

# Keene State College

## Art Acceptance Policy & Related Documents

3/3/2010

Keene State College

Approved by College Cabinet 1/6/10; Amended 3/3/10; Amended 2/25/11

# Keene State College

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*[Final: 3/3/10, based on 1/6/10 Cabinet review, 1/21/10 Committee Changes and 3/3/10 changes by VP Advancement]*

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# Keene State College Art Acceptance Policy

## Introduction

Artworks donated to, or acquired by, Keene State College (“the College”) represent a wonderful opportunity to enrich the educational experience of our students. However, by their nature, they also bring with them many responsibilities, and require much consideration before they may be accepted. This policy outlines the process for ensuring that due diligence has been conducted before any gift of artwork can be accepted by the College.

At Keene State College, art acquisitions or donations may be used in several different ways:

- To enhance the Permanent Collection of the Thorne-Sagendorph Art Gallery
- To support and enhance the mission of Keene State College
- To enhance other campus facilities, particularly related to “Art in Public Places” guidelines
- To enhance landscaping or College grounds

In all instances, however, the cost of owning, maintaining and curating these works of art must be considered before a work can be accepted. Even if a work is accepted for use in a specific office, for instance, it is still the College that is really responsible for the long-term care of the work, which is why it is essential that questions be answered, and that proper authority be obtained, before art may be donated or acquired. Therefore, any gifts of art or acquisitions of art using College or Auxiliary funds or funds provided by a donor for that purpose, or for which College or Auxiliary funds will have to be expended long-term, must undergo the review outlined in this document. This includes art directed toward the Permanent Collection of the Thorne-Sagendorph Art Gallery, the Children’s Literature Festival Collection, the Student Center or for the teaching collection of the College. It also includes acquisitions of student, faculty, staff or alumni artwork and gifts or acquisitions of art for any other purpose within the College.

For purposes of this document, works of art will be considered to mean any one of the following:

Original and unique creations in visual media produced by or under the control of practitioners generally recognized by their peers and critics as professional artists. These would be accessible to the public, and include but are not limited, to:

- Two-dimensional media such as graphics, calligraphy-drawing, painting, photography, collage, and printmaking, including both portable and permanently installed work (such as murals)
- Three-dimensional, sculptural media including work in relief, in the round, assemblages, constructions, and landscape environments
- Building and landscape features produced under the control of an artist
- Electronic media and neon works such as film, video, photo projections, and computer-generated artworks produced under the control of the artist
- Works in other media, as determined by the Committee
- Commissioned works of art
- Monuments or memorial works

Because of its unique relationship to the academic programs of the College, student art is dealt with separately in the sub-policy included at the end of this overarching policy.

# Art Acceptance Policy

## Permanent Collection

Artworks collected by the Thorne Sagendorph Art Gallery at Keene State College are generally intended for the Permanent Collection, which, by its nature, requires a slightly different set of requirements. In this regard, the Thorne adheres to the American Association of Museums' standards of professional practice. Artwork in the collection may be deaccessioned only if that is not in conflict with the donor's intent or gift Memorandum of Understanding; any money from proceeds of a sale must be used in support of the Permanent Collection. Deaccessioning may also involve exchange of art with another institution. The collection must be insured, maintained and exhibited in a climate-controlled secure area.

Decisions of what to collect for the Permanent Collection will be made by the Director of the Thorne in consultation with members of both KSC and the community, who will function as the Thorne-Sagendorph Art Acceptance Committee. This group will work with the College Art Acceptance Committee in determining which works to accept; however, the ultimate authority for approving acquisition decisions resides with the College.

