

# There's a Form for That



## **DOCUMENTING YOUR COLLECTIONS**

# What is a museum?



“A public or private nonprofit agency or institution organized on a permanent basis for essentially educational or aesthetic purposes which, utilizing a professional staff, owns or utilizes tangible objects, *cares for them*, and exhibits them to the public.

Museum Services Act,  
20 United States Code,  
§ 968(4)  
(emphasis added)

# What types of records should be kept?



- Evidence of legal ownership or possession of all objects
- Catalog record, also called a worksheet or accession sheet
- Provenance information
- Activity of objects, including loans, exhibitions, conservation, and deaccessions
- Other records specific to a collection or a museum's routine activities

# Basic Receipt



## OBJECTS RECEIVED AT THE PALMER MUSEUM OF ART

Purpose \_\_\_\_\_

Date Received \_\_\_\_\_

Received from \_\_\_\_\_

Address \_\_\_\_\_

Phone number \_\_\_\_\_ Fax number \_\_\_\_\_

Email \_\_\_\_\_

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Loan number \_\_\_\_\_

Artist \_\_\_\_\_

Nationality \_\_\_\_\_ Life years \_\_\_\_\_

Title \_\_\_\_\_

Date \_\_\_\_\_

Medium \_\_\_\_\_

Dimensions \_\_\_\_\_

Insurance value \_\_\_\_\_

(Coverage: Unless otherwise specified, Palmer Museum of Art will insure in the amount indicated throughout the period of the loan.)

Received by: \_\_\_\_\_ Date: \_\_\_\_\_

On behalf of the Palmer Museum of Art

Shipped via: \_\_\_\_\_

# Additional information for more complex receipt



In addition to all information on basic receipt:

- Care and handling to be provided
- Packing and transportation arrangements
- Insurance
- Reproduction and credits
- Ownership and changes in ownership
- Custody period, extensions, and right to return

# Elements of the receipt



- Name of the object's owner, the person leaving the object
- Full contact information, address, telephone number, email address
- Reason the object has been left at the museum
- Date the object has been left at the museum
- Description of the object
- Conditions under which the museum accepted the object



If the receipt is being used in place of a loan agreement, then this document should be vetted by legal counsel.

# Accessioning Documentation



## Methods of acquiring objects

- Gift
- Purchase
- Bequest
- Field collection
- Transfer from another institution

# Accessioning Documentation: Gifts



## Ideal – Deed of Gift

- Name of donor with full contact information
- documentation Name of museum with full contact information
- Description of materials offered
- Statement that the donor owns the objects and has the authority to pass clear title
- Statement that the gift is without restrictions, or specific restrictions
- Statement that the donor relinquishes all rights he/she may have had
- Signature of donor with date signed
- Signature of museum representative with date signed
- Optional: credit line to be used



Deeds of gift should be vetted by legal counsel.

# Accessioning Documentation: Gifts



Less than ideal documentation

Proof of the three elements of a gift

- 1. an offer
- 2. an acceptance
- 3. physical transfer of the object

If you do not have a written offer on file

- Verification from the U.S. Postal Service of a letter sent by certified mail stating that, unless advised otherwise by a specific date, the museum will consider the object to be an unrestricted gift as of that date.

# Accessioning Documentation: Gifts



## Other documentation

### Copy of IRS Form 8283

Museums are only required to sign to confirm that the museum received the indicated materials and if the gift is for related or unrelated use.

Museums are not required to and should not provide an appraisal on a tax form.

Museums may be asked to provide proof of the date the donor relinquished control of the work; an incoming receipt noting the date the work arrived at the museum serves this purpose.

# Accessioning Documentation: Purchases and Bequests



## Purchases

- Proof of purchase such as a receipt, bill of sale, etc.

## Bequests

- Copy of the relevant pages of the will, including the name of the person representing the estate such as the executor/trix, administrator/trix, and/or the attorney assisting with the estate.
- Receipt and release forms are used by many probate courts to verify distribution of the bequest; this form should contain a signature of the museum official authorized to accept gifts and bequests for the museum and the date the material was received.

# Accessioning Documentation: Field Collection



## Permits

In the U.S., permits may be issued and required by federal, state, and/or local authorities.

- Export permit, if material was collected in another country
- Import permit, when bringing material into a country
- CITES permit for CITES listed species
- 3-177 declaration for animals or animal parts imported to or exported from the US
- Designated port exemption, for some controlled wildlife

# Accessioning Documentation: Field Collection



- **Additional permits may be required**
  - Landowner permission
  - In some U.S. states, fishing or hunting licenses
- **Keep copies of all permits for materials collected in the field. These are the documents explaining how you got the materials and proving the museum's ownership.**

# Accessioning Documentation: Transfer



## Elements of a Transfer Form

- Name of museum from whom the works are coming with contact information
- Name of museum with contact information; if printed on the museum's letterhead, this information will already be on the form and doesn't need to be duplicated
- Description of materials offered
- Statement that donor institution owns the object and has authority to pass clear title
- Statement that the gift is without restrictions (or exactly what the restrictions are) and that donor institution relinquishes all rights it may have had
- Credit line
- Signature of donor institution representative with date signed
- Signature of receiving museum representative with date signed
-  Transfer forms should be vetted by legal counsel.

