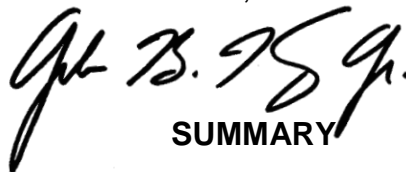




**TO:** Cultural Education Committee  
**FROM:** Jeffrey Cannell   
**SUBJECT:** State Museum Collections Policy  
**DATE:** November 10, 2014

**AUTHORIZATION(S):**

  
**SUMMARY**

### **Issue for Decision**

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

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

Review of Policy

### **Proposed Handling**

The proposed policy will be presented to the Cultural Education Committee for recommendation and to the Full Board for approval.

### **Procedural History**

As reviewed at the October 22, 2013 meeting, the State Museum is pursuing accreditation by the American Alliance of Museums.

### **Background Information**

The accreditation process by the American Alliance of Museums includes review of five institutional core documents approved by an institution's governing authority: 1) Mission Statement, 2) Institutional Code of Ethics, 3) Strategic Institutional Plan, 4) Disaster Preparedness/Emergency Response Plan, and 5) Collections Management Policy.

The State Museum's Collections Management Policy is the second of these core documents to be brought to the board for review and approval. The first document was

the Mission Statement, which was approved by the board as part of the History Collections Management Plan on November 12, 2012.

Following the requirements of the American Alliance of Museums, the State Museum's Collections Management Policy addresses: 1) acquisitions and accessioning, 2) deaccessioning and disposal of collections, 3) incoming and outgoing loans, 4) collections care, 5) inventories and documentation, and 6) access and use of collections.

**Recommendation**

Staff recommends that the Regents take the following action:

VOTED: That the Board of Regents approve the State Museum's Collection Policy as submitted.

## **NEW YORK STATE MUSEUM COLLECTIONS POLICIES 2014/ EXECUTIVE SUMMARY**

On behalf of the New York State Board of Regents, the New York State Museum holds in trust for the people of the State of New York collections of artifacts, objects, and specimens related to the human and natural histories of the State. This fiduciary responsibility is established in a series of State laws that define the nature of the collections and the Museum's responsibilities to those collections.

Focused on New York State, the Museum's holdings cover various subdisciplines in archaeology, biology, geology, history, and paleontology. There is also a separate teaching collection used and maintained by the educational staff.

Because of the broad coverage of its collections, the State Museum is classified as a general museum. This institutional Collections Management Policy establishes general protocols applicable to all collections areas within the Museum. Each collections area in turn establishes a collections policy consistent with the institutional policy, while at the same time taking into account its professional, discipline-specific standards. In 2012, the Board of Regents approved the History collections policy to take into account recent changes in deaccessioning protocols.

Consistent with national standards promulgated by the American Alliance of Museums, this institutional Collections Management Policy defines Museum staff and administration and State Education Department and Board of Regents responsibilities for the collections and establishes protocols for:

- collections acquisition and accession,
- deaccession and disposal of collections,
- collections care,
- collections inventorying and documentation, and
- collections access and use.

### **Collections Acquisition and Accession**

These portions of the policy establish acquisition and accession protocols to ensure that new acquisitions are obtained legally and ethically and are consistent with the Museum's mission, priorities, and resources. These include considerations of protecting and preserving the State's cultural and natural heritage, the physical condition and research and educational value of a potential collection, and the ability of the Museum to properly care for the collection given available resources. The policy also defines at what point an acquired collection's ownership commences through accessioning.

### **Deaccession and Disposal of Collections**

These portions of the policy establish protocols for deaccessioning and disposal of collections consistent with Education Law §233-a and Regent's rule §3.27.

### **Collections Care and Inventory Management**

The primary goal of collection management is to maximize the historical and/or scientific value and extend the life of specimens and objects in the NYSM collections in order that they may be

used to increase knowledge of our heritage. To this end, this section of the Policy establishes protocols for:

- managing the specimens and objects individually and collectively relative to Museum resources (space, personnel, equipment, etc.);
- maintaining documentation procedures that fulfill legal requirements, preserve each item's collection data, and build a record of the specimen's or object's use and history; and
- insuring that sound conservation principles are followed to slow biological, chemical, and mechanical deterioration.

**Collections Use and Access:**

Although the purpose for collecting most natural history specimens and cultural objects is to use the items, it is necessary to balance the goal of use with that of preservation. As a result, unconditional access to and use of specimens and objects is not feasible. The policies in this section set forth guidelines for access to and use of collection objects and related documentation in the Museum's collections. This includes protocols for:

- on-site access, including large group visits;
- loans of collections items to other institutions;
- treatment of incoming loans from other institutions;
- treatment of human remains consistent with Federal law and guidelines for treatment of Native American remains; and
- production and use of reproductions of Museum collection items.

# **NEW YORK STATE MUSEUM**

## **COLLECTIONS POLICIES**

**New York State Museum  
Office of Cultural Education  
New York State Education Department  
2014**

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# NEW YORK STATE MUSEUM COLLECTIONS POLICIES

## INTRODUCTION

The New York State Museum's (NYSM) curatorial functions are established in State law. As a result of this legislation, the Museum's collections consist of artifacts, objects, specimens, and associated paper and electronic documentation in archaeology, biology, ethnography, geology, history, and paleontology.

The Museum was formally organized in 1870 by a special act of the State Legislature. However, its beginnings date back to 1835 when New York State inaugurated a series of systematic investigations to be conducted by the newly founded State Geological and Natural History Survey into its natural resources. The resulting collections of natural history specimens were incorporated into the State Cabinet of Natural History, established in 1843 and expanded in 1847 to include a historical and antiquarian section. In 1870 the name (but not the structure) of the State Cabinet of Natural History was changed to the New York State Museum of Natural History:

"The State Cabinet of Natural History is hereby established as a museum of scientific and practical geology and general natural history, at the capital of the state, under the care and custody of the regents of the university, to be known as 'The New York State Museum of Natural History.'"

The Legislation of 1870 formally charged NYSM, with its duties, which were broad in character.

Education Law section 233, part 1:

"All scientific specimens and collections, works of art, objects of historic interest and similar property appropriate to a general museum, if owned by the state and not placed in other custody by specific law, shall constitute the collections of the state museum. The state museum shall be the custodian of the collections, shall perform standard curatorial, research and educational activities and a director appointed by the Regents shall constitute its head."

Education Law section 234:

"There shall be made, as the Indian section of the state museum, as complete a collection as practicable of the historical, ethnographic and other records and relics of the Indians of the state of New York, including implements or other articles pertaining to their domestic life, agriculture, the chase, war, religious burial and other rites or customs."

In 1945, NYSM was reorganized through an amendment to the Education law that created the State Science Service. The State Science Service is the branch of NYSM



that consists of state research scientists, natural history curators and their assistants. Their duties are defined by the following legislation.

Education Law section 235:

“There shall be maintained in the university a science service which shall be known as the state science service and the state geologist, paleontologist, botanist, and entomologist shall constitute its staff together with such other scientists as the Regents may employ or who are now employed by them. This service is empowered and directed to make available its services to all the departments of the state, and the residents of the state under such rules and regulations and the Regents may prescribe and is empowered to engage in such scientific research as directed by law or by Regents and shall cooperate with scientific units or agencies of other states, the federal government, educational institutions and industry in the discovery, analysis and dissemination of scientific information. The director of the state museum shall also be the director and head of the state science service and the staff of the service shall be members of the staff of the state museum.”

A New York state "historical and antiquarian collection" to supplement the existing Cabinet of Natural History was authorized by the Board of Regents in 1847. For over a century, periodic restructuring placed it under a series of different offices, culminating in the office of state history, established in 1971. The non-archival functions of this office were transferred to the State Museum in 1976.

