

# **Westchester Township History Museum**

## **Collections Management Policy**

**Revised June 2012**

### **I. Mission Statement**

As a repository of local history Westchester Township History Museum fosters an appreciation for the history and culture of Westchester Township and its environs through the exhibition of artifacts, the study of local history and genealogy, and original research.

### **II. Delegation of Responsibility**

#### **A. Board of Trustees**

The Board of Trustees of the Westchester Public Library is ultimately responsible for the management of the Westchester Township History Museum, its collections and records. The Board shall make final decisions regarding the control of objects in the collection.

#### **B. Curator**

The Board of Trustees of the Westchester Public Library shall appoint a Curator for the museum. The Curator shall be responsible for the implementation of the Collections Management Policy, collections management activities, and collections development. The Curator shall supervise the Collections Registrar and Collection Staff members and volunteers. The Curator shall serve as Selector for the Museum.

#### **C. Registrar**

The Curator of the Westchester Township History Museum shall appoint a Collections Registrar for the museum. The Registrar shall be responsible for maintaining muniment, accession and deaccession records, and the Collections Register. The Registrar shall be responsible to the Curator, assist in supervision of the Collections Staff and assist the Curator in the review and proposed revision of the Collections Management Policy.

#### **D. Collections Staff**

Volunteer members of the Collections Staff shall be recruited and trained by the Curator and the Registrar to assist in the operation of the Museum.

### **III. Description of Collection**

#### **A. Collections**

The total collection of the museum shall consist of museum artifacts and the museum library. The objects in the collection will relate directly to the museum's purpose and be used primarily for education, exhibition, and research.

## 1. Scope of Collection

- a. Artifacts. The scope of collecting is limited to those objects which are clearly representative of first, Westchester Township, and second, the surrounding townships and Porter County as defined in the mission statement.
- b. Library. The scope of collecting is limited to those manuscripts, photographs, books, records, maps, or other materials clearly representative of first, Westchester Township, and second, the surrounding townships and Porter County as defined in the mission statement and to historical research in the area described.

## 2. Collection Objectives

- a. Artifacts. To strengthen the present collection of objects.
  - i. Decorative arts, particularly of Westchester Township, i.e. textiles, clothing, glass, ceramics, etc.
  - ii. Fine arts, landscapes, portraits, genre paintings and others which document Westchester Township, particularly those of local artists.
  - iii. Folk art which reflects the lives and perspectives of the craftspersons and their environment within Westchester Township.
  - iv. Objects related to the following activities in Westchester Township: business, industry, local government, agriculture, education, religion, and organizations.
  - v. Objects that relate to the domestic life of men, women, and children.
  - vi. Objects reflecting the social and cultural life and communities of Westchester Township.
- b. Library. To maintain and acquire manuscripts, photographs, etc. pertinent to the interests of the museum's commitment to promote and encourage the study of local history and original research.
  - i. Manuscripts pertaining to all aspects of the history of Westchester Township with emphasis on social, political, educational, business, religious, cultural, and economic activities.
  - ii. Published works which reveal the history of life, culture and history of the area, especially local authors.
  - iii. Periodicals of the area including newspapers, newsletters, bulletins, etc.
  - iv. Records of permanently inactive organizations as well as those of some currently active organizations (e.g. Chesterton Woman's Club, Rotary, Flora Richardson Foundation, Prairie Club, etc.)

## IV. Acquisition of Collections

### A. Definition

For the purposes of this policy, acquisition is defined as the discovery, preliminary evaluation, taking physical and legal custody of, and acknowledging receipt of materials and objects as well as the recording of this process. Decisions regarding acceptance of objects into the collection by the Curator are subject to review by the Board of Trustees.

