POLICY STATEMENT

University of North Dakota (UND/University) has established official practices for the management, care, acquisition, and de-accessioning of the University's art collections, including public art.

REASON FOR POLICY

With consistent oversight and guidelines, works of art can be properly acquired and/or de-accessed in a consistent manner. Moreover, following a standard process will help avoid problematic situations and guide the display of public artworks on campus. This policy also outlines the roles and responsibilities of an oversight committee and clarifies the roles of those involved with the management of the University's approximately 30,000 art and art-related objects.

SCOPE OF POLICY

- President
- Vice Presidents
- Deans, Directors & Department Heads
- Area Managers & Supervisors
- Faculty
- Staff
- Students
- Others: Community Members, Museums

RELATED INFORMATION

| Native American Graves Protection and Repatriation Act (NAGPRA) | https://www.nps.gov/subjects/nagpra/index.htm |
| UND Art Collections Digital Commons Database | https://commons.UND.edu/uac/ |

CONTACTS

Specific questions should be directed to the following:
DEFINITIONS

Public Art
All art that is placed on the University’s outdoor campus but may include publicly accessible spaces within buildings on campus.

PRINCIPLES

Overview
UND Art Collections began operations in the spring of 2005 as the University’s only official unit responsible for the art owned by the University of North Dakota. The mission of UND Art Collections is to facilitate the use of the University's art for education, research, and community cultural enrichment in ways that forward the University's mission and strategic goals. While providing oversight for the art owned by the University, UND Art Collections also aids the UND Alumni Association & Foundation (UNDAAF) in the management and use of its art collection.

Through the Living Art Museum concept, the University’s buildings across campus and as well as downtown Grand Forks serve as and contain gallery space that is easily accessible to the campus population and greater community. This approach encourages accessibility to art and multidisciplinary engagement with the art while enhancing and enriching the campus learning and working environments.

The name ‘UND Art Collections’ was selected in an effort to acknowledge the claim of territorial possession for all artworks displayed and stored across campus in various colleges, departments, centers, and publicly accessible property. This is important when enforcing standards of care, utilization for educational experiences, and tracking for inventory management purposes. UND Art Collections, therefore, oversees multiple art collections across campus regardless of collection ownership.

UND Art Collections encompasses approximately 15,000 works of fine and decorative art, and other cultural artifacts as well as approximately 15,000 objects in the media collection. It is the goal of the University to document and/or digitally preserve each piece of art and media utilizing Scholarly Commons. As of 2020, the process of cataloging each object is in progress. These objects are identified in Scholarly Commons by their collections and placement on campus, where appropriate.

PROCEDURES

The UND Art Collections manager/curator is responsible for the care and preservation of the collection and for the development and implementation of policy related to the collection, including acquisition, de-accessions and disposal, preservation, conservation, and exhibition. The manager/curator will ensure that the care and safety of the collection takes priority in all decisions concerning its objects. The manager/curator is responsible for making the Executive Council of the University aware of its legal and ethical responsibilities to the collection.

The manager/curator and chair of the Department of Art & Design are responsible for the financial oversight of all the collections. The collections encompass objects held in public trust and do not represent financial assets.
that may be converted to cash for operating or capital needs or pledged as collateral for loans. All proceeds derived from de-accession of objects from the collections will be used for future acquisitions, collections preservation and care, collections presentation, or with the approval of the provost and vice president for academic affairs (provost), collections staff development/training and special projects.

**UND Art Collections Personnel**

The manager/curator will oversee the day-to-day implementation of the policy. They will consult with the Collections Committee on all matters concerning policy, accession and de-accession of objects with a current estimated or appraised value exceeding $10,000.

The manager/curator is responsible for implementation and maintenance of a collections database and works as liaison with the Chester Fritz Library in providing images and updated information for UND Scholarly Commons. They are also responsible for coordination with the Office of Risk Management in updating insurance on a regular basis and providing records upon request for all insurance and inventory considerations. The manager/curator manages all incoming and outgoing loans.

The preparator reports to the manager/curator and is responsible for repository organization, installation and de-installation of all exhibitions, the printings and installation of all printed labels and texts, construction of all necessary supports for the objects, and other duties as identified by the manager/curator.

Educational internships, research, and employment opportunities will be made available to undergraduate students and graduate students in partnership the Department of Art & Design, the Chester Fritz Library, and the Office of Academic Affairs. Students are always supervised by a member of the UND Art Collections staff. Students are taught and mentored to perform tasks that may include documentation, cataloging, and care of artworks, exhibition preparation, installation and de-installation tasks, research and composition of written educational materials to accompany artwork, preservation and presentation practices, exhibition program planning, database management, inventory and risk management activities, and other duties as identified by collections staff.