Arts and Cultural Affairs Law section 57.03:

It shall be the function of the office of state history:

1. To collect, edit and publish, with the approval of the commissioner of education, any archives, records, papers or manuscripts that are deemed essential or desirable for the preservation of the state's history.
2. To prepare and publish, with the approval of the commissioner of education, or assist in the preparation and publication of, works relating to the history of the colony and state of New York.
3. To acquire, administer, preserve, exhibit, interpret, and, in conformity with the regulations of the commissioner of education, to loan, exchange or dispose of historical objects of personal property relating to the history of the colony and state of New York; and to advise any state agency, board, commission, office, civil subdivision, institution, organization, or individual on the acquisition, administration, preservation, exhibition, interpretation, and disposition of historical objects.
4. To perform the functions of the state education department set forth in section 19.11 of the parks, recreation and historic preservation law with respect to historic sites under the jurisdiction of the office of parks, recreation and historic preservation; and to advise and assist any political subdivision of the state and any institution, organization or individual concerning the designation, acquisition, administration, interpretation, use and disposition of any historic site,

property or place relative to the history of the colony and state of New York, and to coordinate educational programs and projects at such historic sites or properties.

5. To advise and assist any state agency, board, commission, office, civil subdivision, institution or organization in the planning and execution of any commemorative event relating to the history of the colony and state of New York or New York's participation in commemorative events outside of the state.
6. To perform other functions or duties assigned the office by the Commissioner of Education.

In 1993, the New York state biological survey was formally added to the state science service.

Education Law section 235-b:

“1. The New York state biological survey is hereby established in the New York state science service within the state museum to inventory, research, analyze and disseminate information about all the biota of New York. The biological survey shall:

- (a) Develop and maintain an inventory of the biological resources of New York State, with special emphasis on identifying those resources that are important to biological diversity, have real or potential economic significance, or have particular scientific, systematic, or environmental importance;
- (b) Conduct research on and advance the knowledge of the biological and ecological characteristics and processes that constitute or affect New York state`s environment;
- (c) Interpret and publish the results of research on New York state`s biological resources, thereby making information available to citizens, teachers, industry, and government for educational purposes and for use in decision making;
- (d) Insure the preservation and appropriate expansion of the state`s collection of scientific specimens and artifacts, conduct research on these collections, and make specimens and data available for biological resource studies, ecosystem analyses, and other research projects; and
- (e) Cooperate with the department of environmental conservation, office of parks, recreation and historic preservation, and other state and federal agencies, private organizations and institutions, corporations, and individuals interested in biological resources.

“2. The survey shall not be authorized to enter any privately owned lands without the written consent of the landowner, lessee, or person in control. The survey shall be authorized to enter into agreements with landowners to enter private lands on such terms as may be acceptable.”

The NYSM collections, throughout these administrative changes, have continued to grow and diversify. Internal restructuring eliminated the surveys as administrative units in the early 2000s but did not alter the mandated functions and responsibilities of the surveys. Scientific (archaeology, biology, ethnography, geology, paleontology) collections are administered within the Research and Collections Division headed by a director and a history division headed by a Chief Curator (History).

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

NYSM core priorities are encapsulated in the following 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.

### **Collections Policy Scope and Purpose**

This statement of collections policy covers all the collections of the New York State Museum. These collections include anthropology/archaeology, biology, geology, paleontology, and history, each with numerous subcollections; natural history illustrations; teaching collections; and their associated documentation. Members of the museum staff, scholars throughout the world, and scholars visiting the NYSM use these collections to carry out original research. The museum's collections are also used in exhibitions and other educational programs at the museum and other institutions worldwide. . The collections form the basis for the continuing reappraisal of our knowledge of the past, present, and future. It is a primary responsibility of the Museum to hand down to future generations these collections and their attached records.

In order to maintain currency, this policy is reviewed on a periodic basis. Substantive changes to the policy are presented to the Board of Regents of the University of the State of New York for approval.

It is clear that NYSM cannot engage in unfocused acquisition. Relevance to the mission statement, physical space, and ongoing costs of care and conservation necessitate carefully considered acquisition policies. Priorities for new accessions will be established and kept current within these parameters. Consideration is given to the deaccessioning of materials that may no longer be appropriate or useful for the Museum's mission.

Collections within the sciences cover mineral groups, rock types, ore deposits, and plants, animals, and fungi, with coverage by group/type and/or by geographical area. Likewise, cultural history objects in anthropology and history collections are collected from across all parts of the state of New York with intensive coverage of particular groups, sites, or specific object types. This range of coverage permits a wide range of research on the State's natural and human histories, identification services, and

extension programs. A balance between intensive and extensive coverage is maintained, as over-specialization tends to be too restrictive while over-diversification could result in an inadequate information base for effective research.

As a multidisciplinary educational and collections and research institution, the Museum recognizes that each discipline has different collecting protocols and practices. The curatorial staff are responsible for developing and implementing discipline specific collections policies and procedures, consistent with the Museum's institutional collections policy and disciplinary standards.

## **RESPONSIBILITIES**

The development, implementation, and revision of the policies governing the use, care, and growth of NYSM collections is the joint responsibility of the curatorial and registration staff, Museum senior managers, the Office of Cultural Education, the State Education Department, and the Board of Regents of the University of the State of New York. Individual responsibilities are outlined below.

### **Curatorial**

Curators are responsible for the collections assigned to them, and as a community, for all NYSM collections. Curators care for objects by imposing intellectual control over collections, maintaining written and electronic records according to Museum and discipline standards, housing collections consistent with current conservation standards, making recommendations on care and conservation of collections, making collections available for research, exhibition and other educational purposes, and developing and implementing collection policies. Curators are the "front-line" advocates for the needs of the collections to NYSM managers. Curators also support NYSM management by actively participating in grant writing for collections care. Curators take part in collection advocacy efforts by NYSM management within State government as well as the private sector.

Collections Managers support the work of the curators by managing the day-to-day operations of the individual collections assigned to them. They assist with such activities as accessioning, cataloging, organizing, and housing collections, digitization of collections and collections documentation, database management, preparation of materials for loans, aiding visiting researchers, and responding to requests for images. Along with curators, Collections Managers are responsible for establishing written procedures or guidelines for the management, documentation, and conservation of the Museum's collection.

### **Registrarial**

Registration staff members are responsible for maintaining the legal integrity of the collections. They do this through maintaining all legal documentation of the collections,

advising on acquisitions that may have legal concerns, maintaining all necessary permits as related to collecting, conducting risk assessment studies for collections care, and maintaining appropriate insurance for loan materials. In addition the registration staff take active roles in overall care of collections, monitoring of environmental conditions, management of electronic records, and policy development. Registration staff advise both NYSM management and curators. Like curators, registration staff members actively participate in grant writing and advocacy efforts. (In the absence of a Museum Registrar, these duties fall upon curators, registrars, and collections managers of individual collections, with oversight by the Research and Collections Division director for anthropology, archaeology, biology, geology, and paleontology or Chief Curator (History) for history, and review by the Museum Collections Committee.)

### **New York State Museum Collections Committee**

The Collections Committee of the New York State Museum (NYSM) serves as a cross-disciplinary curatorial forum on all matters related to NYSM collections. Its members collectively advise on and are responsible for the review and administration of policies related to NYSM collections as a whole, with the aim of maintaining the integrity of curated objects while maximizing their research and educational value." Collections Committee membership includes all collections staff. Meetings of the Collections Committee are open to all interested staff. The Director, Research and Collections Division and Chief Curator (History), or their designates, serve as an ex officio members of the committee. All recommendations of the committee are forwarded to the NYSM senior management team and Museum Director for approval.

