

 <p><b>NEW YORK</b> STATE OF OPPORTUNITY.</p> <p><b>Parks, Recreation and Historic Preservation</b></p> <p>Section: <b>Historic Preservation</b></p>	<p>Policy Title: <b>Collections Management Policy</b></p> <p>Directive: <b>HP-POL-007</b></p> <p>Effective Date: <b>09/10/2019</b></p>
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## Summary

The Office of Parks, Recreation and Historic Preservation (OPRHP or Agency) is responsible for a vast number of objects that meet the criteria of museum collections. These objects are used in exhibits, as part of furnished interiors, and in other interpretive programming to provide visitors with a fuller understanding of the events, activities and material culture associated with a park or historic site. They are irreplaceable assets that possess both real and intrinsic value. The Agency has a legal and ethical responsibility to maintain an accurate accounting of these items and to provide for their long-term preservation and use in a manner that is consistent with established standards of museum practice.

This collections management policy applies to all types of museum objects that are owned by the People of the State of New York (State) and under the jurisdiction of OPRHP.

## Policy

The Agency is committed to upholding the principles of preventative conservation and wise stewardship of the museum objects that it holds in public trust. The Bureau of Historic Site and Park Services (BHS) is charged with establishing standards and procedures for the acquisition, care and management of museum collections. Such standards and procedures shall be consistent with NYS laws and regulations as well as best practices recommended by the American Alliance of Museums (AAM), the American Institute for Conservation of Historic and Artistic Works (AIC), and the American Association for State and Local History (AASLH). Park and historic site managers share in the Agency's responsibility for the care and management of museum objects that are in their custody.

## Definitions

The following words, where used in this document, shall have the meanings defined herein.

*Accession:* A formal process whereby an object is added to the Agency's museum collection. The process includes creating a unique accession number for tracking the

object (as an asset) and capturing information about its physical composition and provenance.

*Acquisition:* The process of legally acquiring the rights of ownership to a museum object.

*Custody:* The physical possession of an object, regardless of legal ownership.

*Deaccessioning:* The legal process of permanently removing an accessioned object (asset) from OPRHP's museum collection. Means or methods of deaccessioning include transfer, sale, repatriation and witness destruction.

*Museum Object:* Museum objects include two- and three-dimensional items that are acquired and preserved for their historic, technological, scientific or ethnographic value and importance. Museum objects include prehistoric and historic objects, archaeological artifacts, historic and contemporary works of art, photographs, manuscripts and records, as well as natural history specimens. Museum objects are typically acquired due to their particular relevance to a park or historic site.

*Museum Interpretive Equipment:* This is special classification of equipment that is acquired for purposes of historic interpretation. Examples include reproductions of historic firearms, furnishings and objects along with commonly available historical objects that lack significance as museum objects. Items classified as museum interpretive equipment are not subject to the same standards of care that pertain to museum objects; however, they are managed and tracked as assets in the same manner as museum collections.

*Statement of Museum Collections:* A document that defines the specific goals and purposes for collecting museum objects at an individual park or historic site. The *Statement of Museum Collections* supplements the Agency's collections management policy.

*Transfer:* The process of legally transferring responsibility for an accessioned object from one NYS agency to another NYS agency that has a mandate to acquire, exhibit and preserve museum collections. Transfers do not involve a change of ownership since the item remains the property of the State.

#### Programmatic Responsibility and Administrative Authority

Sections 3.17 and 19.28 of the Parks, Recreation and Historic Preservation Law authorize the OPRHP Commissioner to acquire personal property on behalf of the State. The Commissioner has delegated the authority to accept gifts of property that meet the definition of a museum object or museum interpretive equipment to the Deputy Commissioner for Historic Preservation.

BHS maintains a standing Collections Committee whose purpose is to review and act upon any request for acquisition, loan, transfer or deaccession of a museum object owned by the State and/or under the custody of OPRHP. The actions of the Collections Committee shall be consistent with applicable NYS laws and regulations, this Policy and its associated procedure and any other Collections Committee guidelines. The decisions of the Collections Committee shall be recorded in meeting minutes and retained as part of the Agency's administrative records.

