

COLLECTIONS MANAGEMENT POLICY

SAN ANTONIO MUSEUM OF ART

Approved by the Collections & Exhibitions Committee: May 6, 2024

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I. Mission Statement [under review, May 2024]

The San Antonio Museum of Art enriches lives through exceptional experiences with art. Its mission is to collect, preserve, exhibit and interpret significant works of art, representing a broad range of history and world cultures, to strengthen our shared understanding of humanity.

II. Introduction and Purpose of this Policy

To fulfill its mission, the San Antonio Museum of Art (“the Museum”) strives to acquire objects of the highest quality in accordance with this Collection Management Policy (“Policy”). This Policy and the Collection Plans, which are developed by the Director, Curators and other staff, will guide future growth and acquisition priorities of the permanent collection (“Collection”).

The Collection has been formed over the years by selective acquisitions of individual objects and by the acquisition of larger collections. The Collection includes works that represent world cultures from antiquity to the present, with particular strengths in the arts of Latin America, the ancient Mediterranean region, Asia, and the United States, and in Modern and Contemporary art. Approximately 30,000 objects now make up the Collection; they are either on view in the Museum’s galleries or held in storage. Works in a wide variety of media are held in the Collection, including sculpture, ceramics, metalwork, paintings, prints and drawings, photographs, textiles and time-based media.

This Policy is intended to document the policies that guide the development, presentation and care of the Museum’s art collection consistent with the mission of the Museum and with professional museum standards. This Policy sets forth the Museum’s methods of acquiring objects for, and disposing of objects from, the Collection; the conditions under which objects may be loaned or borrowed; how objects will be preserved, secured, stored, documented, and insured; how objects will be interpreted and made accessible to the public and researchers; and the ethical considerations inherent in these activities. A professional staff will be responsible for the day-to-day management of the Collection in addition to any objects on loan to the Museum.

III. Governance in relation to the Collection

A. Board of Trustees

In accordance with the Museum’s Mission, it is the responsibility of the Board of Trustees to oversee the care and development of the Collection. The Board is responsible for designating a Collections and Exhibitions Committee, which will recommend acquisitions, loans and deaccessions for the Board’s approval.

B. Collections and Exhibitions Committee

The Collections and Exhibitions Committee is appointed by the Board and oversees all matters concerning the Collection. The Committee is comprised of Board members. The Museum’s Director, Curators and Registrar shall attend the Committee’s meetings as non-voting members.

In accordance with the Museum's Bylaws, the Committee shall have the power to accept or decline unrestricted gifts, bequests, and purchases of objects for the Collection.

Acquisitions and deaccessions shall be determined by a majority vote of a quorum of the Committee, in accordance with this Policy and the Collection Plan. The Committee also has the power to approve incoming and outgoing loans to the Collection. All actions by the Committee are subject to final approval by the Board.

C. Director

Daily management of the Collection is the responsibility of the Museum's Director, who is guided by this Policy, and who delegates specific responsibilities for managing the collections to appropriate members of the Museum's staff.

D. Staff

Responsibility for the day-to-day physical care, risk management, and documentation of the Collection and loans lies with the Curatorial and Registration Departments.

IV. Acquisitions

A. General Principles

Curators should propose significant works of art for acquisition to the collection that further the Museum's stated mission and collecting goals. All works should be in, or capable of being returned to, an acceptable state of preservation, unless the deteriorated physical condition is integral to the meaning of the work. The Museum must be able to display, store, and care for the proposed acquisition according to generally accepted museum practices.

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.

The Museum is committed to the principle that all collecting be done according to the highest standards of ethical and professional practice.

B. Methods of Acquisition

The Museum may acquire objects by the following methods:

Purchase: Objects are bought with funds allocated for this purpose by the Museum or restricted contributions of cash given by donors specifically for the purchase of an object for the Collection.

Gift: Any in-kind donation of art by an individual or organization with clear intention on the part of the donor to transfer complete title and possession.

