

Final: 1/11/2017

CRA DEACCESSION POLICY

The CRA deaccession policy was assembled by reviewing the City of Cambridge Public Arts Commission deaccession policy as well as model language suggested by Americans for the Arts, which is the nation's leading nonprofit organization for advancing the arts and arts education.

Deaccessioning is a procedure for the withdrawal of an artwork from public exhibition is intended to maintain the value of the CRA's collection and guard against the arbitrary disposal of any of its pieces. Deaccessioning is a legitimate part of the formation and care of collections, and, when practiced, should be done in order to refine and improve the quality and appropriateness of the collection to better serve the CRA and the City of Cambridge. Standards applied to deaccessioning and disposal must be at least as stringent as those applied to the acquisition process and should not be subject to changes in fashion and taste. Whenever possible, artists should be notified of the withdrawal of their artwork from public exhibition or its relocation to a different site. In some cases such relocation may happen prior to the deaccession process commencing, as re-siting may be necessary when an artwork is in danger of being destroyed in its original location. Note that this procedure does not apply to temporary artwork if the agreed upon period for the artwork's exhibition is at an end.

The CRA Board decides when a work of art should be deaccessioned after a careful and impartial evaluation of the artwork as per the criteria listed below and in accordance with the Visual Artists Rights Act of 1990. The CRA Board may review specific artworks proposed for deaccession and make recommendation about the disposal of these artworks when the artwork's present condition poses a safety hazard to the public or two or more of the conditions are met and documented by CRA Staff:

Conditions for Deaccessioning

The artwork must meet a mixture of some but not necessarily all of these conditions according to the judgment of the CRA Staff and Board, in order to be considered for deaccession. These conditions should serve as an outline for writing Deaccession Reports, as described in the following section - *Steps for Deaccessioning*.

1. The artwork's present condition poses a safety hazard to the public;
2. Changes in building codes or zoning laws or regulations cause the Artwork to be in conflict with such codes, laws or regulations;
3. The artwork has been damaged or has deteriorated to the point that it can no longer be represented to be the original artwork;
4. The restoration of the artwork's structural or aesthetic integrity is technically not feasible, or repair and conservation work will render the work false, or the expense of restoring it exceeds 50 percent of the original cost of the artwork;
5. The architectural support (building, wall, plaza) is to be destroyed and the artwork cannot be removed intact for relocation;
6. Significant changes in the use, character, or actual design of the site have occurred, and/or the artwork may have lost its contextual meaning and it cannot be re-sited, or re-siting the artwork would be inappropriate, thereby prohibiting the retention of the artwork as originally conceived;

7. The artwork requires excessive and inappropriate conservation and/or maintenance or has faults of design or workmanship which can be termed inherent vice;
8. An artwork is not, or is rarely, on display because of lack of a suitable site.
9. The condition or security of the artwork cannot be reasonably guaranteed in its present location;
10. The CRA wishes to replace the artwork with a work of greater significance by the same artist;
11. Removal has been requested by the organization or property owner displaying the artwork (if other than the CRA) or removal has been requested by the artist;
12. The artwork is proved to be inauthentic or in violation of existing copyright laws;
13. The artwork has received documented, unabated and overwhelming public objection from a measurably large number of citizens and/or organizations based within the community where the artwork is located over at minimum ten years, and added community outreach has resulted in little significant community support and modifications of the artwork to change public acceptance as per discussions with the artist are not possible.

Steps for Deaccessioning

The following procedure summarizes the deaccessioning process for CRA Staff and the CRA Board from initiation with the writing of a deaccessioning report to deaccessioning completion. This procedure establishes guidelines for the ethical disposal of deaccessioned works of art.

1. CRA Staff prepares a Deaccession Report, which includes:
 - Basic information including title of work, location, year created, materials used
 - History and CRA background with the art
 - Documentation of current condition and site
 - Review of any restrictions which may apply to the artwork based on contract review or the condition of the artwork;
 - Challenges and obstacles regarding the work of art;
 - Analysis of the reasons for deaccessioning following conditions 1-13 listed above;
 - Options for storage or disposition of the artwork; and appraised value of the artwork, if reasonably obtainable;
 - Documentation of any initial conversations with the artist or others regarding deaccessioning.
2. The CRA Board reviews the report at a regular meeting to make a deaccessioning determination. The CRA Board may seek additional information from artists, galleries, conservators and other artist professionals prior to its final recommendation.
3. In the event that a recommendation to deaccession is made by the CRA Board, CRA Staff will be authorized to:
 - Inform the artist in writing of this decision and be given right of first refusal to buy back or otherwise repossess the deaccessioned artwork, including title, or the CRA will arrange for appropriate disposal/destruction of the artwork;
 - Inform any donors associated with the artwork (if the artwork was a donated gift) of the intent to deaccession; and
 - Provide the appropriate public notification. (Public notification may include notice on the CRA website and social media feeds, as well as announcements at CRA Board meetings and communications to the Cambridge Public Art Commission in addition to others as deemed necessary and prudent.)

4. After proper public notification, the CRA Staff will consider the following actions, giving preference to public institutions in order that artworks may continue to retain the greatest amount of public accessibility (in order of priority). Note that arrangements agreed upon with the donor or artist at the time of the CRA's acquisition of the artwork such as a re-donation or sale take precedent.

- A. Indefinite loan to another governmental entity
- B. Trade through artist, gallery, museum, or other institutions for one or more other artwork(s) of comparable value by the same artist. If the artwork is found to be of no monetary or negligible monetary value a donation of the artwork may be made to a willing and interested artist, gallery, museum, or other institution;
- C. Sale through auction, art gallery or dealer resale, or direct bidding by individuals, in compliance with City and State law and policies governing surplus property;
- D. Long-term storage (if feasible)
- E. Destruction of artwork deteriorated or damaged beyond repair at a reasonable cost, and/or deemed to be of no or only a negligible value, in accordance with national standards for conservation and deaccession. In this case, destruction should be complete, irreversible, and documented.
- F. Or other action as approved by the artist.

5. When an action is selected, CRA Staff will:

- Write a final letter of deaccession notice to the artists and attach a final Deaccession Report along with a Deaccession Agreement.
- The artist will sign and return the Deaccession Agreement
- The deaccession action will be executed by CRA Staff in an estimated timeline included in the aforementioned deaccession documentation, or as early as practicable

6. Any financial costs incurred to implement removal, donation and/or disposal of the artwork will be funded by CRA property maintenance funds