

# Procedures for Artwork, Antiquities, and Artifacts

*In accordance with UA.02.001, the Policy on Artwork, Antiquities and Artifacts:*

Purchases, commissions, acquisitions, donations and loans (“acquisitions”) of artwork, antiquities, or artifacts must be made in accordance with applicable university policies.

## 1.00 Acquisitions

All prospective acquisitions of art by the university shall be reviewed by the UARC. The criteria for review shall include, but not be limited to the following:

1. **Artistic Merit:** The work of art should be of sufficiently high artistic merit, relative to its author and type, to warrant inclusion in the university collection. This would usually require that the art be a unique piece created by artist(s) of established reputation or recognized potential. The work of art must support the educational mission of the university and/or be of special interest to the university community.
2. **Scope of Collection:** In order to build and maintain a viable and distinguished art collection, CSU Channel Islands (CSUCI) will give priority to local and regional artists.
3. **Durability and Non-hazardous Nature of the Materials:** The work of art must comply with applicable codes and regulations and be capable of being fittingly accommodated within the available physical spaces of the university.
4. **Maintenance Requirements:** The university is able to give the work of art proper care and handling while on exhibition and/or in storage.

### *1.10 General Conditions for the Acceptance of Works of Art Gifted to the University*

Donations of artwork, antiquities or artifacts must be made in accordance with the California State University Channel Island (CSUCI) Foundation’s Deed of Gift Policy. Donors should submit a completed Proposal for Donating Artwork, Antiquities and Artifacts application (see posted form) with all appropriate attachments to CSUCI’s Division of University Advancement. In most cases, the donor will be notified of the University’s decision within 6 months of the date the proposal is submitted.

In addition to the criteria for review listed above, acceptance of art gifted to the university is predicated on the following conditions being met:

1. Acquisitions should be of aesthetic merit and quality and should not unnecessarily duplicate a work already in the collection. A deed of gift or bill of sale must be exchanged between title holders and campus.
2. Ownership should have clear, uncontested, and demonstrable title to the work. All potential acquisitions will be evaluated in terms of documentation as to origin, previous ownership, history, and possible legal and ethical standards.

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In fulfilling public trust obligations, the review committee will examine the history of ownership to avoid acquisition of works that may have been illicitly exported, stolen, looted, pillaged, confiscated, or otherwise acquired through coercion or clandestine excavation.

Further, the rights of lineal descendants of indigenous tribes will be honored related to human remains, funerary objects, sacred objects, and objects of cultural patrimony acquired from federal or tribal lands. Campuses will comply with the Native American Graves Protection and Repatriation Act and California Native American Graves Protection and Repatriation Act through separate campus policy and procedure.

3. Copyrights to images should transfer with ownership. Alternatively, rights to reproduce images for educational or commercial purposes should be established with the copyright holder at the time of acquisition using a licensing agreement.
4. Donated art must include documentation of the donor's intent regarding use in a campus collection or permission to sell for the benefit of the university's educational purposes. Campuses shall not accept gifts that are unreasonably encumbered with conditions set by the donor regarding ownership, use, display, or future disposition.
5. A funding source for costs associated with installation, de-installation, and preservation should be identified in the acquisition review.
6. [The American Association for State and Local History](#) as well as [American Alliance of Museum](#) direct that objects acquired by a collecting unit should not be capitalized. Insurance values and/or appraisals may be necessary for risk management purposes. Professional appraisals are not required to consider and accept a work of art by gift in cases where a donor seeks no tax benefits from their gift, but valuations are highly recommended.
7. A clear cataloging and tracking authority should be established.

## 2.00 Approval Procedure and Recommendation

### 2.10 Donations

1. The prospective donor should initially contact University Advancement and submit a Proposal for Donating Artwork, Antiquities or Artifacts to the Vice President for University Advancement (VPUA).
  - a. The proposal must be submitted via the official Proposal for Donating Artwork, Antiquities or Artifacts form. The form shall include known information pertinent to all criteria, proposed text for accompanying plaque or display label (if applicable), and a portfolio containing information about the object and artist, provenance, renderings and/or photographs of the object, and, when available, a statement by the artist as to his/her intent in creating the object.
2. University Advancement reviews the proposal and submits it to the UARC.