Bequest: The Museum is not obligated to accept a bequest. The Curators may recommend to the Director that all, some or none of the objects be accepted as gifts to the Collection or as Property. The Museum will keep a copy of the provision of the deceased donor's will on file that documents the bequest to the Museum.

Exchange: Objects may be acquired via exchange of one work for another. In the case of works by a living artist, this may take the form of trading with the artist, the artist's gallery, or another source with the artist's consent, for another work by the same artist. In all cases, the Collection object must first be deaccessioned and must follow the approval process for deaccessions. The object being proposed for acquisition by exchange must follow the approval process for acquisitions. All records should indicate the circumstances of the exchange.

Property: Objects intended for sale may be accepted at the discretion of the Director on recommendation of the Curatorial staff. An acknowledgement of this use should be a matter of record in the title transfer and should be clearly understood by the donor. This distinction must also be indicated in the donor's IRS form 8283 when applicable. Unless otherwise specified by the donor, proceeds from the sale of the Property work must be used for the acquisition of objects for the Collection.

Objects left in custody or found in collection: Unsolicited objects sent or left by an identified donor or seller will be assessed by the Curators and Director. Such objects may be proposed as acquisitions for the Collection or as Property, or they may be returned to the donor/seller at the donor's/seller's risk and in the same method as received. The Museum will not accept responsibility for unsolicited objects unless and until otherwise agreed to with the depositor. The Museum will accept no responsibility for objects shipped to or left on Museum premises anonymously. These objects may be disposed of by the Museum or processed under Texas Property Code §80.003.

Objects "found in the collections" are those for which no significant documentation of ownership exists. Any such objects are given a found-in-collection number and then held until they can be handled as abandoned property. Abandoned property and unclaimed loans may be converted to Museum property following the procedures outlined in Texas Property Code §80.004 or as amended.

C. Approval Process

For all acquisitions, the curator recommending the work of art writes an Acquisition Proposal, including a description of the work, its condition, publication and exhibition history, importance to the Museum's collection, justification for acceptance, provenance, intentions for display (and/or storage) and publication and, for works acquired by purchase or exchange, the gift or fund against which the purchase will be charged. This report must be approved by the Chief Curator and Director, after which it is placed on the next scheduled Collections and Exhibitions Committee agenda. Proposed acquisitions will be approved by a majority vote of the Committee. If the purchase is approved, the Acquisition Proposal is signed by the Collections and Exhibitions Committee Chair, and the Committee's recommendations, as reflected in the meeting minutes, are presented at the next scheduled Board of Trustees meeting. The Board will vote to accept or reject the Committee's recommendations on all objects to be accessioned. An object can only be accessioned upon a majority vote of a quorum of the Board, and such determination of the

Board will be final and binding. The professional staff of the Museum is responsible for negotiating the terms for the acquisition of objects for the Collection.

In exceptional circumstances, the need to expedite an acquisition may arise. When a decision must be reached on an acquisition before the steps outlined above can be taken, the Curator, in consultation with the Director and the Chairman of the Board of Trustees, polls the Collections and Exhibitions Committee and the Board of Trustees. The poll must receive the approval of the Committee chair and a majority of the Board members. After receiving approval, the Curator may proceed with the acquisition, which must be reported to the Collections and Exhibitions Committee at its next scheduled meeting.

The official acceptance date for purchases is the date the payment is made. The official acceptance date for gifts or bequests is the date the donor signs the Deed of Gift or, if the Deed of Gift is not returned, 90 days after the date the Board approved the acquisition.

The Director has the authority to accept gifts during the period after the Fall Collections and Exhibitions Committee meeting through December 31. These gifts are referred to as "Year-End Gifts" and are reported to the Collections and Exhibitions Committee at its next meeting. Year-end gifts must also be in the physical possession of the Museum or the Museum's agent and have a signed Deed of Gift dated on or before Dec. 31 to be credited in that calendar year.

D. Restrictions

The Museum generally does not accept restrictions on gifts; any exceptions require approval by the Director and the Board of Trustees.

E. Copyright

The Museum requires donors to transfer all rights of reproduction unless the donor does not own such rights, or the gift is made by a living artist of the artist's own work. In such cases, the Museum will seek a nonexclusive right of reproduction from the copyright owner.