### **New York State Museum Management**

Museum management, consisting of the Museum Director, Director, Research and Collections Division, and Chief Curator (History), is responsible for approval of collections policies under advisement of the Collections Committee. NYSM management is also responsible for obtaining and allocating resources necessary for the overall operation of the collections. In addition, managers take an active role in advocating for collection needs to State Education, the Legislature, the Governor, and private sources. In order to fulfill these responsibilities, senior managers work closely with curatorial staff and the Collections Committee to understand collection needs and set priorities.

### **Office of Cultural Education, State Education Department, and Regents**

The Office of Cultural Education and the State Education Department are responsible for facilitating the allocation of resources that allow the State Museum to care for its collections. The Regents of the University of the State of New York approve collections policies and are provided periodic reports on major accessions and deaccessions, including repatriations under the federal Native American Graves and Repatriation Act (NAGPRA).

## ACCESSIONS

### General Considerations

The quality of NYSM collections is improved by new accessions, well-justified deaccessioning, value-added specimen- or artifact-based research, and artifacts and specimens that support exhibitions and educational programming. The net result is that the collections continue to grow in quality and quantity to support the mission of the Museum.

Limitations in physical space and financial resources dictate that the Museum not engage in unjustified major acquisitions. Therefore, priorities for the acceptance of new acquisitions will be established, followed, and constantly monitored by each collections area and by NYSM management. One of the best methods of managing collections growth is preparation of annual acquisitions plans and rejection of unsatisfactory material as determined by the criteria established in these accession policies.

Specimens and objects are added to the collections in a variety of ways: field work, salvaged materials, transfers from other state and federal agencies, purchases, gifts, bequests, and exchanges, among others. Not all objects/specimens acquired by the Museum are suitable for accession into the collections. Only materials that support the collection goals and mission of the Museum and specific discipline policies are accessioned into the Museum's collections. NYSM does not accept specimens or artifacts offered with restrictions on use that might interfere with the mission and goals of the Museum. Items offered with restrictions will require special consideration review by the Collections Committee and approval by NYSM senior management. Potential acquisitions that require substantial space and/or financial commitment from the Museum are reviewed by the Museum's Collections Committee and its recommendation is reviewed for approval by the appropriate senior manager and Museum Director.

Accessioning is the formal process used to accept and record an **acquired** item as a collection specimen or object. It is a process by which appropriate material is added to the Museum's collections. Accessioning includes two basic activities: an approval process and a registration or documentation process. The policies governing these activities are discussed in the following sections.

The following criteria shall be considered during the evaluation of a specimen or artifact or group of specimens or artifacts as potential acquisitions:

1. Legality – The donor/transferor must have full and clear legal title or the right to convey full and clear legal title to the specimen, object, or collection and all associated materials offered.

The specimen, object, or collection must have been obtained or imported legally with satisfactory documentation to that effect.

2. Collection Priorities – The specimen, object, or collection must be consistent with the collection priorities of the Museum and the appropriate curatorial unit.
3. Uniqueness – The specimen, object, or collection is so unusual that it presents an exceptional opportunity for the Museum and should be given preferential consideration. Items representative of historically or scientifically significant themes deemed essential to the interpretation of those themes will also receive appropriate consideration.
4. Documentation – The specimen, object, or collection must have adequate accompanying scientific or historical documentation. If not, there must be some extraordinary reason such as excellent exhibit item, few in existence, etc., to justify adding it to the collections.

The provenance of the specimen, object, or collection must be adequately documented.

5. Physical integrity – The current physical condition of the specimen, object, or collection must permit immediate use as intended. If not, consideration must be given to the extent additional preparation or conservation is required.

Sufficient physical, personnel, and monetary resources must be available to care for the specimen, object, or collection once accepted by NYSM.

6. Consideration will be given to the ongoing resources needed to preserve the specimen, object, or collection such as personnel, processing and maintenance costs, space needs, collection storage equipment, and conservation needs.
7. If specimens, objects, or collections are offered for sale to NYSM, the Museum will consider whether comparable items could be obtained by gift, bequest, transfer or field collection.
8. NYSM does not accept items into the collections with undue restrictions or conditions. Conditions such as exhibition commitment, “permanent” or long-term loans; intellectual property restrictions (copyright, patent, trademark, trade name); and restrictions or encumbrances due to the nature of the object (representative of an extinct or endangered species [unless the Museum holds a permit to do so], physically hazardous, defamatory) are potential grounds for rejecting an acquisition, and must be given careful consideration when an object or collection is being reviewed for acquisition.
9. Ethical Considerations – The specimen, object, or collection must be obtained ethically (obtained in a manner consistent with the relevant discipline's professional and ethical standards).

Adequate consideration must be given to the rights and beliefs of the culture of the originating locality.

Private landowners and responsible governmental entities must be adequately consulted and fully informed of collecting activities.

10. Objects or specimens in large collections should be scrutinized individually to ensure the legal ownership and to avoid unnecessary duplication and inappropriateness of individual items.

## **Legality**

NYSM does not knowingly accept or acquire specimens, objects, or collections that have been illegally collected or imported into the United States. Every reasonable effort will be made to ensure that items considered for acquisition have been collected and imported in full compliance with local, state, federal, foreign, and international statutes. It is the responsibility of Museum staff members to inform themselves of and comply with pertinent laws. Illegally imported items confiscated by law enforcement agencies and offered to the Museum may be accepted if they fall within the scope of a given collection.

## **Protection of Natural and Cultural Resources**

The Museum strives to preserve and guard the natural and cultural heritage of New York and the world. Therefore, NYSM may refuse specimens or artifacts if it has reason to believe that their collection caused or contributed to the recent destruction of the population of a species, community of organisms, habitats, sites, or monuments. The Museum may also refuse to accept items collected in such a way as to impair their scientific value, e.g., archaeological and geological objects taken without proper recording of stratigraphic and site data or biological specimens with inadequate documentation, unless the objects are clearly specified for use in which these data are not needed. It is the responsibility of the Curator to whom a specimen or artifact has been offered to make a reasonable effort to ascertain from the circumstances surrounding the transaction, or knowledge of the specimen or artifact's provenance, that the original collection was appropriately performed.

## **Intended Use and Documentation**

It is the responsibility of the Curator to identify the intended use(s) of the specimens, objects, or collections offered. The Curator and appropriate Collections Manager are responsible for determining whether the quantity and quality of data and provenance for such specimens are sufficient for their intended use.



## **Physical Integrity**

The Museum does not accept specimens or artifacts for which it cannot immediately provide adequate storage and care, unless not accepting them threatens their future availability for research and education. Information concerning additional preparation or conservation treatment needed to permit use of the specimen or artifact as intended must be presented during the acquisition approval process.

## **Conditions of Acceptance**

NYSM does not guarantee to a donor that specimens, objects, or collections will be retained permanently by the Museum, that they will be exhibited permanently or temporarily or that they will be kept together in storage as a single group. However, it is recognized that situations arise where conditions that would not interfere with the mission and goals of the Museum are placed on specimens or artifacts by the transferors. Examples of such a situation might be items received from Federal museums or agencies that are not allowed by law to transfer the title of such specimens or objects.

In the extraordinary event that specimens offered with contingencies are approved for acquisition, this acquisition will be approved according to standard procedures. In addition, however, a written agreement should be prepared describing the restrictions placed on the transfer of specimens as well as the responsibilities of both the transferor and Museum. The agreement should be signed by both the NYSM director and the transferor.

## **Appraisals for Acquisitions**

It is the responsibility of the donor to have material appraised by a recognized independent appraiser. The Museum will inform the donor that it is their responsibility to consult appropriate Internal Revenue Service regulations and seek professional tax or legal counsel. NYSM will maintain appropriate records as required by IRS. It is the policy of the Museum NOT to give estimated dollar value of donations to the donor as it represents a direct conflict of interest with the IRS. In general, no NYSM staff member may provide an appraisal for any purpose.

