

# COLLECTIONS POLICY

The **Mission** of the Division of Historical and Cultural Affairs is to enrich the quality of life for all Delawareans by preserving Delaware's unique historical heritage, fostering community stability and economic vitality, and providing educational programs and assistance to the general public on Delaware history and heritage.

## STATEMENT OF PURPOSE

1. The purpose of the Division of Historical and Cultural Affairs (hereafter "HCA") collections is to preserve and hold in public trust a record of Delaware's heritage through the acquisition of material culture items made in Delaware or used by Delawareans throughout history. (For the purposes of this policy, the word "items" will include museum objects, archaeological artifacts, library and archival materials and oral histories.) Items may be added to the collections by means of gifts, bequests, purchases, scientific archaeological investigations or by any other transactions by which title passes to HCA. Information regarding the collections shall be disseminated to the public by means of exhibition, web site postings, publications, and public programs.
2. Items are accepted on the basis of being representative of life in Delaware or for having a demonstrated significance to the history and culture of the State of Delaware. Upon receipt, accepted items are placed in the general Museum Collection, the State Portrait Collection, or the Delaware State Archaeological Collection; all under the stewardship of HCA.
3. The acquisition, stewardship and use of items that represent Delaware's cultural wealth entail the highest public trust. HCA has an ethical obligation to acquire items that support its purpose. Acquisition carries with it the presumption of rightful ownership, documented provenance, and the obligation of permanence, perpetual care, study and access by the public.
4. HCA has a due diligence obligation to investigate clear title to items it accepts into its collections. HCA does not knowingly accept or acquire any item that was illegally imported into the United States. HCA does not knowingly accept or acquire any item that was collected under circumstances that would encourage or support looting or destruction of any prehistoric or historic archaeological site. No item is acquired contrary to any law, regulation, treaty, or convention.
5. HCA staff may not give appraisal of items presented for donation or provide tax advice to potential donors. Staff may assist potential donors in locating qualified appraisers. It is the responsibility of the donor to have an independent appraisal prepared for tax purposes. It is understood that acceptance of an item at its appraised value does not imply endorsement of or agreement with an appraisal. For items being considered for purchase by HCA, HCA reserves the right to require written appraisals at the discretion of the curator or as directed by the Director of HCA.

6. HCA lends and borrows collections/items for exhibition, research, education and conservation purposes. Borrowing organizations must comply with environmental requirements, safety and security standards, as established by HCA, during transport, study and display. Borrowing organizations shall not use items for private or monetary gain. Loans shall be accepted for a period no greater than one year with renewal options.
7. HCA accepts items for the purposes of accessioning into the permanent collections, with the exception of the Victor Talking Machine Record collection. HCA does not accept recordings with the intent to resell unless that is the expressed purpose of the donation and so stated in writing by the donor. The proceeds may be used only to enhance HCA collections.
8. Three additional documents (Collections Procedures, Archaeology Collections Procedures, and Guidelines and Standards for the Curation of Archaeological Collections) will be used to further define the collections management guidelines of HCA.

## **COMMITTEE**

The Collections Committee is responsible for the review and approval of all acquisitions to, or deaccessions from, HCA Collections. The Committee is composed of the HCA Director or designee, Curator of Archaeology, Curator of Collections, Curator of Collections Management, Curator of Exhibits, Museum Site Supervisor, and one citizen from each county as appointed by the Director with Curatorial recommendations.

1. A meeting of the Committee shall be held three times a year, or additionally as necessary. A pre-meeting of the Committee may be held by phone or by e-mail survey if consultation is necessary.
2. A quorum consists of five persons. Three HCA staff members and two citizen members are required.
3. Terms of citizen members shall be for three years with the option of a second three year term.
4. Candidates for appointment to the Committee shall provide a resume documenting knowledge and experience in the acquisition and deaccession of collections pertinent to the mission of HCA museums.

## **ACQUISITION**

An item is acquired for the collections only if it meets the following criteria:

1. The item shall relate to the cultures and history of the people of Delaware. The item should enhance HCA collections and be consistent with the Collections Policy.
2. The archaeological collections consist of artifacts/materials from Delaware archaeological sites. Artifacts/materials collected from the Mid-Atlantic region may

be considered but shall be evaluated as to their archaeological importance and research value and relevance to Delaware's history. Relevant type collections for study purposes may be accepted.