F. Provenance Guidelines

1. Guidelines for all Acquisitions

a. Inquiry and Research

The Museum shall rigorously research the provenance of a work of art prior to acquisition to determine that the Museum can obtain clear title. Such research should include, but is not necessarily limited to, determining:

- the ownership history of the work of art;
- the countries in which the work of art has been located and when;
- the exhibition history of the work of art, if any;
- the publication history of the work of art, if any;

- whether any claims to ownership of the work of art have been made and, if so, the outcome of such claims;
- the circumstances under which the work of art is being offered to the Museum.

For all acquisitions, the Museum shall make a rigorous effort to obtain from sellers and donors all available information and accurate written documentation with respect to the ownership history of the work of art. For acquisitions of archaeological materials or ancient art, see Paragraph 3 below for additional requirements.

For any acquisition that entered the United States from abroad within the past five years, the Museum shall obtain all import and export documentation.

For all acquisitions the Museum shall determine whether the work of art appears in relevant databases of stolen work.

b. Publication

For all acquisitions, the Museum shall publish an image (or representative images in the case of large groups of objects) and relevant provenance information online as soon as practicable.

c. Legal Considerations

Museum acquisitions 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 Museum shall review relevant foreign laws before making an acquisition.

d. Warranty and Indemnification

When purchasing works of art, the Museum will seek representations and warranties from the seller that the seller has valid title and that the work of art is free from any liens, claims and encumbrances. The Museum will also seek indemnification for a full refund for the work of art in the event of any breach of warranty.

2. Nazi/World War II Era

The Museum will be 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

(1933-1945) (dated June 4, 1998 and April 30, 2001) and the American Alliance of Museums' Guidelines Concerning the Unlawful Appropriation of Objects During the Nazi Era (dated November 1999 and April 2001).

The Museum will observe the following guidelines relating to the acquisition of works that were likely to have been in German-occupied Europe between 1933 and 1945 in addition to the rigorous research and documentation required for all acquisitions.

a. Where information is incomplete for a gift, bequest or purchase, curatorial staff should undertake additional research prudent or necessary to resolve the Nazi-era provenance of the work. All research efforts shall be documented. In the absence of evidence of unlawful appropriation, the work is presumed not to have been illegally appropriated, and the gift or purchase may proceed. Where there is credible evidence of unlawful appropriation without subsequent restitution, the Museum shall not acquire the work until taking further action to resolve these issues.

b. If the Museum, as a result of its continuing research, determines that a work in its collection was unlawfully appropriated during the Nazi era without subsequent restitution, the Museum shall make such information public. If a legitimate claimant comes forward, the Museum shall seek to resolve the matter in a prompt, equitable, appropriate, and mutually agreeable manner.

c. In the event that a third-party claims that a work in the Museum's collection was unlawfully appropriated during the Nazi era without subsequent restitution, the Museum shall review the claim promptly and responsibly. The Museum shall request evidence of ownership from the claimant to assist in determining the provenance of the work. If after working with the claimant the Museum determines that the work was unlawfully appropriated without subsequent restitution, the Museum shall seek to resolve the matter in an equitable, appropriate, and mutually agreeable manner.

3. Archaeological Materials and Ancient Art

The Museum will be guided by the Association of Art Museum Directors' Guidelines on the Acquisition of Archaeological Material and Ancient Art (revised 2013) and the American Alliance of Museums' Standards Regarding Archaeological Material and Ancient Art, and adopts the definitions, repeated below, contained therein.

"Archaeological material" means an object of cultural significance created in antiquity and discovered on land, below ground or under water as a result of scientific or clandestine excavation, exploration or digging activities or inadvertently as a result of other activities. "Ancient art" means a work of art created in antiquity that is not archaeological material.