## **Approval of Acquisitions**

The acquisition process results in selective accessions to further the mission and goals of the Museum and its collections units, consistent with New York State Education Law §233-a.

1. The Museum accepts suggestions from all sources for possible accessions to the collections. The appropriate curator is given the information and reviews the potential accession. Potential accessions must support the mission of the

institution, fulfill the collecting policy, and pose no threat to human or collection safety.

2. The appropriate curator brings potential accessions to the attention of his/her unit's management. If approved, the acquisition is processed for accession according to the established standards of the discipline.
3. Acquisitions that pose certain issues are brought before the Collections Committee of the New York State Museum. If approved, the request is forwarded to the appropriate NYSM manager and Director for final approval. Examples of acquisitions requiring Collections Committee review include the following:
  - a. Acquisitions that do not obviously fall within the established collecting areas of the Museum;
  - b. Acquisitions with special restrictions or conditions placed on their use;
  - c. Acquisitions with questions regarding ownership and/or provenance;
  - c. Acquisitions that will require substantial funds or other resources for their care, storage, or conservation;
  - d. Acquisitions that will require unusual accommodations in terms of storage space or curation care, with potential for disadvantageous or detrimental impact upon other NYSM collections.

### **Commencement of Ownership**

The time at which NYSM takes possession of and legally owns a specimen, object, or collection varies with the method of acquisition. In all cases, ownership can not begin until the approval process for accessioning acquisitions (as described above) has been completed. The following definitions set forth the time and conditions for commencement of ownership:

1. Gifts/bequests - NYSM is considered to own a specimen or object when it physically enters a Museum facility and a deed of gift has been completed and signed by both the donor and NYSM. Ownership begins only when both conditions have been met.
2. Purchases - Ownership begins when NYSM has paid for the specimen, object, or collection, subject to any conditions of delivery.
3. Exchange/transfer/State agency transfer - Ownership begins when specimens, objects, or artifacts physically enter a Museum facility and all exchange/transfer forms are signed and transmitted back to the donor.

4. Abandoned property. Unaccessioned objects, specimens, and artifacts in physical possession of the Museum for which ownership is unknown are treated as abandoned property. Accession into the collections only takes place after all steps are followed in Education Law Section 233-a.8.
5. Field collection - Everything collected on Museum-sponsored trips by employees, interns, and volunteers automatically and immediately belongs to the Museum as soon as it is collected unless limited by permit or legislative restrictions. Following the conclusion of the trip, the appropriate Museum department will make recommendations for accessioning parts or all of the materials collected, according to the acquisitions approval process outlined in this policy.

The Museum has the right of first refusal for all materials collected by participants of Museum classes or programs. For jointly funded projects, a written agreement will be developed at the beginning of the project, before field work begins, describing the disposition of specimens collected as part of the project. The agreement should be approved by the NYSM Director and the appropriate representatives of the other funding agencies.

Employees holding joint appointments, whether temporary or long-term, with other agencies should recognize the potential conflict of interest relative to collecting activities. Every effort should be made by employees to obtain representative material for the Museum from any museum-sponsored trip in which they participate. For long-term joint appointments, a written agreement should be developed clarifying the disposition of specimens collected during the course of the appointment. The agreement should be approved by the NYSM Director and the appropriate representative of the other agency.

## **COLLECTION MANAGEMENT**

### **General Considerations**

The ultimate goal of collection management is to maximize the historical and/or scientific value and extend the life of specimens and objects in the NYSM collections in order that they may be used to increase knowledge of our heritage. Accomplishing this involves:

1. Managing the specimens and objects individually and collectively relative to Museum resources (space, personnel, equipment, etc.);
2. Maintaining documentation procedures that fulfill legal requirements, preserve each item's collection data, and build a record of the specimen's or object's use and history; and

3. Insuring that sound conservation principles are followed to slow biological, chemical, and mechanical deterioration.

NYSM will make every effort to adhere to professional standards and ethics for collections management. The Board of Regents is ultimately responsible for the protection and appropriate use of the collections. Although it is the primary function of the Registrar's Office to coordinate the collections care program for the Museum, the entire Museum staff shares the responsibility for the care and management of the collections. Not **only** is the safety of the specimens and artifacts to be considered, but human health and safety issues resulting from contact with or interaction with specimens and objects must be addressed as well.

The Museum is committed to the effective use of its collections information. To that end it supports a single centralized computer database system in which all pertinent collections data, including images, are maintained. The data system to be used will conform to accepted metadata standards for museum collections documentation (e.g., SPECTRUM, Access to Biological Collections Data (ABCD) Schema). The system will also comply with industry accepted standards and best-practices regarding security, sustainability, and the long-term preservation of information. The system is used in all aspects of collections management, including accessioning, loans, deaccessioning, and as appropriate, information sharing within the Museum and with external collections, research, and educational institutions.

### **Procedures and Guidelines**

The Registrar and appropriate Curators and Collections Managers are responsible for establishing written procedures or guidelines for the management, documentation, and conservation of the Museum's collections, subject to the general guidelines of this policy. Procedural documents are reviewed by the Collections Committee, or a subcommittee thereof, which may suggest revisions.

Statements of procedure developed by individual curatorial units are registered in writing with the NYSM Collections Committee, which maintains the NYSM Curatorial Procedures manual.

### **Management**

The Registrar coordinates the development of short and long range plans to improve the quality of management, documentation, and care of the museum's collections. To facilitate this process, the Registrar and the appropriate Collections Manager and Curator, in consultation with conservators, will prepare collection philosophies/priorities statements, department acquisition plans, collections assessment, and Museum-wide conservation assessment at appropriate time intervals. A long-range collections management plan will be prepared every five to seven years, with annual revisions as needed, using these and other reports. These plans are submitted to the Museum's Senior Management for review and approval.

The Office of Cultural Education Collections Stewardship Team develops and maintains the building Emergency Response Plan. As part of that plan, the NYSM Collections Committee develops and maintains guidelines and procedures for collections rescue, response, and recovery.

## **Documentation**

Accessioning and cataloging procedures are established by the Collections Managers in consultation with the relevant Curators and in accordance with accepted Museum documentation principles, standards, and best-practices. All primary catalog information for an object will be held in the Museums centralized collection management system. Reasonable efforts will be made to ensure documentation related to an object, including images, will be made available in electronic format via the Museum's centralized computer system. Specimens and objects that have become the property of NYSM are permanently identified in some manner that will not impair the research or exhibition value of the specimen.

All procedures used on a specimen or object and transactions involving specimens and objects should be documented as part of the permanent history of the item. The Registrar, Collections Managers, and Curators are responsible for establishing and maintaining documentation protocol for specimen preparation, storage, use, and treatment. The resulting documentation should be made available to anyone who works with the specimens and objects and is provided if the item is transferred to a different collection or institution.

Archival copies of all registration and transaction records are maintained by NYSM. These include records of title, transfer, gift or bequest, receipts, correspondence, permits, catalogs, inventories, records of conservation treatment, research use or destructive testing of specimens, loans, and deaccession documentation. It is the responsibility of the Registrar, Collection Managers, and Curators to insure that these records are made accessible.

All collection records are accessible under the provisions of the New York State Freedom of Information Act unless reason for restricted access can be shown. Access to information that might jeopardize the continued existence or integrity of natural or cultural resources may be restricted.

Documentation in the form of field notes, maps, negatives, photographs, slides, films, videos, sound recordings, published works, illustrations, software or other computer media, or printouts must not be stored in specimen cases. Full archival copies of all such documentation must be maintained in documentation files associated with the collections, even if copies also are maintained in a staff member's research files.

Field notes, data, and associated documentation produced with collections are the property of NYSM if they are produced by NYSM staff members or by researchers

receiving support from the NYSM. A full set of such documentation must be provided to NYSM for archival purposes.

