

**TUFTS UNIVERSITY
PERMANENT ART COLLECTION
MANAGEMENT POLICY**

**Issued by
The Director of Galleries and Collections
in conjunction with
The University Gifts of Art Committee**

April 2009

(Revised 12/13/2017)

TABLE OF CONTENTS

I. STATEMENT OF PURPOSE

II. DESCRIPTION OF COLLECTIONS

III. DEFINITIONS

IV. ACCESSION AND ACCESSIONING OF COLLECTION OBJECTS

A. General Principles

B. Criteria Governing Accessions

C. Who Can Authorize Accessions

1. Gift/Donation

2. Bequest

3. Purchase

4. Exchange/Transfer

D. Restrictions or Conditions Imposed by a Donor

E. Determination of Title and Copyright

F. Appraisals

G. Accessioning Procedures

H. Documentation/Records

I. Acceptance of Gifts to be sold by the University

J. Special Considerations and Safeguards

1. End of Year Gifts

2. Objects Found in the Collection

3. Property Owned by University Personnel

V. NON-ACCESSIONED OBJECTS

VI. DEACCESSIONING OF COLLECTION OBJECTS

A. Criteria Governing Deaccessions

B. Who Can Authorize Deaccessions

C. Obligation to a Donor

D. Evaluation of Title

E. Disposition of Deaccessioned Objects

1. Exchange or Sale

2. Gift

3. Valueless Objects

F. Documentation/Records

G. Special Considerations and Safeguards

1. Forgeries

2. Accession of Deaccessioned Objects by University Personnel

VII. PUBLIC DISCLOSURES

VIII. LOANS

A. Outgoing Loans from the Collection

1. Criteria Governing Loans
 2. Who Can Authorize Loans
 3. Loan Expenses
 4. Loan Procedure
 5. Documentation/Records
- B. Incoming Loans
1. Temporary and Extended Loans
 2. Loan Procedures
 3. Documents/Records
- C. Loan of University Collection Exhibitions
- D. Objects Placed in the Custody of the University

IX. CARE OF THE COLLECTIONS

- A. Mechanical/Environmental
- B. Inspection/Conservation
- C. Handling/Movement
- D. Off-site Records

X. INVENTORIES

XI. FINE ARTS INSURANCE

XII. ACCESS TO COLLECTION OBJECTS AND RECORDS

- A. Visual/Physical
- B. Photography/Reproduction
- C. Research Inquiries

XIII. COMPLIANCE, EVALUATION AND CAVEATS

ADDENDUM NO. 1: UNIVERSITY PROCEDURES ON THE ACCESSION OF ART, ARTIFACTS, AND ANTIQUITIES

ADDENDUM NO. 2: WORKSHEET FOR ACCESSION OF ART AND ANTIQUITIES TO BE COMPLETED BY PROSPECTIVE DONORS

ADDENDUM NO. 3: CIRCULATING ART PROGRAM POLICY

ADDENDUM NO. 4: CONFLICT OF INTEREST GUIDELINES

ADDENDUM NO. 5: BEST PRACTICES FOR IMPLEMENTING THE CIRCULATING ART PROGRAM --*Forthcoming*

ADDENDUM NO. 6: ART ON CAMPUS POLICY—*Forthcoming*

ADDENDUM NO. 7: BEST PRACTICES FOR IMPLEMENTING THE ART ON CAMPUS POLICY —*Forthcoming*

I. STATEMENT OF PURPOSE

Mission of the Tufts University Permanent Art Collection

The mission of the Tufts University permanent art collection is to enhance and enliven the quality of Tufts' visual environment and support the educational mission of the University by encouraging direct and daily contact with original works of art through the publicly sited, outdoor Permanent Art Collection and the intra-university Circulating Art Program.

II. DESCRIPTION OF COLLECTIONS

In accordance with the goals of the Mission Statement of the Tufts University Art Collection, the University Gifts of Art Committee is empowered by the Dean of Arts & Sciences to accept and accession into the Collection or to decline works of art. The University Gifts of Art Committee reports to the Dean of Arts & Sciences. It accepts or declines objects being considered for accessioning in to the Tufts University Permanent Art Collection, as described in Addendum no. 1, and other unrestricted gifts of art which may be accepted for use in the intra-university Circulating Art Program.

Works of high quality by artists of reputation should be accepted as unrestricted gifts without conditions or injunctions that could impede deaccessioning and/or exhibiting efforts.

The University supports the preservation of the collection by maintaining strict professional standards that include appropriate security and environmental controls, conservation of individual objects, as well as accurate and clear registration records.

This policy sets forth the purpose of the Collection and its goals and explains how these goals are interpreted in its collections activity. This policy should serve not only as an internal guide for the staff, but more importantly, as a public statement of the University's professional standards and accountability for objects left in its care.

III. DEFINITIONS

Accession: (1) an object acquired by the University as part of its permanent art collection or; (2) the act of recording or processing an addition to the permanent art collection.

American: (1) a native, resident, or citizen of the U.S. or the American continents; (2) of or relating to the U.S. or its possessions or original territory; or (3) materials concerning or characteristic of the US or the American continents, its/their civilization or its/their culture.

Catalogue: the act of classifying objects methodically, and usually with descriptive detail, often a curatorial responsibility.

Class: a number of objects that have been grouped together because of common characteristics.

Collections Management: the body of the University Gifts of Art Committee and Tufts University Art Gallery's practices and procedures that allow the prudent accession, documentation, interpretation, care, preservation, security, loan, disposal of and accountability for art objects.

Collections Management Committee: A sub-committee composed of the following staff and student members: the Director of Galleries and Collections; the Collection Registrar; a representative from Digital Archives; a representative from the Advancement Division; a representative from Tufts Construction Management with supervisory authority; a representative from Tufts Public Safety; a museum studies program student or intern, when available. This subcommittee is charged with implementing the conditions set out in the University Art Collection Management Policy and reports to the University Gifts of Art Committee.

Condition: (1) the physical state of an object; or (2) a contract provision or stipulation.

Courier: an individual, usually a representative of the owner of an object, who accompanies the object in transit to assure its safety and security.

Credit Line: the wording with which a lender or donor wishes acknowledgment to appear on a gallery label or in a publication.

Deaccession: (1) to permanently remove an object from the collection; (2) an object that has been removed permanently from the collection, usually through sale or exchange; or (3) the formal process of adjusting the records to reflect the removal of an object from the collection.

Deed of Gift: a contract that transfers ownership of an object or objects from a donor to the University. It should include all conditions of the gift.

Examination: the study and noting/recording of the physical characteristics of an object.

Facility Report: a document used to provide information regarding building construction and accessibility, environmental controls, security provisions and staffing.

Forgery: an object that was intentionally made or sold for the purpose of defrauding buyers, or which has been altered in any way toward the same end.

Identifying Number: a number, from the Accession, Temporary Deposit, or Loan Number series that is unique to a particular object in its relation to the University.

Insurance Value: for insurance purposes, the estimated replacement cost, or fair market value, of an object, usually established by the owner of the object and accepted by the insurer.

Inventory: (1) an itemized listing of objects, usually of objects for which the University has assumed responsibility through either Accession or Loan; or (2) the act of physically locating all or a random selection of the items for which the University is responsible.

Loan Agreement: a contract between a lender and a borrower, specifying the object(s) and outlining the conditions of loan and the respective responsibilities of each party.

Provenance: the history of an object, including information such as when and by whom the object was made and the history of the object's ownership, publication, exhibition, and restorations and conservations. "Complete provenance" provides an unbroken history of the object from the time it was made (or discovered) to the present. Works that do not have a complete provenance as said to have an incomplete or partial provenance. (See also "Unprovenanced.")

Provenience: the archeological find-spot of an object.

Records: (1) all documents or files pertaining to the accession, management, and disposition of a collection or a loan; or (2) the act of processing the entry of an object into the Collection.

Special Exhibition: a gathering of objects, usually with a particular purpose or theme, for temporary public display.

University Gifts of Art Committee: A non-by law committee appointed by the Dean of Arts & Sciences and convened by the Director of Galleries and Collections. The responsibilities of this committee are: a) to review accessions and deaccessions and advise the Director; b) to ensure that accessions are free from conflict of interest, according to the conflict of interest guidelines appended herein; c) to ensure compliance with the University's Art Collection Management Policy; d) together with the Director of Galleries and Collections and University Advancement, the Committee identifies and discloses all potential conflicts of interest in their deliberations. All individuals will refrain from participating in discussions and decisions in which they have a personal or professional interest that may be in conflict with the University's or from which they may profit or benefit (monetarily or non-monetarily).

Unprovenanced: works of art for which there is no documented history (of discovery, ownership, etc.) prior to the object's appearance on the market.

IV. ACCESSION AND ACCESSIONING OF COLLECTION OBJECTS

A. General Principles

The Tufts University Permanent Art Collection is designed to enhance the University's visual environment, increase the general aesthetic appreciation of the Tufts community and general public. The accessions policy of Tufts University is consistent with these goals.

The University is committed to the principle that all art collecting be done according to the most current ethical and professional best practices guidelines established by the American Association of Museums.

