

INTRODUCTION

This document contains policies for management of the permanent and use collections of the City of Las Vegas Museum. Included are policies describing acquisition; accession; de-accession; loans; staff ethics regarding collections; treatment of human remains, sacred, ceremonial, and tribal patrimony objects and their repatriation under Native American Graves Protection and Repatriation Act of 1990 (Appendix A) to Native Americans; culturally sensitive materials; and access to collections.

I. DEFINITIONS

Accession - The formal process used to add to the Museum's permanent collections.

Acquisition - The discovery, preliminary evaluation, and negotiation for custody and title of potential additions to the Museum's collections.

Collections - Material held in trust and preserved by the Museum. The Permanent Collection consists of accessioned material that may be exhibited or used for research. The Use Collection consists of un-accessioned material that may be used as an educational or exhibition resource.

De-accession – The formal process used to remove an object from the Museum's permanent collection.

Human remains - Any physical part of a person, most commonly, skeletal material.

Loans - Temporary transfers of material to or from the Museum that do not involve change of ownership.

Museum – In this document, the City of Las Vegas Museum and Rough Rider Memorial Collection, an institution.

Museum Administrator- The person responsible for the everyday operations of the City of Las Vegas Museum and Rough Rider Memorial Collection.

Tribal Patrimony - Any Native American made object that could not be owned by any individual, but belonged to the tribe as a whole.

Sacred Object - An object which can be demonstrated to be necessary for the religious practice of a Native American group with both legal and cultural standing.

Culturally sensitive material – An object that is necessary for the traditional ceremonies of a recognized group with both legal and/or cultural standing.

Trust - A fiduciary relationship in which a trustee holds legal title to property that must be managed for the benefit of others.

II. COLLECTIONS COMMITTEE

Decisions on accessions, de-accessions, loan requests not conforming to the Museum's loan policy, trades, ethics regarding collections, and disposal of de-accessioned or un-accessioned material will be made by the Collections Committee and ratified by the Museum Advisory Board.

- A. The Collection Committee will consist of the Museum Administrator, at least one member of the Museum Advisory Board and 3-5 people who have recognized expertise in applicable areas.
 - 1. Members of the Collection Committee will be appointed by a majority vote of the Museum Advisory Board.
 - 2. The members of the Collection Committee will serve for two years and may be reappointed.
- B. The Museum Administrator will chair the committee.
- C. Decisions by the Committee will become part of the collections records.

III. ACQUISITIONS AND ACCESSIONING OF OBJECTS

The acquisition of material to the collections is central to the stated purpose of the Museum. Only objects that are relevant to and consistent with the purposes and activities of the Museum shall be collected.

- A. Policies for the Permanent Collection
 - 1. Any object accepted into the Permanent Collection of the Museum shall conform to the following conditions:
 - a. Item shall enhance the Museum's existing collection as described in the mission statement;
 - b. Item shall possess physical integrity, historical authenticity, and be in suitable condition for exhibit or sufficiently useful for study purposes;
 - c. Item shall be in stable condition, or is only in need of minor conservation work or sufficient funds are contributed to restore the tendered items. At the discretion of the Collection Committee, exceptions may be made for special research material or for rare or unique items that would substantially enhance the collections;
 - d. Museum shall be capable of appropriate storage, protection, and preservation of any object accepted into the Permanent Collection.
 - e. Item shall be accompanied by a clear and valid title, or by a designation of the Museum as repository of trust from an appropriate state or federal land manager. To this end, donors will sign the Museum's *Accession* form certifying that they have clear and valid title and that they transfer title to the Museum without donor-imposed restrictions or stipulations. Proffered donations bearing donor-imposed restrictions may be accepted if the Collections Committee decides their value exceeds the burden of the restrictions.

