



Policy on the Collection and Installation of Art at CSU Bakersfield

CSU Bakersfield Policy

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General Description

Purpose:

The purpose of this policy is to guide the acquisition of art by the university through commissions, purchases, loans, or gifts; to facilitate the installation of acquired art in public spaces on campus, and to inform the university community of the art collection held or owned by the university. This policy is supported by Section 2 of the Standing Orders of the Board of Trustees of the California State University, and as further delegated by the Standing Delegations of Administrative Authority. It considers recommendations of the International Council on Museums and the American Association of Museums. This policy is intended to reflect the university's commitment to the principles, goals, and ideals described in the Mission, Vision, and Values Statements. This policy shall operate within the standards provided by the CSU Policy on Art Collection Management.

Definition:

- **Works of Art:** refers to any medium or type of work that may include but not be limited to assemblages, bas-reliefs, ceramics, earthworks, electronic media, network-based, fiber, frescoes, inscriptions of text, mobiles, mosaics, murals, paintings, photographs, sculpture, textiles, tapestries, waterworks, and works that form integral physical parts of buildings. Works of art may also include functional elements of capital improvement projects such as benches, gates, lighting devices, and landscaping that are intended as artistic elements.
- **Public Space:** is defined as any property or open space that is visible or accessible from a public right-of-way. These include but are not limited to sidewalks, plazas, buildings, parking areas, and sports and recreational facilities. Public space can also be classified into interior public space and exterior public space.
- **Provenance:** a work of art's place of origin and its record of ownership.
- **Location:** any buildings, grounds, or property that is owned, operated, or leased by the university.

Scope:

Campus-wide

Policy/Procedure

Art Review Committee

The university's Art Review Committee (ARC) shall have its intent, purpose, objectives, membership, and meetings as outlined in the university's ARC charter.

Acquisitions

All prospective acquisitions of artwork by the university shall be reviewed by the ARC. The criteria for review of art shall include, but not be limited to the following:

1. **Artistic Excellence:** The artwork should be of sufficiently high artistic merit, relative to its author and type, to warrant inclusion in the university collection. This would usually require that the artwork be a unique piece created by an artist(s) of established reputation or recognized potential. The artwork must support the educational mission of the university and/or be of special interest to the university community.
2. **Scope of Collection:** In order to build and maintain a viable and distinguished body of artworks, the university will give priority to a diversity of artists in its collection.
3. **Durability and Non-hazardous Nature of the Materials:** The artwork must comply with applicable codes and regulations and be capable of being fittingly accommodated within the available physical spaces of the university.
4. **Maintenance Requirements:** The university is able to give the artwork proper care and handling while on exhibition and/or in storage.

Conditions for the Acceptance of Artworks Gifted to the University

In addition to the criteria for review listed above, acceptance of artworks gifted to the university is predicated on the following conditions being met:

1. Acquisitions should be of aesthetic merit and quality and should not unnecessarily duplicate a work already in the collection. A deed of gift or bill of sale must be exchanged between title holders and the campus.
2. Ownership should have a clear, uncontested, and demonstrable title to the work. All potential acquisitions will be evaluated in terms of documentation as to the origin, previous ownership, history, and possible legal and ethical standards. In fulfilling public trust obligations, the review

committee will examine the history of ownership to avoid the acquisition of works that may have been illicitly exported, stolen, looted, pillaged, confiscated, or otherwise acquired through coercion or clandestine excavation. Further, the rights of lineal descendants of indigenous tribes will be honored related to human remains, funerary objects, sacred objects, and objects of cultural patrimony acquired from federal or tribal lands. The university will comply with the Native American Graves Protection and Repatriation Act and California Native American Graves Protection and Repatriation Act through separate university policy and procedure.

3. Copyrights to images of object should transfer with ownership of the work of art. Alternatively, rights to reproduce images for educational or commercial purposes should be established with the copyright holder at the time of acquisition using a licensing agreement.
4. Donated works of art must document the donor's intent regarding use in a campus collection or permission to sell for the benefit of the university's educational purposes. The university shall not accept gifts that are unreasonably encumbered with conditions set by the donor regarding ownership, use, display, or future disposition.

A funding source for costs associated with installation, de-installation, and preservation should be identified in the acquisition review. The American Association for State and Local History as well as the American Alliance of Museum direct that objects acquired by a collecting unit should not be capitalized. Insurance values and/or appraisals may be necessary for risk management purposes or to meet donor needs and a clear cataloging and tracking authority should be established by each campus. Professional appraisals are not required to consider and accept a work by gift in cases where a donor seeks no tax benefits from their gift, but valuations are highly recommended.

Recommendation

Following careful review of the criteria and conditions detailed above, the ARC shall submit a written recommendation to the Master Planning Committee (MPC) to receive or not to receive a proposed artwork. The MPC shall then forward a recommendation to the President for approval.

