

**PLATEAU PEOPLES' WEB PORTAL
CENTER FOR DIGITAL SCHOLARSHIP AND CURATION
WASHINGTON STATE UNIVERSITY**

STATEMENT OF COMMITMENT

Summary

This MOA concerns the Plateau Peoples' Web Portal (Portal), a collaboratively curated and reciprocally managed online, interactive digital archive of Plateau peoples cultural materials. The Portal is an ongoing collaboration between the Native American nations with whom Washington State University (WSU) holds a Memorandum of Understanding, the Center for Digital Scholarship and Curation (CDSC) and the WSU Libraries.

Project goals

1. Provide tribal nations in the region with access to physical and digital collections at WSU and partner repositories in order to vet and approve content for use in the Portal;
2. Facilitate the exchange of digital materials currently stored in the collections of local, regional, national and international repositories through the Portal;
3. Allow for the sharing of metadata, tribal knowledge, and content between local, regional, national and international repositories with approval by tribal representatives. This includes the sharing of collections, metadata, and distinct knowledge related to the materials.
4. Ensure that tribal cultural protocols are upheld during all stages of the project;
5. Provide open channels of communication between tribal representatives, community members, and CDSC staff to ensure respectful return of materials and ongoing collaborations;
6. Support educational needs through continuation of the Portal.

Partner contributions

The Portal continues to develop with the expressed intent by each party to contribute to the digitization, curation, preservation, and access of the materials. The project involves: identifying collections and items for use in the Portal, tribal vetting content for inclusion, adding traditional knowledge and metadata as appropriate, training in the use of the Portal, and ongoing updates to the Portal's technical structure.

To sustain the project, the partners agree to the following:

WSU CDSC staff agree to:

1. Identify and add content to the Portal based on requests and input from tribal representatives named by the tribe;
2. Maintain and update the technical features and functions of the Portal to ensure sustainability and appropriate access to the content;
3. Maintain control over any digital materials created using industry standard preservation guidelines to ensure their long-term preservation in perpetuity;

4. Provide digitized copies of materials from any original content for tribal requests in a timely manner taking into account staff levels. Depending on format of requested materials, CDSC staff may need to negotiate the delivery method;
5. Provide the tribal staff with password-protected access to the materials identified as relating to the tribe. Materials will be identified in joint consultation between Portal staff and tribal staff;
6. Provide training for tribal staff at WSU or onsite at tribal locations as funding and travel constraints allow.

Tribal representatives agree to:

1. Add metadata, tribal knowledge and Traditional Knowledge Labels to the materials WSU uploads to the Portal as time and staffing constraints allow;
1. Provide the CDSC staff with the names and current contact information for tribal representatives who will be working on the Portal and will need training by CDSC staff;
2. Aid WSU in the continued application for funding for the Portal by providing letters of commitment and support to granting agencies;
3. Provide input as to the ongoing needs of the tribe in relation to the Portal.
4. Facilitate outreach to tribal departments and community members about the Portal as time and staff allow;
5. Retrieve or facilitate the return of tribal collections loaned to the CDSC for digitization;
6. Provide the name of one tribal representative to serve on the Portal Advisory Board for a two-year term.

Content Agreements

The following terms apply to all materials while they reside at WSU in either physical or digital formats:

A. Content owned or managed by WSU

Any content or collections owned by WSU libraries related to the tribal partners in the Portal project remains the property of WSU; subject to inquire about return. For collections that are in the public domain or subject to copyright laws, WSU will maintain their legal obligations except where tribal concerns are reported due to sensitive, sacred, or other ethical considerations. In this regard WSU is acting as an acknowledged steward through the university-wide MOU by upholding and valuing tribal moral, ethical and legal concerns. For materials identified as such CDSC and Library staff will remove content identified from WSU Libraries' managed digital collections. In these cases, WSU will collaborate with tribal representatives to reach a consensus about how or if the materials should be made available. In cases where we are unable to reach consensus, the CDSC will consult with the Portal Advisory Board. In relation to content for the Portal, the CDSC agrees to:

1. Manage content based on tribal guidelines and concerns for access, care, and stewardship;
2. Provide all tribal representatives with password-protected access to the tribal administrative portions of the Portal to manage content;
3. Provide preservation in perpetuity.

B. Tribally owned content

Any physical or digital collections or content owned by a tribe or department are their sole property. Digitization of physical content by CDSC staff does not alter any previous copyright or contracts under which any material is governed or managed. Consent by the tribal representative must be provided under the *Physical/Analog Property Loan and Digitization Agreement*. In order for work to begin at WSU of tribally owned content, a signed *Project Plan* must be in place.

WSU agrees to maintain a collaborative partnership with the tribe regarding the usage of digital images presented by the tribe for use on the Portal. The following terms of condition govern this body of material while the materials reside on the Server of WSU:

1. While this collection is under the stewardship of WSU, WSU may use publicly available content for educational and grant funding purposes. No object(s) shall be used by WSU for any commercial purpose unless permission is granted, in writing, by the tribal government.
2. Tribal representatives may remove items from WSU's care at any time.
3. The tribe will maintain copyright and control over any materials they add to the Portal. If such a time arises that the tribe no longer wants to be part of the project, WSU agrees to remove from the portal the materials contributed by the tribe, provided that WSU is given written notice at least 90 days before the materials are removed.
4. Care and preservation of the collection while in WSU's custody will be the same as given to similar objects owned by WSU. No alteration or restoration of the digital objects will be undertaken without written authorization from the tribe.
5. WSU will furnish, in writing, any notification or changes of status with the tribe's collection while in its care.
6. The CDSC will provide digital storage of up to 1 terabyte for tribally owned materials that have been digitized in cooperation with the CDSC. Digital files will be accessed through an FTP site or shared via a local storage device (e.g. USB hard-drive).

C. Third party owned content

If applicable, content contributed by third parties, such as our partner collecting institutions, and selected for inclusion in the Portal by the associated Tribe is subject to separate agreements with those parties.

Portal Oversight and Organization

A. Advisory Board

In order to ensure the sustainability of the Portal and ongoing access and use for tribal members, students, researchers and the wider WSU and regional community, an Advisory Board made up of the CDSC leadership and one member of each Plateau region tribal nation involved in the project will oversee the project. Tribal representation on the Advisory Board will be drawn from departments or personnel that have worked on the project before being selected as an advisory board member.

Tribal representatives on the Advisory Board will:

1. Serve two year terms.
2. Be selected by each tribe.

The board will meet in person once during each calendar year with all travel and related expenses paid by the CDSC. Advisory Board members can select an alternate or designee to attend a meeting. The board will meet virtually as needed and desired by the Advisory Board.

The Board will be responsible for:

1. Setting the overall goals for the project;
2. Identifying ongoing community needs;
3. Providing outreach about the Portal;
4. Consultation for any issues that affect multiple tribes;
5. Settling any disputes if needed.

The Board will endeavor to come to consensus. However, If issues arise beyond the scope of this document related to any part of the project and CDSC staff are uncertain how to proceed, the issue will be brought to the Board for discussion and possible resolution.

This document will be reviewed by the Advisory Board every three years.

Last reviewed: 10/2018