## **Conservation**

Curators, in consultation with conservators, collections managers, and the Registrar, establish guidelines for preservation and conservation procedures and standards in accordance with generally accepted industry standards and/or best-practices. NYSM makes every effort to implement and document preventive conservation techniques to help slow specimen and object deterioration. Conservation treatment is carried out as needed in consultation with professional conservators.

## **USE OF COLLECTIONS**

### **General**

NYSM provides access to its collections and associated data primarily by responding to written or verbal research inquiries or general questions; by lending specimens to institutions for research, educational, or exhibit purposes; through exhibition; through electronic access; and by physical access to collections. Although the purpose for collecting most natural history specimens and cultural objects is to use the items, it is necessary to balance the goal of use with that of preservation. As a result, unconditional access to and use of specimens and objects is not feasible. The policies in this section set forth guidelines for access to and use of collection objects and related documentation in NYSM collections. All use of and activities associated with collections lacking curators and collections managers is determined by the Director, Research and Collections Division, or Chief Curator (History) in consultation with Collections Committee and approved by the Museum Director.

### **Access**

Access to the collections, documentation, and data is restricted to authorized NYSM staff members (including interns and volunteers) and authorized visitors. Authorized staff members-are those who need access to collections areas to carry out their duties and responsibilities. Detailed access information for Museum staff is contained within the Museum's Access Policy. Visitors wishing to use the collections must request an appointment in advance of the time of visit and must be approved by the appropriate Curator or Collections Manager. Access to a collection will be decided using the following criteria:

1. The individual has a legitimate reason for using the collection (e.g., artistic reference, scholarly research, etc.);
2. The individual demonstrates willingness to comply with appropriate techniques for handling specimens and objects;

3. The individual demonstrates willingness to comply with the general security precautions for the collections and the museum's collections procedures; and
4. The individual provides the necessary equipment to complete his/her project work during the museum's regular operating hours.

Exceptions to these criteria must be resolved in advance of the visit and be approved by the appropriate Curator or Collections Manager. Individuals denied access to the collections may request a review of the decision by the Collections Committee by contacting the Director, Research and Collections or Chief Curator (History), as appropriate. Visitors requesting use of NYSM equipment or preparation / laboratory space must receive approval from the appropriate curator(s) and should be supervised during their visit.

Visitors who have previously abused their status or caused damage to specimens may be denied access to all collections.

Keys/proximity reader cards are not issued to non-staff members except volunteers and interns when approved by the curator and appropriate Museum manager. Keys/proximity reader cards will not be given to visitors or visiting researchers. Collections storage units and areas, offices, and records will be locked or protected from public access when no staff members are present. Authorized staff members will accompany visitors in collection areas.

NYSM archives, current records, and collections manuals are open to public access under the provisions of the NYS Freedom of Information Act, with the following restriction. As is permitted under this act, access is restricted to records containing information on the site-specific location of rare, threatened, endangered or otherwise imperiled plant and animal species, natural communities, caves, and significant archaeological sites. The Museum also restricts access to information on the location of significant paleontological and mineralogical sites. The disclosure of such information would jeopardize the continued existence or integrity of the resource.

All staff members who have access to the Museum's records, including all files and databases, are responsible for protecting confidential information. This includes the locations of objects in storage, the sources of objects (unless listed in the credit line field), personal or private information about donors, appraisals and values of artifacts, database passwords, security access codes, security procedures, and the layout of storage facilities. Staff will not discuss any confidential information with individuals outside of the Museum. Staff members will have access to confidential information only as is necessary to complete their tasks.

### **Group visits**

1. All group visits to collections areas must be approved in advance by appropriate curator/collections manager.
2. The curator/collections manager must notify all other curators/collections managers with collections in the area of the pending visit. This will include the

name of the group, the number of people in the group, the date and time of the visit.

3. The curator/collections manager will send to the group leader protocols for behavior in the collections area in advance of the visit.
4. The curator/collections manager will explain rules for behavior in the collections area to the group before entering.
5. The curator/collections manager will ensure that the group remains in the appropriate area(s) of the range.
6. A minimum of two staff members must accompany any group. Additional staff member should be present for large groups.
7. The leader of each group must sign the visitor book for the collections range when entering an indication of the number of people in the group.

## **Loans**

Loans are temporary physical transfers of specimens or artifacts without transfer of ownership.

### **Outgoing Loans**

Loans of NYSM collections objects are made only to other institutions and never to individuals.

NYSM grants three basic types of outgoing loan requests: research, exhibition, and instructional.

### **Research and Exhibition Loans:**

Requests to borrow NYSM specimens or artifacts should be made in writing to the appropriate Curator and include the following information: purpose of the loan, description of the material requested in as much detail as possible, quantity of objects needed, and where and under whose responsibility the specimens or artifacts will be housed while on loan. Although loans are made only to institutions, not individuals, a permanently employed representative of the institution (usually a curator, director, or department head) will be named as the responsible party for the loan.

Institutions wishing to borrow objects for exhibition must send their request in writing to the appropriate Curator. The request must state the specific objects to be borrowed, the title and nature of the exhibit, the exhibit dates, the location of the exhibit including all venues if traveling, and any other pertinent information. All borrowing institutions must submit an AAM General Facility Report for all venues, which is reviewed by the NYSM Registrar or, in the absence of a Registrar, by another staff member as designated by NYSM senior management.

Requests will be reviewed by the Curator or Collections Manager of the appropriate collections unit relative to the quantity of available material and restrictions placed on certain specimens or artifacts. The Curator, after consultation with appropriate staff, has the authority to approve loans of specimens or artifacts. (Requests for destructive



testing are handled differently; see section below.) A Collections Manager has the authority to approve loans for collections that are not the direct responsibility of a Curator, in consultation with Research & Collections management. Loans of biological specimens representing extinct or endangered species, type specimens, voucher collections, specimens described or figured in publications, fragile specimens or single representatives of a taxon generally require additional restrictions over those of other collections materials. These restrictions will be detailed and the loan approved in writing by the appropriate Curator.

All specimens or artifacts loaned from the New York State Museum (NYSM) are subject to the following guidelines. All exceptions must be requested and granted in writing. Failure to follow the Museum's guidelines may jeopardize future borrowing privileges.

1. The length for each loan will be negotiated at the time of the loan, generally not to exceed one year. Requests for extensions should be made in writing to the Curator.
2. Specimens or artifacts may not be forwarded to another institution without written permission from NYSM (and may never be forwarded to an individual).
3. Specimens and artifacts should be stored according to professional standards in cases and/or facilities that are free from hazards (insects, rodents, fire, vandalism, theft, water damage, etc.). NYSM will recommend storage and handling guidelines for unusual or sensitive materials.
4. Specimens and artifacts may not be sampled, dissected, remounted, or in any way altered without written permission. Special permission is required for destructive testing or invasive sampling of any kind.
5. Any original documentation accompanying the specimens must never be discarded or covered over (examples include original locality labels, previous identification labels, etc.).
6. Type specimens are loaned only from certain units and are subject to restrictions. All types must be returned within 30 days of receipt unless the Curator approves a longer period for the initial loan or an extension. Returns must be made by registered priority mail or other traceable shipping method.
7. All loaned material must be returned by the specified due date. If a specimen or artifact is incorrectly identified when loaned, the Museum requires notification of taxonomic changes when the material is returned.
8. The specimens or artifacts are the responsibility of the borrower until received by NYSM. Therefore, they should be packed and shipped according to national and international laws governing transportation, and in a manner similar to or better than as received. Wooden shipping containers must be returned to NYSM.