In the case of a proposed gift, the President may accept or not accept the artwork and will communicate their decision to the chair of the MPC and ARC, respectively ARC. If the proffered gift is rejected by the President, the chair of the ARC will contact the donor and arrange for the return of the artwork. If the proffered gift is accepted, then it must meet all the requirements for gifts as required by the university and as stated in the CSU Bakersfield Foundation Policy for the Acceptance of Gifts.

Whether purchased or accepted as a gift, once title to the artwork is acquired, the object will be accessioned according to the procedures established by the ARC.

Placement and Installation

The ARC shall consider the following criteria as a basis for its decision regarding the placement and

installation of university artworks:

1. Appropriateness of the project for the site,
2. Compatibility of the artwork with the educational mission of the university,
3. Installation requirements,
4. Maintenance requirements,
5. Input of the current occupants and/or users of the proposed building or site,
6. Durability and non-hazardous nature of the materials, and
7. Input from the university's risk management representatives.

In the case of more complex artworks under consideration for installation in public settings on the university, supplementary review processes may be used, or the ARC may appoint an ad hoc Advisory Committee for a particular installation. In all cases, the university's deputy building official is responsible for the review of design, attachment properties, and placement location to ensure public safety is not impaired.

Ad Hoc Advisory Committee

The Ad Hoc Advisory Committee's role is to advise the ARC by providing recommendations and information about a given artwork's placement on the university and its academic and social context, along with related information regarding funding sources and materials to enable the ARC to make an informed decision about the proposed installation. This process is intended to give the university community repeated opportunities to review the proposed installation.

The Advisory Committee shall serve throughout the duration of the installation project to help ensure the participation of individuals who have a clear stake in the project. The ARC should thus appoint faculty, students, staff, and administrators who will occupy or regularly use the site for the proposed installation; building coordinators, neighbors and interested community members; representatives of appropriate university offices, agencies, or organizations.

The Committee shall provide guidelines for the preparation and restoration of spaces throughout the duration of the display.

Exhibition of Objects from the University Collection

The exhibition/installation of artworks from the collection is limited to university-owned or leased buildings except in those cases where specific loan agreements are negotiated with museums, galleries, and other non-profit/art/government institutions.

Artworks from the collection may be displayed throughout the campus on a rotating basis. While efforts

shall be made to accommodate the preferences of the individual inhabitants of these display areas, the well-being of the individual work and proper conservation must be considered, and therefore, the final recommendation to the MPC as to which artworks are to be installed and for how long rests with the ARC.

No person shall make any change to or move the artwork after it has been placed on exhibition around the university, without the written permission of the ARC, subject to appeal to the MPC, who shall make a recommendation to the President.

Loans To/From the University Collection

There are three primary purposes for the loan of artwork:

1. For the exhibition as part of a temporary installation,
2. For inspection and study with regard to possible gift or purchase, and
3. For research, identification, or attribution of an artwork.

All potential loans of artwork to or from the University Art Collection must be reviewed in advance by the ARC.

The chair of the ARC shall report to the ARC on all loans being considered before recommendations are made by the ARC to the MPC.

Incoming Loans

Artworks requested by or offered to the university for an incoming loan must receive prior approval by the President, based on the recommendation of the MPC. An *Incoming Loan Agreement Form* must be completed before the work arrives on campus.

The requestor's offer will come to the chair of the ARC with registration information including:

1. Written certification by the lender regarding the condition of the artwork and its ability to withstand travel conditions,
2. Its provenance,
3. Information for public recognition (i.e., labeling), and
4. Specified period of time for which the loan is offered.

In developing its recommendation to the MPC to recommend to the President on the acceptance of an

artwork on loan, the ARC shall apply the criteria outlined in section 4.00 of this policy. The chair of ARC shall communicate the ARC recommendation in writing to the MPC, who shall make a recommendation to the President.

If accepted by the President, the chair of the ARC shall record the condition of the artwork at the time of arrival and at the time of departure.

Evidence of damage at the time of receipt or while in the university's custody shall be reported immediately to the lender. No alteration, restoration, or repair of any artwork shall be affected without the prior written approval of the lender.

The university retains the right to determine when, if, and for how long borrowed objects will be exhibited. The university may cancel any loan upon reasonable notice to the lender.

Outgoing Loans

The ARC shall consider requests to loan objects that have undisputed ownership by the university and/or the Foundation which, in the opinion of the ARC, are in adequate condition to endure the purpose of the loan. In some cases, special considerations, such as packing requirements, couriers, or methods of shipping may be required in order for an artwork to be considered for a loan.

The decision to approve loan requests shall be made by the President, based on recommendations by the MPC. The ARC shall be responsible for maintaining records of the status of university artwork out on loans.

The chair of the ARC shall be responsible for preparing the *Outgoing Agreement Form* as well as written documentation of the condition of the artwork and its ability to withstand travel conditions before it leaves the university and once again when the artwork is returned to the university.