2. The Museum endorses and will abide by the 1970 UNESCO Convention (Appendix B) that prohibits the “illicit import, export, and transfer of ownership of cultural property.” The Museum also endorses and will abide by all applicable provisions of NAGPRA as well as state and federal antiquities and endangered species acts.
3. Archaeological materials shall not be accepted unless they have been acquired according to rigorous professional standards and in compliance with the appropriate local, state and federal guidelines. All such items shall be accompanied by documents that clearly demonstrate a systematic method of excavation, and that record the conditions of removal. Exceptions may be made for objects with a long and well-documented history of ownership in private or public collections or objects judged to possess extraordinary research or educational value.
4. The Museum shall not accept human remains.
5. All potential acquisitions will be submitted to and reviewed by the Collections Committee for accession. The Museum Administrator will report Collections Committee determinations regularly to the Museum Advisory Board for ratification.
6. A *Temporary Custody Receipt*, signed and dated by the owner, describing the gift shall accompany all potential acquisitions. If determined by the Collections Committee and ratified by the Museum Advisory Board, a *Deed of Gift* shall be signed and dated by the owner, transferring unconditional ownership of the item to the Museum. A signed invoice from a vendor shall accompany all purchases for the collection. Documents relating to the transfer of the title must be signed and dated by the administrator.
7. Any collection item in the custody of the Museum which is not covered by a signed gift agreement or a signed loan agreement will be known as an un-accessioned item. The proper operation of a museum requires that un-accessioned items be returned to the lawful owner. In the event that the lawful owner cannot be determined after diligent efforts, ownership shall be vested in the Museum, in accordance with established procedures for the determination of ownership of un-accessioned or abandoned items, outlined in NMSA 1978, Chapter 18, Article 10, Section 18-10-1 through 18-10-5. All gifts shall be accessioned in the name of “City of Las Vegas Museum and Rough Rider Memorial Collection.”
8. The date of acquisition shall be determined as the date on which the object entered the Museum’s care, custody and control, both physically and legally. This date shall be entered on the object record. Every effort shall be made to promptly accession and catalog items.
9. Museum staff shall not perform for donors written or verbal appraisals of donated items. Donors shall bear the cost of appraisals used for tax purposes. The Museum may bear the cost of appraisals for internal insurance valuations or other internal uses,

when the administrator deems appropriate. Staff members with expertise may identify or authenticate items for professional or educational purposes. They must take care not to give opinions to the public that could affect a decision to purchase, or otherwise cause ill will toward the Museum.

10. Objects shall be retained in the permanent collection unless or until they meet one of the de-accession criteria described in Section V, A.1.
11. Nothing in this policy shall be construed as preventing the Museum from acquiring items not intended for the permanent collection, but to be used for the Museum's general purposes. Potential donors of such materials will be informed of these intentions.
12. Anonymous donations may be considered with the stipulation that the Museum will apply the measures of NMSA 1978, Chapter 18, Article 10, Section 18-10-1 through 18-10-5 that define the process of acquiring title to abandoned property.
13. If there is proof or suspicion that a potential acquisition has been obtained illegally or under questionable circumstance by the stated owner, the museum shall alert appropriate authorities, according to applicable state statutes.

B. Policies for the Use Collection

1. The Use Collection may be used for the following purposes:
 - a. Education, such as school loans;
 - b. Resource materials;
 - c. Exhibitions;
 - d. Trade among other non-profit organizations for items to be included in the Museum's Permanent Collection;
 - e. Public sale in conformance with the Museum's de-accession policy as stated in this document.
2. The items in the Use Collection shall be held by the Museum with free and clear title and shall not be restricted in use.
3. Potential donors shall be informed that their gift is for the benefit of the Museum but will not be accessioned into the Permanent Collection.
4. Such donations may also qualify as tax-deductible.
5. The Use Collection contains objects intended for consumptive use.

IV. UNSOLICITED GIFTS

- A. All offers of gifts will be carefully considered according to the review process for acquisitions outlined in this document.

- B. The Museum Administrator shall notify the City Manager and City Attorney regarding unsolicited money gifts or potential gifts of funds and real property over \$500 to the Museum. If the City Manager and City Attorney agree that the acceptance of these gifts is not in conflict with any known federal, state or local statute, the gifts shall be considered for acceptance following the policy outlined in Section III of this document.

V. DEACCESSION OF MUSEUM OBJECTS FROM THE PERMANENT AND USE COLLECTION

Museums must be free to improve the quality of their holdings through occasional sale, exchange, or disposal of collection items. Objects from the Museum collections will be de-accessioned only if they have lost their authenticity, physical integrity or usefulness for museum purposes.