The major focus of the Permanent Art Collection is on two-dimensional works of Modern and Contemporary art, including painting, prints, photographs, mixed media, and digital media, no larger than 60 x 60 inches. This emphasis is designed to complement several excellent regional collections of period art open to the Boston community. By concentrating on modern and contemporary art, the University seeks to build a unique body of reputable work by emerging as well as established artists through gifts, solicitation of specific desired works, and purchase with monies made available via specific donor Funds.

Works of art from the Tufts Permanent Art Collection, which include objects placed at the University on long-term loan, are primarily displayed throughout the campus rather than housed in the controlled environment of a museum. Therefore, consideration of the appropriate environment for works of art is part of the permanent and long-term accession procedure. This is especially true for works that are fragile in technique or material, or of exceptionally large or small size. Accessions of sculpture must be made

with consideration for appropriate location, security, and maintenance of the object, and provenance, as well as public safety.

The University seeks preliminary sketches, drawings, models, and in the case of sculpture, engineering or fabrication plans, for a reference collection relating to the University's publicly exhibited works sited out-of-doors. This collection, which illuminates the creative process and illustrates technical means by which works of art come to completion, is housed at and is part of the Tufts University Archives, located in the Tisch Library.

Another important function of the accession process is to provide material for an on-campus circulating art program. Paintings and works on paper including prints, drawings, and photographs of relatively modest value and appropriate size are offered for finite loan periods to members of the Tufts community through the Intra-University Circulating Art Program.

B. Criteria Governing Accessions

The suitability of accessions to the Tufts Permanent Art Collection shall be judged primarily by the University Gifts of Art Committee with third-party expert opinions when applicable, using the following criteria:

An object must be of museum quality, proven to be authentic beyond a reasonable doubt, and in keeping with the University's collecting objectives.

Its accession should either enhance an existing class of objects in the collection or provide a foundation on which to begin a new area in the collection.

An object must warrant the indefinite commitment the University is obliged to make for its preservation, exhibition, storage, and protection, including insurance.

An object must be in excellent or good condition or able to be made so by a reasonable conservation effort *before* the object is accessioned.

An object could have research potential and inspire scholarly investigation.

A comparable object might not be obtained by gift.

An object has adequate support for its maintenance and preservation from the donor and/or from a conservation fund.

Note: It is recognized that circumstances can exist in which the University may, at least temporarily, acquire an object that does not meet all of the above criteria. The University's policy must remain flexible enough for such circumstances to be dealt with on a case-by-case basis. Exceptional accessions, however, require the advance consent of the Director of Galleries and Collections and the recommendation of the Gifts of Art Committee.

C. Who Can Authorize Accessions

Objects may be added to the Tufts Collection by means of gifts, bequests, purchases, exchanges, or any other transactions by which their title passes to the University. In all circumstances described below, the Vice President for University Advancement has the ultimate authority to accept or decline all gifts to the University, including gifts of art, and may override the decision of the University Gifts of Art Committee.

Gift/Donation

Accessions by gift or donation to the Tufts permanent art collection are recommended by the Director of Galleries and Collections and are voted on by the University Gifts of Art Committee.

Partial Gifts: The University will not accept fractional gifts except in extraordinary circumstances to be evaluated on a case-by-case basis.

Promised Gifts: Title to each of these objects shall be held by the donor until such time as the donor relinquishes partial or all right, title, and interest to the object.

Bequest

The Director of Galleries and Collections and Gifts of Art Committee review art bequeathed to the University in the same manner as other potential accessions.

Upon notification to the University that it is a beneficiary under a will, a copy of the will, or a copy of the section that outlines the bequest, and a photograph of the object(s) shall be forwarded to the Director of Galleries and Collections by the Office of Gift Planning. The Director of Galleries and Collections may advise the donor on the suitability of the object(s) identified in the intended bequest to the mission of the Collection.

Purchase

Accessions to the University permanent art collection may be made from funds endowed, raised, or contributed for that specific purpose or from unrestricted funds. The University may cultivate the support of groups who may raise funds to purchase works of art. These purchases shall be guided and approved, in advance of the purchase, by the University Gifts of Art Committee, in compliance with this policy. Each purchase must meet accessioning requirements as set forth in this policy and must be supported with written justification to the Gifts of Art Committee prior to completion of the sale.

During the summer, between meetings of the University Gifts of Art Committee, the Director of Galleries and Collections has authority to recommend accessions directly to the Vice President of University Advancement for his/her consideration. A report of such potential accessions will be forwarded to the committee members by electronic mail.

Exchange/Transfer

Objects acquired through exchange and transfers are treated in the same manner as gifts

and bequests.

The University shall deal only with reputable dealers who stand behind the objects they sell by accepting returns for refund, credit, or exchange. These dealers should have no known conflict of interest with the University and should not serve on any University Boards.

D. Restrictions or Conditions Imposed by a Donor

It is the general policy of the University that no object may be accessioned unless its ownership by the University will be free of all restrictions and conditions (see Definitions). It is recognized that exceptional circumstances may arise in which strict enforcement of this general policy would not be in the best interests of the University. Any such exception should have the advance consent of the Director of Galleries and Collections and the University Gifts of Art Committee.

Every attempt should be made to hold restrictions or conditions to a practical minimum and to obtain the consent of the donor that the restrictions will terminate after a finite time limit. Under no circumstances will the University agree to conditions requiring the retention or display of an object in perpetuity. Restrictions or conditions must be in writing executed by both the donor and the University on the Deed of Gift (see Definitions) and must be included in the object's Records (see Definitions).

E. Determination of Title and Copyright

No object should be accessioned until the University has obtained satisfactory assurance that the donor or seller can transfer free, clear, and unencumbered title. Information should be obtained concerning an object's history of ownership and a record of that information should be included in the appropriate Gift Agreement Form and Object Record. When an object is of foreign origin, special diligence should be used to ensure that it has not been illegally imported into the United States and that there are no legal, ethical or environmental considerations that would make its accession undesirable.

In the case of antiquities of all kinds, a Accession Worksheet shall be provided to the donor in advance of the object(s) being presented to the University Gifts of Art Committee (see Addendum No. 2). It shall be the responsibility of the Office of Advancement and the Director of Galleries and Collections to ensure donor compliance with this Worksheet.

In all instances, the gift or sale of an object or objects to the University should be accompanied by either a Deed of Gift signed by the donor or seller, or a written statement from the University sent by registered mail to the donor or seller that describes the object(s) being given or sold and which also makes clear that title and all rights in the object(s), including reproduction rights if available, are being transferred to the University. All such documentation should be included in the appropriate Object Record.

F. Appraisals

To avoid potential legal and ethical conflicts, University personnel, including any member of a Tufts University Board, in accordance with the American Association of Museums' Code of Ethics, shall not provide appraisals of the monetary value of any

objects. University personnel may supply donors with guidelines for finding an appraiser and may assist donors in securing such market appraisals in cases where the University would otherwise not receive the gift. The donor will, at the donor's expense, in all instances obtain a certified, independent appraisal for gifts valued at or above \$5,000, in accordance with current IRS regulations. In instances where antiquities that may be valued at less than \$5,000 are offered for donation, the University should strongly encourage the donor to obtain an appraisal for that object(s). University personnel may refer donors to IRS Publication 561 (<http://www.irs.gov/publications/p561/ar02.html>) to determine what constitutes a Qualified Appraisal and meets relevant requirements of Regulations section 1.17A-13 (c) (3) and Notice 2006-96, 2006-46 I.R.B. 902 (available at www.irs.gov/irb/2006-46_IRB/ar13.html). When an object appraised within the past two years is acquired by the University, a copy of the appraisal should be included in the appropriate Object Record. It is the donor's responsibility to meet IRS regulations on non-cash or illiquid gifts. University personnel shall not give tax advice to donors.

G. Accessioning Procedures

In general, accessions must comply with such procedures as developed by the University Gifts of Art Committee. Procedures for acquiring works of art, artifacts, and antiquities are described in Addendum No. 1.

In general, potential accessions should be inspected first-hand whenever possible by University personnel, preferably by the Director of Galleries and Collections or Collections Registrar (or another qualified person designated by the Director of Galleries and Collections) before the proposed gift is presented by the Director of Galleries and Collections to the University Gifts of Art Committee for a vote. Unsolicited objects are reviewed by the Director of Galleries and Collections, who decides if the proposed gift meets the accession criteria and should be brought forward for review by the University Gifts of Art Committee.

Decisions about accessions must be made in a timely manner and all phases of the review and accessioning process shall be documented in writing and kept in the appropriate Object Record. The University Gifts of Art Committee reviews potential accessions at least twice annually, typically in April and December, from digital images rather than first-hand observation. Only accessioned objects shall be delivered to the University. Any unsolicited objects sent to the University as donations or for accession consideration shall be returned to the donor or sender in a timely manner, whenever possible at the donor's or sender's expense. In the case of a gift refusal, the Director of Galleries and Collections may suggest other institutions that might be interested in the object(s).

Should a bequest of art not possess sufficient merit for inclusion in the University's Collection, the University may request that the object(s) be sold by an independent agent and the proceeds be deposited to the Collection Management budget for collection management, preservation, and conservation purposes, unless the disposition of the net funds is stipulated in the Bequest Intent. In the case of a group of objects, the University may be free to accept some and refuse, sell, or trade others.

