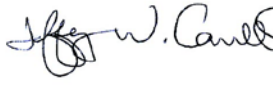
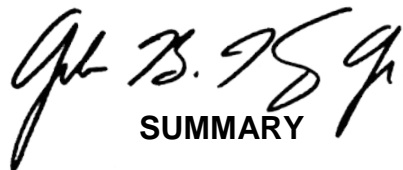




**TO:** Cultural Education Committee  
**FROM:** Jeffrey Cannell   
**SUBJECT:** Museum History Collections Policy  
**DATE:** November 21, 2012

**AUTHORIZATION(S):**

  
SUMMARY

### **Issue for Decision**

Should the Board of Regents approve and adopt the Collections Policy for the History Collections in the State Museum.

### **Reason(s) for Consideration**

Review of Policy

### **Proposed Handling**

Review and approval of the revised policy, for consideration by the Full Board of Regents

### **Procedural History**

On April 10, 1985 the Board of Regents adopted policies and procedures for the disposition of items no longer needed for the State Museum's collections. Subsequent to the adoption of that policy, the Board has adopted clearer guidance for all museums regarding the development of collections policies. The proposed policy brings the process for managing the Museum's history collection into alignment with the Regents Rules for Museums and Historical Societies that maintain collections.

### **Background Information**

On April 10, 1985 the Board of Regents adopted policies and procedures for the disposition of items no longer needed for the State Museum's collections. Those policies and procedures addressed only the disposition of materials and did not provide

policy level guidance on acquisition and administration of collections. Regents Rules, section 3.27 require Museums and Historical Societies with collections to develop and maintain a collections policy that addresses the following:

- The criteria and processes used for determining what items are added to the collections;
- The criteria and processes used for borrowing items owned by other institutions and individuals, and for lending items from the collections;
- A statement of intent to ensure the adequate care and preservation of collections;
- A statement indicating intent to allow reasonable access to the collections by persons with legitimate reasons to access them;
- The criteria and process used for determining what items are to be removed from the collections.

The attached policy will replace the April 10, 1985 policy with a more comprehensive policy statement that addresses all of the criteria specified in Regents Rules.

### **Recommendation**

Approval of the attached Collections Policy for History Collections

### **Timetable for Implementation**

Immediately.

# **NEW YORK STATE MUSEUM HISTORY COLLECTION POLICY**

## **New York State Museum Mission Statement**

The New York State Museum serves the lifelong educational needs of New Yorkers and visitors through its collections, exhibitions, scholarship, programs, media and publications in science, history, anthropology, and art. The Museum explores and expresses New York State's significant natural and cultural diversity, past and present.

## **Introduction**

The State Museum's history collection and scholarship is centered on New York State and is distinguished by its focus on human life in New York from the time of European settlement through the present. The collection is relevant, and it reflects New York State's wide significance within a national perspective. The collection documents, for the purpose of study and exhibition, New York's important history and cultural diversity, past and present.

## **Description of the Current History Collection**

The History collection numbers over 4 million objects. Significant collections include:

- New York State Agricultural Collection
- One of the Nation's most important collections of Shaker Industry and Decorative Arts
- Decorative Arts; with the emphasis on New York State designed and manufactured furniture, stoneware
- Military history
- New York canal history
- Transportation history
- Fine Arts and Photography
- Architecture
- History of New York industry and technology
- The nation's largest repository of artifacts from the September 11, 2001 attacks
- New York State Government agencies: Corrections, Mental Health & Disabilities
- Small and growing collection of political history
- Collections to document the history of New York's diverse populations

## **ACCESSIONS**

### **General Considerations for determining what items are added to the Museum's History Collection.**

Collecting decisions are driven by the Mission of the Museum. The quality of the History collection is shaped and focused by thoughtful additions. Objects are added to the collection through gifts, bequests, purchases, transfers from other state agencies, and exchanges. Only materials that support the collection goals and mission of the Museum will be acquired. Accessioning is the formal process used to accept and record an item as a collection object.

Limitations in physical space, staffing capabilities, and financial resources make it clear that the Museum cannot engage in indiscriminate acquisitions or build an encyclopedic collection that documents or addresses every aspect of New York State history. Because accessioning decisions need to be *intentional* rather than *reactive*, the Museum will collect based on strategic collecting initiatives based on the strengths of its current collections (e.g., Shakers, stoneware) and selected thematic topics (9/11, agricultural history). In general, the costs of collecting (including staff time and storage needs) will be balanced against consideration of an object's significance and potential uses.