A. Policy for the Permanent and Use Collections

1. Objects from the Museum's Permanent Collection will be de-accessioned if they meet at least one of the following criteria:
 - a. Item is no longer relevant for Museum purposes and does not enhance the quality of existing collections;
 - b. The Museum lacks free and clear title over the object, or proof is established that the person conveying title to the Museum had no legal power to do so;
 - c. Item has seriously deteriorated or has been damaged beyond repair;
 - d. The item lacks historical authenticity, or proof is established that the item is not as represented in the instrument of conveyance;
 - e. Item is superseded by an item of superior provenance or physical condition;
 - f. Item poses a risk to the Permanent Collection;
 - g. Item accepted as part of a larger collection, but that is not within the scope of Museum mission statement.
2. The process of de-accessioning shall be initiated by the Museum Administrator after consultation with the Collection Committee, who must file a written statement with the Museum Advisory Board. The statement shall include the reasons that the object should be considered for de-accessioning. Only the Museum Advisory Board can approve the de-accession of an item. Approval of the City Council is required for de-accession of objects with a market value over \$250.
3. The Museum shall make reasonable effort to ascertain that the Museum holds full and unrestricted title to the item. Legal authority to de-accession the item must be clear, and advice of Museum counsel should be sought if questions of legality arise.
4. The condition of the object and circumstances of removal must be carefully recorded. A complete file will be kept documenting each de-accession.
5. Before de-accession, consideration should be given first to transferring the item to the Museum education programs and second to another non-profit cultural or educational

institution. The Museum will seek an appraisal from a qualified appraiser before any objects to which it has title are sold or exchanged.

6. The item's donor, heirs or assigns shall be notified in a good faith effort if an object is de-accessioned from the Permanent Collection within 2 years of the date of acquisition. The notification of donors, heirs or assigns is intended for use regarding Internal Revenue Service tax deduction regulations only.

B. Disposal of Property

1. The disposal of objects from the collections shall be in the best interest of the Museum, the public trust it represents and the scholarly community it serves. The method for disposal shall be chosen by the Museum Administrator, in conjunction with the Museum Advisory Board, and in accordance with state statute on disposal of publicly owned property. Disposal may take one of the following forms:
 - a. Placement in another tax-exempt public institution;
 - b. Transfer from the Permanent Collection to the Use Collection;
 - c. Return to owner, as specified in the Native American Graves Protection and Repatriation Act;
 - d. Public sale;
 - e. Destruction.
2. Museum staff, Museum Advisory Board members, City staff or City Council who advise on de-accession shall not acquire any de-accessioned item, nor shall any de-accessioned item be acquired by an immediate family member, the spouse or agent of such an individual.
3. The following restrictions apply to de-accessioned items through public sale.
 - a. Items to be sold will be transferred to the Use Collection while title is checked and arrangements for sale are made;
 - b. Public auction shall be held in accordance with all state and local laws;
 - c. Net proceeds gained through public sale shall be used only for acquisition and conservation of Permanent Collection items.

VI. LOANS

In accordance with Museum loan procedures, the Museum shall make objects available from its collections for loan only to qualified institutions or, under special circumstances, to individuals for research purposes. Objects loaned to individuals for research purposes must be protected by the sponsorship of a responsible organization, and an appropriate deposit may be required.

A. Out Loan Policies

1. All loans must be approved by the Museum Administrator.
2. Loans requested by recognized borrowing institutions shall be considered when the following conditions are met:
 - a. The institutions shall provide proof of ability to provide care, handling, and