9. Borrowers must agree in advance to cover the cost of return shipping and insurance, and to provide condition reports upon receipt and upon return. Specimens and artifacts must be insured for the value indicated on the original shipping invoice.
10. Borrowers must also agree in advance to cover the costs of a Museum-management designated courier (Museum curator, collections manager, or other staff member) during transit from and to the Museum of foundational and other exceptionally rare/valuable collections objects.
11. The New York State Museum may recall a loan for any reason with 30 days written notification. Immediate action may be taken if care and/or exhibition of items do not meet the conditions of the loan.
12. NYSM must receive credit in any publications based on the use of specimens and artifacts from its collections. The acronym "NYSM" should be used for citing the Museum's specimens or artifacts in all disciplines except botany and mycology. The acronym for herbarium specimens is NYS.
13. Authors shall send a pdf file of any images, journal article, or book chapter and two copies of any monograph, book, or exhibition catalogue based in whole or in part upon material loaned from the Museum.
14. Material with an appraised value must be insured by the borrower payable for the full value stated on the loan form. Insured values in excess of \$1,000 require a certificate of insurance unless otherwise stated.
15. When the purposes for which the loan was made have been completed, the materials should be returned immediately to the New York State Museum regardless of the expiration date of the loan.
16. Restoring, conserving, or altering New York State Museum material is not permitted without specific *written* permission. No pins, nails, tapes, glues, or other means of support may be used that mark or damage the material in any way.

### **Incoming Loans**

NYSM requests loans for the purpose of research, education, and exhibition. A request to borrow specimens or artifacts is made in writing by a Curator, Registrar, or Exhibition Planner.

Any conditions set on an incoming loan must be reviewed by the Registrar or, in the absence of a Registrar, by another staff member as designated by NYSM management. All conditions set on the use, storage, or exhibition of specimens or artifacts by the lending institution must be achievable. Once accepted these restrictions are binding, and NYSM will make every effort to adhere to these restrictions, as well as to return the

borrowed items according to dates and protocols established by the lending institution. No portion of incoming loans may be transferred to a location or person that has not been previously approved in writing by the lending institution.

NYSM will not borrow specimens or artifacts which are known to have been collected or imported in violation of state, federal, foreign, or international restrictions, or which may otherwise place the Museum in a compromising legal or ethical position. If such information becomes known after the loan has been received, the problem should be referred by the knowledgeable staff member to the NYSM Collections Committee and/or NYSM management for resolution.

Specimens or artifacts which are damaged or lost while at NYSM must be immediately documented in writing and the lending institution notified. Questions about insurance or other costs relating to damage or losses must be referred to the Registrar or, in the absence of a Registrar, by another staff member as designated by NYSM senior management.

Shipping and insurance arrangements on incoming loans must be agreed to by both parties in writing in advance.

Documentation pertaining to loans must be made available to the Collections Department in a timely manner.

## **HUMAN REMAINS AND SACRED AND CEREMONIAL OBJECTS**

The New York State Museum balances the mandate to collect, preserve, and conduct research on archaeological and historical human records with the cultural and religious concerns of the descendants whose ancestral remains are involved. Therefore the State Museum subscribes to guidelines established by the International Council of Museums, the American Alliance of Museums, and the Society of American Archaeology for research on and care of human remains.

The State Museum adheres to Federal and State laws and regulations concerning the disposition of human remains during archaeological investigations. In addition, if the maintenance of human remains in situ is not feasible or advisable, the Museum recognizes that the proper treatment of human remains must consider and reconcile scientific, cultural and religious issues. In such cases, the Director of the Museum or a designee will notify and consult with recognized groups or tribal officials who may be the direct ethnic and/or biological descendants of these human remains. Notification of the descendants will be immediate upon determination of probable ethnic and/or biological affinity. The State Museum will consider reasonable and timely course of action suggested by the descendant or descendant groups. Additionally the requirements of any other entities that may have legal jurisdiction in such cases will be taken into consideration by the Museum in its fulfillment of its legal and ethical responsibilities.

If there are no direct kin or descendants, and if the disinterred remains cannot be identified with any specific contemporary ethnic group, then the museum will curate the remains with care and respect.

The Museum will continue to make collections (human remains, funerary objects, sacred objects, and objects of cultural patrimony) available at all reasonable times for inspection and study by any serious and qualified researcher provided that there are no descendants or descendent groups or that the descendants or descendant groups have no objections.

Human remains and funerary objects from archaeological contexts and sacred objects and objects of cultural patrimony will neither be purchased nor have monetary value assigned to them. Donations of these materials will be accepted only when the alternative would result in the materials receiving inappropriate treatment. Human remains from an archaeological context will not be placed on exhibit unless these materials are not subject to NAGPRA and there are no objections from descendent communities.

Sacred and objects of cultural patrimony will, in general, not be loaned. The Museum will consider requests for loans of sacred objects for religious purposes by authorized individuals of the Native American community whose religion is that within which the object requested is sacred. The Museum will consider requests from tribal museums of the culture with which a sacred object is associated, for loans of such objects. The Museum will store and handle sacred objects and objects of cultural patrimony with care and sensitivity.

The State Museum will conduct all field work and all studies of Native American cultural materials in a manner that reflects sensitivity to the legitimate concerns of Native Americans not only for their sacred and ceremonial objects and immediate ancestors, but also for the present and future continuation of their culture.

The New York State Museum is in compliance with the Native American Graves Protection and Repatriation Act (NAGPRA). The Museum continues to work with appropriate tribal groups in the care, interpretation, and possible repatriation of sacred materials.

## **TECHNICAL ANALYSIS AND DESTRUCTIVE SAMPLING**

### **Statement of Basic Principles**

It is the policy of the New York State Museum to foster and promote research on its collections consistent with the preservation and protection of the collections for the use and enjoyment of future generations. To this end, the Museum considers requests for destructive sampling and technical analysis of objects in its care when the potential contribution to scientific knowledge outweighs the defacement or loss of a specimen.

Requests for analysis or destructive sampling will be considered in light of the following criteria:

1. The purpose and merit of the study, and the appropriateness of the proposed analytical methods;
2. The demonstrated competence of the researcher with the proposed methods;
3. The potential to compromise future analyses;
4. The availability, or rarity, of equivalent material;
5. The proposed dissemination of the results of the analysis;
6. The suitability of the NYSM specimen for this study and availability of possibly better suited specimens in collections elsewhere.

Special concern is warranted for certain classes of objects such as type specimens, objects of special scientific, historic, or monetary value, objects not well represented in the New York State Museum's collections, or objects of a sensitive cultural nature. NYSM collection policies for these materials, including NAGPRA-related items, will be observed.

## **Procedure**

Researchers who wish to sample an accessioned specimen or object must complete a Technical Analysis/Destructive Sampling Request and return it to the appropriate Curator.

Requests will be evaluated and approved by the Curator, who will also approve selection of the objects to be sampled. If, in the Curator's judgment the analysis or sampling request warrants further consultation because of a specimen's special significance, the Curator should bring the issue before the appropriate survey and/or the Collections Committee.

When the Curator approves a request the Curator will issue a Technical Analysis/Destructive Sampling Agreement to the Researcher. Copies of the signed agreement will be filed with the permanent records of the specimen and in a destructive analysis file containing other pertinent documents related to the analysis. Sampling requests will generally be treated as loans.

All samples and any portions thereof not destroyed during analysis must be returned to the Museum. The researcher must supply the Museum with sample control numbers if those are different from the Museum's specimen numbers.

If specimens requested by a researcher are to be totally consumed, the researcher's request will be treated as a request to deaccession specimens, and will be governed by deaccessioning policies and procedures.

The researcher is required to supply the Museum with a short summary report and copies of the raw data as well as reports, publications, or unpublished manuscripts which refer to the borrowed material.

The researcher is required to notify the museum of any database deposits. NYSM must be given credit in any database deposits for supplying material.