## Teaching Collection

Art acquired by faculty or the College to be used as a teaching or instructional tool is a somewhat unique classification because of the issues related to academic freedom. Faculty should always have the freedom to reasonably choose the best means of teaching their subject. At times this can include the use of artworks to illuminate a particular point, or to demonstrate something relevant to the student's understanding of the subject. Works may be borrowed from another institution, or they may be acquired. However, if these works belong to or are acquired by the College and do not personally belong to the faculty member, the institution is responsible for the care, housing, insurance, etc. of the artwork. For that reason, these works must still be reviewed by the Art Acceptance Committee, following the track outlined for the teaching collection. This includes a narrower set of criteria by which they can recommend the College not accept a work, as outlined later in this document. Acquisitions for the Children's Literature Festival Collection fall under this category.

## Art Acceptance Committee

Keene State College has two Art Acceptance Committees, one that addresses acquisitions for the permanent collection of the Thorne Sagendorph Art Gallery, and one that reviews art being acquired by any portion of the College, including the Thorne and the teaching collection. Specifically, the College-wide Art Acceptance Committee is responsible for reviewing all art being proposed for acquisition. If the artwork is proposed for inclusion in the Permanent Collection, the Thorne Committee would also review the proposal.

For purposes of this policy, references to the "Art Acceptance Committee" should be interpreted to mean the campus-wide Art Acceptance Committee. This Committee is not expected to meet on a regular basis, but will be convened as needed by the Vice President for Advancement. The Committee will consist of the following representatives:

- Vice President for Advancement (convener)
- Dean of the School of Arts & Humanities

- Representative from Art Department (assigned by Chair of Art Department)
- Representative from office of Physical Plant (assigned by Director of Physical Plant)
- Representative from Development Department (assigned by Director of Development)
- Director of Thorne-Sagendorph Art Gallery
- Representative from Division of Student Affairs (assigned by the Vice President for Student Affairs)
- Representative for the Children's Literature Festival Collection

The Art Acceptance Committee will review all potential gifts of art. In doing so, they may consult with others on campus, depending on the issues involved. These may include building managers, the College Art Archivist/Registrar, the President's or Provost's offices (for controversial art, for instance), security, finance and planning (which needs information related to insurance, as well as appraisal/valuation details), or representatives of a particular academic program. For works intended for the Permanent Collection, the Thorne-Sagendorph Art Acceptance Committee would be initially involved.

The College Art Acceptance Committee, in its review, may take into account factors such as

- Meaning to a particular constituency
- Aesthetic value in relation to prevailing standards
- Ensuring balance in College's collection
- Contribution or relevance to academic programs
- Potential controversy or offense that might be taken by one or more constituencies
- Opportunity for using the art to educate about differing points of view
- Cost to maintain or secure a work of art
- Condition and durability of the artwork

For works of art that are intended for the Permanent Collection, the Thorne-Sagendorph Art Acceptance Committee would first review the request; once they have made their determination, the request would be forwarded to the College Art Acceptance Committee for its review. All gifts to the College, whether for the Permanent Collection, the teaching collection or for the College's general collections, must go to the College-wide Art Acceptance Committee for final review and vetting.

## **Provenance**

As an institution that adheres to ethical standards of art collection, Keene State College will not knowingly acquire artwork for which provenance, or clear, legal ownership, cannot be established. For any gifts of art or art acquisitions for which provenance cannot be established, the College reserves the right to decline the artwork.

## **Process**

A donor may be approached by a College faculty or staff member, may approach the College independent of any institution contact, or may be solicited for a particular work by Development staff or volunteers. No individual may obligate the College in any way until the potential gift has gone through appropriate channels, and this must be made clear to the donor. Additionally, all responsibility for use, placement and disposition of accepted works of art will rest with the College.

