

San Antonio Museum of Art Collection Policy

Approved September 2008



OBJECTIVES OF THE COLLECTION

The museum collects the art of world cultures in all media from antiquity to the present. A museum standard of quality must be maintained. The primary criterion for acquisition is high artistic achievement.

RESPONSIBILITY FOR THE COLLECTION

Responsibility for the collection rests with the Board of Trustees and with the Director, to whom the Board delegates the activities of preservation, conservation, growth, and presentation of the collection. In all matters relating to the collection, the Director must keep the Board of Trustees advised. The Director and curatorial staff are responsible for the search for possible acquisitions.

CONSERVATION

The Director and Curators will present proposed conservation work for objects in the permanent collection to the Collections Committee for their approval. When possible, they will inform the Committee of the type of work, approximate length of time it will require, cost and fund.

I. TYPES OF COLLECTIONS

The museum shall possess three types of collections: accessioned, education and expendable and shall designate the collection category to which material is assigned at the time of acquisition and may change the assigned category as collections and directions of the museum evolve.

ACCESSIONED COLLECTIONS:

Items in the Accessioned Collections shall relate directly to the Mission Statement of the San Antonio Museum of Art and shall be used solely for exhibitions, research, publications and exhibition loans.

EDUCATION COLLECTIONS:

Items designated to this category will not be part of the Museum's accessioned collection although records of their receipt and disposition will be maintained. These items will be used solely for education and research purposes.

EXPENDABLE COLLECTIONS:

This is material which the museum shall collect only in the form of donations or bequests. Such items shall be used for utilitarian, trade or sale purposes. This material will not be considered as Accessioned or Education Collection material although records of its receipt and disposition will be maintained.

II. METHODS OF ACQUISITION

The Museum shall acquire its collections through gift, purchase, bequest, exchange, field collection, or any other transaction by which title to objects is transferred to the museum. The Museum shall acquire objects unencumbered by conditions imposed by the owner, donor, consignee, federal/state/local law including copyright, or by the nature of the material itself, unless otherwise approved by the Board of Trustees.

All such acquisitions will go through a two-part review and approval process before recommended to the Board of Trustees. The Staff Acquisitions Committee composed of director, curators and registrar will review all curatorial recommendations for acquisition. Items approved by this committee will go before the Collections Committee, a subcommittee of the Board of Trustees composed of voting Board members. Acquisitions approved by this committee will be referred to the Board of Trustees. Only when the Board has passed on the recommendations will transfer of title or purchase take effect.

Prior to a purchase, the Museum will attempt to acquire the object or comparable material through gift, bequest, or exchange. The Museum will avoid accepting items which it feels will not be utilized. Only items which the Museum feels can be given proper care for an indefinite period of time will be acquired.

The Chairman of the Board of Trustees and Museum Director will co-sign all documents to accept new accessions.

To deviate from any of the policies will require the consideration of and approval by the Board of Trustees.

DONATION:

All donations are determined by a majority vote of the Board as presented by the Collections Committee. All encumbrances shall be stated clearly in an instrument of conveyance and shall be part of the museum's permanent record, and shall be observed by the museum. In the absence of indication to the contrary, the museum shall assume that all donors are sole owners and shall have no responsibility for confirming ownership.

Works of art will be accepted into the collection subject to the following stipulations:

1. Works of art cannot be accepted with a guarantee of attribution in perpetuity. If there is sufficient evidence that puts the attribution, date, country of origin, or other pertinent information in doubt, the work must be accepted with that understanding by the donor and be exhibited with that doubt clearly reflected in the label.
2. The Museum cannot assure that works of art given as a group or individually will be hung in perpetuity except under unusual circumstances. Museum standards of conservation and preservation take precedence over aesthetic or other considerations when works of art are on view.
3. Gifts will not be accepted after December 31 for credit as a gift in that calendar year.
4. The responsibility for furnishing evaluations to government tax agencies rests with the donor.

BEQUEST:

The Museum reserves the right to accept or refuse any bequest of collection material or any part thereof made to it. In reviewing a bequest, the Museum shall follow the same policy as for donations.

PURCHASE:

All purchases shall be approved by the Board by majority vote in advance of expenditure of funds.

Purchases, subject to Board approval, can be made through: income from endowment funds designated for acquisitions; moneys donated specifically for acquisitions; proceeds from the sale of deaccessioned works and through exchange.

The Museum will not purchase works unless it will have clear title to the work.

EXCHANGE:

In order to enhance the collections of the Museum the Board may exchange items in the collection for material of equivalent or superior value.

FIELD COLLECTIONS:

Museum staff may accept into the Museum's collections material collected in the field without the approval of the Board unless the requirements of such items include the identity of a donor, in which case standard methods of acquisition [see section II] will be followed. Field collections will be routinely reported to the Registrar's Department.

OTHER TRANSACTIONS:

Any other transaction by which title to material is transferred to the museum shall be approved by the Board.

The Collections Committee of the Board of Trustees shall be empowered by the Board of Trustees to approve or decline all acquisitions on their behalf. The Collections Committee shall then forward their decisions to the Board of Trustees via minutes of their regularly scheduled monthly meetings.