The Museum will at the same time provide statewide leadership among cultural institutions to build educational capacity within the state (and nation) by developing complementary collecting priorities.

Collecting priorities will avoid duplication of similar objects within the Museum's collection. The Museum will coordinate collecting activities with the State Library and State Archives (e.g., sheet music, playbills).

### **Criteria for Accepting Acquisitions**

The following criteria shall be considered in evaluating potential acquisitions:

1. Legal ownership – There should be no question of a donor's or vendor's ownership of an item or collection or that person's right to donate or sell it. The donor/transferor must have clear legal title or the right to convey clear legal title to the object or collection and all associated materials offered.
2. Historical Significance – Additions to the State Museum collection must hold—or contribute to the public understanding of—statewide or national historical significance. Items of only local significance should be referred to local institutions.
3. Compatibility – Objects proposed for acquisition should be compatible with the existing collection and collecting initiatives. Objects that duplicate or closely resemble artifacts in the collection should be avoided. If a proposed object or collection possesses *extraordinary* historical significance or educational potential, it may be exempted from this rule. Duplicative objects of superior quality may be accepted, provided that inferior objects are deaccessioned (see Criteria for Deaccessioning).
4. Documentation – The provenance of the object or collection must be adequately documented. An important part of the acquisition process is the collection of all information available about the history, associations, significance, and uses of the artifact. If adequate accompanying historical documentation is not available for the object or collection, there must be some *extraordinary* reason, such as “excellent exhibit item,” “few in existence,” etc., to justify addition the History collection.

5. Physical integrity – The current physical condition of the object or collection must permit appropriate and immediate use. Items collected should be complete or nearly complete and in stable physical condition and pose no threat to human or collection safety. Deteriorated and unstable items should be avoided unless the informational value of the material justifies its acceptance. Items such as those composed of vinyl and certain plastics, plywood, and cellulose nitrate film need to be carefully evaluated before accessioning. If artifacts require significant conservation or additional preparation, consideration must be given to the immediate and long-term costs of the care before completion of the acquisition.
  - a. Sufficient physical, personnel, and monetary resources *must* be available to care for any object or collection proposed for accession into the History collection.
  - b. Consideration must also be given to the ongoing resources needed to preserve the object or collection. Resources include personnel, funding for processing, maintenance, and conservation needs, storage/exhibit space, storage equipment, and more. The Museum will not acquire objects for which it does not have the resources or facilities to provide proper care.
6. Restrictions – Acquisitions which have undo donor restrictions or conditions will not be accepted into the collection. History staff will not guarantee a donor that the Museum will retain objects or collections, exhibit materials permanently, or keep them together in storage as a single group. However, situations may arise in which conditions placed on objects would not interfere with the mission and goals of the Museum. An example of such an instance might be one in which a Federal museum or agency is legally prohibited from transferring a title.
  - a. Objects offered with contingencies must be approved according to standard procedures. In addition, a written agreement should be prepared describing the restrictions placed on the transfer of objects as well as the responsibilities of both the transferor and Museum. The agreement should be signed by both the NYSM director and the transferor.
7. If objects or collections are offered for sale to the History department, the staff must consider the gift, bequest, or transfer of comparable items.

### **Appraisals for acquisitions**

The Museum does not conduct appraisals of objects to determine their monetary value.

### **Approval of acquisitions**

All acquisitions must be approved by the Director of the Museum.

### **Commencement of ownership**

Objects officially become part of the collections of the Museum when all of the following criteria are met:

- The object physically enters the Museum;
- When a deed of gift/purchase invoice or official transfer has been completed and signed by both the donor and the Director of the State Museum;
- When the object is formally accessioned into the collections and such accession is approved by the Director of the Museum.