## **DEACCESSIONING**

### **Introduction**

Since the Museum holds its research collections in trust for the public, when considering any deaccession, consistent with New York State Education Law §233-a, it must first consider its responsibilities to the public. Objects are retained permanently as long as they continue to support the mission of the Museum and can be properly protected. If material does not support the mission of the Museum or cannot be properly protected, it may be in the public interest to deaccession them. Deaccessions require direct review by the curator, his/her supervisor, the Director, Research & Collections Division or Chief Curator (History), and the Director, New York State Museum. Complete documentation must be filed with the registrar so that future review is possible.

### **Definitions**<sup>1</sup>

1. Accession - the formal process used to accept legally and to record an acquired specimen or artifact as a collection item; involves the creation of an immediate, brief, and permanent record utilizing a control number or unique identifier for objects added to the collection from the same source at the same time, and for which the institution accepts custody, right, or title.
2. Object - a material, tangible, accessioned item of any kind; an inclusive, non-specific term for specimen, artifact, etc.
3. Artifact - a human-made item, often manufactured or created from naturally-occurring materials and made for use in a cultural context.
4. Specimen - an organism, part of an organism, or naturally-occurring material that has been collected, and that may or may not have undergone some preparation treatment. It may exist in its original state, in an altered form, or some combination of the two. A specimen may be comprised of one piece or many

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<sup>1</sup> The definitions used in this document may be found in the Society for the Preservation of Natural History Collections' "Guidelines for the Care of Natural History Collections," *Collection Forum*, 10(1), 1994, pp. 32-40.

related pieces. It may be composed of one physical or chemical component or represent a composite of materials.

5. Collection - (1) an organizational unit within a larger institutional structure (e.g., the biology collection); (2) a group of specimens or artifacts with like characteristics or a common base of association (e.g., geographic, donor, cultural) within an organizational unit.
6. 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.

### **General Standards**

In general, as long as objects retain their physical integrity and authenticity, and as long as they support the mission of the Museum, they shall remain in the collections of the New York State Museum. In some collections, subsequently-acquired superior examples may allow curators to deaccession duplicate items. In other collections, where specimens/artifacts serve as voucher specimens that document a particular study, capture locality, collecting event, etc., each specimen/artifact remains unique and will typically remain within the collection.

Before any object is deaccessioned, reasonable efforts shall be made to ascertain that the Museum is legally free to deaccession the object in question.

1. Where Deeds of Gift mandate restrictions, such conditions shall be observed unless deviation from their terms is authorized by a court of competent jurisdiction or are waived by the donor or legal heir. Stipulations set forth under collecting or storage permits granted by state, federal, or international entities must also be considered.
2. If no proof of legal ownership exists for an accessioned object, the Museum will follow the statutes provided in NYS Education Law Section 233a to assert ownership.

Reasonable efforts shall be made to ensure that deaccessioned objects unique to the historical, cultural, or scientific heritage of New York State or of the United States remains within the State or the nation, respectively.

Deaccessioned objects shall not be given, sold, or otherwise transferred in the first instance to State Museum employees, officers, and members of the Board of Regents, or their immediate families or representatives.

A complete record of the conditions and circumstances under which objects are deaccessioned and disposed of shall be made and retained as part of the Museum's collection records in accordance with NYS Education Law Section 233a Subsection 15.

A report on materials deaccessioned shall be submitted each year to the Commissioner of Education and the Board of Regents for their February meeting or for the first meeting thereafter.

### **Criteria for Deaccessioning**

Objects to be considered for deaccession from the State Museum's collections 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 collections or has been replaced with superior examples, and is not necessary for research or educational purposes.
4. In the opinion of the appropriate curator, the object either lacks authenticity or is so lacking in documentation as to render it valueless for purposes of scholars or public education.
5. The Museum is unable to properly preserve the object.
6. An object that contains or is composed of materials hazardous to the safety of persons or of other objects in the collections if stored or used without proper safeguards.
7. The object occupies space or demands resources disproportionate to its present or anticipated importance to the collections.
8. Objects may be deaccessioned and repatriated when and where appropriate in keeping with the Native American Graves Protection and Repatriation Act and any other relevant governmental laws or acts.
9. The object has been lost or stolen and has not been recovered.
10. The object has been established as inauthentic.
11. The object is being returned to its rightful owner.
12. The object is being returned to the donor or the donor's heirs or assigns because the NYSM can no longer fulfill donor restrictions relating to it.



## **Procedures for Deaccessioning**

Objects in the State Museum's collection shall be deaccessioned only through the following procedures.

1. The object(s) being deaccessioned must meet one or more of the criteria above.
2. Deaccessioning shall be initiated only by the appropriate curator or collections unit chair having responsibility for the object to be deaccessioned.
3. The initiator may recommend deaccessioning an object which meets one or more of the criteria mentioned above. The initiator shall make the recommendation in writing with the appropriate approvals. The recommendation shall state the source or provenance of the object and the manner of acquisition, the reasons for deaccessioning, the recommended manner of disposal, (e.g. sale, exchange, transfer or destruction), and any restrictions placed on the object at the time of acquisition. Copies of documentation on method of acquisition and proof of title must be attached, e.g. Deed of Gift, sales receipt, record of implementation of NYS Education Law Section 233a, etc.
4. The curator responsible for an object that is proposed for deaccessioning, shall state, in writing, their reasons for the proposed deaccessioning. Supervisors in that curator's line of authority shall state, in writing, any opposition to the deaccessioning and the reason(s) for their position. These statements shall become a part of the record referred to above. Final approval for deaccessioning rests with the Museum Director.

## **Means of Disposing of 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. Exchange - The formal reciprocal transfer of objects or comparatively equal value between two or more institutions shall serve to advance the research, education, or exhibition programs of each organization. Preference shall be given first to those museums and second to those other educational institutions located in New York State which meet the criteria described in Section 501(c)(3) of the United States Internal Revenue Code. Museums and educational institutions outside New York State and outside the United States will also be considered.
2. Transfer - Items deaccessioned from the permanent collections of NYSM may be transferred to the Teaching Collection of the Museum, which is

managed by the Director of Museum Education, or may be transferred to another state agency having a legislatively mandated collection.

- a. Items transferred to the Teaching Collection must be marked to identify the piece as belonging to the Teaching Collection. Teaching Collection material, because of their use in educational and exhibit programs, do 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 a legislative mandate 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.
3. Gift - In cases where exchange or transfer of material may be unfeasible or impractical, the Museum may give or grant deaccessioned objects to other educational 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 made a gift to any museum in New York holding a permanent charter from the Board of Regents. Museums and educational institutions outside New York State and outside the United States may also be considered
4. Sale – Criteria for sale of objects are as follows.
- a. Objects may be sold through public sales or public auctions only. Items sold at public auction should be offered at a reserve price. If the reserve price is not met, the object may be sold in some other public sale for at least the reserve price. Specimens or artifacts deaccessioned from the museum's permanent collections may not be sold through the museum shops or by or through any other means or agency which might engender the perception that the Museum was selling items from its collections as a routine activity without adherence to its carefully considered policy.
  - b. Sales of all items must be in compliance with local, state, federal, and international law and the Museum's standards of respect for the natural world. Sales of fossils, archaeological materials, and any materials subject to NAGPRA are prohibited.
  - c. Funds realized from the sale of deaccessioned material shall be used only for the acquisition of property for the collection or for the

preservation, protection, and care of the collection and shall not be used to defray ongoing operating expenses of the museum. (NYS Education Law Section 233a, Subsection 5). A fund has been established by the state comptroller, separate from the general fund, for the proceeds of deaccessioning. Collections are defined in Section B-5 of this policies and procedures document.

- d. Proceeds derived from the sale of works of fine art deaccessioned from the Museum's collections will be used only for the acquisition or care of additional works of fine art for the Museum's collections.
5. Destruction - If 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 disposal 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 registrar.

