyrights arising from Researcher's use of the HRC materials.

V. Confidentiality.

The Health Insurance Portability and Accountability Act of 1996 ("HIPAA") prohibits the use of PHI for research purposes without either: (a) an authorization from the individual who is the subject of the information, or (b) a waiver of the authorization requirement granted by the Institutional Review Board ("IRB").

HRC collections containing PHI are considered closed and access to them will not be granted without the proper authorization or waiver. Researchers wishing to access these collections should see the Archivist for further information.

Additionally, if the HRC deems it necessary to protect confidential and/or sensitive information, Researchers will be required to sign a confidentiality agreement.

I have read and understood the above terms and conditions on the use of materials in the Historical Resources Center, including the Copyright Restrictions Section. In consideration of access to and use of the HRC materials, I hereby agree to the foregoing terms and conditions.

Signature

Printed Name

Date

Institutional address

Home address