Artworks borrowed from the University Collection shall be given special care at all times to ensure against loss, damage, or deterioration. The borrower must immediately notify the chair of the ARC of any damage or loss discovered. No alteration, restoration, or repair to any artwork on loan by the university shall be affected without the prior written approval of ARC. The borrower must provide documentation of adequate insurance coverage for all borrowed artwork.

The artwork may not be photographed or reproduced unless prior written authorization is obtained by the ARC; fees may apply.

Artwork on loan shall be returned to the university by the stated termination date in satisfactory condition, in accordance with the *Outgoing Loan Agreement Form*.

Deaccession and Disposal

Deaccessioning is the permanent removal of an object from the collection inventories. In evaluating their existing collection, campuses may determine that some items are unfit and should be removed through de-accessioning procedures. The ARC shall make recommendations to the MPC for deaccession.

Primary among the criteria for deaccessioning are the following:

1. 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. A forgery should be clearly marked as such and never returned to the market without full disclosure,
2. Possession of the object is not legitimate; that is, the work may have been stolen or illegally exported or imported in violation of applicable state, federal, and foreign laws. Indigenous tribes may request the return of human remains or cultural items under federal and state law,
3. The object is judged to be of poor quality, either intrinsically or in comparison with other objects of the same type,
4. The object is redundant or a duplicate with no special value,
5. The object is clearly outside of the collecting scope of the campus collection,
6. The physical condition of the object is so poor that the cost of restoration exceeds the value of the object or will render it essentially false, an
7. The object cannot be properly stored or cared for.

Following an ARC recommendation for deaccession, an independent outside appraisal of financial value of the artwork to be deaccessioned shall be obtained, along with recommendations as to the best means of disposal (i.e., exchange, return to dealer for credit, public auction, etc.). In addition, living donors shall be informed of the university's intention to deaccession a work. In the case of works by living artists, sincere attempts shall be made to notify the artist.

The chair of the ARC shall prepare a memorandum of understanding stating the reasons for deaccessioning as they relate to the criteria listed in this section. The memorandum shall include the intended method of disposal and an estimate of the costs and revenue associated with this action. The memorandum shall be reviewed by the ARC before being forwarded to the MPC and then to the President for final approval.

Records of deaccessioned artworks, including photographs and documentation of the means of disposal shall indefinitely remain in the ARC files, maintaining the accession numbers by which they were entered in the inventory.

In general, private sales of artwork deaccessioned by the university are discouraged; rather, preference

shall be given to having artwork remain in the public domain. There shall be no private sale to faculty, staff, administration, or any members of the governing authority of the university, or its representatives. No part of the collection shall be removed for gifts.

Funds realized from deaccession sales shall be used to benefit the University Art Collection.

Inventory of Publicly Displayed Works of Art

The chair of the ARC shall be responsible for overseeing an inspection of the university's publicly displayed art inventory and shall present a status report to the MPC every three years. The status report shall include, but not be limited to the following information:

1. Artworks physically located on campus, borrowed by the university,
2. Items out on loan, including location and duration of the loan,
3. New acquisition, gifted to or purchased by the university,
4. Artworks deaccessioned, or planned for deaccession in the year, and
5. Artworks on exhibition or planned for campus exhibition.

An up-to-date inventory of the University Art Collection shall be available as part of the university's library database.

Funds for Works of Art in Public Spaces

Funds for the installation, security, insurance, and maintenance of artworks shall be secured and documented prior to making gift or loan arrangements. Funds may come from a variety of sources including building project funds, local institutional funds, public grants, and private contributions in the form of cash gifts, endowments, bequests, or direct gifts of art from individuals, corporations, and foundations. Direct gifts of art are usually accompanied by an endowment gift that will ensure the university will be able to secure, insure, and maintain the artwork. Generally, an endowment accompanying a piece of art must have a corpus equal to the value of the artwork. Exceptions may be made by the President based upon a recommendation from the Chief Financial Officer. If the artwork is ever deaccessioned, then funds remaining in its accompanying endowment shall be moved into an account supporting the University Art Collection. Earnings from the account may also be expended for the accession of other art pieces.

Budget allocations supporting public art will be managed by the Chief Financial Officer. Grants, donations, and endowments will be administered by the CSU Bakersfield Foundation.

Continuous Renewal

This policy shall be reviewed every even number year from its effective date to determine its effectiveness and appropriateness. This policy may be reviewed before that time, as necessary.

Review (Frequency and Process)

This policy shall be reviewed every even number year from its effective date to determine its effectiveness and appropriateness. This policy may be reviewed before that time, as necessary.

Related Documents

Related Content:

[Charter - Art Review Committee.pdf](#)

[Charter - Master Planning Committee FY 2021-22.pdf](#)