Anyone considering a gift of art to the College, or talking with a prospective donor about such a gift, must first contact the Development Department. Development staff will then assist in working through the appropriate process for review of the potential gift. This will include the following process:

1. Contact Development Department
2. Development Department will gather any additional information needed (see Addendum A: worksheet) to assist the Art Acceptance Committee in reviewing the proposed gift. This should include a draft of a formal memorandum of understanding with the donor, outlining the specifics of the gift arrangement.
3. Once sufficient information about the proposed gift has been received, the Development Department will (working with the initiator of the request, if applicable, and with the Art Registrar/Archivist) submit the request to the Vice President for Advancement for review. Assuming that all is in order and no red flags surface during this portion of the review, the Vice President for Advancement will either convene the Art Acceptance Committee or direct the request to the Director of the Thorne-Sagendorph Art Gallery, who will convene the Thorne Art Acceptance Committee (including a representative from the Development Department). The Thorne Committee would review the request initially, after which it would be sent to the Vice President for Advancement, who would convene the Art Acceptance Committee for final review.
4. The Art Acceptance Committee will review the application documents prepared by the Development Department, including the worksheet, and determine if additional information is needed, if the gift may be accepted as proposed, or if the gift must be declined. They may involve the Art Registrar/Archivist at this stage, in order to obtain information more specifically related to the artist and work of art, its condition, etc. The Committee may also work with other offices as appropriate. When requests have been initiated by, or directly involve, members of the Committee, those members must recuse themselves from the decision-making process. They may, however, provide supporting information to their fellow Committee members in order to ensure that an informed decision can be made.

For artwork that is intended for the teaching collection, the Committee will review the acquisition solely to determine the impact upon the institution in the following areas: costs to the College related to the acquisition, maintenance or repair of the item; issues related to locating or housing the item; insurance or security issues; and liability or possible public relations issues. Once the Committee has analyzed these factors, it may recommend acceptance, or may defer the recommendation to the Gift Acceptance Committee, which will take into account both the academic and the institutional impact of the artwork.

The information about whether the College will accept the gift will be conveyed in writing to the Development Department, who will then work with the initiator of the request in contacting the donor with the decision. If the gift is to be accepted, the Development Department will be responsible for finalizing the Memorandum of Understanding for the gift, thus formalizing the gift for recording purposes.

5. For gifts with unusual issues, significant value or other potential challenges, the Vice President for Advancement may involve the College's Gift Acceptance Committee (which consists of the Cabinet and the Director of Development) in making the final decision. The Gift Acceptance Committee will determine if any other input is required at this stage.

6. Once it has been determined that the gift will be accepted, the Art Acceptance Committee will determine the appropriate site for the artwork, collaborating with the office of Physical Plant, campus security and others, as appropriate. This can include building managers, deans, program managers, or others who would be impacted by the location of the work. For donor relations purposes, the Development Department would likely inform the donor of the College's decision of location, but the decision ultimately is made by the Art Acceptance Committee and the College, not the donor. At this point, the Committee will notify the Marketing & Communications department for public relations purposes, and will notify the College Art Registrar/Archivist, who will carry out the physical receipt of the artwork.
7. Once the Committee has determined that the College will accept the gift, the Campus Art Registrar/Archivist will direct the gift to either the Thorne for inclusion in its Permanent Collection, to the art department, the Thorne, the Children's Literature Festival Collection or another location for the teaching collection, or to the general campus collection. The Registrar/Archivist will carry out the tasks related to the placement, insurance, etc. of the artwork, working with the Development Department. The Development Department is responsible for ensuring appropriate donor relations and gift acknowledgment.
8. The office of the Physical Plant will determine standards for plaques or other means of recognizing the donor through signage and will carry out ordering and placing the signage. They will work with the Development Department to ensure that the donor is consulted as appropriate. Source of funds for the signage will be worked out through the Memorandum of Understanding.