### Collections Committee

The Collections Committee shall be comprised of at least five (5) employees with expertise in one or more of the following disciplines: archaeology or cultural anthropology, material culture, history, and historic interpretation. The director of BHS and the Bureau's Museum Registrar serve as ex-officio members. Other members shall be appointed by the director of BHS, subject to the approval of the Deputy Commissioner for Historic Preservation. Subject matter experts, such as conservators, will be consulted on an as-needed basis. The applicable park/historic site manager and Regional Director will also be consulted on any matter involving museum objects assigned to a particular facility.

### Acquisitions

Museum objects may be acquired by purchase, donation, or transfer. All acquisitions must be approved, in advance, by the Collections Committee and shall comply with the following requirements:

- a. The owner must affirm, in writing, that they have clear legal title to the item before it can be accepted.
- b. OPRHP will not accept any item that has restrictions on its use or disposition except in extraordinary circumstances. The owner must declare all restrictions at the time that the object is offered for sale or donation.
- c. Agency staff is prohibited from providing appraisals of any object offered for sale or donation.
- d. Object(s) that are offered for donation may be held for up to 120 days and for the sole purpose of examination or study. The facility manager shall obtain a temporary receipt, signed by the owner, that includes a detailed description of each object.
- e. OPRHP shall provide a copy of this policy, and the applicable *Statement of Museum Collections*, to the owner of any item offered by gift or bequest.<sup>1</sup>

Archaeological artifacts and natural history specimens that are collected or excavated from a park or historic site are automatically the property of the State and do not need to be formally accepted. Cultural material that is acquired through transfer or purchase of real estate also automatically becomes State property under OPRHP jurisdiction.

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<sup>1</sup> Required by Parks, Recreation and Historic Preservation Law §19.28.

All new acquisitions must be catalogued and accessioned in accordance with the Agency's accessioning procedures.<sup>2</sup> The accession record shall include documentation that establishes legal transfer of title to the State and shall list any restrictions or copyright provisions retained by others. Accessioning is a joint responsibility that is shared among facility and BHS staff.

### Loans

All loans must be approved, in advance, by the Collections Committee and shall comply with the following requirements:

- a. Loans will only be made for purposes of exhibition, scholarly research, examination/analysis, conservation treatment or other legitimate purpose.
- b. OPRHP will only accept loan offers from the legal owner or their duly-appointed representative. Objects may not be borrowed from a third party having temporary custody.
- c. OPRHP will only accept loan offers when the Agency can adequately ensure the proper care, handling, display/storage and security of the object(s) while they are in the Agency's custody.
- d. OPRHP will not perform conservation treatments on borrowed objects except in an emergency and then only with the prior approval of the owner. (Exceptions are allowed for objects that are under the jurisdiction of another NYS agency.)
- e. OPRHP will not permit any borrowed objects, while in the custody of OPRHP, to be photographed or reproduced in any form without prior written permission from the owner.
- f. OPRHP shall exercise the same level of care and diligence provided to its own museum collections for the full duration that the object(s) are in the custody of OPRHP.
- g. OPRHP will only grant loans to bona fide museums, cultural organizations, state and federal agencies and municipalities and only for purposes of exhibition or display. OPRHP will not grant loans to individuals or businesses except when necessary for the performance of approved analysis, testing or conservation treatment. The Deputy Commissioner for Historic Preservation may make an exception to the prohibition against loaning to individuals or businesses in unique circumstances.
- h. All loans must be established by formal, written agreement between BHS (acting as agent for OPRHP) and the owner or borrower prior to transferring any object(s). Agency staff may not transfer or receive any object(s) until the loan agreement has been executed and is in full force and effect.
- i. The term of any loan shall not exceed one year; however, loans may be renewed on an annual basis. Any loan renewal must be executed by all involved parties and as a

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<sup>2</sup> Natural history specimens having a value of fifty dollars or less do not need to be accessioned. (Parks, Recreation and Historic Preservation Law §19.25).

formal amendment to the original agreement. (Exceptions are allowed for objects that are under the jurisdiction of another NYS agency.)

- j. All museum objects must be accessioned before they can be loaned to another entity. The condition of an object must be evaluated and documented prior to transferring custody to any other entity, including another state agency.

### Preservation and Use

Agency staff shall display, handle and use museum objects in accordance with written guidelines and recommendations that have been promulgated or approved by BHS. In general, museum objects shall not be exposed to any activity or use that would subject them to excessive wear, damage or deterioration. Special conditions apply to museum objects, such as clocks and musical instruments, that are kept in working order. Special requirements also apply to ammunition, firearms and edged weapons.