Upon the execution of the estate, and unless there is a restriction on the gift, the object(s) shall be presented to the Gifts of Art Committee for a vote to accession. If accessioned, the object(s) shall be delivered to the University Art Gallery, or to a storage location designated by the Director of Galleries and Collections. If not accessioned, the object(s) shall be delivered to the appropriate division of University Advancement or to a storage location designated by that division of University Advancement.

Following the University Gifts of Art Committee's approval to accession, the donor will be asked to sign a Deed of Gift in duplicate. A countersigned copy of this document shall be returned to the donor for his/her records. The actual date of accession is considered to be the day the Deed of Gift is issued by the Office of University Advancement. The Vice President of University Advancement will officially acknowledge gifts of art.

After the Deed of Gift is countersigned, arrangements can be made by the donor to have the gift delivered to the University. All accessions must be delivered to the Tufts University Art Gallery at the Aidekman Arts Center. Upon arrival, the Collection Registrar shall make an entry in the Temporary Receipt Ledger assigning a number indicating the object is a gift, bequest, purchase, or other transaction.

The initial fraction of all partial gifts and all promised gifts shall be subject to the accession procedures outlined herein. Additional fractions or complete title passing to the University shall be communicated to the Director of Galleries and Collections by the Office of University Advancement and noted in the minutes of the Gifts of Art Committee. All accessions shall be entered in the Accessions Ledger and shall be given an identifying Accession Number (see Definitions). Accession Numbers will be assigned chronologically according to the date of accession and the object's ability to be displayed alone.

The Credit Line (see Definitions) for an object shall be assigned according to the method of accession. Each accession shall receive a condition examination (see Definitions), a standard exhibition and identification label and shall be photographed as scheduling permits.

H. Documentation/Records

Object Records shall be established for each accession. They will include all basic documents relevant to the accession including, but not limited to: all original correspondence and memoranda, invoices, transfer of rights documents, deeds of gift, IRS forms, shipping and institutional receipts, accession worksheets, provenance worksheet (if an antiquity), condition reports, label copy, photographic material, bibliographic information, research, and other documents vital to an object's history.

Tufts University Art Gallery and Digital Collections and Archives staff shall catalogue (see Definitions) new accessions by investigating attribution, dates, references, and conservation and exhibition histories. Any new information about the object, together with its source, shall be forwarded to the Collection Registrar for inclusion in the appropriate Object Record.

I. Acceptance of Gifts of Art to be Sold by the University

Donors may offer gifts of art to the University with the provision that the works be sold by the University with the proceeds designated for specific University purposes. Consistent with Tufts University policy, these gifts and their attendant restrictions are accepted by the Vice President for University Advancement. In this instance, an object shall not be accessioned by the University but shall be held until the object may be sold in a manner considered to be in the best interests of the University. Even though these objects are not accessioned into the permanent collection, the University should obtain satisfactory assurance of the donor's title and that transfer of title be in writing on a Deed of Gift signed by the donor. All transactions should be consistent with the applicable provisions of the Internal Revenue Service Code. If the assistance of the Director of Galleries and Collections is required for assessing the condition of the gift, suggesting or making arrangements for appropriate packing, shipping or storage, or arranging for assistance with the process of authentication, valuation and/or sale, University Advancement shall give the Director ample notification. If storage is required, the object and all records relating to the object will be segregated from the permanent collection, but the Director of Galleries and Collections or his/her designee shall have the authority to access these objects to ensure their proper care while in University custody.

If the University is offered an unrestricted gift of art, with the donor expressing no preference as to its disposition, University Advancement will consult with the Director of Galleries and Collections to assess options, including sale or consideration for the permanent collection, following the policies and procedures outlined in this document. All transactions should be consistent with the applicable provisions of the Internal Revenue Service Code.

J. Special Considerations and Safeguards

End of Year Gifts

University personnel may not backdate receipts or deeds of gifts so that a donor can appear to have given an object in a certain calendar year. To qualify for accessioning within a given year, all potential gifts must either be on the University's premises prior to December 31 of that year, or the University must have taken possession by virtue of a third party.

Objects Found in the Collection

An occasion may arise in which the University's title to an object should be established, (e.g., an object has been in the University's care for years without sufficient evidence of it being given or formally accessioned). Under these circumstances, the Director of Galleries and Collections will develop documentation showing that it has cared for and displayed or publicized the object. Supporting documents might include inventory records, exhibition checklists, newsletters, or other publications and correspondence with scholars. The University should and must be willing, however, to consider any and all claims of prior ownership. The University will consider relinquishing its claim if an

outside party presents a persuasive case. Disposals of such property, however, must conform to undocumented property legislation for the Commonwealth of Massachusetts.

Property Owned by University Personnel

The Collection Registrar must be notified of and document all objects personally owned by University personnel kept on University property that in any way might be mistaken for objects in the University Collection. These objects shall not be insured by the University.

V. NON-ACCESSIONED OBJECTS

Certain objects may be acquired by the University for gallery/exhibition accessories, educational use, or office furnishings. These objects shall not be automatically accessioned. When these objects are no longer required for Gallery purposes, the Director, using reasonable discretion, may sell them, give them to another non-profit organization, offer to donate them to the University Collection, or destroy them. Any proceeds from the sale of these objects may be used for Gallery purposes, if they were purchased with Gallery funds.

VI. DEACCESSIONING OF COLLECTION OBJECTS

In formulating a deaccessioning policy Tufts University is fully aware that deaccessioning a work of art from Tufts' Permanent Art Collection requires exceptional care and thorough consideration of a variety of factors. Deaccessioning is part of the continuing formation and care of the University's collections. It is intended to refine and improve quality and appropriateness of the Collection. In principle, proceeds from the sale (principal and interest) of a deaccessioned object are not intended to be used to defray University operating expenses. The University will make a best faith effort to follow the ethical guidelines promulgated by the American Association of Museums (www.aam-us.org) and the Association of Art Museum Directors (www.aamd.org) when it considers deaccessioning collection objects.

Deaccessioning will serve to promote the current academic priorities of the University, as determined by the University Provost. The conservation, preservation, and maintenance needs of the Collection will be considered by the Provost, when the disposition of net proceeds from deaccessioning is considered. Net proceeds from deaccessioned gifts of art, including by transfer and exchange, will benefit the designated School or Department for which a restricted gift was originally intended.

The University shall honor all legal restrictions attaching to the gift or bequest of any work of art. In addition, donor requests which do not impose any legal obligation accompanying the bequest or gift of any work of art will be respected to the extent feasible, unless modified by the donor, or if the donor is not living, the donor's heirs or legal representatives. Before proceeding to recommend that a donated work be

deaccessioned, the Director of Galleries and Collections first reviews the record of gift to confirm that the gift is unrestricted.

A. Criteria Governing Deaccessions

If the work is clearly outside the collecting scope of the University's Scope of Collections statement, either at present or in the foreseeable future, the work may be deaccessioned. In keeping with the University's current collection mission of responsibly siting the Permanent Collection publicly, through the Circulating Art Program, any work of art that cannot be safely sited nor adequately maintained in a public, non-museum environment would generally fall outside the University's collecting scope and could be deaccessioned.

If the work is of inferior quality, either intrinsically or relatively, in comparison with objects of the same type in the Collection, it may be deaccessioned.

If the work is a duplicate or is very similar to other works already in the Collection, or it does not possess sufficient educational value for comparative purposes, it may be deaccessioned.

If the University's possession of the item is not legitimate; that is, if the work may have been stolen or illegally exported or imported in violation of applicable state, federal, and foreign laws, the object shall be deaccessioned (Note: Such cases will be reviewed on an individual basis by the Collection Registrar, Director of the Galleries and Collections, in concert with the Gifts of Art Committee and legal counsel to determine the proper disposition of the object.)

If the authenticity, attribution, or genuineness of the object is determined to be false or fraudulent, and the object lacks sufficient aesthetic merit or art historical importance to warrant retention, it may be deaccessioned.

If the physical condition of the object is so poor that restoration costs will exceed its value, or that restoration will render the object essentially false, it may be deaccessioned. In exceptional cases, an object damaged beyond reasonable repair that is not of use for display purposes may be destroyed.

If maintenance, conservation, and storage requirements for the object are beyond the University's reasonable capacities or are greater than the object's importance to the Permanent Art Collection, it may be deaccessioned.

The possibility exists for it to be traded for another (and usually similar) object that would be of greater benefit to and more consistent with the University Collection.

If it is a forgery (see Definitions), it may be deaccessioned. Forgeries do not include school pieces, copies, imitations, and similar works made without deceitful intent and sold in good faith by a reputable dealer.

If it is an object the University has reasonable grounds to believe was intentionally misrepresented by the seller for the purpose of higher financial gain, it may be deaccessioned.

Objects that are lost, stolen, or destroyed shall not be deaccessioned. Their Object Records shall be maintained with appropriate notation as to the disposition of the object.

B. Evaluation of Title

No object may be deaccessioned until it has been established that the University has clear title to it and has complete authority to transfer such title to others. Special care should be taken to make certain that it is not held by the University or via the Tufts University Art Gallery on loan from some other institution or person.