### **Use of Funds from Deaccessioning**

As stated in Section 233a, the comptroller's office is required to place funds in a separately established account. These funds are to be used only for acquisitions for the permanent collection or care of collections. Decisions for use of funds will be based on institutional priorities as determined by the Museum Director. Preference, however, will reside generally within the institutional collections discipline from which the deaccession was made.

### **REPRODUCTIONS**

Reproduction of museum specimens or artifacts shall not compromise the Museum's image or its ethical responsibility to preserve scientific specimens and cultural objects held in trust for the public. The Museum retains the right to commercialize all NYSM specimens, artifacts, and reproductions, and may refuse reproductions by others on this basis. Reproductions may be approved for manufacture under the following restrictions.

1. Reproductions include casts, models, illustrations, photographs, digital images, and manufactured facsimiles.
2. Curators and the Registrar may restrict the reproduction of any specimen on the grounds of irreplaceability, fragility, controversial nature, or ongoing research that could be compromised. Reasons for restrictions will be documented. Restricted material may include specimens or artifacts that fall under the provisions of the Native American Graves Protection and Repatriation Act, Native American Religious Freedom Act or the Endangered Species Act.

3. Copyrights are retained by NYSM and a notice of copyright appears on or with all reproductions.
4. Permission to reproduce NYSM specimens and objects, including photographs, slides, and digital images must be obtained in writing to insure that policy restrictions are considered for each situation, and to prevent the misuse of NYSM specimens, artifacts, staff time, facilities, and equipment.
5. Requests to reproduce specimens for the purpose of research, educational programs, or exhibits by NYSM staff must state the procedures and materials that will be used. Requests must have the signed approval of the Curator and Registrar.
6. Requests to reproduce specimens or artifacts for the purpose of research, educational programs, or exhibits by non-NYSM staff must include a clarification of (a) the purpose of the intended use, (b) the reproduction procedure and materials that will be used, (c) who will do the reproduction, (d) where it will be done, and, (e) if NYSM staff and materials are to be used, an accounting of the ways in which those materials and personnel time will be used. Requests must have the signed approval of the Curator and Registrar.
7. Requests to reproduce specimens or artifacts for artistic reference or commercial purposes must include a clarification of (a) the purpose of the intended use, (b) the reproduction procedure and materials that will be used, (c) who will do the reproduction, (d) where it will be done, and, (e) how proceeds from a sale are to be distributed. Requests must have the signed approval of the Curator, Registrar, and Senior Manager and are subject to restrictions stated in these policies.
8. The NYSM shop is the first avenue of sale, and NYSM will receive a given share of all receipts.
9. The right to grant a license to reproduce NYSM specimens or artifacts for artistic reference or commercial purposes is retained by NYSM. Licensees may not use NYSM personnel time, buildings, or resources to make reproductions, unless otherwise agreed upon in writing, and must agree to abide by all conditions set on specimen/artifact care and protection. A license to reproduce NYSM specimens and objects is revocable.
10. NYSM may ask that negatives or molds made for non-scientific purposes be given to NYSM or destroyed once the original conditions of a license are fulfilled.
11. The current NYSM policy on image use & permissions is available at <http://www.nysm.nysed.gov/imagerequest/>.

## **NEW YORK STATE MUSEUM EDUCATION DEPARTMENT TEACHING COLLECTION**

### **Purpose**

A Teaching Collection that provides objects to be used in public programming is essential to a successful learning experience. The teaching collection of the New York State Museum is composed of items obtained for hands-on demonstration, education, and/or research purposes. Curators, museum educators, docents, researchers, and visitors handle these materials.

Objects in the Teaching Collection are different from permanently accessioned objects in the museum. Objects in the Teaching Collection have their own object numbering system, storage strategy, storage conditions, and system of use that differ from the permanently accessioned objects. Teaching Collection objects are knowingly collected for these purposes and are not intended to be a part of the permanent collection.

### **Types of Objects in the Collection**

The Teaching Collection comprises objects related to human and natural history, which can be used in public programming, individual instruction, and some types of research. Objects that are of a culturally sensitive nature, or are significant, unique, or potentially hazardous to visitors in hands-on programming are not part of the Teaching Collection. Generally, only the most commonly available and duplicate historical objects will be used in demonstration programs. The museum endorses the use of high-quality replicas based on documented originals in its programs. Acquisition of objects for the Teaching Collection will be based on the Teaching Collections Collecting Policy.

### **Acquisition**

Items may come into the teaching collection in one of four ways: purchase, donation, deaccession, or collecting.

1. Purchase - Artifacts may be purchased to fill specific needs for educational programming and/or exhibits. These pieces may be reproductions, duplicates of items in the permanent collection, or items that do not fall into the collecting policy of the permanent collections of the New York State Museum.
2. Donation - Artifacts may be donated specifically for the Teaching Collection. Original items offered for donation are first offered to the permanent collection. If the item is deemed inappropriate or a duplication of items in the permanent collection, it may be processed into the teaching collection.
3. Deaccession - Items deaccessioned from the permanent collection may be accepted into the Teaching Collection. If appropriate, the Museum's Teaching

Collection will have first right of refusal to objects prior to their being offered as a transfer or gift to another institution.

4. Field Collecting - Scientists and curators working in the field may purposefully collect specimens that are redundant or not appropriate for the permanent collection but that may be appropriate for the Teaching Collection..

### **Who Decides What Comes in to the Teaching Collection?**

A Teaching Collection Collecting Policy will be developed to govern the growth and development of the Teaching Collection. The Director of Museum Education will assume the primary responsibility for the development of this policy, including collecting priorities. Items that fall into the Collecting Policy will be added to the Teaching Collection through donations, deaccessions, purchases, or field collection.

Appropriate staff members in the Department of Museum Education or any of the collecting unit may present requests for purchase of Teaching Collection pieces to their Senior Manager. The Senior Manager may approve or disapprove any of these recommendations based on budget considerations and the appropriateness of the purchase according to the Teaching Collection Collecting Policy. Acquisitions that require a significant use of institutional resources to acquire or maintain must be presented to the NYSM Collections Committee. The Committee's recommendation will then be presented to the senior managers for final approval.

All other types of acquisitions to the Teaching Collection will be based upon recommendations of the Museum Education staff, after consultation as necessary with the curator for that section of the Teaching Collection (i.e. Biology, Geology, History, Anthropology). Collections units may set up internal collections committees to review acquisitions to their section of Teaching Collection.

A list of Teaching Collection acquisitions will be presented to the NYSM Collections Committee on a quarterly basis for informational purposes.

### **Deaccession**

Any item formally acquired into the Teaching Collection may be disposed of due to damage or lack of need without notifying the original donor. Items are also removed if they are potentially hazardous to the museum staff or visitors.

1. The appropriate staff person should notify the registrar that the item is being eliminated from the collection. All records will be changed to reflect the loss.
2. If the item is damaged beyond repair, it may be discarded in an appropriate manner.

3. If the item is no longer needed, the appropriate staff person should make recommendations for its disposition outside of the institution. Another museum teaching collection, museum, or non-profit cultural institution may be appropriate recipients. According to the ethics policy, staff members are prohibited from accepting collection items disposed of by the State Museum.
4. All records of an item's disposition will be kept on-file in the Registrar's office and Education Office.

### **Care of Collection**

Teaching Collection staff will take the best possible care of the collection to minimize damage to the objects. Because the objects are meant to be used in hands-on situations, damage and ultimate destruction are possible.

### **Reproductions**

When possible, replicas for use in demonstrations will be based on original objects. Such replicas will be clearly and permanently marked. If the replica is based on an item in the collections of the New York State Museum, it will be marked with the date and manufacture of the replica. Teaching Collection staff will attempt to clearly separate in the public's mind the use of replicas from the exhibition of originals.