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3. The UARC assesses the proposal based on the criteria outlined in this policy.
  - a. The UARC shall first assess the proposal for priority subset #1 and will move forward to priority subset #2 based on a majority vote. The UARC shall consult appropriate campus parties, including the Physical Master Plan Committee (PMPC) if applicable, as necessary to make accurate and valid assessments of all criteria.
  - b. The UARC will work in conjunction with the VPUA who will act as the liaison between the University and the donor to gather further information, discuss additional funding, and draft a donor agreement if necessary.
4. Following careful review of the criteria and conditions detailed above, the UARC shall submit a written recommendation to the President to receive or not to receive a proposed work of art. The President makes the final decision.

If the gift is accepted, it must meet all university requirements for gifts as stated in the CSU Channel Islands Policy for the Acceptance of Gifts of the CSU Channel Islands Foundation.

### *2.20 Purchase and Commission of Public Artworks*

1. The proposing parties should initially contact the Chairperson of the UARC and submit a Proposal for Public Artwork.
  - a. The proposal must be submitted via the official *Proposal for Purchase and Commission of Public Artworks Form*.
2. UARC Reviews the Proposal
3. The UARC assesses the proposal based on the following criteria:
  - a. The UARC shall first assess the proposal for priority subset #1 and will move forward to priority subset #2 based on a majority vote. The UARC shall consult appropriate campus parties, including the Physical Master Plan Committee (PMPC) if applicable, as necessary to make accurate and valid assessments of all criteria.
4. Upon the recommendation of the UARC, the proposal is sent to the President for final approval. The UARC will inform the proposing parties of the final decision of the University.

### *2.30 Checklist for assessing proposed acquisitions:*

The UARC will use the following checklist to assess objects proposed for purchase, commission, acquisition, donation, and loan (acquisitions). Acquisitions need not meet every criteria on this lists, but all criteria must be considered by the UARC.

1. Priority Subset #1
  - a. Artistic merit
  - b. Educational value
  - c. Physical condition and preservation requirements
  - d. Historical and cultural significance of creator/object
  - e. Architectural, artistic or intellectual significance to the campus
  - f. Ability to legally acquire, study and display object

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2. Priority Subset #2
  - a. Title and/or valid documentation of ownership
  - b. Insurance requirements
  - c. Determination of an appropriate campus location
  - d. Relevance of object to Campus Master Plan (if applicable)
  - e. Adherence to fire codes and structural safety
  - f. Ability to provide security for the work
  - g. Availability of appropriate storage or display facilities
  - h. Installation and maintenance needs
  - i. Identified funding sources for immediate and long-term needs

Following careful review of the criteria and conditions detailed above, the UARC shall submit a written recommendation to the President to receive or not to receive a proposed work of art. The President makes the final decision.

### **3.00 Placement and Installation**

The UARC shall consider the following criteria as a basis for its decision regarding the placement and installation of works of art:

1. Appropriateness of the project for the site;
2. Compatibility of the work of art with the educational mission of the university;
3. Installation requirements;
4. Maintenance requirements;
5. Input of the current occupants and/or users of the proposed building or site;
6. Durability and non-hazardous nature of the materials; and,
7. Input from campus risk management representatives.

In the case of more complex works of art under consideration for installation in public settings on the campus, supplementary review processes may be used, or the UARC may appoint an ad hoc Advisory Committee for a particular installation. In all cases, the campus architect is responsible for the review of design, attachment properties and placement location to ensure public safety is not impaired.

#### *3.10 Plaques and Display Labels*

1. Plaques and display labels shall be in a format appropriate to the artwork, location and structure, and responsive to the Campus Master Plan;
2. Draft text for the accompanying plaque or display label should be included in the relevant proposal. All publicly displayed works should be accompanied with a plaque or display label stating the artist and title of the work and may include additional language.

All original documentation related to donations will be retained by the CSUCI Foundation and all original documentation related to purchases, commissions and loans will be retained by

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Campus Facilities. All documents will be shared with UARC and other parties as needed to ensure proper cataloguing, display, and care of objects governed by these procedures.