C. Disposition of Deaccessioned Objects

The following may be taken into account in selecting a method of deaccessioning or disposal of works of art:

Exchange or Sale

Preferred methods of disposal are sale through publicly advertised auction, sale to or exchange with another public institution, or sale through a reputable, established dealer. Only in rare instances, and if necessary in order to obtain an adequate price, should such a sale be made through a private dealer. In such instances it should, with the recommendation of the Gifts of Art Committee, be made on consignment for sale pursuant to a pre-negotiated commission. The Gifts of Art Committee shall also determine whether or not the University's name will be associated with the sale of a deaccessioned object. Sale through a dealer must be preceded by public announcement. Every effort will be taken to identify and evaluate the various advantages and yields afforded by each means of disposal.

In the case of a work of art by a living artist, special consideration will be given to an exchange with the artist, or to returning the object to the artist.

In general, the disposal of an object, whether by sale or exchange, will be conducted with a view toward maximizing the advantage and yield to the University and to the Permanent Art Collection, without compromising the highest standards of professional ethics, the University's standing in the academic community, the University Art Gallery's standing in the museum field, or the University's responsibilities to the donor and the artist.

Gift

Under exceptional circumstances in which it is in the best interests of the University, a deaccessioned object may be disposed of by gift to a museum or similar non-profit institution, but only on the recommendation of the Gifts of Art Committee.

Valueless Objects

Objects that become worthless because of deterioration or damage beyond repair may be destroyed only as a last resort with the advance consent of the Director of the Galleries and Collections and the Gifts of Art Committee, and after every reasonable effort has been made to notify the artist and the donor of the work.

D. Deaccessioning Procedures

Upon review of all object records pertaining to an object, the Collection Registrar (or consultant hired as an independent contractor for such purpose) shall prepare a written recommendation for its deaccession articulating the reasons for removing the object and a specific method of disposal.

After consultation with and receiving a favorable recommendation from the Gifts of Art Committee, the Collection Registrar or consultant shall undertake the following: obtain a written estimate of the object's value from a qualified source who shall also provide the basis upon which the value was determined. If the deaccession involves a number of related objects, they may be valued as a group.

Upon receipt of all applicable estimates and/or opinions, the Collection Registrar or consultant shall present the proposed deaccession to the Gifts of Art Committee at the next scheduled meeting. A majority of the Committee is required to approve a deaccession from the University Collection.

Decisions about deaccessions must be made in a timely manner. All phases of the review and deaccessioning process shall be documented in writing and kept in its appropriate Object Record. If a convincing case cannot be made for deaccessioning, the object shall remain in the University Collection. In the case of a recommended deaccession in which the press might take an interest, or if any controversial issue surrounds a particular deaccession, the President's Office and the V.P. for University Relations Office will be notified in advance of any action taken to liquidate the object, preferably by the V.P. for University Advancement or by the Director of Galleries and Collections.

All deaccessions shall be marked in the Accessions Ledger and corresponding Object Records. Prior to its disposal, a deaccession shall receive a final condition examination and shall be photographed if no prior photographic record exists. The Collection Registrar or consultant shall report on the date of sale, exchange, transfer, or destruction of a deaccessioned object to the Director of Galleries and Collections who in turn will notify the Gifts of Art Committee at the next scheduled meeting.

No action pertaining to deaccessioning and disposal should be undertaken which would impair the integrity and good standing of the University or the Tufts University Art Gallery within its community at large and within the museum profession.

E. Documentation/Records

All existing Object Records for a deaccession shall be consolidated into a Deaccession Record. This record will include all basic documents relevant to the deaccession

including, but not limited to, all original correspondence and memoranda, the recommendation for deaccession, deaccession worksheets, donor responses, shipping and institutional receipts, condition reports, photographic material, notices of exchange or payment, and other documents vital to an object's disposal. All Deaccession Records maintained by the Collection Registrar shall remain available to scholars and to the general public for research purposes only.

Proceeds derived from the sale of unrestricted deaccessioned objects shall be identified in the financial reports of the Collection Management Budget, supervised by the Director of Galleries and Collections. Proceeds derived from the sale of restricted deaccessioned objects shall be identified in the financial reports of the designated School or Department for which the gift was originally intended.

When a deaccession occurs within two years after the date of gift, the University will issue an IRS Form 8282, Donee Information Return to be filed with the Internal Revenue Service, and a copy will be sent to the donor.

F. Special Considerations and Safeguards

Forgeries

In the case of a forged or misrepresented object purchased by the University the Director of Galleries and Collections and the Gifts of Art Committee will make every effort to seek a refund, credit, and/or exchange from the dealer or source of purchase.

Accession of Deaccessioned Objects by University Personnel

A deaccessioned object may not be acquired by University personnel including its Trustees or by any member of their immediate families unless the object is sold at public auction with no prohibition against anyone bidding for it.

No Trustee, Officer, employee, volunteer or family member of such individuals may purchase deaccessioned works of art from the University or at auction if consigned by the University.

VII. PUBLIC DISCLOSURES

All sections of this policy adopted and followed by the University concerning the accession and deaccession of objects shall be offered to donors or other responsible persons on request. In reply to responsible inquiry, University personnel shall also make available the identity and description of collection objects acquired or disposed of.

VIII. ART ON CAMPUS

An Art on Campus policy is an important component of a Collections Management Policy and is referenced in this document as Addendum No. 6. The policy addresses

works of art commissioned or purchased by the University for public siting on campus. At the time this Policy was adopted, the first pilot project that would set the standard for such a policy is nearing completion, hence this policy is forthcoming. Likewise, Best Practices for implementing an Art on Campus Policy are also forthcoming.

IX. LOANS

The University considers it a responsibility to participate in a variety of worthwhile exhibitions and will lend objects from the Tufts collection via the Tufts University Art Gallery to institutions that share similar professional goals and responsibilities. The University Art Gallery may also request loans from other institutions, private collections, and commercial galleries to enhance the Gallery's programming.

A. General Conditions for Outgoing Loans from the Collection

Loans from the Tufts Collection may be made to other institutions for public display and for special exhibitions (see Definitions). In principal, the University shall not lend to commercial galleries to avoid the perception of a conflict of interest. An exception to this policy may be a scholarly exhibition in which the University's object(s) figure prominently. Loans of permanent art collection objects may be made to an approved list of University locations through the Intra-University Circulating Art Program. Loans will not be made to students.

Criteria Governing Loans

Outgoing loans of objects from the Tufts Permanent Art Collection will be judged primarily by the Director of Galleries and Collections using the following criteria:

The importance and quality of the object(s) being requested;

The scholarly or educational nature of the proposed exhibition;

Whether the appearance of the loan in an exhibition catalogue would enhance the reputation of the object and of the University.

When deemed necessary, the favorable recommendation of a fine arts conservator after a thorough examination of the suitability of the object's condition, in consultation with the Collection Registrar. (Note: Certain object classes that are noted for their inherent instability shall be lent only under extraordinary circumstances, [e.g., an artist's monographic exhibition] on a case-by-case basis.)

Period of the loan, including both the time of year and the length of time it will be unavailable to the University.

Assurance of proper handling, insurance, security, and environmental controls during shipment and while on exhibition based upon the Facility Report(s) (see Definitions) provided.

Additionally, the facilitation of previous loans by the same institution(s) shall also be considered.

Who Can Authorize Loans

All loans from the Tufts Collection require the recommendations of the Collection Registrar and the approval of the Director of Galleries and Collections.

Loan Expenses

The borrowing institution(s) must bear all expenses associated with providing the loan. These may include, but are not limited to, the following related costs: administrative, preparation, conservation treatment, packing, crating, shipping, insurance, customs, and courier (see Definitions). The Tufts University Art Gallery assesses a loan fee to process the loan request; a minimum of \$100 per object is charged the Borrower; fees higher than \$100 are determined by the Director of Galleries and Collections, based on advice from the Collection Registrar, and are pro-rated to cover additional staff time to negotiate, condition report, and process the loan request.

Documentation/Records

Loan/Out Records shall be established for each loan and will include all basic documents relevant to the loan including, but not limited to, all original correspondence and memoranda, Loan Agreement(s), conservation or condition reports, reproduction contracts, packing or crating orders, insurance certificates, invoices, shipping and institutional receipts, publicity materials, bibliographic information, and other documents vital to an object's loan history. The Loan/Out Record shall be transferred into the appropriate file upon the termination of the loan(s).

B. Outgoing Loans

1. Loan Procedures

All loan requests must be in writing from the borrower(s) to the Director of Galleries and Collection who will alert the Dean of Arts and Sciences about the request. It is advisable that loan requests be considered with a minimum of six months' notice to allow for proper facilitation. However, requests made on short notice may be considered and approved by telephone.

If the University has not previously lent to the borrower(s), the borrower(s) will be asked to send or complete a standardized Facility Report. An inspection of the installation site(s) by University personnel may also be required. If the loan is being requested for a touring exhibition, Facility Reports will be collected from each of the proposed venues. The University must have the complete itinerary for a touring exhibition before it shall consider approving a loan for the entire tour. The Collection Registrar, in concert with the Director of Galleries and Collections, will make recommendations on the advisability of a loan based upon these reports and will note any special conditions or restrictions that should be placed on it. The University reserves the right to approve the loan of an object for only a portion of an exhibition tour.