The Museum will observe the following guidelines for the acquisition of

archeological materials and ancient art in addition to the rigorous research and documentation required for all acquisitions.

a. The Museum will thoroughly research the ownership history of any archaeological materials or ancient art prior to its acquisition, including making a rigorous effort to obtain accurate written documentation with respect to its history, including import and export documents. When relying on such documentation, the Museum will make every effort to verify its authenticity by contacting persons contemporaneously connected to the document(s). The Museum will require sellers, donors, and their representatives to provide all information of which they have knowledge, and documentation that they possess, related to any archaeological materials or ancient art being offered to the Museum, as well as appropriate warranties.

b. The Museum recognizes the UNESCO Convention on the Means of Prohibiting and Preventing the Illicit Import, Export, and Transfer of Ownership of Cultural Property (dated November 17, 1970) as providing the most pertinent threshold for the application of more rigorous standards to the acquisition of archaeological materials and ancient art. The Museum normally shall not acquire a work 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.

c. The Museum recognizes that even after the most extensive research, some works will lack a complete documented ownership history. In some instances, the Museum may make an informed judgment that the work was outside its probable country of modern discovery before 1970 or legally exported from its probable country of modern discovery after 1970, and therefore may acquire the work. In other instances, given the cumulative facts and circumstances resulting from provenance research, including, but not limited to, the independent exhibition and publication of the work, the length of time it has been on public display, and its recent ownership history, the Museum may make an informed judgment to acquire the work. In addition, in accordance with AAMD Guidelines (revised 2013), if prior to 2008:

- (i) the work was a promised gift or a donor had documented his/her intent to give or bequeath the work to the Museum,
- (ii) the work was on long-term loan to the Museum,
- (iii) the work was partially gifted to the Museum, or
- (iv) the Museum had a documented expectation that the work would be given to the Museum, then the Museum may decide to acquire the work.

In all instances, the Museum shall carefully balance the possible financial and reputational harm and the potential for legal liability against the benefit of collecting, presenting, and preserving the work in trust for the educational benefit of present and future generations.

d. For works acquired pursuant to Subparagraph (c) above, the Museum shall post identifying information, an image and all facts relevant to the decision to acquire it, including its known provenance, on the Association of Art Museum Directors' website, as well as the Museum's website.

e. If the Museum, as a result of its continuing research, gains information that establishes another party's right to ownership of a work, the Museum shall bring this information to the attention of the party, and if the case warrants, initiate the return of the work to that party. In the event that a third party brings to the attention of the Museum information supporting another party's claim to a work, the Museum shall review the claim promptly and responsibly and take whatever steps are necessary to address this claim, including, if warranted, returning the work.

V. Staff Policies Relating to Acquisitions and Loans

A. Appraisals

The Museum does not provide appraisals to donors or lenders. Under current IRS guidelines, the Museum cannot act as a qualified appraiser because of the inherent conflict with its role as a donee. If a donor/lender asks for assistance in locating an appropriate appraiser, the museum may suggest several qualified appraisers, including the Art Dealers Association, the American Society of Appraisers and auction houses. More than one name must be given. The Museum should not make arrangements for the appraisal and cannot pay for the appraisal. Upon request, the Museum should provide the appraiser with access to the work of art, images of the work or any appropriate relevant factual information in Museum files. Staff may provide values for the Collection for internal purposes only.

B. Personal Collecting by Staff

The Museum recognizes that its employees may and do collect works of art for their personal enjoyment. The Museum's employees, and in particular those closely associated with the Museum's curatorial functions, occupy a position of trust in this regard, however, and must exercise care to assure that no conflict of interest can arise between themselves and the Museum.

An employee who learns of an art object available for purchase that is reasonably likely to be of interest to the Museum for its collection is expected to place the interests of the Museum ahead of his or her own in acquiring the object. Accordingly, in all such cases, the employee shall bring the availability of the object to the attention of the appropriate curator; or if the employee is the head of the department, to the attention of the Director or Chief Curator; or if the employee is the Director, to the attention of the Chair of the Collections and Exhibitions Committee, in order to give the Museum the first opportunity to acquire the object. If this is impossible, as for example when the employee learns of an object under circumstances in which it must be purchased immediately or not at all, the employee is expected, if successful in acquiring the object, to give the Museum the opportunity to acquire the object within a reasonable time (not to exceed two months)

from the employee at cost.