### **Long-Term Care of Works of Art**

In acknowledgment of the need to ensure that artworks are appropriately cared for by the institution over time, Keene State College will seek funds whenever possible to help pay for maintenance, upkeep and renovation of works of art donated to the College. This may include requesting an additional cash contribution from the donor giving artworks, particularly when those works include pieces that will require more funding over time (such as outdoor sculptures, or works that need to be restored). Efforts will also be made to seek grant funds for this purpose, and occasionally art will be selectively deaccessioned in order to pay for maintenance of the collection as a whole. These funds will be directed to an account dedicated to the long-term care and maintenance of all College works of art, and will be pooled with other similar funds for this purpose. The fund will be administered through normal College procedures. The Art Acceptance Committee, working with the College Art Registrar/Archivist, will make decisions as to the use of these funds and will be responsible for authorizing the Art Registrar/Archivist to utilize the funds as appropriate in caring for artwork on campus.

### **Art Registrar/Archivist**

The job description for the Registrar/Archivist is attached (Addendum B). On an annual basis, the Registrar/Archivist will conduct a review of all College works of art, to ensure that they remain in their proper location, that the condition of the work remains good, and to determine if repairs or other work should take place. The Art Acceptance Committee is responsible for authorizing the Registrar/Archivist to undertake any such repairs or maintenance, as required, utilizing funds set aside for this purpose. Should any work of art need to be moved for any purpose (such as facility renovation or relocation of offices housing a work), the Registrar/Archivist will oversee the process to ensure that the works of art are properly cared for.

## **Controversial Artworks**

The Art Acceptance Committee will determine if a work of art is likely to be considered controversial, and will take this into account in its review of the potential gift. If the Committee determines that there may be public relations issues related to the acceptance or display of a gift of art, they will prepare a report to the College Gift Acceptance Committee, listing pros and cons of accepting and displaying the gift and making a recommendation based on their best judgment. The Gift Acceptance Committee will be responsible for making a final decision on any such gifts, and will determine a plan of action to offset possible controversy or to handle any public relations issues arising from such a gift if it is accepted. This may include involving other members of the campus community.

## **Works of Art on Loan to the College**

Keene State College may decide to accept loaned works of art. Any such potential transactions will be subjected to the same process as those in which a donor wishes to permanently gift a work.

## **Campus Art Loan Programs**

At this time Keene State College does not have the resources to allow for short-term loans across campus of College-owned works of art (the type of program similar to “checking out books on loan”, where people can rotate works of art on a regular basis). Requests from faculty or staff for available College-owned works of art to be placed long-term in their offices or buildings may be considered. The College Art Acceptance Committee will determine if the request can be met, based on where artworks may best be utilized to meet the mission of the institution.

## **Art Acquired Directly by Departments on Campus**

From time to time, faculty or staff at the College may decide to acquire artworks for a particular area or department on campus. Regardless of the source of funds used to purchase these artworks, all works of art considered for acquisition must be reviewed through the general Art Acceptance procedures. This does not, however, apply to personally-owned works brought by faculty and staff for display in their private offices. Art obtained by faculty to be used in teaching (such as a forgery purchased to support a class studying how to validate works of art) must still be reviewed through this process for issues related to institutional liability, etc.

## **Valuation of Gifts of Art**

Responsibility for valuing all gifts of art rests with the donor, who must provide documentation to the College based on prevailing IRS requirements. The Development Department will work with all donors to ensure that the donor is aware of these requirements and that all legal standards are met. Valuations of works pending acceptance must be provided to the Office of Finance & Planning to ensure proper recording, insurance, etc.

## **Disposal of Artworks**

The responsibility for the disposal of works of art that are not part of the Permanent Collection rests with the College Gift Acceptance Committee, who will work with the Art Acceptance Committee and the Development Department to determine if a particular work should be sold or otherwise disposed of, and

where the resulting funds will be directed. (The Development Department must be involved because the tax deductibility of a gift can be jeopardized if the gift is sold or disposed of within certain timeframes.) If the Committee determines that a work should be sold or disposed of, the request must be forwarded by the Committee to Cabinet for approval. If they approve the request, the Purchasing Department would undertake the actual steps to sell or dispose of the artwork, and the Development Department would be informed in case there are any donor relations issues.