Decisions about loan requests must be made in a timely manner and all phases of the review and loan process shall be documented in writing and kept in the appropriate Object Record. In the case of an initial loan refusal, the Director of Galleries and Collections may suggest an alternate object that the requesting institution might be interested in. The Director of Galleries and Collections, in consultation with the Collection Registrar, may make recommendations regarding the approval of loans but the Dean of Arts and Sciences is the only individual authorized to approve loans and sign loan agreements on behalf of Tufts University. The Collection Registrar, on behalf of the University, shall officially notify the requesting institution as to the disapproval or approval of the loan(s) requested and shall sign Loan Agreements (see Definitions). The Collection Registrar will facilitate approved loans.

All loans from the University shall be for a specified time in duration. The University may not make indefinite loans or “permanent” loans. At the end of the loan period, the loan may be reviewed and may then be renewed for another period not to exceed two years in total. Before this is approved, however, the condition of the object must be re-examined by the Collection Registrar. The University reserves the right to recall loaned objects for any reason, given reasonable notice.

Following approval and depending on the results of its previous condition examination by a fine arts conservator, the object may be sent out for treatment. Regardless of any treatment and before the loan period, the Collection Registrar shall complete a condition report on the object, and a copy will be sent to the borrowing institution(s).

The Collection Registrar, in facilitating a loan, shall: review and complete the Loan Agreement indicating any special conditions or restrictions; check for existing materials or schedule photography based upon the reproduction requests of the borrowing institution(s); issue a packing or crating order to a selected vendor indicating any specific instructions; coordinate the means of transportation and shipment date with the borrowing institution(s) including the stipulation of a courier; check the identification label on the reverse of the object; alert appropriate Gallery or University staff members of the collection date and issue an Outgoing Receipt, invoice the borrowing institution(s) for relevant expenses; and amend all appropriate Object Records.

The Director of Galleries and Collections will stipulate the Insurance Value (see Definitions) to be indicated on the Loan Agreement. The University shall, however, reserve the right to increase this figure during the loan period if an object’s value significantly rises. In general, wall-to-wall “all risk” fine arts insurance must be carried by the borrowing institution(s) for the duration of the loan, unless specially waived at the University’s option. Documentary evidence of the borrower’s insurance (e.g., a copy of the policy or certificate of insurance) should be provided to the University before the loan’s outgoing shipment. In certain cases, the University may insure objects under its own comprehensive, “all risk” policy, billing premiums to the borrower(s).

Borrowing institutions must agree to credit loans in exhibition labels, publicity, and accompanying publications in the manner stipulated by the Collection Registrar. Requests for photographic materials to be used in publications must be forwarded to the Collection Registrar and appropriate reproduction fees and contracts shall be assigned.

The Collection Registrar shall be responsible for maintaining contact with the borrower(s) while the loan is in effect to ensure that all agreements will be adhered to. Upon the return of an object and once the Collection Registrar has completed an incoming condition examination and determined that the object's physical condition has not changed, the borrowing institution(s) will be released from its/their loan responsibilities.

Employees are not eligible to borrow works of art (whether accessioned or not) from Tufts University under any circumstances.

C. Incoming Loans

Incoming loans are objects requested by or offered to the University or the Tufts University Art Gallery from other museums, private individuals, commercial galleries, and other public and private institutions. The University shall not accept loans for storage purposes only. All loans to the University are subject to the provisions of the "Conditions Governing Loans" as stated on the applicable Loan Agreement.

D. Temporary and Extended Loans

All such objects, as property of others, must be recorded as either temporary loans (less than six months) or extended loans (more than six months but generally not to exceed two years).

1. Loan Procedures

In general, the Director of Galleries and Collections initiates incoming loans. Occasionally, an outside party will solicit a loan to the University. In either case, the Director of Galleries and Collections will report all outgoing loans to the Gifts of Art Committee.

All particulars of the loan including: the lender of the object, if different from the owner; the loan period; the object's catalogue information; the desired credit line; its value and insurer; photographic rights; method of shipment; and responsibility for expenses, must be agreed upon before the University may enter into a Loan Agreement.

Except for those instances when a lender delivers an object to the University, the Exhibitions Registrar should make all arrangements for incoming loans to be delivered to the University, and, in most cases, the University shall assume the cost of necessary packing/crating and shipping and insurance. Loans will be returned at the request of either the lender or the Exhibitions Registrar.

Upon arrival, the Exhibitions Registrar shall: make an entry in the Temporary Receipt Ledger assigning an identifying Temporary Receipt (TR) Number; issue an Incoming Receipt indicating the object is a loan; issue a certificate of insurance, if applicable, and if not previously sent; initiate a condition examination and report; arrange for an exhibition label and photography, if permitted; and establish an Active Lender File.

The Exhibitions Registrar shall monitor loans on a regular basis to ensure there has been no change in the object's condition. All loans shall receive a final condition examination

before return. Upon the termination of a loan, the Active Lender File shall become an Inactive Lender File.

If a loan is renewed, the lender will have the option to amend the object(s)'s Insurance Value(s). It will then be the responsibility of the Collection Registrar to re-issue a certificate of insurance for the object(s), verify its/their location(s) and re-examine its/their condition(s).

If the University, after making all reasonable efforts, and through no fault of its own, is unable to return the object(s) following the termination of a loan, then the University shall have the absolute right to: place the object(s) in storage; to charge the lender for regular storage fees and the cost of insurance; and to have and enforce a lien for such fees and cost for a maximum of two years. If, after two years, the object(s) have not been reclaimed, then, and in consideration for its maintenance and safeguarding during such period, the object(s) shall be deemed an unrestricted gift to the University to be treated as a Non-Accessioned Object (Section V).

2. Documents/Records

An Active Lender File shall be established for each lender and will include all basic documents relevant to the loan(s) made by that lender including, but not limited to: all original correspondence and memoranda, Loan Agreement(s), appraisals, conservation or condition reports, photographic materials, packing or crating orders, insurance certificates, invoices, shipping and institutional receipts, publicity materials, bibliographic information, original hardware (temporarily removed), and other documents vital to an object's loan history. This File, or portions thereof, shall become an Inactive Lender File upon the termination of the loan(s).

C. Loan of Exhibitions of the Tufts University Collection

From time to time, the Tufts University Art Gallery may elect to travel exhibitions it has organized that consist in part or entirely of objects in the University Collection as well as loans from others. In general, the Director of Galleries and Collections initiates these Loan Exhibitions.

Loans from others for these exhibitions are treated in the same manner as Incoming Loans with the exception that the Loan Exhibition Lender File, a sub component of the Loan Exhibition Files established and maintained by the Exhibitions Registrar, replaces the Active Lender File.

The Director of Galleries and Collections, in consultation with any guest or adjunct curator(s), shall make the final decision as to which institutions the exhibition will be offered. Upon agreement with colleagues in those institutions, exhibition contracts shall be executed between the applicable institution directors or their authorized officers.

The Director of Galleries and Collections, in concert with the guest or adjunct curator(s) and the Exhibitions Registrar shall coordinate loan requests, consolidated crating and

shipping, installation design and requirements, catalogue production and other publications, condition examinations, customs supervision, if needed, insurance coverage, checklists and related materials; publicity, venue contracts, and invoicing.

In all instances, a Loan/Exhibition must travel accompanied by a condition notebook. It may also be specified that an Exhibitions Registrar or Curator accompany an exhibition to oversee its unpacking and installation or dismantling and packing at each venue on the tour.

D. Objects Placed in the Custody of the University

The University considers any object placed in its custody for other than loan purposes, (e.g., for study, attribution, examination, photography, or for purposes of shipment transfer) to be a Temporary Deposit. Upon arrival, the Collection Registrar shall make an entry in the Temporary Receipt Ledger assigning an identifying (TR) Number and issue an Incoming Receipt indicating the object is a Temporary Deposit. The Collection Registrar shall conduct periodic reviews of such deposits to ensure expeditious handling.

If an object is received at, or unexpectedly left on, the University's premises, an attempt shall be made to contact the owner to determine the object's status. After discussion with the owner, and if the University does not want the object, it shall be returned to the owner. If the owner cannot be contacted or is unknown, the University may after consultation with legal counsel, dispose of the object as it considers appropriate and in compliance with abandoned property legislation for the Commonwealth of Massachusetts.

X. CARE OF THE COLLECTIONS

The Tufts University Art Gallery considers the care of the University Art Collection to include the protection and preservation of its objects as well as that of its Object Records. Procedures to provide care of the collections according to this policy are developed by the Collections Management Committee, principally the Collection Registrar and the Director of Galleries and Collections. The daily management of these responsibilities shall be centralized at the Tufts University Art Gallery, however, other University personnel will also share them when directly applicable. The Tufts Physical Plant staff shall also share responsibility for maintenance and care of certain publicly sited works, particularly those commissioned under the Campus Art Program.

The Tufts University Art Gallery is charged with caring and providing for a safe and appropriate environment of the Collection, both on view and off-view. The Gallery follows the University's Emergency/Disaster Plan and applies it to its management of the Art Collection.

The University shall engage outside conservators on a case-by-case basis, as needed, to help preserve the Collection through conservation treatment. The Collection Registrar shall maintain exact documentation on all examination and treatment work.