## 4.00 Exhibition of Objects from the University Collection

The exhibition/installation of artworks, artifacts and/or antiquities is limited to university-owned or leased buildings except in those cases where specific loan agreements are negotiated with museums, galleries, and other non-profit/art/government institutions.

Works of art from the collection may be displayed throughout the campus on a rotating basis. While efforts shall be made to accommodate the preferences of the individual inhabitants of these display areas, the well-being of the individual work and proper conservation must be considered, and therefore, the final decision as to which works of art are to be installed and for how long rests with the UARC.

No person shall make any change to or move an artwork, antiquity and/or artifact after it has been placed on exhibition around campus, without the written permission of the UARC, subject to appeal to the President.

## 5.00 Loans To/From the University Collection

There are three primary purposes for the loan of artwork, antiquities and/or artifacts:

1. For the exhibition as part of a temporary installation;
2. For inspection and study with regard to possible gift or purchase; and,
3. For research, identification, or attribution.

All potential loans to or from the university's collections must be reviewed in advance by the UARC.

The Chair of the UARC shall report to the UARC on all loans being considered before recommendations are made by the UARC to the President. The loans should be part of the UARC report to the Senate.

### 5.10 Incoming Loans

Artwork, antiquities and/or artifacts requested by or offered to the university for an incoming loan must receive prior approval by the President, based on consultation with UARC. An *Incoming Loan Agreement Form* must be completed before the work arrives on campus.

The requestor's offer will come to the Chair of the UARC with registration information including:

1. Written certification by the lender regarding the condition of the work of art and its ability to withstand travel conditions;
2. Its provenance;
3. Information for public recognition (i.e., labeling); and,

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4. Specified period of time for which the loan is offered.

In developing its recommendation to the President on the acceptance of a loan, the UARC shall apply the criteria outlined in section 2.00 of this policy. The UARC Chair shall communicate the UARC recommendation in writing to the President.

If accepted by the President, the Chair of the UARC shall record the condition of the work of art at the time of arrival and at the time of departure.

Evidence of damage at the time of receipt or while in the university's custody shall be reported immediately to the lender. No alteration, restoration, or repair of any work of art shall be made without the prior written approval of the lender.

The university retains the right to determine when, if, and for how long borrowed works of art will be exhibited. The university may cancel any loan upon reasonable notice to the lender.

## *5.20 Specific Incoming Loan Procedures*

1. Faculty, program(s), Administrative unit(s), CSUCI staff, community member(s) or institution(s)/association(s) submitting the loan request shall assume full responsibility for the object(s) for the duration of the loan contract.

Those submitting the loan request are advised to determine whether the objects proposed for loan would be covered under existing University insurance, or whether additional insurance is needed or desirable.

2. Faculty, program(s), Administrative unit(s), CSUCI staff, community member(s) or institution(s)/association(s) submitting the request must have an appropriate loan agreement and/or contract with the owner of the work and/or the artist(s) whose works are to be displayed. The loan agreement and/or contract must be submitted to the UARC with the request. If a loan agreement or contract is not required due to special circumstances a short statement explaining the situation will suffice.

3. The loan contract shall indicate whether the loan is intended to be of a long-term or a short-term nature.

### *1. Long-Term Loans*

1. Objects on loan for a term longer than one calendar year are considered long-term loans.
2. Objects proposed for long-term loan shall be evaluated under the same criteria as acquisitions, as indicated by Priority Subsets #1 and #2
3. As objects on loan are typically intended for immediate installation and display, the loan proposal shall indicate clearly the display location and any special requirements for display, together with

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evidence of consultation with and approval by any relevant parties demonstrated by letters of support, and evidence of ability to meet the terms and requirements of the display

