Museum Acquisition Procedure

(1) Conditions. Because the Jordan Schnitzer Museum of Art's collections are vital to its usefulness and continued excellence, all acquisitions shall meet certain conditions:

(a) They should meet at minimum the criteria of quality reflected in the best objects now in the Museum's collections;

(b) They should be relevant to the purposes and functions of the Museum, which include support for the institution's teaching and research in the visual arts as outlined in the University of Oregon Policy Statement "Jordan Schnitzer Museum of Art Mission," so as to strengthen those collections in which the Museum specializes and for which it is recognized by scholars and artists;

(c) Because the Museum must be able to provide proper storage and care of the objects accessioned into the collections, no object will be accepted which cannot be properly cared for and stored;

(d) The Museum must observe all State of Oregon, federal, and applicable international laws on acquiring imported art objects and will not, therefore, accept objects collected or acquired under questionable or illegal circumstances. The Museum endorses the 1970 UNESCO Convention on the Means of Prohibiting and Preventing Export and Transfer of Ownership of Cultural Property, and the 2003 American Association of Museums (AAM) recommended procedures regarding objects transferred in Europe during the Nazi Era, pursuant to an agreement reached in October 2000 by the AAM, the Association of Art Museum Directors and the Presidential Advisory Commission on Holocaust Assets in the United States;

(e) Title to objects shall be obtained free and clear of restrictions and qualifications of any type or manner, unless it is deemed by the University authorities (the President or the President's designees) in concurrence with the Museum Executive Director, the Museum Collections Committee, and the Curators to be in the best interests of the University. If an object is accepted under restricted conditions, notation of the restriction must be included in the object's permanent documentation.

(2) Criteria. Objects are added to the permanent collection by gift, purchase, bequest, exchange, or other transactions by which legal title passes to the Museum. Before accepting objects to the permanent collections, the Museum Collections Committee shall consider whether:

(a) The object to be accessioned is destined for a particular collection area. Objects not so destined shall be accepted only in rare circumstances, including but not limited to situations where it may be prudent and necessary to accept an entire private collection, even though some of the works may not be regarded as having Museum quality, in order to obtain desired works. The Museum Collections Committee shall make specific recommendations where entire collections are to be considered for acquisition;

(b) The object is unique or of greater aesthetic quality or value than similar ones already in the
collections;
(c) Proper care can be given to the object;
(d) The object is in suitable condition for use and exhibition;
(e) The provenance of the object, as determined by the Director or appropriate Curator(s) is satisfactory;
(f) The object is encumbered with conditions imposed by the donor regarding use or future disposition. As a rule, only unrestricted objects should be accepted;
(g) The use of the object is restricted or encumbered by intellectual property rights (copyright, patent, trademark, or trade secret) or by its nature (obscene, defamatory, potentially an invasion of privacy, physically hazardous);
(h) The object is generally consistent with the goals of the Museum.

(3) Appraisals and Donor Tax Deductions. Gifts to the Museum are tax deductible as a charitable donation based on the fair market value of the gift evidenced and substantiated in a manner acceptable under federal Internal Revenue Service regulations:
(a) Staff members of the Museum shall not provide appraisals for donated objects;
(b) Neither the Museum, the University of Oregon, nor the State of Oregon is responsible for the authenticity and accuracy of the appraisal.

(4) Museum Collections Committee. The Museum Collections Committee is an advisory committee to the Executive Director composed of members of the Museum’s Leadership Council, University faculty, and others whose expertise in art and the art world is beneficial to the Museum, in addition to its permanent and ex officio members;
(a) The permanent, ex officio members of the committee are the Museum Executive Director, Curators, and Collections Manager;
(b) The other members of the committee are appointed for three-year terms by the President of the Museum’s Leadership Council in consultation with and with the approval of the Museum Collections Committee chair, the Curators, and the Executive Director. The terms of office for these appointees shall be staggered to provide for committee continuity;
(c) The committee chairperson shall be selected by the President of the Museum’s Leadership Council, and shall hold this position for a two-year term;
(d) If for any reason (other than the expiration of a member’s term of office) an appointed position on the committee becomes vacant, the vacancy shall be filled in the same manner as original appointments. The replacement member shall serve for the unexpired portion of the vacating member’s term.

(5) Meetings of the Collections Committee shall be called by the Chairperson of the Committee in consultation with the Executive Director two to four times annually, or more frequently, if so needed. The following procedures shall be followed:
(a) For each object under consideration for acquisition, the Director or Curator shall present to the Collections Committee the documentation and provenance of the object and explain its contribution to the collection as a whole;
(b) If possible, each object under consideration by the Executive Director should be physically present for evaluation by members of the committee. If the chairperson determines that this is not possible, adequate images of the object shall be presented to the committee;
(c) Minutes of all Collections Committee meetings shall be taken and maintained;
(d) The Collections Committee may suggest and recommend to the Executive Director for purchase work deemed desirable for the collection when funds are available.

(6) The Executive Director shall make all decisions with reference to acquisitions.

(7) The Executive Director shall notify donor(s) of acceptance or rejection of objects.