### B. Guidelines for Accepting Objects

1. The Curator shall determine if an object can be accepted according to the Collection Policy and the following considerations:
  - a. Consistency with the collection objectives and mission statement of the Westchester Township History Museum.
  - b. The object's historical, cultural, or social significance to Westchester Township and its environs.
  - c. Uniqueness of the object and/or existence of similar objects in the collection.
  - d. Condition of the object, whether it can be properly cared for and potential maintenance costs.
  - e. Size or other physical restrictions.
  - f. Restrictions or conditions on its use imposed by either the donor or the nature of the article itself.
  - g. Whether the object is a donation or for sale. Generally it is the policy of the Westchester Township History Museum to accept only those objects offered as gifts, unless it is especially desirable.
  - h. Present or future utilization in education programs or research.
  - i. Whether acquisition of sacred objects and/or human remains may be objectionable to the community, people or cultures they represent.
  - j. Whether the removal of archaeological materials resulted in the damage or destruction of the original site or monument or involved misrepresentation to the owner or governmental entity.
  - k. Whether collection of the objects resulted in an adverse effect on the natural resources or environment.
2. Restricted/conditional donations will not be accepted except in extreme circumstances and only after the approval of the Library Director and/or the Board of Trustees.
3. Should a proposed acquisition have an exceptionally high valuation, high maintenance cost, or restrictions on its use, the Curator may request an opinion from the Library Director and/or the Board of Trustees.

4. If the prospective donation is refused, the Curator may refer the donor to another institution for which the object is appropriate, giving first consideration to other local institutions.

#### C. Conditions of Transfer of Title

1. All donations are considered outright and unconditional gifts to be used at the discretion of the Westchester Township History Museum (except in circumstances as noted in IV.B.2).
2. No object may be accepted with the understanding that it is to be permanently exhibited.
3. No collection may be accepted with the understanding that it is to be kept intact.
4. The Westchester Township History Museum retains the right to dispose of gifts in accordance with the Collections Management Policy in order to allow readjustments under changing conditions.
5. Permission may be granted by the Westchester Township History Museum for scholarly use of aural and visual materials provided proper credit is given.

#### D. Appraisals and Donor Tax Deductions

1. Gifts to the Westchester Township History Museum are gifts to the Westchester Public Library and qualify as charitable deductions under section 501 (c) (3) of the Internal Revenue Service tax code.
2. It is the responsibility of the donor to obtain necessary appraisals of donated material. To avoid conflicts of interest, Museum staff members, employees, and volunteers cannot appraise objects donated to the Museum.

#### E. United States and International Regulations

1. The Board of Trustees, volunteer staff and employees will abide by all United States and International laws and regulations concerning the transfer of ownership and transportation of objects across national boundaries.
2. The Museum will not knowingly accept any object that is illegally imported into or illegally collected in the United States or that is collected or recovered under circumstances that would support or encourage irresponsible damage to public or private property.

#### F. Objects Found in the Collection

##### 1. Undocumented Objects

- a. These objects will be accessioned and cared for as if they were owned by the Museum until such time as:
  - i. A claimant comes forth and provides satisfactory proof of ownership

- ii. The object has been in the collection for seven (7) years or more, and after proper notice [see Appendix A], will become Museum property if there is no claimant for a period of three (3) years after notice. The above requirements are in accordance with the Indiana Museum Property Law entitled *IC 32-34-5 Property Lent to Museums* and Amendments, if any [For copy of this law, see Appendix A].
- b. The Curator Shall decide whether these objects will be made part of the collection or will be recommended for deaccession.
- c. These objects shall be recorded on an Accessions Without Donor form and be processed according to Museum practice.

## 2. Object(s) with Incomplete Documentation

- a. Objects with a known donor and no record of date received shall be assigned an appropriate accession number.
- b. Objects with a known date of reception but no known donor shall be assigned an accession number from the year of donation and listed as “Unknown Donor” in museum records.
- c. Objects with no known donor or record of date received may be accessioned if they have not been claimed by a person within 90 days after discovery in accordance with the Indiana Museum Property Law entitled *IC 32-34-5 Property Lent to Museums* and Amendments, if any [For copy of this law, see Appendix A].