A long-term preventative conservation plan shall be developed pending the successful outcome of a funding request to a federally- or privately-sponsored conservation assessment program, which will outline a plan.

A. Mechanical/Environmental

As much as is reasonably possible, given that a preponderance of the University Collection is dispersed throughout the Medford and the New England Medical Center campuses, the University shall take actions to ensure the Collection: will have adequate fire detection and suppression, and protection from other natural disasters; will have adequate security to protect against intrusion, theft, or vandalism; and will have adequate environmental conditions to maximize object preservation, whether the objects are on display or are being stored. The Collection Registrar shall be responsible for establishing more restrictive security or environmental requirements for University objects pursuant to standard professional practices and for ensuring that all appropriate personnel are notified accordingly. It shall also be the responsibility of the Collection Registrar to regularly monitor environmental conditions (temperature and relative humidity, light, pests/vermin, and air pollutants) pursuant to standard professional practices with the cooperation of the Tufts University Art Gallery staff.

Storage and display furnishings must be of such quality as to provide adequate object protection, preservation, and retrieval needs. The Tufts University Art Gallery staff shall be responsible for the purchase or construction of these furnishings to ensure that they meet the needs of the objects.

B. Inspection/Conservation

Works in the Tufts Collection that are dispersed on loan throughout the Tufts campus will receive at minimum an annual inspection, and will receive a complete condition report every five years. The Collection Registrar or Director of Galleries and Collections should be notified immediately of any situation that has, may, or is directly affecting an object, including a slightly altered appearance, loose hardware, presence of pests or food substances, extremes in temperature or relative humidity, visitor contact, vandalism, unauthorized photography, or theft. If damage occurs, the Collection Registrar shall complete a Damage/Loss Report. If the situation occurs or is discovered during non-business hours, the Collection Registrar shall, as necessary, go to the site to determine what remedial steps are to be taken.

It shall be the responsibility of Collection Registrar, in consultation with the Director of Galleries and Collections and an appropriate conservator, to ensure that objects accessioned to the Collection receive proper and timely restoration. Priority must be given always to maintaining the integrity of the original object

C. Handling/Movement

One of the primary functions of the Collection Registrar shall be to maintain accurate, clear, and archival records (manual and/or automated) on all objects in the care of the University. Therefore, movement of all objects shall be under the supervision of the

Collection Registrar. Objects shall be moved by qualified personnel designated by and with the advance consent of the Collection Registrar. All University personnel who handle objects shall be made aware of their responsibilities to protect and preserve them, and professional art handling methods will be practiced at all times. When a move has been completed, the object(s)' change of location shall be noted by the Collections Registrar in the registration records. To avoid unnecessary risk or damage to objects in the care of the University, movement of any nature will be kept at a minimum. Special attention will be given to the packing and shipping of Tufts collection objects entering or leaving the University's premises, and the Collection Registrar must record all such moves.

If there is building renovation/remodeling of areas containing University Collection objects, the Collection Registrar, in concert with the Director of Galleries and Collections, shall develop a well-defined plan for the protection of the objects during the course of such work. The form and content of the plan shall be devised in close consultation with the applicable facilities and security staff.

No food or drink shall be allowed in areas where art is stored, prepared, or displayed without the express permission of the Director of Galleries and Collections or Exhibitions and/or Collection Registrar.

D. Off-site Records

The Collection Registrar shall make sure Tufts Collection records are properly safeguarded. Computerized records will be backed-up no less than every three months, and these records shall be stored off-site.

XI. INVENTORIES

The University considers an inventory (see Definitions), either in whole or in part of all objects in its care, to be an inherent responsibility. The Collection Registrar shall be responsible for conducting inventories and for keeping current and accurate information on the location of all objects whether on exhibition, in storage, on loan, at conservation, or elsewhere. A complete inventory of the University Collection should occur at regular intervals, but no less than every five years. Whenever any object is found to be missing, the Collection Registrar must notify the Director of Galleries and Collection, the Campus Chief of Security, the owner, the fine arts insurance provider, and any applicable state or federal authorities. Due action must be taken.

XII. FINE ARTS INSURANCE

The Director of Galleries and Collections, with the cooperation of the Director of Risk Management and the Collection Registrar, shall determine an effective and cost-efficient method of insuring the Tufts collection. The proper University personnel shall review the fine arts insurance policy on an annual basis, or as needed. Payment of the annual fine

arts insurance premium shall be the responsibility of the Office of Risk Management. The Tufts University Art Gallery or any sponsoring department may buy additional coverage for values over the limit of liability through endorsements, as programming warrants.

The University Art Collection shall be insured by a comprehensive Fine Arts Insurance Policy for a portion of its estimated value to protect against catastrophic loss. The Director of Galleries and Collections shall ensure that the current limits of liability under the prevailing fine arts insurance policy are at desirable levels. When art works are requested for external loan, the Collection Registrar shall arrange for a new appraisal to be conducted. In this manner the monetary value of Collection objects shall be incrementally updated. When an object has no recorded value, the Collections Registrar may set an estimated value for purposes of insurance coverage. Said value is not to be considered an appraisal.

The University shall insure objects on loan or placed in its custody on a case-by-case basis. Objects left on University's premises but not at the University's request shall not be insured. In general, objects from the University Collection borrowed by others shall be insured by the borrower, unless specifically waived at the University's option. A premium may be billed to a borrowing institution if the University decides to insure the object(s) under its own fine arts insurance policy. The University may prefer to maintain its own insurance on exhibitions it organizes which are sent to other domestic and foreign institutions.

All damage or losses must be reported promptly by the Collection Registrar to the fine arts insurance carrier, and claims shall be settled through that provider according to the terms of the policy. If a loan is damaged, its owner shall be contacted for appropriate authorization before any restoration is initiated.

XIII. ACCESS TO COLLECTION OBJECTS AND RECORDS IN STORAGE

Direct physical access to the University Collection in storage is limited to registration and curatorial personnel and their designees.

A. Visual/Physical

Requests for limited access to Tufts Collection objects shall be evaluated on a case-by-case basis by the Collection Registrar or Director of Galleries and Collections, who will also decide the level of access (visual and/or physical) to be granted, including the level of supervision. Every effort will be made to provide the greatest access possible, but the physical integrity and safety of the objects shall be the primary determining factor. Unknown researchers may be asked to supply the University with a character reference. Objects in the University Collection may never be taken off campus premises for study purposes except by other institutions under the loan provisions stated above.

Advance appointments will be required, and either registration or curatorial personnel must authorize the storage visit and, in most cases, be present. Access to an object in

storage may not be available if conditions do not allow for visitors or viewing. The Collections Registrar and Director of Galleries and Collections hold the keys to the locked storage area. During normal business hours, entrance to storage may be gained only by contacting the Collection Registrar or other authorized personnel. (S)He shall oversee the access to this area in the absence of the Collection Registrar but will notify the Registrar of all entries.

Each object shall be referred to by its unique identifying number to maximize the ease with which object information and the object itself can be retrieved.

B. Photography/Reproduction

Photography or reproduction by any other means of the interior of the University and of Tufts University Art Gallery exhibitions is permitted only with the advance written consent of the Director of Galleries and Collections. Permission to photograph does not include permission to reproduce. Negatives and/or prints may not be made by outside companies or photographers for commercial purposes or individual monetary gain without the University's advance written consent.

Requests for photographic material must be received in writing. Reproduction is permitted only from materials supplied by the Registration office. Reproduction from any other source not supplied by the University must be approved in advance. The University in its sole discretion reserves the right to deny permission to any applicant whose product is not acceptable to the University for any reason. It may also refuse permission for further applications from a publisher, if in its opinion, acceptable standards of reproduction, care of materials, or professionalism have not been obtained. The University shall not grant exclusive reproduction rights for any object in the Tufts collection; nor shall the University assume any responsibility for duplication of subjects or reproductions by other applicants or persons not authorized to reproduce said object(s). Permission to reproduce is premised and conditioned upon payment of the fees involved before publication, unless a fee waiver has been given or an exchange has been agreed upon (e.g., certain number of publications in which the Collection object appears). Failure to pay the required fees means permission has not been granted. When paid, the invoice, together with the executed reproduction contract, constitutes official permission for reproduction.

C. Research Inquiries

The Object Records maintained in the Collection Registration office located at the Tufts University Art Gallery in the Aidekman Arts Center are for use by University personnel, scholars, and researchers. Such records include those documenting the provenance, accessioning, deaccessioning, lending, borrowing, condition and conservation, insuring, storage, and display of such objects. Although Tufts collection documentation is considered to be in the public domain, the Collection Registrar shall be responsible for granting access to the Object Records and for responding to inquiries made in person and by mail and email. Object Records may also be reviewed by appointment but must not leave the Collection Registrar's office.

Photocopies of existing documentation may be obtained through the Collection Registrar, with an optional modest charge for the expenses of copying.

XIV. COMPLIANCE, EVALUATION, AND CAVEATS

The Director of Galleries and Collections has primary responsibility for monitoring compliance with the provisions of this Collection Management Policy. Certain responsibilities may be delegated by the Director to the Collection Registrar, Collections management Committee, or others, as deemed necessary and prudent.