## **ACCESS TO COLLECTIONS**

The Museum encourages use of the History collection by appropriate researchers. Access to the collection is limited to normal Museum business hours and by exhibition and other research considerations, the availability of work areas, and the ability of Museum staff to provide security and protection of the objects. Access to the collections has the following restrictions:

1. Individual researchers must have a legitimate reason for using the collection (e.g., artistic reference, scholarly research, etc.).
2. Researchers are typically not allowed in collection storage areas.
3. NYSM staff is not obligated to assist inquiries which are for commercial gain. Conditions may be imposed on requests which involve royalties, reproduction rights, copyrights, or excessive costs for reproduction.
4. Researchers must normally request appointments in advance of their visits.
5. The Director of the Museum will develop procedures and guidelines governing the methods of access by anyone to the collections. These guidelines will apply equally to staff, volunteers and researchers.

### **Loans:**

The State Museum will actively loan materials to other institutions in order to make materials more accessible to the public and to other researchers.

Loans to institutions will be made in a manner that complies with 8 NYCRR 181.1.

*Historical objects and collections, paintings and other art forms may be loaned to educational institutions, historical societies, museums, libraries or other responsible organizations for study or exhibition, upon terms and conditions to be set forth in an agreement between the Department acting through the State Historian and the organization or individual requesting the loan.*

### **Outgoing:**

The following conditions govern the loan of objects from the New York State Museum historical collections. The Chief Curator must certify whether the borrowing institution sufficiently meets these conditions prior to approval of the loan.

1. A formal written request by the borrowing institution must be made to the Director of the Museum at least 60 days before the anticipated start of the loan period. This request must contain name, address, and telephone number of the institution, name of contact person, purpose of the loan, and duration of the loan.
2. Objects in need of conservation must be stabilized before being lent. NYSM may negotiate with the borrowing institution for the cost of such conservation.
3. The borrowing institution is responsible for the security and care of loaned materials while in transit and while at the borrowing institution, and is responsible for the costs of packing, transportation, and insurance.
4. The borrower must insure any loaned material for the full value stated on the loan form.
5. The borrowing institution must assure the continued physical integrity and safety of the material and guarantee that its sole use will be in scholarly, educational or cultural pursuits. Security and environmental controls must be adequate for all materials on public exhibition.
6. When the purposes for which the loan was made have been completed, the borrower will immediately return materials to the New York State Museum regardless of the expiration date of the loan.
7. This loan may be renewed for a reasonable period provided that a request to do so is received by the Director of the Museum adequately in advance of the terminal date of the loan.
8. The New York State Museum may recall a loan for any reason after 30 days written notification, or it may take immediate action if the borrower violates the terms of the loan or does not provide proper care of loaned objects.
9. In returning loaned materials to the New York State Museum, the borrower must use original, equivalent, or better packing materials, containers, and methods.
10. The borrower is not permitted to restore, conserve, or alter loaned material without specific written permission from the Museum.
11. The borrower may not remove identifying numbers or tags from any loaned objects. Identifying numbers placed on material by the borrowing institution for their own purposes must be of a non-permanent nature.

## **Incoming:**

The Museum will accept items as incoming loans from institutions or individuals for the purposes of exhibition, research, or possible acquisition.

The following conditions govern loans to the New York State Museum's History Collection:

1. A formal loan agreement, signed by an authorized individual at the loaning institution and by the Chief Curator must be executed prior to the loan of materials.
2. Staff will not accession loan materials into the collections. All documentation will refer to the incoming loan number.
3. Indefinite or long-term loans will be accepted only when recommended by the staff, and approved by the Chief Curator. These loans must involve artifacts needed for long term exhibition, important materials held as future donations or materials belonging to an agency, such as a federal museum, that is legally prohibited from transferring a title of ownership.
4. Materials lent to the Museum on the understanding that they will ultimately be donated to the collections should be accompanied by a written declaration of the lender's intent. If the lender decides not to act in accordance with this intent, the cost of insurance, curation, and storage during the loan period will be paid by the lender
5. The Museum will not accept incoming loans of objects acquired or collected illegally or not in compliance with all applicable international, national, state, and local laws and regulations. Loan objects can be received only from the legal owner or authorized agent.
6. The Museum will provide the same care to objects borrowed as it does to comparable property of its own. Both the Lender and the Museum understand that all tangible objects are subject to gradual inherent deterioration for which neither party is responsible.
7. The Museum will not clean, repair, restore, or alter in any way objects it has received on loan without the express written approval of the lender.
8. The Lender must certify that the objects lent are in such condition as to withstand ordinary strains of packing and transportation.
9. If the Lender does not supply a written condition report, the museum will assume that the loan objects are received in the same condition as when leaving the lender's custody. The Museum will make a condition report, and this report will serve as the original record of condition.
10. The Lender will assure that loan objects are adequately and securely packed for the type of shipment agreed upon, including any special instruction for unpacking and repacking. The Museum will return all objects packed in the same or similar materials as received



unless otherwise authorized by the Lender. International shipments will adhere to all customs regulations.