## G. Procedure for Accessioning Collections

1. Upon acceptance of the donation, the Donor shall be given a Deed of Gift form, which shall be completed in duplicate and signed by the Donor and the Curator or Curator’s representative. The museum shall retain the original, and the Donor shall receive the copy.
2. A letter of appreciation or other statement of gratitude shall be sent by the Curator to the Donor as soon as possible.
3. At the time of the donation, provenance and all available information concerning the object(s) shall be obtained.
4. The object(s) shall be assigned an accession number from the Collections Register.
5. The object(s) shall be marked, cataloged, and otherwise recorded in the records of the Museum per accepted procedures.

## H. Confidentiality

Confidential information regarding donors, negotiations, and private collections shall be held in trust by the Board of Trustees, employees, and volunteers.

## **V. Loans**

### **A. Outgoing Loans**

Museum artifacts or archival materials are available for loan to other educational and cultural institutions, not to individuals, for the purpose of exhibit, research, and scanning or copying. The Curator is responsible for making the decision to loan artifacts or archival materials. An Outgoing Loan form must be completed by the borrowing institution.

### **B. Incoming Loans**

The Museum will accept loans from individuals, groups, and institutions for the purpose of copying, photographing, scanning, exhibition, and/or research. The Curator is responsible for making the decision to borrow artifacts or archival materials. A Temporary Loan form must be completed by the Museum and the loaning party.

### **C. Insurance**

In some cases, additional insurance for incoming loans may be acquired by the Museum to protect the lender. For outgoing loans, borrowers may be required to purchase and show proof of additional insurance for the object(s) before taking custody.

## **VI. Deaccessioning**

### **A. Restrictions on Deaccessioning**

1. An object in the Collection shall not be returned to the original donor. Such action constitutes the return of a public asset to private hands.
2. No donated object shall be deaccessioned for three (3) years after the date of its accession. (U.S. Tax Reform Act of 1984 and I.R.S. Regulations.)

### **B. Guidelines for Deaccessioning Objects**

The Curator shall consider the following guidelines to determine whether an object should be deaccessioned.

1. The object's relevancy to the purpose and activities of the Museum.
2. Whether there is a real danger the object cannot be adequately preserved in the storage facilities available to the Museum.
3. Whether the condition of the object poses a danger to the Museum or its Collection.
4. Whether the object has deteriorated beyond any usefulness.
5. Whether the object can be used in the foreseeable future.
6. Whether there is a need to improve another area of the collections in order to further the goals of the Museum.

7. Whether the Museum has a clear and unrestricted title to the object.
8. Whether the possession of the object is objectionable to the community, people, or culture it represents.

#### C. Deaccessioning Objects Without Clear Title

There are additional factors to consider when dealing with objects in the Museum Collections for which there are no clear titles:

1. The value of the object. This could indicate the extent of potential liability. It may also indicate whether an individual would come forth to make a claim.
2. The object's distinction. The more common an artifact, the more difficult it will be for an individual to establish ownership.
3. Whether the object has ever been displayed publicly as property of the Museum. If so, this may be the basis for establishing title.
4. The proposed method of disposal, sale, or donation.
5. Urgency of the need to dispose of it.
6. Whether the room is needed for something else.
7. Whether its presence poses a threat to the rest of the Collection.
8. If the Loaner is identified, whether efforts have been made to contact the Loaner in compliance with Indiana Museum Property Law [*IC 32-34-5 Property Lent to Museums* and Amendments, if any]. (See Appendix A)

#### D. Procedure for Deaccessioning Objects from the Collection

1. The Curator shall recommend the deaccessioning of objects to the Library Director and/or Board of Trustees.
2. Upon approval, a deaccessioned object shall be disposed of in one of the following ways:
  - a. Donation to a scholarly, cultural, or other non-profit organization.
  - b. Exchange or trade with a scholarly, cultural or other non-profit institution provided the value of the object to be received is reasonably commensurate with the value of the object to be disposed of, or that the object to be received will fulfill a particular need in the Museum programs.
  - c. Objects may be disposed of by destruction when deterioration or infestation is such that display or exhibition is inappropriate and/or educational potential is minimal.
  - d. After all reasonable attempts to donate, exchange or trade a deaccessioned object have been made, a deaccessioned object may be offered for sale. They shall be given for sale at advertised public auction or to the public market in a manner that will best protect the objectives and legal status of the Museum.