- security in accordance with standard museum practices during the term of the loan. In addition, the borrower must agree to meet any additional criteria for care as established by the City of Las Vegas Museum.
- b. The borrower shall agree to comply with all state, federal, and international laws and regulations governing the transport and use of loan items.
 - c. The borrower shall agree to accept all financial responsibility incurred in the loan, including (but not limited to) the following: insurance, photography, conservation, fumigation, packing, and shipping.
 - d. The borrower shall use credit lines as determined by the Museum. Photographic reproduction, usage, and rights accompanying credit information will be determined by the Museum.
3. The Museum shall consider the following criteria before loaning from the collection:
 - a. Out-loans shall be determined by the availability of objects;
 - b. No object shall be loaned for use in a manner not appropriate to its nature.
 - c. Objects may be deemed to be so fragile, valuable, or rare that the risks in loaning the object are unacceptable.
 4. A thorough condition report shall be prepared prior to releasing an object. No loans shall be made without clear, visible accession or catalogue numbers. Record and condition photographs shall be made at the time the loan is processed. Upon return, the item shall be inspected and photographed.
 5. A *Loan Agreement* shall be fully executed and shall accompany all loans.
 6. Loans shall be normally made for one year or less. This period may be extended upon written request by the borrower. Extensions will be approved only upon recommendation by the Museum Administrator, with the approval by the Museum Advisory Board.
- B. Incoming Loan Policies
1. Loans to the Museum from institutions or individuals shall be accepted for exhibition or study purposes with approval of the Museum Advisory Board. The period and terms of the loan will be clearly documented.
 2. Loans to the City of Las Vegas Museum shall be accepted under the following conditions:
 - a. The loan shall not impose unusual burdens upon the facilities or staff of the Museum;
 - b. All collection items accepted for loan by the Museum will be covered by a fully executed *Incoming Loan Form* specifying the terms and use of the objects;
 - c. Proof of ownership and legality of the manner in which the items were collected or acquired may be required;
 - d. Items shall conform to the purpose within the mission of the museum.

3. Incoming loans shall be accepted for the duration of a research project, exhibit or special event.
 4. Long-term in-loans shall only be accepted with the intent that the objects will be a future donation to the Museum. A letter of intent to donate the loaned objects shall be obtained from the lender prior to approval of the loan. The loan agreement shall make note of the lender's intent and shall be signed by both Museum and lender agreeing to this condition.
- C. Special Agreement Loans between the Museum and other individuals, institutions or support organizations shall be governed by the same conditions stated in this document. Special Agreement loans shall be arranged by the Museum Administrator and agreed upon by the Museum Advisory Board and the borrower.

VII. CARE OF COLLECTIONS

The Museum shall provide safe conditions for all collection items in exhibitions, work and storage areas, including permanent collections and loans, by providing adequate space, suitable security and a proper physical environment for every object in its custody. This includes regulation of conditions of light, relative humidity, and temperature, and protection from pollutants and contaminants that may affect the well being of individual objects.

- A. The Museum shall examine and prepare objects prior to storage. It shall be the responsibility of the Museum to establish and maintain necessary tools related to the storage of collections, such as an inventory, location records, and movement records.
- B. In order to exercise proper trusteeship, and to protect and preserve its collections, the Museum shall provide building security, which shall include an alarm system and monitoring of staff, visitors, collections and other property.
- C. Preservation and Conservation
 1. The Museum shall provide supervision and training of personnel involved in the handling of its objects, when possible.
 2. The Museum shall provide professional conservation of collections when available and be aware of agencies to which problems may be referred. Conservators and other professional staff employed by the Museum shall be familiar with the Conservators Code of Ethics (Murray Pease Report) and adhere to its standards.

VIII. COLLECTION AND DISPLAY OF SENSITIVE MATERIALS

While the collection and display of sacred objects or culturally sensitive materials may be required to best illustrate a particular and interpretive theme in the Museum, it shall be done in a sensitive manner and with respect for basic human dignity and cultural or religious diversity. If there are serious objections to sensitive materials in the collections, the Museum will consider legal return or exchange of such items upon written request from groups having a legitimate historical claim upon the objects.

- A. The Museum shall not collect sacred or ceremonial objects or objects of tribal patrimony.
- B. Sacred objects, culturally sensitive materials and objects of patrimony of all races and religions will be treated with appropriate respect.
- C. Museum staff may consult with Native Americans or recognized experts if they believe that materials in the collection are sacred, ceremonial, or objects of tribal patrimony.
- D. Sacred, ceremonial objects or objects of tribal patrimony in the collection will be offered for repatriation to appropriate Native American leaders as stipulated by NAGPRA.
- E. If Native Americans request repatriation of accessioned Museum material, they must prove their authority to speak for their tribe as stipulated in NAGPRA. The Museum Advisory Board may be asked to review and approve the request.