**UND Art Collections Committee**

A five-member Collections Committee oversees implementation of this policy. The members of the committee are the UND Art Collections manager/curator, the chair of the Department of Art & Design, the dean of libraries, a representative of the UNDAAF, and the provost. Members may identify a designee if they are unable to attend meetings. Additional faculty, staff, and student representatives may be included for consideration of public art acquisition and placement. The committee will review and revise this policy as necessary.

**Acquisitions and Accessions**

**Acquisition by Donation**

UND Art Collections is often offered works of art to be donated to the collection; these are accepted into the collection upon the recommendation of the manager/curator. In cases where a decision regarding such a donation has potential negative repercussions to the University or if the art is to be placed in a location on campus deemed “public” the committee will expand to include student, staff, and faculty representation, and will be asked to decide whether to accept the donation.

When an object is given the manager/curator in partnership with UNDAAF will provide a gift-in-kind form to be
completed by the donor. The form will then be signed by the provost indicating approval to accept the object and the UNDAAF CEO or vice president for finance. All gifts-in-kind must be accompanied by verification of the value of the gift as determined by the donor (e.g., receipt, documentation, appraisals). For gifts of $5,000 or greater to be tax deductible, the IRS requires the gift to be accompanied by a qualified appraisal and the IRS form 8283 completed by a qualified appraiser. It is the responsibility of the donor to obtain the appraisal and IRS form. All gifts-in-kind are subject to the UNDAAF gift acceptance policy.

A copy of the fully executed gift-in-kind form will be sent to the donor with a gift acknowledgement and copies of the gift-in-kind form will be provided to the UND Art Collections manager/curator. The original will be retained by the UNDAAF. If UND decides to sell or dispose of the object within a 3-year period, the UNDAAF must be notified.

Public Art

Public art is identified as all art that is placed on the University's outdoor campus but may include publicly accessible spaces within buildings on campus. Prior to purchasing, leasing, or accepting a gift of public art, additional members to the Collections Committee will be included and consulted. The committee will consist of the five members of the Collections Committee or their designees, as well as faculty, staff, and student representatives, and facilities and/or grounds. Other stakeholders, such as external community members, may be identified to serve on the public art committee by the provost. The committee considers public art acquisition on the acquisition by purchase criteria listed below.

Acquisition by Purchase

The Collections Committee has the authority and responsibility to assess potential acquisitions and must approve all individual purchases the cost of which exceeds 25 percent of the current acquisitions budget. UND Art Collections staff will provide research and recommendations about proposed acquisitions, subject to approval by a majority vote of the Collections Committee. In exceptional cases, information can be presented and a written vote taken.

The Collections Committee considers objects for acquisition by purchase based on the following criteria:

- The object is relevant to the educational mission or history of the University of North Dakota.
- The object has aesthetic merit, is in good condition (or can be conserved), possesses potential for research and scholarship, and/or has historical/cultural significance.
- The object will be used for exhibition and/or study.
- The object can be conserved within the resources of the University or is being received with a monetary donation for its conservation. (No object may be acquired for the collection if the University cannot give it proper storage, protection or preservation.)
- The records of authenticity and provenance must be acceptable to the manager/curator. Full documentation attesting to the provenance must be received with the objects and maintained by the manager/curator.
- Approval for purchase will be determined by two-thirds majority vote of the Collections Committee. In the case where a final decision cannot be made, the provost and/or president may make the final decision.

Information relating to any object accessioned into the University’s Art Collections will be held in the office of the manager/curator and recorded within the object’s file in Scholarly Commons. This information will include, but not be limited to:

- Deed of gift.
• Accession sheet.
• Any research done by UND Art Collections staff, students, or others on the object.
• Records of any loans or temporary removal of the object for conservation or study.

The value assigned to the object reflects its value at the time of acquisition. Any updates to this value may be used for insurance purposes only and will not impact the historical value used for accounting purposes. UND Art Collections will report changes in the value – attributable to acquisition or deaccessions – on an annual basis to the Offices of Risk Management.