3. A Deaccession Form describing complete details of the transaction shall be placed in the permanent collections records.
4. Following the deaccessioning of an artifact, appropriate notations shall be made in the Museum Collection Records and all records will be retained in a deaccession file.

#### E. Disposition of Deaccessioned Objects

Deaccessioned objects shall not be given, sold or otherwise transferred privately to Westchester Public Library employees, volunteer staff, their immediate families or representatives, nor to a member of the Board of Trustees, as this would constitute a conflict of interest.

#### F. Proceeds from Sale of Deaccessioned Objects

Any proceeds from the sale of deaccessioned objects shall be used for the development and/or maintenance of the Museum collections and not for general operating revenue.

### **VII. Care of Collections**

The safety, security and preservation of objects in the Museum Collections are the responsibility of the Board of Trustees, Museum employees, volunteers, and the Curator. All staff volunteers and employees should continuously be aware of their responsibility for the safety, security and preservation of the Museum Collections.

### **VIII. Records**

The development and maintenance of records pertaining to the Collections of the Westchester Township History Museum are the responsibility of the Curator and the Registrar. A procedure, *Museum Administrative Operating Instructions*, for record keeping, including all forms and instructions, is available for all Museum personnel.

### **IX. Inventories**

A separate procedure outlining instructions for taking and reporting Physical Inventories of the Collections on an annual or periodic basis will be available for Museum personnel.

### **X. Insurance**

The Collections of the Westchester Township History Museum are not insured except as they may be covered in policies carried by the Westchester Public Library.

### **XI. Collections Ethics and Conflict of Interest**

All individuals appointed, elected and/or serving as members of the Westchester Public Library's Board of Trustees, the Museum's employees and volunteers shall abide by the guidelines of the Collections Management Policy. In addition to guidelines outlined elsewhere in this policy, the following shall be included:

## A. Responsibility to the Collections and Other Museum Property

1. The objects in the Museum Collections shall not be used as collateral in financial transactions or in any way that compromises the object's clear title.
2. Any object that is part of the Museum Collections or in the custody of the Museum or any other property, supplies or resources of the Museum shall be used only for the official business of the institution.
3. The reputation and name of the Westchester Township History Museum shall not be exploited for personal advantage or the advantage of any other person or entity.
4. Information about the administrative and non-scholarly activities of the Museum that is acquired in the course of duties and which is not generally known to the public shall be treated as proprietary to the Museum. Such information shall not be used for personal advantage or other purposes detrimental to the Westchester Township History Museum.
5. Referring members of the public to outside suppliers of services such as appraisers or restorers shall be done circumspectly. Whenever possible, more than a single qualified source shall be provided.
6. No deaccessioned objects shall be purchased by or donated to a member of the Board of Trustees, Museum or Library staff or volunteers.

## B. Personal Collecting

Personal collecting shall not compete with the Museum nor shall advantage be taken of information proprietary to the Museum. Museum affiliation shall not be used to promote personal, family or associates' personal collecting activity.

## C. Dealing

Buying and selling objects similar to or related to objects in the Museum Collections as a personal business is prohibited. Occasional selling or exchanging such objects in the management of a collection is acceptable.

## D. Acceptance of Gifts

Acceptance of personal gifts of more than a nominal value from artists, craftspeople, dealers or suppliers connected with the Museum is prohibited. Such prohibition includes not only objects of collectible value but also includes discounts on personal purchases greater than those offered the Museum. Gifts derived from purely personal and family relationships are acceptable.