This Policy shall be reviewed and updated every three years by the University Gifts of Art Committee or, if structurally changed, its successor, and recommendations made to the Dean of Arts and Sciences, or, if the reporting structure changes, to the Dean's successor.

As the current governing body for the fine art collection at Tufts University, the University Gifts of Art Committee, convened by the Director of Galleries and Collections, recognizes that, as of the date of its adoption, this Policy, in the main, addresses activities within the domain of the School of Arts, Sciences, and Engineering, and that a more all-encompassing, University-wide policy needs to be developed.

ADDENDUM NO. 1: University Procedures for the Accession of Art, Artifacts and Antiquities

STEP 1: Identifying Appropriate Works of Art for Donation:

1. Potential donations may be solicited by Director of Galleries and Collections from artist submissions, exhibiting artists, past donors, and new donors.
2. Potential donations may be solicited by the Office of University Advancement, following the criteria set forth in the Collections Policy.
3. Potential donations of art may not be solicited by faculty, staff, advisory board members, Overseers, or Trustees, but general inquiries should be directed to: the Vice President for Advancement; the Senior Director of Development for the appropriate school or division; or the Director of Galleries and Collections.
4. Potential donations of art that come to the attention of other offices or departments within Arts & Sciences should be directed either to the Director of Galleries and Collections or the Senior Director of Development for A&S, who will secure approval of the Vice President for University Advancement. For donations and inquiries that come to the attention of Tufts faculty or staff outside of Arts & Sciences, the appropriate senior development officer for the School in question should first be contacted, then the Director of Galleries and Collections.

STEP 2: Due Diligence Period of Negotiation with Prospective Donors:

First-hand Inspections

After the prospective donation has been identified and deemed to meet the Collection mission and Accession Criteria as stated in the University's Art Collection Policy, the proposed donation(s) shall be inspected whenever possible first-hand by a qualified member of the University staff or faculty a contracted curator whenever possible, without incurring significant expense to do so, especially for paintings, sculpture, and works of mixed media. This inspection is crucial in the case of inherently fragile works of art.

These inspections will serve to:

- Verify key attributes of the work(s) in question, especially condition, dimensions, and existence and condition of framing, if applicable (i.e., verification of the description provided by the donor)
- Note the condition of the proposed gift(s) in detail, using a standard Condition Report form provided electronically to the inspector

These inspection visits also provide an opportunity to:

- Make specific selections from a larger pool, body or edition of works offered for donation.
- Take digital photographs for Gifts Committee review purposes.

- Complete the Accession Worksheet (preceding the Gift Agreement Form) for each proposed donation, including a discussion and documentation of the object's provenance.
- Discuss with the donor any conditions he/she wishes to place on the gift(s).

Provenance Research

Provenance research is very important and helps to determine a work's legal title and its authenticity. "As a legal matter, provenance research is at the core of the diligence a museum undertakes to ascertain a work's legal title" (see Stephen K. Urice & Elizabeth Somerstein, "Provenance: Introductory Comments" [2009, ALI-ABA Conference Course Materials]). In cases of antiquities or any objects that the University has reason to suspect may be Nazi-era, war booty, or any other imported object with uncertain or incomplete provenance, provenance research undertaken by the donor will be required in order for these objects to be accepted as gifts and acquired as part of the University permanent art collection. "Unprovenanced" antiquities will not be accepted by the University in any instance. In cases of gifts with incomplete provenance, a warranty and indemnification must be provided by the donor to the University; in the case of purchases, a warranty and indemnification must be provided by the seller to the University. Even for restricted gifts of art that are not accessioned to the Collection, provenance documentation is essential to maximizing the subsequent resale of the gift(s).

Provenance Guidelines

Inquiry and Research are critical to determining that the University can obtain clear title. Such research should include, but is not necessarily limited to, the following measures:

1. The University provides the donor with an Accession Worksheet of information donor needs to furnish (see Addendum no. 2)
2. An advancement officer shall work directly with the donor to ensure compliance with the Accession Worksheet as much as is feasible
3. University advancement performs its own due diligence to determine:
 - a. If any claims to ownership of the work of art been made;
 - b. If the work of art appears in relevant databases of stolen works;
 - c. What are the circumstances under which the work of art is being offered to the University;
 - d. Vets its due diligence with University Counsel
3. The Director of Galleries and Collections and Gifts of Art Committee provide oversight in assessing donor's compliance with due diligence procedures and may involve seeking outside expert opinions before a vote to accession can occur.

Legal Considerations: University accessions of art must comply with all applicable local, state, and federal U.S. laws, most notably those governing ownership and import of works of art, such as the National Stolen Property Act (NSPA), the Convention on Cultural Property Implementation Act (CCPIA), sanctions enforced by the

Office of Foreign Assets Control (OFAC), the Convention on International Trade in Endangered Species of Wild Fauna and Flora (CITES) and the Native American Graves Protection and Repatriation Act (NAGPRA). Since the status of a work of art under foreign law may bear on its legal status under U.S. law, the University shall review relevant foreign laws before making an accession.

The University is guided by the Report of the Association of Art Museum Directors' Task Force on the Spoliation of Art during the Nazi/World War II Era (1933-45) and the American Association of Museums current Guidelines Concerning the Unlawful Appropriation of Objects During the Nazi Era.

The University is guided by the Report of the Association of Art Museum Directors' Task Force on the Accession of Archaeological Materials and Ancient Art (revised 2008) and the American Association of Museums' Standards Regarding Archeological Material and Ancient Art.

The University normally shall not accept or acquire a work of art unless provenance research substantiates that the work was outside its country of probable modern discovery before 1970 or was legally exported from its probable country of modern discovery after 1970.

STEP 3: Review of Proposed Gift(s) by University Gifts of Art Committee

- Review and discussion of proposed gifts of art based on Accession Worksheet, digital photographs, and other due diligence takes place at either the Committee's April or December meetings
- Recommendations are then made to the University Advancement Committee on Tangible Personal Property on accessions to the Permanent Art Collection.

STEP 4: Execution of the Gift Agreement Form

- Follows approvals by University Gifts of Art Committee and Committee on Tangible Personal Property
- Gift Agreement Form is executed by the advancement officer assigned to the donor or another person appointed by the V.P. for University Advancement
- A Condition Report attached to the Gift Agreement Form is required when no appraisal is involved; a qualified professional should complete this Form (provided by the University), not the donor.
- For gifts of \$5,000 or more, the independent, certified appraiser selected by the donor should provide a condition report as part of the appraisal.
- Arrangements for Receipt of Donated Property should be made by the advancement officer in concert with the donor and the Director of Galleries and Collections (since unrestricted gifts are art are delivered to the Tufts University Art Gallery)

STEP 5 (ongoing): Recommended protocols for communicating University procedures for processing Gifts of Art to Donor

1. Develop written guidelines outlining the process and donor requirements so that donors know what to expect—in process now, in cooperation with Central Advancement
2. Share guidelines for selecting the right appraiser (and IRS definition of a “certified independent appraiser”)
3. Office of University Advancement generates official gift recognition letter
4. University Advancement performs title verification
5. University Advancement obtains Warranty and Indemnification statement from donor for all antiquities and imported work(s)
6. Tufts University Art Gallery develops protocols for verification of receipt of property, both internally and between University and donor
7. University Advancement develops protocols and guidelines for internal routing of gift paperwork and issuance of signed 8283 tax form

ADDENDUM NO. 2:

Worksheet for Accession of Art and Antiquities to be completed by prospective donors

1. Basic Information on the Work of Art

- a. Title or Description
- b. Artist (if known)
- c. Date
- d. Dimensions
- e. Price
- f. Country of Origin
- g. Country imported from
- h. Seller

2. Provenance

- a. Describe history of object ownership with as much specificity as possible
- b. List the countries in which the work of art has been located and when
- c. List the exhibition history of the work of art, if any
- d. List the publication history of the work of art, if any

3. U.S. Import Status

- a. Entry date in U.S. on Customs Form 7501 Line 4
- b. Importer of Record on Customs Form 7501 Line 11
- c. Country of Origin Declared on Customs Form 7501 Line 15
- d. Country of Origin as Listed on Pro Forma Invoice, if applicable
- e. Value Declared on Customs Form 7501 line 33
- f. Value Declared on Pro Forma invoice, if applicable
- g. If the Value Declared is not consistent with the price quoted on Pro Forma Invoice, is the Declared Value the same as the price paid by the importer?
- h. Is country of origin declared on U.S. import consistent with the University's understanding?
- i. Does the country of origin have a current Memorandum of Understanding with the United States?

4. Export Status

- a. Exporting Country Declared on Customs Form 7501 Line 13
- b. Copy of export license available?
- c. Description of work of art on export license, including country of origin
- d. Value declared on export license
- e. Date of export
- f. Is authorization to export clear?
- g. How long in export country, if known?

5. Warranty and Indemnification:

- a. Is the work of art free from any liens, claims and encumbrances?
- b. In event of a breach of warranty, the donor indemnifies the University for a full refund for the work of art; this also applies to certain purchases as appropriate in the judgment of the Director of Galleries and Collections and the General Counsel's office.