Each employee is expected to exercise reasonable judgment in determining whether the scope of his or her personal collection and/or collecting activities is such that the matter should be discussed with his or her department head or, where appropriate, the Director or Chief Curator. Unless personal collecting activities are minimal, they should be discussed as indicated.

C. Dealing in Art by Trustees and Staff

Trustees and employees may not act as a dealer in purchasing or selling works of art, nor may a trustee or employee use his or her influence at the Museum for personal gain in the art market (see further the Code of Ethics in the Board of Trustees Handbook). An employee may not accept any payment from any collector, dealer, artist, or institution, except in cases where prior permission in writing to accept such commission or stipend has been given by the Director. The Director may accept any such commission or stipend for themselves only with prior written permission from the Board Chair.

D. Gifts to Staff

An employee must obtain the written consent of his or her department head prior to accepting any gift from a person engaged in a Museum-related activity, such as, but not limited to, an artist, dealer, trustee, donor, collector, or supplier of goods or services to the Museum. If the gift is a work of art that is of the type and quality the Museum collects, consent must also be obtained from the Director. In general, the only gifts which would be appropriate for staff to accept are those of nominal value (\$150 or less). Requests for exceptions to this Policy must be submitted to the Director in writing.

VI. Deaccessioning

A. General Principles

The term “deaccession” means that a work is removed from the collection and considered for disposal by sale, exchange or other means. Any deaccession of a work should be solely for the advancement of the Museum's mission. The criteria for determining whether an object should be deaccessioned include, but are not limited to, the following:

1. The work does not further the mission of the Museum.
2. The work is redundant or is a duplicate and is not necessary for research or study purposes.
3. The work is of lesser quality than other objects of the same type already in the collection or about to be acquired.
4. The work lacks sufficient aesthetic merit or art historical importance to warrant retention.
5. The Museum is ordered to return an object to its original and rightful owner by a

court of law; the Museum determines that another entity is the rightful owner of the object; or the Museum determines that the return of the object is in the best interest of the Museum.

6.The Museum is unable to conserve the object in a responsible manner.

7.The work is unduly difficult or impossible to care for or store properly.

The Museum may deaccession but generally does not dispose of works determined to be forgeries. Curatorial departments generally retain these works for study purposes or seek the Director's permission to destroy the objects, unless it can be determined that disposal can be accomplished in a responsible manner without confusion. Works incorrectly attributed or dated may be deaccessioned, provided that the new information or attribution is provided.

No Trustee, staff member, volunteer or family member of such individuals may purchase deaccessioned works of art directly from the Museum or at auction if consigned by the Museum.

All funds received from deaccessioned works shall be used solely to fund the purchase of other works within the same curatorial department. When an object has been deaccessioned and objects or monies have been received in exchange, the Museum will attempt to keep the intention of the original donor in mind with respect to the newly acquired objects. The Museum will acknowledge the original donor as providing funds in exchange for the newly acquired object in the credit line of the new object.

Complete and accurate records, including photographs of the object, the circumstances of its disposal, correspondence, agreements, title transfers, bills of sale, receipts, etc., will be maintained on each object removed from the Collection.

B. Guidelines for Deaccessioning Gifts

The Museum shall honor all legal restrictions attaching to the gift or bequest of any work of art. Before proceeding to recommend that a donated work be deaccessioned, the curator first reviews the records of gift to confirm that the gift is unrestricted. 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.

C. Approval Process for Deaccessioning

1. Objects in the Collection shall be proposed for deaccessioning only upon the written recommendation of the relevant Curator (or another responsible authority approved by the Director) and with the written approval of the Director. The Director and staff shall take care to ensure that the recommendations are based on authoritative expertise, including, if relevant, seeking additional experts outside the institution to render an opinion. Staff shall determine if there are any restrictions that would preclude deaccessioning/disposal of an object and refer the matter to legal counsel if necessary.