## E. Confidentiality

Matters of Museum administration shall be held in confidence.

## F. Appraisals

The Westchester Township History Museum does not provide appraisals. Upon request, the Curator can suggest appraisers or other sources so long as more than one name is given. The Museum should not make arrangements for the appraisal and cannot pay for the appraisal.

## **XII. Public Disclosure**

### **A. Collections Management Information**

1. The Museum shall respond to all responsible inquiries about the management of Collections.
2. A published copy of the Collection Management Policy shall be made available to donors and other responsible parties upon request.
3. Public disclosure of acquisitions shall be made on a periodic basis through annual reports, newsletters, and other publications.

### **B. Scholarship Materials**

Documentation of objects accrued or developed following their acquisition is the property of the Museum. Interpretative notes, outlines, and illustrative material produced by volunteers and employees working for the Museum shall be the property of the Museum. The Curator shall determine the effective and timely dissemination of information derived from the Collections.

## **XIII. Public Use of Archival Materials**

Copies of photographs and other archival materials in the Museum Collections may be provided to interested and qualified persons upon written request and payment of reasonable copy fees. A separate procedure will be available giving the requirements and copy fees for use of archival materials in the Collections.

## APPENDIX A

### IC 32-34-5 Property Loaned to Museums As added by P.L.2-2002, SEC.19

#### IC 32-34-5-1

"Lender" defined

Sec. 1. As used in this chapter, "lender" means a person whose name appears on the records of a museum as the person legally entitled to, or claiming to be legally entitled to, property held by the museum.

#### IC 32-34-5-2

"Lender's address" defined

Sec. 2. As used in this chapter, "lender's address" means the most recent address of a lender as shown on the museum's records pertaining to property on loan from the lender.

#### IC 32-34-5-3

"Loan" defined

Sec. 3. As used in this chapter, "loan" means a deposit of property not accompanied by a transfer of title to the property.

#### IC 32-34-5-4

"Museum" defined

Sec. 4. As used in this chapter, "museum" means an institution located in Indiana that:

- (1) is operated by a person primarily for education, scientific, historic preservation, or aesthetic purposes; and
- (2) owns, borrows, cares for, exhibits, studies, archives, or catalogs property.

#### IC 32-34-5-5

"Permanent loan" defined

Sec. 5. As used in this chapter, "permanent loan" means a loan of property to a museum for an indefinite period.

#### IC 32-34-5-6

"Person" defined

Sec. 6. As used in this chapter, "person" means an individual, a nonprofit corporation, a trustee or legal representative, the state, a political subdivision (as defined in IC 36-1-2-13), an agency of the state or a political subdivision, or a group of those persons acting in concert.

#### IC 32-34-5-7

"Property" defined

Sec. 7. As used in this chapter, "property" means a tangible object under a museum's care that has intrinsic historic, artistic, scientific, or cultural value.

#### IC 32-34-5-8

"Undocumented property" defined

Sec. 8. As used in this chapter, "undocumented property" means property in the possession of a museum for which the museum cannot determine the owner by reference to the museum's records.

### **IC 32-34-5-9**

#### Mailing notice

Sec. 9. A notice given by a museum under this chapter must be mailed to the lender's last known address by certified mail. Proper notice is given if the museum receives proof of receipt of the notice not more than thirty (30) days after the notice was mailed.

### **IC 32-34-5-10**

#### Notice by publication

Sec. 10. (a) A museum may give notice by publication under this chapter if the museum does not:

- (1) know the identity of the lender;
- (2) have an address last known for the lender; or
- (3) receive proof of receipt of the notice by the person to whom the notice was sent within thirty (30) days after the notice was mailed.

(b) Notice by publication under subsection (a) must be given at least once a week for two (2) consecutive weeks in a newspaper of general circulation in:

- (1) the county in which the museum is located; and
- (2) the county of the lender's last known address, if the identity of the lender is known.