Deaccession and Disposal of Objects

As the University Art Collection grows, it is recognized that objects that no longer fit the mission or parameters of the collection, or that cannot be properly housed, conserved and/or exhibited, may be considered for deaccession or disposal. In these cases, the procedures will be as follows:

• Records will be reviewed by UND Art Collections staff and appropriate departments to ensure that the University has the authority to dispose of the objects.
• The manager/curator will send the Collections Committee a rationale for the permanent record explaining the reason for the deaccession.
• In cases where the value of the object to be de-accessioned exceed $10,000 the Collections Committee will be asked to endorse the deaccession.
• Once the decision has been made to deaccession, UND Art Collections staff will determine the best method of disposal. This may include but is not limited to exchanges with another nonprofit institution or dealer, return to donor, return to living artist, or sale at public auction. In some cases (e.g., an irreparably damaged object) the item may have to be destroyed.
• Any proceeds resulting from the deaccession of objects will be used either for purchase of acquisitions or, in cases approved by the provost for the direct care of the collection.
• UND Art Collections will comply with the Native American Graves Protection and Repatriation Act (NAGPRA) and must draft a notice for publication prior to repatriating or transferring any cultural item per NAGPRA guidelines (see Related Information).

Art on Loan

Objects and specimens are borrowed and loaned in order to make these items available for exhibition, research, and educational programs at the discretion of the UND Art Collections manager/curator. Outgoing loans are intended to maximize accessibility to the collection, within parameters that allow for their protection and responsible stewardship. Incoming loans may be requested for specific exhibitions or, in the case of extended loans, for discretionary exhibition as needs dictate.

UND Art Collections will give to loaned objects in its possession the same care that would be given were they the University's property.

Outgoing Loans

Other institutions requesting loans from the UND Art Collections are asked to direct their initial requests to the manager/curator. The manager/curator will determine the appropriateness of any loan in consultation with the Department of Art & Design, and in consideration of the condition of the object, and its ability to withstand transportation, changes in environment and the terms of the proposed use or exhibition.

If approved, the manager/curator will work with the borrowing institution to determine the adequacy of its facilities and insurance and develop and finalize loan agreements. A lending agreement between the
University and the borrowing institution will be signed by both parties and will include policies regarding insurance, care and preservation, and any fees associated with the loan.

**Campus Loans**

In 2007, the practice of allowing departments to check out art for the purpose of decorating was terminated. This program was replaced with the Living Art Museum concept. A limited number of works from the Permanent and University Collections are usually available for loan to public and administrative spaces throughout campus. Requests for such loans must be made to the manager/curator, who will determine if works are available for loan and to prioritize requests based on centrality of space and potential to educate and enrich students, staff, and faculty because of traffic and/or location. UND Art Collections staff will then visit the space for which art is requested to ensure that it offers appropriate environment and security to ensure safekeeping of the work in good condition. If the space for which an art loan is being requested does not offer the appropriate environment/security, UND Art Collections will not provide financial support to make the space appropriate for the loan. If the space offers the appropriate environment/security the manager/curator will curate work for the space. UND Art Collections reserves the right to recall the loaned work at any time.

Additionally, certain works may be available to faculty for teaching purposes. Faculty may request access to such works by contacting the manager/curator, who will work with faculty to determine the process of safely providing artwork for educational purposes.

**Incoming Loans**

All requests for objects from other institutions must be approved by the manager/curator, in consultation with chair of the Department of Art & Design. The manager/curator will establish the timeline for the loan process with the appropriate stakeholders and draft an initial letter of request signed by the manager/curator or chair of the department of Art & Design, to be followed by the development of loan forms. The manager/curator will provide facilities specifications and certificates of insurance as requested by the lending institution.

**Unsolicited Loans**

The University does not accept unsolicited loans. All objects left by the owner for purposes of examination, study, or for consideration for accession, will be recorded on a receipt form, stating the owner’s name, address, reason for leaving the object, and date for retrieval. Failure to remove the objects may result in its disposal or treatment as a gift to be accessioned into the collection (see Objects in Custody).

**Objects in Custody**

Objects in custody are those objects for which UND Art Collections is responsible, but that are not covered by categories of acquisition, accession, or loan.

UND Art Collections may receive objects for purposes of examination, or for consideration as a purchase or gift. A receipt with a retrieval date, will be given for any object left with any member of the UND Art Collections staff. A copy and digital record of that receipt will be kept by the manager/curator and with the UNDAAF.

If the object is not retrieved by the date on the receipt, a documented, good faith effort will be made to notify the owner. After a two-year period during which the owners have made no effort to contact UND Art Collections, the object(s) in question will become the property of the University.
Care of Collections

Use and Activities

Awareness of care of the UND Art Collections will be incorporated in all collections activities. All questions or concerns about the care of the Collection should be brought to the attention of the manager/curator.