11. The Museum will insure all loaned objects under its all-risk, wall-to-wall, Fine Arts policy subject to the standard exclusions. Insurance will be placed in the amount specified by the Lender which must reflect fair market value. If the Lender fails to indicate an amount, the Museum will set a value for purposes of insurance only for the period of the loan. The amount payable by this insurance is the sole recovery available to the Lender in event of loss or damage.
12. If the lender elects to maintain his own insurance coverage, the Museum must be supplied with a certificate of insurance naming the Museum and the State of New York as additional insured or waiving rights of subrogation. The Museum must be notified immediately of any changes in insurance coverage or providers. The Museum shall not be responsible for any error or deficiency in information furnished to the Lender's insurer or for any lapses in coverage.
13. Unless otherwise notified in writing, the Museum may photograph or reproduce any objects lent for condition, educational, catalog, and publicity purposes. It is understood that the general public may photograph any objects on exhibit.
14. The Museum will return loaned objects only to the lender or his/her duly authorized agent or representative. The lender is responsible for notifying the State Historian in writing of any change in ownership or change in identity or address of the lender. Any failure to notify the Museum of any changes in ownership or address which results in the Museum's inability to return objects at the end of the loan period may be cause for considering such objects abandoned according to the procedures of New York State Education Law Section 233-a.
15. Loans shall remain in the possession of the borrower or in the case of traveling exhibits in other organizations participating in the exhibition for the time and the exhibition specified in the loan agreement.

## **PRESERVATION AND CARE OF COLLECTIONS**

The State Museum is committed to ensuring the adequate physical protection of the collections placed in its care. These protections are designed to ensure the integrity of objects and prevent the physical deterioration of those objects.

Descriptive and metadata systems will be implemented to ensure that all objects in the Museum's history collection are adequately inventoried, described and their physical locations known. These metadata systems will be protected to ensure that only authorized staff have access to information to mitigate potential for inappropriate use of descriptive and location data.

Security systems will be utilized to control and track access to collections storage areas. Security systems will rely on the overall security framework implemented for the Office of Cultural Education.

Environmental controls and monitoring systems will be used to ensure the physical environment is appropriate for the long-term preservation of materials.

Rules and guidelines will be promulgated by the Chief Curator governing the methods of access to collections. These guidelines and rules will address such topics as:

- Food and drink in collections areas and in proximity to collections objects
- Requirements for safe handling of specific objects
- Inventory and descriptive requirements for objects and for recording use of objects by researchers.

## **DEACCESSIONING**

### **Introduction**

Deaccessioning decisions are made with the full realization that the New York State Museum holds its research collections in trust for the public. The Museum retains objects permanently as long as they continue to support the Museum's mission and can be properly protected. If any objects do not meet these criteria, it may be in the public interest to deaccession them. History Division staff will maintain complete documentation of all deaccession actions in order to facilitate any appropriate future reviews.

### **Definition:**

Deaccession - the formal process used to remove a specimen or artifact permanently from the collection with appropriate transfer of title with appropriate documentation of the removal in the Museum's records.

### **Standards**

- In general, the State Museum will keep accessioned objects as part of its History collection as long as the objects retain their physical integrity and authenticity, are not duplicated by subsequently acquired superior examples, and/or support the mission of the Museum.
- Before deaccessioning any object, the Museum will make all reasonable efforts to show that it is not encumbered by any legal restrictions.
- The Museum will observe any restrictions mandated by a Deed of Gift unless deviation from such terms is authorized by a court of competent jurisdiction or are waived by the donor or legal heir.
- If no proof of legal ownership exists for an accessioned object, the Museum will follow the statutes provided in Education Law, Section 233a, to assert ownership.