2. If it is practical to do so, the Museum shall notify the donor (or his/her heirs if deceased) of an object under consideration for deaccessioning and disposal. Special consideration shall be given to notifying any living artist whose work is being proposed for deaccessioning.
3. The Director and curators present recommendations in writing to the Collections and Exhibitions Committee regarding works proposed for deaccessioning, including the proposed means of disposal and proposed use of any funds received.
4. The Collections and Exhibitions Committee votes on recommendations and approves or disapproves by majority vote of a quorum of Committee members.
5. Recommendations approved by the Collections and Exhibitions Committee, as reflected in the meeting minutes, are presented to the Board of Trustees for final approval or disapproval. An object can only be deaccessioned by a majority vote of a quorum of the Board.
6. In the interest of transparency, the Museum will publish any works deaccessioned for the purpose of restitution or repatriation on its website.

D. Methods of Disposal

The Director and/or appropriate professional staff will determine the time, method and terms of disposal. In considering various alternatives for the disposition of deaccessioned objects, the Museum will consider the following:

1. The manner of disposition is in the best interests of the Museum, the public trust it represents in owning the Collection, and the scholarly or cultural communities that it represents.
2. Preference should be given to retaining in the State or Nation material that is part of the historical, cultural or scientific heritage of Texas or of the United States, respectively.
3. Consideration should be given to placing the objects through gift, exchange or sale, in another tax-exempt public institution wherein they will be preserved and will remain publicly accessible.
4. The preferred method for sale of an object is through an advertised public auction, with such objects listed as the property of the Museum, or in rare instances, through a reputable, established dealer in a manner that is transparent and will best protect the interests, objectives and legal status of the Museum.
5. In the case of a work by a living artist, consideration will be given to an exchange with the artist.
6. Deaccessioned objects shall not be returned to donors. However, the donor shall

not be precluded from purchasing deaccessioned works at their current fair market or appraised value at public sale.

7. A deaccessioned work that is so severely damaged as to have no value, even as a study object, may be destroyed. The destruction must be recorded, witnessed by two staff members, and verification of the act placed in the object file.

VII. Care of the Collections and Conservation

The Museum is first and foremost a repository of works of art, and its mission requires the care of works of art in its collection. The Museum shall provide a safe and appropriate environment for the collections, with effective security and environmental control, for the benefit of present and future generations. The Museum shall conserve works of art in accordance with the highest industry standards. The Museum shall maintain a Collections Emergency Plan that is in accordance with current best practices based on current knowledge. The Museum's standards of care shall be maintained for works of art on loan to the Museum or borrowed from the Museum. The staff will adhere to appropriate professional standards in handling, exhibiting, or caring for the Collection. The Board will ensure that sufficient resources are available for the care of the Collection.

The Museum contracts with specialist conservators as needed for objects requiring examination and treatment. Conservators are members of the American Institute for Conservation of Historic and Artistic Works (AIC) and follow its ethical codes and established standards or practice. In special circumstances, a living artist may be contracted to treat objects of his/her own creation. Written reports of examination and treatment by conservators and condition reports by the registrars are kept in the object files. Conservation of objects on loan to the Museum may not take place without written approval from the lender. Once approval has been obtained, the Museum will follow the same standards and guidelines for treatment of the loaned objects as it does for its own collection objects.

VIII. Insurance and Risk Management

In keeping with its public trust responsibilities, the Museum maintains a blanket fine arts policy to insure the Collections and Loans. This insurance includes coverage on premises, in transit, and at other locations with policy limits per occurrence. The Director of Registration and Collections is the contact between the Museum and its fine arts insurance carrier and broker/adjuster and will coordinate and file all insurance claims or losses under the Museum's policy, in consultation with the Director and the CFO.

The Museum does not view insurance as a substitute for sound risk management. Risk management is a shared responsibility within the Museum because it covers a broad spectrum of concerns including security and security systems, facilities maintenance, pest management, fire detection and suppression systems, environmental monitoring, collection preservation, care, handling, storage, installation, packing, shipping, record keeping, inventory, access, and disaster planning.