# Catalog Documentation



## Catalog sheet/worksheet/accession sheet

- Use it to gather as much information as possible
- Include both accession information and catalog information
- Make it specific to your institution, but be sure to gather standard information

# Catalog Documentation



## Accession information:

- Maker/artist
- How
- Condition
- Accession number and any other numbers associated with the work
- Value
- Copyright information

# Catalog Documentation



## Catalog information

- Provenance
- Bibliography
- Exhibitions in which the object has been shown

## Other information

- Any other information your institution regularly collects

Worksheets of this sort are primarily for in-house use and do not need to be vetted by legal counsel.

# Loan Agreements



## Elements of an incoming loan agreement

- Borrower, with full contact information; if printed on letterhead, this information will already be on the form
- Lender, with full contact information
- Purpose of loan
- Dates of loan, should include time for shipment to and from the borrower
- Description of the materials to be borrowed
- Credit line to be used
- Statement defining who will insure and insurance value
- Photography permission
- Conditions of the loan
- Authorized signatures and dates signed for both parties

# Loan Agreements



## Conditions of the loan

- Care and handling requirements
- Insurance
- Environmental conditions to be maintained
- Permission to clean or conserve
- Statement regarding the borrower's right to return the object
- Packing and shipping



Loan agreements are contracts and should be vetted by legal counsel.

# Loan Agreements



## Concerns regarding outgoing loan agreements

- Only one document can govern any transaction. Multiple loan agreements for the same action cannot be enforced. The last one signed will invalidate earlier signed forms.
- If the museum has specific concerns or specific requirements not addressed on the borrower's agreement, the lender should amend the loan agreement provided by the borrower as needed rather than issuing an outgoing loan agreement.
- If an outgoing loan agreement is necessary, it should include all of the same elements as the incoming agreements discussed earlier.



Like incoming loan agreements, outgoing loan agreements are contracts and should be vetted by legal counsel.

# Deaccessioning



No specific form is required by law.

The museum must be able to demonstrate that:

- It is aware of the issues to be considered.
- It has developed a process for determining if an object should be deaccessioned.
- It has followed that procedure.

Developing a form to make sure all steps are followed is the easiest way to document that procedure has been followed.

# Deaccessioning



## Elements to include on a deaccessioning form

- Description of the material to be deaccessioned
- Statement that the museum has title to the material and, if it was a gift, that there are no restrictions on the gift or what the restrictions are
- The museum's acceptable reasons for deaccessioning and which ones apply in the specific instance
- What outside opinions have been solicited and what they said
- Who on staff is making the recommendation to remove the object from the collection and on what date it was made
- If object was a gift, what the policy is for notifying donors and when and by whom the policy was followed
- Name and signature of person authorized to remove the object
- The date on which the deaccession was approved

Since this form is for internal use and is not a contract with any other entity, it does not need to be vetted by legal counsel.

# Other Records



- Current location records
- Master log
- Copyright information and/or licenses
- Condition reports
- Correspondence
- Photographs
- Appraisals or other valuation documents
- Insurance documents if there has been an insurance claim
- Loss and damage records

# Other Records



## Copyright information and/or licenses

- Exclusive license – gives the museum permission to use the image and bars others from using it for the same reason
- Non-exclusive licenses – gives the museum permission to use the image but allows the copyright owner to give others the same permissions



Licenses are legally binding documents and should be vetted by legal counsel.

# Other Records



- **Condition reports**
- For collections management – document the condition so that any user can understand the current condition of the object
- For object treatment and planning – more technical, often includes possible causes of specific damage and a treatment proposal
- See the webinar on condition reporting available through the Connecting to Collections Care Online Community website,  
<http://www.connectingtocollections.org/basic-condition-reporting/>

# Final Thoughts



## Characteristics of bad documentation:

- Loss of context caused by incomplete documentation
- Reliance on institutional memory instead of written documentation
- Inconsistency within records
- Bad handwriting

# Final Thoughts



## Characteristics of good documentation:

- Records are dated
- Complete in all aspects
- Easily understood, uses standard terminology, is clear and precise
- Include good descriptions and photographs
- Includes the history of the records, when new information is added and by whom
- Legible handwriting

# Final Final Thoughts



- In general, be clear, be permanent, be legible, and be as comprehensive as possible.
- Start today to make clear and clean records
- Create a clear documentation policy and train everyone who uses it
- Create a schedule to clean up old records, and create a history as you go
- Be kind to your future self – what would you want to be able to find in 100 years?



Questions?



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