Museum objects shall be protected against exposure to adverse environmental conditions to the fullest extent practical. A value-based management approach shall be used to determine what constitutes an adverse environmental condition. Alterations that are made to historic buildings to improve environmental conditions will balance this with the complimentary goal of preserving the building's significant architectural features, materials and finishes.

Reasonable measures shall be undertaken to protect museum objects from theft, fire and severe weather events. Facilities housing museum objects should be equipped with intrusion and fire detection systems that automatically report to a central monitoring station or, in the absence of such systems, with 24-hour manned security. Administrative controls should be implemented to limit access to rooms or areas where museum objects are stored to authorized staff. An emergency action plan should be created, reviewed and updated as needed for each park/historic site facility.

Conservation treatments shall be prescribed and performed only by professionally-trained conservators, or by competent persons working under their direct supervision. Such conservators shall have specialized expertise in the particular type of object or materials involved and must have prior experience in performing the specific treatments proposed. All conservation treatments shall be preceded by a written treatment proposal that is reviewed and approved by BHS. This provision is not intended to preclude or discourage reasonable and appropriate handling and care of museum objects by facility staff.

Complete and accurate records shall be established and maintained for each museum object that is within the Agency's custody. The Collections Management Unit of BHS is responsible for defining the scope and content requirements for such records and with assisting Agency staff with accessioning and other registrar duties. Individual park/historic site managers, or their designate, shall be responsible for maintaining accurate information on the location of objects in their custody and for performing periodic inventory checks. The individual object collection record shall be promptly updated whenever the location of an object is changed.

### Public Access

Public access to museum objects held by OPRHP is normally provided through exhibits and displays or as part of a furnished period room. Such access is generally limited to regularly scheduled days and hours of operation, except by prior arrangement and appointment with the park/historic site manager.

Archival records and museum objects that are in storage will be made available for legitimate purposes upon appointment and during normal business hours. Requests must be reviewed in advance and must demonstrate a reasonable need for physical access to the records or objects. Such examination is limited to objects and documents that are in suitable condition for handling. Requests submitted under the Freedom of Information Law (FOIL) will be processed in accordance with Agency regulations.

### Photographic Reproductions

Requests for photographic images of museum objects, including archival materials, will be processed by BHS' Collections Management Unit. Such requests must be submitted in writing using the form provided. BHS reserves the right to refuse any request based on the physical condition of the object or copyright restriction. BHS may charge a fee for photographic reproductions; such fee (or fees) shall be based on a written fee schedule approved by the director of BHS.

OPRHP will not grant, or knowingly permit, photography of museum objects that have been borrowed from other entities unless specifically permitted in the loan agreement. Nothing herein shall be construed to prohibit a lawful visitor from taking photographs of interior spaces, including spaces containing museum objects, for personal use unless otherwise prohibited or restricted by an individual park/historic site's use policy.

### Deaccessioning

Museum objects may only be disposed, sold, transferred or otherwise conveyed in accordance with the rules and regulations established in 9 NYCRR Part 429. These regulations include minimum retention schedules, a requirement of first refusal by other state agencies with a mandate to collect museum objects, and prescribe the means by which items may be disposed.

BHS shall establish a formal procedure for reviewing all requests to deaccession a museum object. Such procedures shall require examination of the object(s) by a conservator and a curator and shall require a majority vote in favor of deaccessioning by the Collections Committee at two separate meetings. A recommendation to deaccession must also be supported, in writing, by the applicable park/historic site manager and Regional Director as well as the Deputy Commissioner for Historic Preservation. The final decision to approve or deny a request for deaccession resides with the Commissioner.

Proceeds realized from the sale of deaccessioned museum objects may be used only for the acquisition of collections and/or for the preservation, protection and care of the collections, including related capital projects under 9 NYCRR Section 429.6.

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### **Other Related Information**

Procedures for the Management and Care of Museum Collections

Guidelines for Applying for Proceeds Derived from Deaccessioning (HP-PRO-004)

Agency Cooperative Agreements entered into with operators at certain State historic sites (Sonnenberg SHS, Olana SHS and Darwin Martin SHS) may modify certain requirements of this Policy.

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### **History**

09/10/2019 This Policy and its accompanying Procedure (HP-PCD-008) supersede the "Acquisition of Historic Collections (HP-PCD-003)" created on 07/20/2015.