### **Subset Policy: Display of Student Artworks in Public Spaces (Revised & Approved by Cabinet November 10, 2009)**

This policy addresses individual student artworks displayed outside of accepted art venues that are considered to be of temporary duration (1 day to 2 weeks).

*Keene State College values the role that visual arts play in a liberal arts education, and it celebrates the integration of critical and creative thought in the intellectual development of its students. The College welcomes the placement, viewing, and discussion of student artwork throughout the entire campus. As is the case for any professional artist who seeks to display their work in a public venue, a student must be sensitive to the concerns of the community audience. By engaging in both dialogue and negotiation with various campus representatives, any potential concerns will be addressed including safety, presentation, education, etc. The procedures below are designed to help the student artist navigate this process while supporting the College's educational mission and standards of academic excellence.*

(Not included in this policy are student artworks that are completed by an entire class for a specific project within a KSC Art course. These artworks may be displayed inside and outside of designated Art Department buildings: Redfern Arts Center, Media Arts Center, Ceramics Studio, and Sculpture Studio. Arrangements are to be made between the course instructor, appropriate grounds crew, facility manager and KSC Environmental Health and Safety Coordinator. The Chair of the Art Department must be notified.)

1. This policy pertains to individual student artwork produced in conjunction with a KSC Art course or for any student wishing to display artwork outside of normal campus art venues and outside of activities and responsibilities of KSC Student Affairs.
2. Six weeks prior to the display, the student must identify a KSC faculty or KSC student organization sponsor.
3. Four to six weeks prior to display of artwork, the student, working with their sponsor, must submit a written proposal to an ad hoc artwork committee. The proposal must include the following information: the concept, materials, size, dates of exhibition, selection of at least two possible campus sites, and a description of the artwork.
4. The ad hoc artwork committee will include:
  - Grounds crew representative
  - Environmental Health and Safety Coordinator or designee
  - Facility Manager
  - Art Department Chair or designee
  - KSC Campus Commission for Diversity and Multiculturalism representative if appropriate

On behalf of the ad hoc committee, the Art Department Chair or designee will respond to the student and sponsor, within 10 working days of receipt of proposal.

If questions emerge from the ad hoc committee discussion with student and sponsor, the Dean of Arts and Humanities and others on campus, as necessary, will be invited to address concerns.

5. Two weeks prior to the display:

- The sponsor will confirm the display with the Chair of the Art Department.
- The sponsor and the student will contact the campus grounds crew and /or facility manager for assistance as needed.
- The sponsor, on behalf of the student, will send College and Media Relations and the Office of the President a description of the art project with a copy of the artist's statement.

6. One week prior to the display:

- The student will provide to the Chair of the Art Department and facility manager for their approval, a copy of the written artist's statement/plaque that will be presented alongside the artwork for the entire duration of the artworks installation and display. The artist's statement must be displayed clearly and legibly throughout the course of the artwork's public presentation. The artist statement signage to include: "This artist has followed the KSC Student Art Policy."
- Lack of proper signage will negate permission for display of artwork. The artist's statement should include artist's conceptual intentions, historical/social context, and dates for the duration of installation. In addition, the statement might include particulars of media, aesthetic decisions, choice of site and other information that will be helpful to viewers of the artwork. An artist's statement helps to meet the educational mission of the college and recognizes the diversity of audience viewpoints.

7. One week prior to the installation of the artwork: The faculty sponsor will notify the following with the time and date of installation: Dean of Arts and Humanities, College and Media Relations, and the Chair of the Art Department.

8. Display of student artwork is ordinarily to be no longer than two weeks. The student and sponsor will assume responsibility for removal of the artwork at the end of the display period agreed upon and for returning the site to its original state. If that responsibility is not met, the grounds crew and/or facility manager will remove the artwork and the student will be charged for the cost of the removal.

9. Keene State College does not assume responsibility for insuring value of student artwork should it become damaged or vandalized.