(Appraisals: museum staff shall not provide appraisals, either of donations, of privately owned materials, or otherwise; although they may assist donors in securing appraisals on cases where the Museum may benefit from such assistance.)

III. DEACCESSIONING

The Museum may deaccession collection items in order to refine its collections and effect exchanges or purchases of items more in keeping with its mission statement and collection goals.

1. The Director and curators give full justification and make recommendations to the Collections Committee regarding works proposed for deaccessioning.
2. The Collections Committee votes on recommendations and approves or disapproves by majority vote of a quorum.
3. Recommendations approved by the Collections Committee are presented to the Board of Trustees for final approval or disapproval. The Collections Committee and the Board determine what action is in the best interest of the Museum.
4. Public announcement is made in every case. This announcement is made to a meeting of the full Board of Trustees at the next meeting following completion of the above outlined actions 1-3, and constitutes public announcement.
5. The most suitable means of disposal for the work is investigated. It is the Museum's responsibility to obtain maximum value. Unless objects are under \$5,000, at least two estimates, preferably from a dealer and auction house, one estimate from an independent expert who will not be a purchaser, will be obtained for each object to be deaccessioned. Should the object be of low value, the Collections Committee will recommend the appropriate procedure.

The Collections Committee approves the final procedure and the price or estimated price range of each work to be sold.

Deaccessioned items shall not be returned to donors. However, the donor shall not be precluded from purchasing material at its current fair market or appraised value at public sale.

No Museum employee or trustee may directly purchase deaccessioned items from the museum.

Deaccessioning should not be initiated for the acquisition of a specific work or works except in the instance of an exchange. Funds obtained through the deaccessioning of an object can only be used to purchase works of art. If a donor's gift is deaccessioned, that donor's name will be assigned to all written credits for the new work or works.

Exempted from the above policies are items which must be deaccessioned due to inherent vice or vermin; or in such condition that repair or restoration is not possible. A complete and open file of all deaccessioned material shall be maintained by the Museum.

In deaccessioning, the Museum shall give preference to retaining in the State or Nation material that is part of the artistic, historical, cultural, technological or scientific heritage of the State of Texas or of the United States, respectively.

IV. FORGERIES

The Museum shall be able to sell known forgeries at public auction so described at the auction and so marked indelibly on the object.

Deaccession of an object determined to be a forgery requires additional consideration for the sake of the donor (if acquired as a gift) and the public as well as the Museum. If the object was acquired as a gift, the donor (or spouse if the donor is deceased) should be consulted first before any disposition of the object is decided.

The Museum may consider:

- a. returning the object to the donor (if acquired by gift)
- b. retaining the object in the study or education collection
- c. donating the object to another institution
- d. instituting action to return the object to the vendor (if purchase) and to recover purchase funds
- e. divesting the object by other means deemed honorable and professional in the best interest of the Museum.

Whichever disposition is made of the object, care will be taken to identify the forged work for what it is and to provide the most accurate identification possible in order to preclude further misrepresentation.

V. MUSEUM LOANS

The Chairman of the Board of Trustees and Museum Director will co-sign all documents to approve loans.

TO THE MUSEUM

Loans to the Museum shall only be approved when consistent with its programs and activities. All loans shall be for a specific period of time. All loans will be approved by the Board by majority vote.

Only the Director and curators of the Museum may negotiate loans.

All rules and regulations governing loans to the Museum shall be clearly stated in a contractual document and agreed to by the lender and the Museum prior to the Museum taking custody of loaned material.

FROM THE MUSEUM

All loans from the Museum, except those released for conservation, shall be approved by the Board.

VI. OBJECT RETURN/NATIONAL PATRIMONY

The Museum will undertake due diligence to clarify the provenance and establish the legal status of works of art under consideration as acquisitions. The Museum will not acquire any object that, to its knowledge, has been stolen, illegally exported from its country of origin, or illegally imported into the United States. In addition, the Museum will require that any archaeological material or ancient works of art under consideration as acquisitions have provenance records that meet one of the following criteria:

1. Documentation or substantial evidence that the object was in the United States by November 17, 1970 (the date of the UNESCO Convention on the Means of Prohibiting and Preventing the Illicit Import, Export and Transfer of Ownership of Cultural Property), and that there is no reason to suspect it was illegally exported from its country of origin.
2. Documentation or substantial evidence that the object had been removed from its country of origin before November 17, 1970, and that it has been or will be legally imported into the United States.
3. Documentation or substantial evidence that the object was legally exported from its country of origin after November 17, 1970, and that it has been or will be legally imported into the United States.

If the Museum is presented with evidence that an object in its permanent collection has not been legally exported from its country of origin, or if a repatriation request is made for an object, the Museum will take appropriate steps to resolve the ownership of the object in question.

VII. ADDENDUM

No member of the staff or Board shall personally receive, directly or indirectly, any favor, promise or thing of value which could or appear to induce, discourage or influence a recommendation, decision or action affecting Museum accessions, deaccessions, exhibitions or activities.

VIII. ADDENDUM

Staff loans to the Museum are to be insured while on exhibition and for a period prior to and following for installation/return preparation. All staff loans must be returned by the Registrar's office to the owner within one month from de-installation.