IX. PUBLIC ACCESS TO COLLECTIONS

The public shall be granted reasonable access to items in the collections, whether exhibited or stored, on a nondiscriminatory basis for the purposes of research and other educational basis. Scholarly information and visual documentation shall be made available for those with a serious purpose. It is the primary responsibility of the Museum to safeguard the physical integrity of its collections, and access shall be regulated accordingly, at the discretion of the staff.

- A. Policy for access to archival information:
 - 1. Information concerning the nature and location of any archaeological or historical resource on public land the excavation or removal of which requires a permit under federal or New Mexico statute, will not be released to the public without permission from the appropriate land manager.
 - 2. The museum may withhold access to archival documents, including information concerning the nature and location of any archaeological or historical resource on private land, if it is believed that such access would constitute an unwarranted invasion of personal privacy, encourage theft or vandalism, expose an individual to physical harm, release business secrets, violate donor restrictions, or inhibit ongoing negotiations or litigations.
- B. Policy for access to collections materials:
 - 1. Individuals requesting access to collections must make a request to the museum staff, stating their reason for the request and describing the objects that they wish to examine. Positive identification and written references may be required.
 - 2. Objects to be studied will be retrieved from storage by staff and brought to the researcher. For heavy or numerous objects, staff members may accompany the researcher into storage areas.
- C. Policy for access to collections records:

1. Access to internal collections records must be requested, stating the reason for making the request.
2. Information such as storage location, appraised value, donor names, and site locations will not be released without compelling reasons. Positive identification and written references may be required.

D. Authority for and appeal of decisions.

1. Decisions to refuse or release information or provide access will be made by the Museum Administrator.
2. Appeal of such decisions may be made through the administrator to the Museum Advisory Board.

E. Library

1. The Museum shall provide library facilities for the following purposes:
 - a. Provide background information about the collections for the general public and researchers;
 - b. Assist the staff in documenting, interpreting and caring for the collections;
 - c. Facilitate the administration and operation of the Museum;
2. Museum staff members and the public shall have access to library materials. Other access to materials may include: borrowing and copying, which will be permitted in accordance with current copyright laws and as condition of items permit.
3. Gifts will be accepted only as they fulfill the purposes of Section IX, E.1.
4. Acquisition and discard decisions are the responsibility of the staff. Staff shall discard materials according to the highest standards of museum library ethics and the laws of New Mexico.

X. PERSONAL COLLECTING BY MUSEUM EMPLOYEES AND VOLUNTEERS

A. Museum staff (paid employees and volunteers) may maintain personal collections.

1. Museum staff shall adhere to the following restrictions concerning conflict of interest:
 - a. Upon association with the Museum, the museum staff shall disclose the nature of the collection to an immediate supervisor.
 - b. For any items that relate to the collecting scope of the Museum, the Museum holds first right of refusal. This applies to any items that may be acquired after beginning an association with the Museum. This policy does not apply to any item received as a genuine personal gift or through inheritance.
 - c. No paid employee, volunteer or Museum Board member shall deal in items or materials conceivably within the collecting scope of the Museum.
 - d. Museum staff shall consider the needs of the Museum over personal collections.
 - e. Museum staff may not use his/her affiliation with the Museum to promote his/her own or an associate's collection.

Collection Management Policy

City of Las Vegas Museum and Rough Rider Memorial Collection

Adopted by Museum Advisory Board November 19, 2004

- f. Museum staff may not represent himself/herself as an agent of the Museum while acquiring item for the employee's own collection.
2. No paid employee, volunteer, Collection Committee member or Museum Advisory Board member may accept any valuable gift whether in the form of service, loan or promise from any person, firm or corporation which is interested directly or indirectly in business dealings with the Museum.

XI. LOSSES AND DAMAGES TO MUSEUM COLLECTIONS

- A. Thefts, accidental losses and vandalism of Museum collection items shall be reported immediately (within 24 hours) to the proper authorities (City Manager, Police)
 1. Museum Administrator shall notify the Museum Advisory Board of the circumstances surrounding the damage loss or disappearance and an estimate of monetary damage.
 2. Insurance procedures shall be processed according to regular City procedures.