IX. Records and Inventories

The Museum, through its curatorial and registration departments, shall maintain accurate, up-to-date records on the identification, location and condition of all objects in the collection, as well as of ongoing activities such as exhibitions, loans, research and correspondence with donors, artists and scholars. These records should be recorded in the Museum's collections management database (TMS). Any original paper files regarding the acquisition of objects should also be retained. The registration department maintains coherent, organized records on accessioned, non-accessioned and deaccessioned works of art, incoming loans, exhibition loans, and works of art brought into the Museum for possible purchase or gift. The registration department is responsible for updating and maintaining TMS records for the collections and for administering TMS user privileges to ensure limited and appropriate access to confidential records.

All records created or received in the transaction of the Museum's proper business are the property of the Museum and must not be dispersed or destroyed except in accordance with its record retention policy.

The Museum shall make available to qualified researchers and scholars materials relating to the collections unless they are confidential or would suffer physical harm if handled.

It is the responsibility of the registration department to make daily inspections of its galleries and exhibition cases. Registrars shall carry out an inventory of a limited number of works each year. The inventory is recorded in TMS. Special Project inventories occur as needed.

X. Access to the Collections

It is fundamental to the Museum's mission to provide access to the Museum's Collections and to promote appreciation of its significance.

Among the primary means for achieving this goal is the presentation of exhibitions of its own works and those borrowed from other owners. The Museum shall provide additional access to its collections through its website and loans to other institutions. The Museum shall support continuing scholarly investigation and research to document, publish, and advance understanding of the Museum's collections as well as contribute to broader academic and public discourses.

The Museum shall support and encourage awareness and understanding of art by disseminating information through the development of publications and programs for a variety of audiences ranging from children to adult audiences and scholars. These will draw upon its collection and research as primary sources for stimulating aesthetic engagement and promoting familiarity with art in its historical, cultural, and material contexts.

In addition, the Director, Curators or Registrars may arrange viewing of artwork in storage for members of the public. These appointments will be scheduled in advance, in consultation with the Registrar's Office. Access is granted for valid research or educational purposes. No visitor is allowed in storage unless accompanied by the appropriate Museum staff member.

XI. Outgoing Loans

A. Review of Requests

As an important means of fulfilling the educational and scholarly purposes of the Museum, the Museum lends works of art from its collection to institutions, in this country and abroad. Except in rare circumstances, the Museum will only lend objects to non-profit institutions. The Museum wishes to cooperate with institutions to share its Collections with the widest possible public, both general and scholarly. Loan requests must be received at least 12 months prior to the beginning of the loan term and are evaluated considering the art historical and scholarly value of the exhibition for which they are requested, as well as the condition of the object and the need for it to remain at the Museum. All loan requests shall be initially reviewed by a Curator, and the Registrar must be satisfied that the work will be properly cared for and protected adequately from fire, theft, mishandling, insects, and from extremes of light, temperature, and humidity. The borrower must provide a facilities report meeting the Museum's standards. The Museum may require a conservation assessment, paid for by the borrower, prior to approving a loan.

B. Approval by Board or Director

The Board of Trustees must approve all loans. Such loans must be first approved by the Collections and Exhibitions Committee and signed off by the Director.

C. Duration, Conditions, Insurance, Immunity

All loans should be for a specific period of time and may be recalled immediately if the Museum's review of the borrower discloses unsatisfactory conditions or if continuation of the loan is placing an undue administrative burden on the Museum. The work's condition should be documented and monitored in accordance with the detailed procedures approved by the Museum. All borrowers must agree in writing to the Museum's Conditions for Outgoing Loans (contained in the borrower's agreement) prior to shipment of the loan, and the borrower's agreement must be signed by both parties. No object may leave the Museum unless adequate insurance coverage is provided by the borrower or through a governmental indemnity program, unless the Museum opts to self-insure the loan. For all loans to countries that provide immunity from seizure, this protection must be secured by the borrower. Long-term loans are subject to periodic review by the appropriate Curator and the Registrar. The Registrar will maintain a complete set of records documenting every loan transaction.

D. Photography and Reproduction

The Museum requires borrowers to use Museum photography, where possible, for reproduction purposes. The borrower will contact the registration office to request photography. The borrower must clear any necessary third-party rights with respect to reproductive use of Museum works.