3. The item shall be the best available example of a representative type, or, must contribute to the understanding of the prehistoric, historic, aesthetic or cultural heritage of Delaware.
4. The item shall have historical and physical integrity, and be in appropriate condition for display, exhibit or study. If the item meets all criteria except condition, then its stabilization must be determined feasible; taking into consideration cost, time, available funding, and available expertise.
5. The item shall have free and clear title. Restrictions such as permanent display, designated location, or specific use, may make the item unacceptable to HCA.
6. Items shall be acquired that are not restricted or encumbered by less than full intellectual rights, such as property rights, copyrights, patents, trademarks or trade names. Items which, by their nature, may be considered an invasion of privacy or physically hazardous shall be declined.
7. The item shall not pose an excessive administrative or financial burden to HCA.
8. The item shall not present a danger to the rest of the collections or HCA staff.

## **DEACCESSION**

HCA will strengthen/focus its collections in support of its purpose and enhance its public service through responsible disposal of unrelated items. The manner of disposition must be in compliance with State law, and in the best interest of HCA, the public it serves, the public trust it represents in owning the collections, and the scholarly and cultural community it represents. The following criteria may be considered when a request for the deaccession of an item is presented by the appropriate Curator:

1. The item does not meet the mission of HCA and/or the Collection Policy.
2. The item lacks physical integrity or is beyond practical conservation efforts.
3. The item has failed to retain its historical authenticity.
4. The item, despite thorough attempts to locate it, has been missing for longer than five years, or stolen from the collections.
5. The item has multiple duplicates within the collections that are superior examples.
6. The item presents a clear danger to people or property.

## **LOANS**

Loans shall be made to qualified public and/or private educational or cultural institutions. The institution must arrange and assure satisfactory precautions for transport, storage, study, and public display. Loaned items shall not be used for private or monetary gain. The following criteria shall be reviewed for requested loans:

1. Rarity, nature and condition of the item
2. Impact on HCA exhibits and programs
3. Impact on scholars by not being available for study
4. Potential impact of transport on the item
5. Adherence to proper environmental and security conditions as stated with the loan agreement

## ETHICS

HCA is mandated to provide governance that serves the best interests of the people of Delaware. HCA complies with applicable local, state and federal laws as well as with the specific legal standards governing its trust responsibilities. In subscribing to the American Association of Museums Code of Ethics and/or those prescribed by the Society for Historic Archaeology, Society for American Archaeology, and the Register of Professional Archaeologists, HCA strengthens its chartered purpose, more prudently applies its resources, improves its effectiveness, and maintains public confidence.

HCA staff (comprised of Permanent full and part-time employees, Casual/Seasonal employees, interns and volunteers) and Collections Committee members are required to adhere to the following ethical standards:

1. Acquisitions – In acquisitions, no employee, committee member, volunteer or their immediate families may compete with HCA in the acceptance or purchase of an item. However, they may own items of the same or similar nature as those collected by HCA. It is imperative that HCA staff is unequivocally loyal to the mission of HCA and the public. This loyalty supersedes self-interest.
2. Disclosure – All employees, committee members and volunteers shall disclose their interests and activities in collecting items. Employment with the State may not be used to enhance their own collecting activities. They may not deal, sell or trade as a for profit business in the types of objects HCA collects. Status is updated through an annual conflict of interest and collecting disclosure statement .
3. Disposal – No employee, committee member, volunteer or their immediate families may benefit from disposals from HCA collections.
4. Personal Use – Use of collection items for private financial gain is prohibited. The temporary personal use of items by employees, committee members, volunteers or their immediate families is prohibited.
5. Personal Gain – No item shall be purchased from a staff member where the individual realizes a profit.
6. Use of Information – Current and former employees who created non-exclusive documentation have the right to use the information for personal reasons, but HCA retains ownership. Permission for use for publication or educational purposes must be granted by HCA with proper credit given. Access to collections shall be provided in a nondiscriminatory and fair manner in light of the range of requests received and balanced in light of resources, conservation and security

concerns. HCA is obligated to protect privileged information including security information.

7. Ethical Obligations – The employees, committee members and volunteers should continually seek to improve HCA collections and documentation.

## **COMPLIANCE**

1. Compliance with the Collections Policy is a professional obligation and staff responsibility. High standards of integrity, competence, experience, and dedication to assigned duties are expected of HCA staff. The Collections Policy, implemented by its procedures, is the primary vehicle for internal control over collections activities including acquisition, deaccession, conservation, research, exhibition, and interpretation.
2. The Curators of Collections, Archaeology and Collections Management monitor compliance with the Collections Policy. All HCA staff and Collections Committee members must annually sign a release stating they have read and will adhere to the Collections Policy and relevant ethics and disclosure documents. Policy improvements and revisions are recommended to the HCA Director.
3. The Collections Committee shall review the Collections Policy at least once every three (3) years and shall recommend changes to the Policy.

6/22/2009