2. Short-Term Loans
  1. Objects on loan for a term of one calendar year or less are considered short-term loans
  2. Objects proposed for short-term loan shall be evaluated under the same criteria as acquisitions as indicated by Priority Subsets #1 and #2
  3. As objects on loan are typically intended for immediate installation and display, the loan proposal shall indicate clearly the display location and any special requirements for display, together with evidence of consultation with and approval by any relevant parties demonstrated by letters of support, and evidence of ability to meet the terms and requirements of the display
  4. Short term loans may be converted to long-term loans
    1. Requests for conversions must be submitted to the UARC at least six weeks prior to the short-term loan ending date
    2. The request will be considered according to the process for long-term loans
    3. Proposers are responsible for submitting any additional documentation or letters of support necessary for full consideration of the conversion request
4. The loan contract shall be agreed upon by all parties including the UARC and the owner.
5. The loan request, including supporting documentation, must be submitted at least six weeks prior to the exhibition/events
6. A condition report shall be submitted to the UARC by the borrowing department prior to and at the conclusion of each loan. The report submitted prior to borrowing must be approved by the object's owner.
7. The specific location/display of works accepted for loan must be approved by the UARC. The UARC must be notified of intent to move an object on loan to a new location or to return the object to the owner if the move or return is other than what was specified in the previously agreed upon contract.
8. The individuals, administrative units and/or the institutions/associations submitting the loan request will be responsible for all expenses required for installation, display, and removal. If other arrangements have been made, a short statement should be submitted to the UARC explaining the situation.

All original documentation related to the receipt on loan of an object will be retained by Campus Facilities, and shared with UARC and other parties as needed to ensure proper cataloging, display and care of objects governed by these procedures. A copy shall be retained by the entity submitting the loan request.

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## 5.20 *Outgoing Loans*

The UARC shall consider requests to loan artwork, antiquities and artifacts that have undisputed ownership by the university and/or the Foundation which, in the opinion of the UARC, are in adequate condition to endure the purpose of the loan. In some cases, special considerations, such as packing requirements, couriers, or methods of shipping may be required in order for a work of art to be considered for a loan.

The decision to approve loan requests shall be made by the President, based on recommendations by the UARC. The UARC shall be responsible for maintaining records of the current status of university works of art out on loans.

The Chair of the UARC shall be responsible for preparing the *Outgoing Agreement Form* as well as written documentation of the condition of the outgoing artwork, antiquities and/or artifacts and their ability to withstand travel conditions before they leave the campus and once again when they are returned to campus.

Artwork, antiquities and artifacts borrowed from the University Collection shall be given special care at all times to ensure against loss, damage, or deterioration. The borrower must immediately notify the Chair of the UARC of any damage or loss discovered. No alteration, restoration, or repair to any work of art on loan by the university shall be made without the prior written approval of UARC. The borrower must provide documentation of adequate insurance coverage for all borrowed works of art.

Artwork, antiquities and artifacts may not be photographed or reproduced unless prior written authorization is obtained by the UARC; fees may apply.

Artwork, antiquities and artifacts on loan shall be returned to the university by the stated termination date in satisfactory condition, in accordance with the *Outgoing Loan Agreement Form*.

## 6.00 **Deaccession and Disposal**

Deaccessioning is the permanent removal of an artwork, antiquity or artifact from the collection inventories. In evaluating their existing collection, campuses may determine that some items are unfit and should be removed through de-accessioning procedures. The UARC appointed by the President shall make recommendations for deaccession.

### 6.10 *Primary among the criteria for deaccessioning are the following:*

1. The authenticity, attribution, or genuineness of the work of art is determined to be false or fraudulent and lacks sufficient aesthetic merit or art historical importance to warrant retention. A forgery should be clearly marked as such and never returned to the market without full disclosure.
2. Possession of the work of art is not legitimate; that is, the work may have been stolen or illegally exported or imported in violation of applicable state, federal, and foreign laws. Indigenous tribes may request the return of human remains or cultural items under federal and state law.



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3. The work of art is judged to be of poor quality, either intrinsically or in comparison with other objects of the same type.
4. The work of art is redundant or a duplicate with no special value.
5. The work of art is clearly outside of the collecting scope of the campus collection.
6. The physical condition of the work of art is so poor that the cost of restoration exceeds the value or will render it essentially false.
7. The work of art cannot be properly stored or cared for.