### **IC 32-34-5-11**

#### Notice; contents

Sec. 11. In addition to any other information that may be required or seem appropriate, a notice given by a museum under this chapter must contain the following:

- (1) The name of the lender, if known.
- (2) The last known address of the lender.
- (3) A brief description of the property on loan.
- (4) The date of the loan, if known.
- (5) The name of the museum.
- (6) The name, address, and telephone number of the person or office to be contacted regarding the property.

### **IC 32-34-5-12**

#### Acquiring title for property on permanent loan or loaned for specified time; notice

Sec. 12. A museum may acquire title in the following manner to property that is on permanent loan to the museum or that was loaned for a specified term that has expired:

- (1) The museum must give notice that the museum is terminating the loan of the property.
- (2) The notice that the loan of the property is terminated must include a statement containing substantially the following information:

"The records at (name of museum) indicate that you have property on loan to it. The museum hereby terminates the loan. If you desire to claim the property, you must contact the museum, establish your ownership of the property, and make arrangements to collect the property. If you do not contact the museum, you will be considered to have donated the property to the museum."

- (3) If the lender does not respond to the notice of termination within one (1) year after receipt of the notice by filing a notice of intent to preserve an interest in the property on loan, clear and unrestricted title is transferred to the museum three hundred sixty-five (365) days after the notice was received.

### **IC 32-34-5-13**

#### Acquiring title for undocumented property; notice

Sec. 13. A museum may acquire title to undocumented property held by the museum for at least seven (7)

years as follows:

- (1) The museum must give notice that the museum is asserting title to the undocumented property.
- (2) The notice that the museum is asserting title to the property must include a statement containing substantially the following information:

"The records of (name of museum) fail to indicate the owner of record of certain property in its possession. The museum hereby asserts title to the following property:(general description of property). If you claim ownership or other legal interest in this property, you must contact the museum, establish ownership of the property, and make arrangements to collect the property. If you fail to do so within three (3) years, you will be considered to have waived any claim you may have had to the property."
- (3) If a lender does not respond to the notice within three (3) years by giving a written notice of intent to retain an interest in the property on loan, the museum's title to the property becomes absolute.

#### **IC 32-34-5-14**

Conservation measures; application without lender's permission or formal notice

Sec. 14. Unless there is a written loan agreement to the contrary, a museum may apply conservation measures to property on loan to the museum without the lender's permission or formal notice:

(1) if:

- (A) action is required to protect the property on loan or other property in the custody of the museum; or
- (B) the property on loan is a hazard to the health and safety of the public or the museum staff; and

(2) if:

- (A) the museum is unable to reach the lender at the lender's last known address within three (3) days before the time the museum determines action is necessary; or
- (B) the lender does not respond or will not agree to the protective measures the museum recommends and does not terminate the loan and retrieve the property within three (3) days.

#### **IC 32-34-5-15**

Conservation measures; liens; liability of museum

Sec. 15. If a museum applies conservation measures to property under section 14 of this chapter or with the agreement of the lender, unless the agreement provides otherwise, the museum:

- (1) acquires a lien on the property in the amount of the costs incurred by the museum; and
- (2) is not liable for injury to or loss of the property if the museum:
  - (A) had a reasonable belief at the time the action was taken that the action was necessary to protect the property on loan or other property in the custody of the museum, or that the property on loan was a hazard to the health and safety of the public or the museum staff; and
  - (B) exercised reasonable care in the choice and application of conservation measures.

#### **IC 32-34-5-16**

Presumption of gift to museum

Sec. 16. Property that:

- (1) is found in or on property controlled by the museum;
- (2) is from an unknown source; and
- (3) might reasonably be assumed to have been intended as a gift to the museum; is conclusively presumed to be a gift to the museum if ownership of the property is not claimed by a person or individual within ninety (90) days after its discovery.