No use or activity may take priority over the care and safety of objects in the UND Art Collections.

Environmental Controls

Environmental conditions will be monitored by the preparator in storage and exhibitions areas.

Preventive and protective measures must be taken, and proper materials used to minimize damaging environmental effects.

Handling

Professional standards will be followed when handling or moving objects within the building or when packing and shipping.

Only trained staff and volunteers, other professionals working under the supervision of UND Art Collections staff, or students working under the direct supervision of faculty or designated staff may handle works from the UND Art Collections.

Conservation

Priority for conservation will be given to items scheduled for exhibitions and to actively deteriorating artifacts of significant monetary, historical and/or cultural importance.

Any repair or conservation treatment of objects in the UND Art Collections will be performed by skilled museum professionals/conservators.

For conservation treatments by outside professionals, the manager/curator may discuss the case and ask recommendations of the Department of Art & Design faculty or contact professional conservators who are fellows or professional associates of the American Institute for Conservation and adhere to the AIC Ethics and Guidelines.

Rights and Reproductions

UND Art Collections seeks to create an online image database of its permanent collection. As of October 2017, digital images of selected works of art are available to the University community via Digital Commons.

UND Art Collections loan agreement includes authorization to use images of borrowed materials in catalogs, educational materials and publicity in connection with an exhibition. Any other use of the images of borrowed objects, including rental to outside entities for any purpose, requires separate authorization from the owner of the material.

UND Art Collections may charge rental and reproduction fees at its discretion for use of its photographic materials by outside entities. Applications to reproduce images of collection objects will be considered on a case-by-case basis, subject to such requirements as the museum staff may from time to time establish in regard to assurances regarding the quality and the appropriateness of such reproductions and the credits.
required to be published by the applicant.

All known copyrights associated with images and with tangible creative properties must be respected by UND Art Collections and appropriate copyright notice will be published by the museums when reproducing images of objects in its collection or images of objects acquired for other purposes. UND Art Collections will exercise its best efforts to ensure that outside entities obtain appropriate copyright license for use of images provided by the museum.

Access

UND Art Collections will make its collections and records accessible to students, faculty, and other scholars, as well as members of the general public, contingent upon staff availability and consistent with accepted security and preservation practices.

Faculty wishing to set up study assignments for classes and all individuals seeking access to objects in the collection should contact the UND Art Collections manager/curator to schedule an appointment. Certain objects may be unavailable for study. These include:

- Objects currently on exhibition or loan.
- Objects being researched by staff or other individuals.
- Objects not processed into the collection.
- Objects considered too fragile for handling.

Every attempt is to be made, contingent upon staff and monetary resources, to increase access to the UND Art Collections through posting on the Internet and publication of the collection.

RESPONSIBILITIES

| Art Collections Manager and Curator | Care for and preserve the collections.  
|                                    | Provide financial oversight of the collections.  
|                                    | Oversee policy implementation.  
|                                    | Maintain collections database.  
|                                    | Update information for Scholarly Commons.  
|                                    | Update insurance with Office of Risk Management.  
|                                    | Manage art on loan.  
|                                    | Recommend acceptance of art.  
|                                    | Determine best method to dispose of art when de-accessioned.  
|                                    | Maintain record of objects in custody.  
| Provost and Vice President for Academic Affairs | Approve use of proceeds derived from collections objects as needed  
|                                    | Review/sign gift-in-kind form to accept art donation.  
|                                    | Serve as tie-breaker when acquisition decisions cannot be made by the Collections Committee  
|                                    | Appoint stakeholders to serve on the public art committee as need be.  
| Chair of the Department of Art & Design | Provide financial oversight of the collections.  
|                                    | Consult on art on loan.  

UND Alumni Association & Foundation

- Serve as the agency by which art donations are tracked/acknowledged.
- Maintain record of objects in custody.

Preparator

- Oversee exhibitions and organization of repository

Art Collections Committee

- Oversees policy implementation; review and revise as necessary.
- Review recommendations for art that may be controversial or are public.
- Approve art purchases which exceed 25 percent of current acquisitions budget.
- Endorse de-accessioned art.

Donors

- Complete gift-in-kind form to accompany art donation.

FORMS

For forms related to this policy, contact UND Art Collections (see Contacts).

APPENDICES

There are no appendices associated with this policy.

Attachments

No Attachments

Approval Signatures

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