### *6.20 Review Considerations and Procedure for Deaccessioning:*

1. Exercise care to assure that the recommendations are based on authoritative expertise.
2. Special consideration may apply to living artists including consultation and notification of works of art considered for deaccession or disposal. Significant reputational damage can be made to living artists by noteworthy deaccessions; in cases of deaccession of works by living artists, an effort to place the work with another institution of similar prestige should be made.
3. Restrictions, limitations, and restraints imposed by the donor shall be honored or renegotiated when feasible.
4. Deaccessioning must comply with all applicable local, state, U.S. federal law, and California State University policies in force at the time and must observe any terms and obligations that pertain to the acquisition of the work by the campus.
5. Transference of copyright ownership shall be considered where applicable.
6. Outside review and appraisal are recommended for works of art valued over \$5,000.
7. Funds realized from deaccession sales shall be used to benefit the University Art Collection.

### *6.30 Methods of Disposal*

The following may be taken into account in selecting a method of disposal:

1. Preferred method of disposal is sale, through publicly advertised auction, or sale to or exchange with another public institution. Special circumstances (e.g., conditions specified by the donor at the time of acquisition) may require alternative means of disposal, subject to approval by the campus President.
2. Exchange with or sale to another museum or appropriate collecting organization, or in the case of a work of art by a living artist, special consideration may be given to exchange with the artist.
3. Works of art damaged beyond reasonable repair that are not of use for study or teaching purposes may be destroyed.
4. Student works of minimal market value may be made available for return to the artist.
5. In general, the disposal of a work of art, whether by sale or exchange, shall be conducted with a view toward maximizing the advantage and yield to the campus, without however, compromising the highest standards of professional ethics, the institution's standing in its community, or its responsibilities to the donor and the artist.
6. Records of deaccessioned works of art, including photographs and documentation of the means of disposal shall indefinitely remain in the UARC files, maintaining the accession numbers by which they were entered in the inventory.

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## *6.40 Process for Deaccession*

1. The UARC shall review the case made for deaccession of the object in a timely manner
2. The UARC shall review the agreement made governing acquisition or receipt of the object
3. The UARC or other party shall notify the artist, donor, or other entities as required by the terms of the agreement
4. Special cases:
  - a. In the case of objects by living artists, an attempt should be made to inform them of this intention, as appropriate
  - b. In the case of controversial objects:
    1. The UARC shall recommend to the President reasonable measures to address the concerns outlined in the request for review for deaccession
    2. If the UARC determines that reasonable efforts have been made to resolve the concern which prompted the review and that these efforts have failed to resolve the concerns, then the object may be considered for deaccession
5. If the UARC determines that deaccession is warranted, then the object may be removed from CSUCI's collection with the approval of the President.

## **7.00 Inventory of Publicly Displayed Works of Art**

The Chair of the UARC shall be responsible for overseeing an inspection of the university's publicly displayed art inventory and shall present a status report to the President, and the Cabinet every three years. The status report shall include, but not be limited to the following information:

1. Works of art physically located on campus, borrowed by the university.
2. Items out on loan, including location and duration of loan.
3. New acquisitions gifted to or purchased by the university.
4. Works of art deaccessioned or planned for deaccession in the year.
5. Works of art on exhibition or planned for campus exhibition.

An up-to-date inventory of the University Art Collection shall be available as part of the university's library database.

## *7.10 Funds for Works of Art in Public Spaces*

Funds for the installation, security, insurance, and maintenance of works of art shall be secured and documented prior to acquisition. Funds may come from a variety of sources including building project funds, local institutional funds, public grants, and private contributions in the form of cash gifts, endowments, bequests, or direct gifts of art from individuals, corporations, and foundations. Exceptions may be made by the President.

Gifts of art may be accompanied by an endowment gift that will ensure the university will be able to secure, insure, and maintain the work of art. If the work of art is ever deaccessioned, then funds remaining in its accompanying endowment shall be moved into an account supporting the

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University Art Collection unless otherwise specified in the original endowment agreement. Earnings from the account may also be expended for the accession of other art pieces.

Budget allocations supporting public art will be managed by the office of Vice President for Business and Administrative Services. Grants, donations, and endowments will be administered by the CSU Channel Islands Foundation.