**ADDENDUM NO. 3:
UNIVERSITY CIRCULATING ART PROGRAM POLICY**

OVERVIEW AND GUIDELINES

The Tufts University Art Gallery helps to augment, cares for, and maintains the University's permanent art collection, totaling approximately 2,000 works. The Tufts University Art Gallery administers the Circulating Art Program, in which select works of art are available for loan to eligible departments, offices, and centers on Tufts' campuses, provided that the conditions for loan, described below, are met. The University's art collection grows through donations; there is no accession fund currently.

REQUEST PROCESS

1. Requests for the loan of works of art should be made in writing (or email) to the Director of Galleries and Collections and should address the following conditions:
2. Kind of space (private office, semi-public office/department/suite), public access area (e.g., corridor, lobby)
3. "Live" Security level of that space during business hours (no live security; minimal or occasional live security; constant live security)
4. Business hours (when is space unlocked and locked?)
5. Is there an after hours security system with keypad in the space?
6. Natural light level (number and location of windows in space) and ultraviolet window treatments (do they exist or not?)
7. Configuration of space (a diagram or sketch is needed of the walls or other spaces available for works of art; this should include notations on window, door, and furniture locations; width of each wall available; existence of chair rails; height of each wall (if chair rail exists, height from top edge of chair rail and/or height of furniture)
8. Type of art work preferred (photographs, paintings, prints [lithographs, screen-printing, woodcuts, etchings, etc.], drawings, sculpture)
9. Aesthetic preferences (abstract, representational, experimental, conceptual, portraits, landscapes, genre/still life, other subject matter, etc.)

After the request is received, a member of the Gallery staff will electronically send some possible selections of available works via digital image. If a visit to Collection storage (located in the Aidekman Arts Center) is necessary to make the final selection, that visit can be scheduled after Commencement, when a staging/viewing area is available in the adjacent Koppelman Gallery (collection storage and the Gallery's prep room are too small to show works of art).

By initiating the Request Process, potential Borrowers agree to comply with the additional conditions and eligibility requirements cited below.

ELIGIBLE SPACES

Tisch Library conference rooms, reading areas, and the Library Tower Café
Deans', Provosts' and The President's Offices
Gifford House
Cheryl A. Chase Center (Faculty Dining Room, attached to Carmichael Hall)
Admissions Office (Bendetson Hall)
Directors' and Department Chairs' offices
Department conference/seminar rooms and offices
Suites and/or reception areas with live security, including department lounges and common areas, monitored by department staff
Tufts University Art Gallery and Slater Concourse Gallery (Aidekman Arts Center)

INELIGIBLE SPACES:

Dormitories
Class Rooms
Auditoria
Unlocked and unmonitored department lounges/common areas
Rehearsal rooms
Dining Halls
Offices and conference rooms not frequented by students
Shared faculty offices

REQUEST PERIOD

March 1-End of the spring semester (annually)

Exceptions will be made when an office is vacated, newly occupied, or moved and new or additional art that meets the aforementioned eligibility requirements is requested in writing.

DELIVERY AND INSTALLATION PERIOD

May 23 (after Commencement) to fourth week of August (before Freshman Orientation week). Delivery and installation will be scheduled and conducted by the Tufts University Art Gallery staff in the order in which requests are received, subject to framing needs and other preparation requirements of the loan.

Exceptions will be made when an office is vacated or moved and new or additional art that meets the aforementioned eligibility requirements is requested.

CONDITIONS OF LOANS

1. The Department to which the work(s) of art are loaned assumes responsibility for the care and the safety of the art. The Department cannot transfer responsibility to another Department. If damage (physical stress from sources such as sunlight or moisture, or vandalism) or loss is detected to any work of art on loan, the primary contact for the Borrowing Department will notify the Tufts University Art Gallery Director immediately.

2. The work(s) of art must be installed, moved, or removed only by Tufts University Art Gallery staff.
3. The Tufts University Art Gallery may recall the work(s) of art at any time for purposes of conservation, research, exhibition, or as deemed necessary.
4. The Tufts University Art Gallery must receive at least two weeks' notice to remove (a) work(s) of art, unless the cause for removal is damage.
5. Works of art lent to the Borrowing Department shall not be unframed or removed from mats, mounts, or bases for any purpose whatsoever, or cleaned, repaired, or transported in damaged condition except with the express permission of the Director of Galleries and Collections.
6. The duration of the loan should not exceed five years, except in cases where suitable replacements cannot be obtained for high profile locations (such as Gifford House).
7. The Borrower agrees to pay a fee to prepare the loan, deliver and install the art work(s) of \$45/hour with a minimum of two (2) hours; payment will be handled by interdepartmental requisition (IDR).
8. The Borrower agrees to pay for museum-quality framing (arranged for by the Tufts University Art Gallery) if two-dimensional works of art selected are not currently framed; payment will be handled by IDR.
9. Failure to comply with any of these terms may result in the removal of art work(s) from your custody.

RETROACTIVE ENFORCEMENT AND RECALL

In addition to the aforementioned Conditions of Loan, The Tufts University Art Gallery reserves the right to retroactively enforce and recall works of art that it deems are in jeopardy, which no longer meet the eligibility requirements, or which have been on view more than five years, particularly in the case of works of art on paper located in proximity to natural light or windows without UV-treatment.

ALTERNATIVES TO ORIGINAL WORKS OF ART

If no appropriate or desirable work is available for loan at the time of your request, you could consider purchasing museum reproductions (essentially high quality posters, not original works of art). Many vendors exist and many museums have online gift shops, where poster reproductions may be purchased.

ADDENDUM NO. 4: CONFLICT OF INTEREST GUIDELINES

Conflict of Interest Definitions and Procedures

Definitions

1. Conflict of Interest:

The existence of a personal or private interest that gives rise to a clash of principle in a work situation, thus restricting, or having the appearance of restricting, the objectivity of decision making.

2. Interested Person

Any director, principal officer, employee, or member of a committee with governing board delegated powers, who has a direct or indirect financial interest, as defined below, is an interested person.

3. Financial Interest

A person has a financial interest if the person has, directly or indirectly, through business, investment, or family:

- Ownership or investment interest in any entity with which the Gallery has a transaction or arrangement,
- A compensation arrangement with the Gallery or with any entity or individual with which the Gallery has a transaction or arrangement, or
- Potential ownership or investment interest in, or compensation arrangement with, any entity or individual with which the Gallery is negotiating a transaction or arrangement. (Compensation includes direct and indirect remuneration as well as gifts or favors that are not insubstantial.)

A person who has a financial interest may have a conflict of interest only if the committee decides that a conflict of interest exists.

Procedures

1. Duty to Disclose

In connection with any actual or possible conflict of interest, an interested person must disclose the existence of the financial interest and be given the opportunity to disclose all material facts to the Gallery Director and members of the committee considering the proposed transaction or arrangement.

2. Determine Whether a Conflict of Interest Exists

After disclosure of the financial interest and all material facts, and after any discussion with the interested person, he/she shall leave the governing board or committee meeting while the determination of a conflict of interest is discussed and voted upon. The committee members shall decide if a conflict of interest exists.

3. Procedures for Addressing the Conflict of Interest

- An interested person may make a presentation at the committee meeting, but after the presentation, he/she shall leave the meeting during the discussion of, and the vote on, the transaction or arrangement involving the possible conflict of interest.
- The Gallery Director or chairperson of the committee shall, if appropriate, appoint a special committee to investigate alternatives to the proposed transaction or arrangement. The special committee shall be composed entirely of nonmembers of the committee.
- After exercising due diligence, the special committee shall determine whether it can obtain with reasonable efforts a more advantageous transaction or arrangement from a person or entity that would not give rise to a conflict of interest.
- If a more advantageous transaction or arrangement is not reasonably possible under circumstances not producing a conflict of interest, the special committee shall determine whether the transaction or arrangement is in the Gallery's best interest, for its own benefit, and whether it is fair and reasonable. In conformity with the above determination it shall make its decision as to whether to enter into the transaction or arrangement.

4. Violations of the Conflicts of Interest Policy

- If the committee has reasonable cause to believe a member has failed to disclose actual or possible conflicts of interest, it shall inform the member of the basis for such belief and afford the member an opportunity to explain the alleged failure to disclose.
- If, after hearing the member's response and after making further investigation as warranted by the circumstances, the committee determines the member has failed to disclose an actual or possible conflict of interest, it shall take appropriate disciplinary and corrective action.

5. Records of Proceeding

The minutes of the committee shall contain:

- The names of the persons who disclosed or otherwise were found to have a financial interest in connection with an actual or possible conflict of interest, the nature of the financial interest, any action taken to determine whether a conflict of interest was present, and the committee's decision as to whether a conflict of interest in fact existed.
- The names of the persons who were present for discussions and votes relating to the transaction or arrangement, the content of the discussion, including any alternatives to the proposed transaction or arrangement, and a record of any votes taken in connection with the proceedings.

ADDENDUM NO. 5:
BEST PRACTICES FOR IMPLEMENTING THE CIRCULATING ART PROGRAM
Forthcoming

ADDENDUM NO. 6: ART ON CAMPUS POLICY
Forthcoming

ADDENDUM NO. 7: BEST PRACTICES FOR IMPLEMENTING THE ART ON
CAMPUS POLICY
Forthcoming