XII. Incoming Loans

In support of its Mission and programs, the Museum borrows works of art from individuals and institutions for short-term exhibition ("Exhibition Loans") and for long-term display in its galleries alongside the Collections ("Long-term Loans"). All loans are subject to the following policies:

A. Approval Process

Incoming loans are initiated by the relevant Curator after discussions with the owners of the work and the approval of the Director and Chief Curator. Proposed Long-term Loans will be approved by a majority vote of the Collections and Exhibitions Committee, and the Committee's recommendations, as reflected in the meeting minutes, are presented at the next scheduled Board of Trustees meeting for approval. All terms and stipulations governing loans to the Museum shall be clearly stated in the incoming loan agreement which must be agreed to in writing by the lender and the Museum prior to the Museum taking custody of the object. The Museum will exercise the same care with respect to incoming loans as it does in the safekeeping of comparable objects in its own Collection.

B. Insurance

The owner is responsible for providing insurance values. If a lender elects to maintain their own insurance, the Museum must be supplied with a certificate of insurance naming the Museum as additionally insured and waiving the right of subrogation against the Museum. Where required by the lender, the Museum maintains sufficient insurance to cover all loans at the value listed on the loan agreement. Loan values shall be reviewed and if the lender's value exceeds recent market values for similar works, the lender must supply an appraisal supporting the greater valuation. The Museum assumes liability for loans commensurate with its insurance coverage.

C. Immunity from Seizure

For all loans from foreign lenders coming from abroad for temporary exhibition, the Museum will seek determinations from the U.S. Department of State that the loans are of cultural significance and that their temporary display in the United States is in the national interest and will further request that there be publication to that effect in the Federal Register prior to importation of the loans.

D. Not for sale

While on loan to the Museum, no work of art may be offered for sale or sold.

E. Loans from Trustees and Staff

While loans from Museum staff, volunteers and Trustees can be of great benefit to the Museum, it is understood that the exhibition of a work of art at the Museum can significantly enhance its value. Museum staff, volunteers and Trustees should not lend any work of art to the Museum or maintain it on loan if they are actively planning to sell it. Any such loans must be publicly and transparently attributed. Moreover, staff members who have discretion over the Museum's exhibitions and programs will refrain from

including objects in their personal collections in Museum exhibition and program activities.

F. On display

Works of art shall be lent for display. Loans for any other reason must be approved by the Director.

G. Photography and Reproduction

The Museum requests permission from lenders to photograph and reproduce in any media all loans for archival and educational purposes, for fund-raising and publicity related to the loan, and in all publications, including online. The Museum permits non-flash photography and filming of loans by visitors in its galleries.

H. Legal and Ethical Considerations

The borrowing of objects will be conducted in a manner that respects national and international laws, treaties, and/or conventions. No object will be knowingly borrowed that has been stolen or illegally imported. The Museum will apply the same Provenance guidelines for Acquisitions (section IV.F above) to proposed Incoming Long-Term Loans. The Museum will thoroughly research the ownership history of any work of art prior to its loan to the Collection, including making a rigorous effort to obtain accurate written documentation with respect to its history, including import and export documents. The Museum will require lenders to provide all information of which they have knowledge, related to the potential loan. The Museum will also undertake its own independent research of the work's ownership history. If a work's provenance is deemed unsatisfactory according to the guidelines established above, the loan will be declined.

I. Abandoned Property

Long-term Loans should be monitored periodically, and contact maintained with each lender as appropriate under the circumstances. In the event that the registration department becomes aware of (a) an extended loan to the Museum where the Museum and the lender or lender's agent have not been in contact for a period of at least five years after the end of a loan period, or (b) works that have been abandoned on the Museum's premises or that have no records reflecting their transfer to the Museum, then the registration department should contact the appropriate curator and discuss how to process the property. Curators should periodically review their holdings for such works.

XIII. Effective Date

This revised Policy shall be effective immediately upon approval by the Board of Trustees and shall supersede all prior policies on the topics addressed herein.