10. Student display of public artwork that does not follow the above procedures will be removed upon notification of the Chair of the Art Department.

NOTE: This Student Artwork in Public Spaces policy is established in the context of legal considerations of time, place and manner in speech and art. [Wording is being reviewed by USNH Legal Counsel.]

## **Addendum A: Art Acceptance Worksheet**

- Does the donor want the art to be included in the Permanent Collection (must be reviewed and accepted by the Thorne) or just as part of the general College collection?
- Is the piece for public display or for display in non-public areas (faculty/staff offices)?
- Is there an expectation of where is the art to be placed?
- How does the work of art support the educational mission of Keene State College (critical to the tax deductibility of the work)?
- How will the work be secured/protected, and how will that be paid for?
- If the work is valued at more than \$5,000, has the donor obtained a qualified appraisal?
- Does the donor want any tangible benefits in exchange for the gift, or is the gift split-interest?
- Are there any contractual obligations to the gift, or restrictions placed on it by the donor (these may include a desire to “gift” the work while retaining possession, restrictions as to placement, partial gift arrangements, etc.)?
- Has a draft of a memorandum of understanding been prepared and shared with the donor?
- Who will pay for the cost of moving and installing the work?
- Does it need to be insured?
- Are there specific requirements for display, security, etc.? Who will pay for these?
- Is there to be interpretative signage or onsite donor recognition for the work? Who will pay for that?
- Are facility alterations required in order to accommodate the art? Has the architectural integrity of the facility been considered?
- If the work is to be/ must be sold, where will the funds be directed? Has the donor been informed of any potential effects on the tax-deductibility of the gift if it is being given with the intent to sell?
- If the artwork cannot be displayed immediately, what storage arrangements must be made? Who will pay for these?

## **Addendum B: Draft of Job Description for Registrar/Archivist**

The Art Registrar/Archivist is responsible for the records and record-keeping for the Thorne-Sagendorph Art Gallery collection and the campus-wide general art collection. This includes maintenance of records of acquisitions and incoming and outgoing loans, maintenance of paper files and development of electronic database. This position is responsible for technical and administrative activities with both art collections, including safe and proper storage and handling of artwork, including preventive conservation methods. Other duties would include:

- Responsible for object inventory, including paper, data, online and media files. Assists in development and execution of conservation plan, processing of new acquisitions and carrying out object labeling
- Managing donor files, invoices
- Assigning and applying accession numbers
- Processing acquisition paperwork and accession number backlog
- Arranging packing, shipping and both incoming and outgoing loan records and condition reports
- Assisting with arranging photography of collection & reproduction requests
- Working with Gallery director, curators and technician as needed
- Working with KSC Development office, College & Media Relations and other offices as appropriate
- Reporting to Gallery director, curator, or other designee to be determined

### **Suggested Job requirements**

- Bachelor's degree in art history, museum studies or related field
- Two to three years museum registration experience in a college museum preferred
- Demonstrated knowledge of museum registration methods, collections
- Experienced in management and object handling, and museum standards of object care and display
- Evidence of continued professional learning in registration methodology required
- Must demonstrate excellent oral and written communication skills
- Ability to maintain confidentiality
- Sensitivity to the importance of accurate record keeping
- Knowledge of security issues regarding fine art collections
- Project management skills and ability to meet deadlines required
- Knowledge of legal and ethical issues surrounding a museum and college art collections
- Ability to work and travel outside regular business hours
- Strong organization and problem solving skills
- Ability to acquire basic knowledge of USNH/ KSC policies regarding art, insurance, and liability
- Ability to see, handle and lift objects of up to 50 pounds
- Ability to crouch, climb, balance and stand for long periods of time
- Ability to transport artworks and withstand various outdoor temperatures
- Must be a self starter, detailed oriented, and able to work well alone or with others
- Must be flexible and able to interact effectively with a wide range of people from both on and off campus