- The Museum will make reasonable effort to ensure that any deaccessioned objects unique to the historical, cultural, or scientific heritage of New York State or the United States remain within the state or the nation, respectively.
- The Museum shall not be give, sell, or otherwise transfer in the first instance any deaccessioned object to State Education Department employees, officers, and members of the Board of Regents, or their immediate families or representatives.
- As stipulated by Education Law, Section 233a, Subsection 15, the Museum will make and retain a complete record of the conditions and circumstances under which objects are deaccessioned and/or disposed. The Museum will annually submit a report on all deaccessioned materials to the Commissioner of Education and the Board of Regents at its February meeting or for the first meeting thereafter.

### **Criteria For Deaccessioning**

Objects being considered for deaccession from the History collection must meet at least one of the following criteria:

1. The object is outside the scope and purpose of the State Museum and its acquisition policy.
2. The object lacks physical integrity or is deteriorated beyond usefulness.
3. The type of object is sufficiently represented in the History collection or has been replaced with better objects of superior quality.
4. In the opinion of the Chief Curator, the object either lacks authenticity or is so lacking in documentation that it lacks value or meaning to scholars and/or the public.
5. The Museum is unable to properly preserve the object.
6. The object contains or is composed of materials hazardous to the safety of persons or of other objects in the collections.
7. The object occupies space or demands resources disproportionate to its present or anticipated importance to the collections.

### **Disposition of Deaccessioned Objects**

The Museum has the responsibility for determining the most appropriate method of disposition of deaccessioned collections: transfer, exchange, gift, sale, or destruction. These methods include the following:

1. Transfers

- a. Items deaccessioned from the History collection may be transferred to the Museum's Teaching Collection. Items transferred to the Teaching Collection must be marked to identify the piece as belonging to that collection. Teaching Collection material, because of its use in educational and exhibition programs, does not adhere to the same standard of care and documentation as the permanent collections.
- b. Deaccessioned materials may be permanently transferred to other state agencies having legislative mandates to acquire, exhibit, preserve, and interpret scientific specimens, historical objects, or works of art. The Office of Parks, Recreation and Historic Preservation shall have first right of refusal of historic and artistic materials subject to deaccessioning.

2. Exchanges The Museum may seek formal reciprocal transfer of objects of comparatively equal value with appropriate cultural institutions in order to serve the research, education, or exhibition programs of participating organizations. Preference shall be given, first, to New York State museums, second, to any other New York State educational and cultural institutions that meet criteria described in Section 501(c)(3) of the United States Internal Revenue Code, and third, to museums and educational institutions outside New York State and outside the United States.

3. Gifts In cases where exchange or transfer of material may be unfeasible or impractical, the Museum may give or grant deaccessioned objects to other educational, cultural, or scientific non-profit institutions. Preference will be given to museums or educational institutions located in New York State which meet the criteria described in Section 501(c)(3) of the United States Revenue Code. Deaccessioned material may be disposed of as gifts to any museum in New York holding a permanent charter from the Board of Regents and secondarily to museums and educational institutions outside New York State and outside the United States

4. Sale

- a. Objects may only be sold through public sales or public auctions, generally through the Office of General Services. Items sold at public auction should be offered at a reserve price. If the reserve price of an object is not met, it may be sold in some other public sale for at least the reserve price. Objects deaccessioned from the History collection may NOT be sold through the Museum Shop or by or through any other means or agency that could create a perception that the Museum might be selling items from its collections routinely and without adherence to its carefully considered and stated policies.
- b. Sales of all items must be in compliance with local, state, federal, and international law.

5. Destruction If, in the opinion of the Chief Curator, an object has deteriorated to the point that it is of no further use to anyone, or if it constitutes any uncontainable hazard, then it may be destroyed. This destruction must comply with any relevant local, state, or federal regulations concerning disposition of such material and must be conducted in such a way as to pose no public hazard, in the best judgment of the Museum. The destruction must be witnessed and attested to in writing by a curator and/or the Collections manager.

### **Use of Funds From Deaccessioning**

The Museum will comply with the requirements of Education Law Section 233a, which limits the use of proceeds from the deaccessioning of any property from the collection of the museum to the acquisition of materials for the collection or the preservation, protection, and care of the collection. These proceeds will not be used to defray ongoing operating expenses of the Museum.