Stat. Auth.: ORS 351 & 352
Stats. Implemented: ORS 351.060
Hist.: UO 1-1985, f. & cert. ef. 4-9-85; UO 4-2012, f. 7-10-12, cert. ef. 7-11-12

571-051-0010

Museum De-Accessioning Procedure

http://arcweb.sos.state.or.us/pages/rules/oars_500/oar_571/571_051.html
Criteria. Permanent removal of objects from the collections will be done in a legal and ethical manner. The manner of disposition chosen will represent the best interests of the Museum, and the University of Oregon. An object in the Museum of Art collection can be considered for de-accessioning only if it meets at least one or more of the following criteria:

(a) It has physically or organically deteriorated beyond repair as determined by a reputable conservator; or

(b) It requires conservation, the cost of which would exceed the Museum's funds or the Museum's ability to raise the necessary monies; or

(c) It cannot be either properly stored or properly exhibited by the Museum; or

(d) It is, in the opinion of qualified outside experts, of markedly inferior quality and/or there is a duplicate or superior example of the same kind and type already in the collection; or

(e) It no longer has study, research or exhibition value; or

(f) It no longer supports the mission of the Museum; or

(g) It is determined that the work is stolen or fake; or

(h) To comply with the November 1990 Native American Graves Protection and Repatriation Act (NAGPRA) or the 2003 AAM Guidelines Concerning the Unlawful Appropriation of Objects During the Nazi Era; or

(i) Object material is potentially hazardous to human health or to other objects.

Procedure. Removal of object(s) from the Museum's permanent collections can be recommended only by the Executive Director, the Curator(s), the Collections Manager, or a conservator:

(a) After such a de-accession recommendation is made, a de-accession worksheet for each object shall be begun and placed in the documentation file;

(b) A thorough search shall be made by the Museum Collections Manager of records and related University archival files to determine legal ownership as well as restrictions imposed by the donor and accepted by the Museum at the time of accessioning. Where restrictions exist as to use or disposition of the object, the Museum will observe those conditions to the extent it is reasonably possible to do so. If there are questions as to intent or force of restrictions, the Museum will seek advice of the University Office of General Counsel. New acquisitions obtained through the sale or trade of the original donated item will be credited to the donor, as a "Gift of the donor by Exchange";

(c) The qualified staff members, including the Executive Director, Curator(s), and Collections Manager, will then meet to discuss the results of this search and to propose an appropriate course of action. If all agree to recommend de-accession, the recommendation and relevant information is then presented to the Museum's Collections Committee, which shall vote on recommending the de-accession to the Executive Director. A majority vote is sufficient for such recommendation. Final authority rests with the Executive Director to determine whether de-accession should occur. The Executive Director will then inform the Senior Vice President and Provost and the Vice President of University Relations of any decisions made regarding de-accessioning. The results of any de-accession vote shall be recorded in the documentation file;

(d) Before any object can be de-accessioned and exchanged or sold from the Museum collections (whether from "permanent exhibition collections" or "study collections"), one recognized professional expert (who is neither a current nor former Museum employee), recommended by the Museum staff, shall be consulted for an opinion on the quality of the object. If the reason for the recommendation is the poor condition of the work, the expert shall be a qualified conservator in the special area of the object under consideration and should additionally offer an opinion as to the physical and economical feasibility of reconditioning the work. This expert opinion shall be submitted in writing, dated, and kept in the permanent documentation file;

Disposal. Upon approval to de-accession an object, the following procedures shall be implemented:

(a) The Museum Collections Manager shall notify the University Property Control Office and provide copies of supporting documentation to remove the object(s) from the Museum collection inventory;

(b) A written, dated appraisal from a certified art appraiser (who is neither a current nor a former Museum employee) shall be sought by the Collections Manager, Curators or Executive Director to establish current market value of the object(s) to be de-accessioned;
(c) In order that objects de-accessioned from the Museum collection may continue to serve the purpose for which they were initially acquired, an effort shall be made to place them (by exchange, transfer, or sale) in another non-profit institution. To achieve this end, such objects shall be advertised in appropriate professional publications, which may be online. Such advertisement shall clearly state that neither the Jordan Schnitzer Museum of Art, the University of Oregon, nor the State of Oregon guarantees the authenticity nor the appraised value of the work. This disclaimer shall be repeated in writing at the time of sale, transfer, or exchange. Should it be deemed appropriate and useful for teaching, the de-accessioned work may be retained by the Museum for its study collection;

(d) Sales to private parties or profit-making entities shall be pursuant to state law dealing with disposition of surplus property. Whenever possible, the work of art should be sold at public auction in a city outside Eugene. In all cases, the sales should be public, although some works of art because of their nature may be more appropriately sold in the public marketplace. De-accessioned objects shall not be given or sold to any Museum staff member or University of Oregon official whose responsibility includes Museum operations, funding, or administration, nor to their representatives or immediate families. Members of the Museum's Leadership Council and its Collections Committee also may not acquire any de-accessioned item nor may their representatives or immediate families. Proceeds from sales are to be earmarked for the acquisition of objects that will improve the Museum's collection;

(e) Exchanges of de-accessioned objects shall be for object(s) of equal or greater value to the Museum and these transactions shall be made in accordance with the procedures of the Museum's De-accession procedures;

(f) Any transactions involving a combination of object(s) and monies (given or received) shall be negotiated at the discretion of the Executive Director after consultation with the Collections Committee;

(g) Copies of records for de-accessioned objects, including provenance, research, and data on publication, and a statement authorizing removal from the Museum collection (signed by the Executive Director and the appropriate University administrators) and any other necessary documentation will be forwarded to the acquiring institution (or individual) at the time of the exchange of ownership;

(h) Documentation shall be kept in donor files, showing disposition of object(s). Where feasible, the exhibition label on object(s) acquired through exchange of a donation, or with funds derived from the sale of a donation, shall credit the donor of the exchanged or sold gift. Original records for de-accessioned objects will remain on permanent file in the Museum collections office, with the de-accession work sheet showing completion of all steps in the de-accession process, including record of means of disposal, new ownership, and the original document showing Museum and University approval of the de-accessioning and the Executive Director's authorization. Cross-references will be placed in catalog card files;

(i) The Museum Collections Manager shall initiate procedures to remove de-accessioned objects from the computer inventory records.