

COLLECTIONS MANAGEMENT POLICY



2014

TABLE OF CONTENTS

1. OVERVIEW.....	3
1.1 Introduction	
1.2 Statement of Purpose	
1.3 Scope of Collections	
1.4 Statement of Authority	
2. LEGAL AND ETHICAL STANDARDS.....	6
2.1 Legal Standards	
2.2 Ethical Standards	
2.3 Non-Capitalization of Collections	
2.4 Appraising Donations	
3. COLLECTIONS CARE AND MAINTENANCE.....	8
3.1 Storage and Display	
3.2 Conservation	
3.3 Record Keeping and Inventories	
4. USE AND ACCESS.....	10
4.1 Use of Collections	
4.2 Copyright	
4.3 Access to Collections and Information Systems	
5. ACQUISITIONS.....	13
5.1 Acquisitions Overview	
5.2 Education Collection Acquisitions	
5.3 Live Animal Collection Acquisitions	
5.4 Accession of Objects for Permanent Collection	
5.5 Acquisition for Sale or Trade	
6. DEACCESSIONS.....	16
6.1 Deaccessions Overview	
6.2 Deaccessioning Objects from Permanent Collection	
6.3 Disposal	
6.4 Deaccessioning Process	
7. LOANS.....	19
7.1 Loans Overview	
7.2 Incoming Loans	
7.3 Outgoing Loans	
8. UNCLAIMED LOANS AND FOUND OBJECTS.....	21
8.1 Old (Unclaimed) Loans	
8.2 Undocumented and Found in Collection	
9. APPENDICES.....	23
Appendix A: Laws, Regulations, and Guidelines	
Appendix B: Town of Yucca Valley Code of Ethics	
Appendix C: America Association of Museums (AAM) Code of Ethics for Museums	

1. OVERVIEW

1.1 INTRODUCTION

This document, formally known as the Collections Management Policy establishes and documents the Hi-Desert Nature Museum’s policies concerning all collections related activities including the development, acquisition, management, and use of its collections. The Collections Management Policy, hereafter referred to as CMP, deals with all major aspects of collections stewardship, which concerns the legal and ethical responsibilities the museum has in managing objects that are entrusted to the care and authority of the Hi-Desert Nature Museum, hereafter referred to as HDNM, and the Town of Yucca Valley under which the museum operates.

A comprehensive CMP helps to facilitate adherence to the professional standards and best practices recommended by the Town of Yucca Valley, as well as the American Alliance of Museums. The CMP should stand as a guide for respective boards, staff, volunteers and contractors as they perform their individual and collective duties for HDNM. This CMP is also the basis for a separate Collection Procedures Manual which provides an action plan for the policies stated hereafter. Both documents will be reviewed annually and revised by the Museum Registrar as necessary, with the approval of the Parks, Recreation, and Cultural Commission.

1.2 STATEMENT OF PURPOSE

Mission Statement

The Hi-Desert Nature Museum is dedicated to the process of education by exploring the natural, artistic, and cultural heritage of the Morongo Basin and High Desert. The Museum seeks to inspire wonder, discovery, understanding, and responsibility in its community and visitors through exhibitions, programs and collections in the arts, history, and natural sciences.

Vision Statement

To support and advance the Hi-Desert Nature Museum’s mission, the museum will provide an educational and cultural center for residents and visitors to explore the unique and diverse natural, cultural, and artistic world of the Morongo Basin and the High Desert region of California. The Museum is dedicated to public service and shares a commitment to provide services and opportunities to its constituents.

1.3 SCOPE OF COLLECTIONS

HDNM’s mission provides the focus and direction for all collections activities. HDNM collections are here defined as the biological, geological, anthropological, and historical objects acquired because of their scientific and historical significance, and educational value. As used in this document, the term, *object* shall pertain to all effects including, but not restricted to live and preserved specimens, artifacts, both physical and intellectual works of art, and archival and library media, such as photographs, documents, books and oral histories.

HDNM acquires three types of collections: the *permanent collection*, the utility, education, research/reference collection (simply known as the *education collection*), and the *live animal collection*. The way in and level of which HDNM manages and cares for these collections is dependent upon their use and purpose in museum related activities.

Permanent Collection

Objects in the permanent collection are acquired because of their documentary representation of the natural, artistic, and cultural heritage of the Morongo Basin and High Desert. As held in public trust, HDNM commits to the long-term care and preservation of these objects. They must be formally accessioned and can only be removed from the collection through a formal deaccessioning process. They are primarily used for exhibition, and research purposes. Policies further declared in this CMP are primarily binding to objects in this collection.

Education Collection

Objects in the education collection are acquired for the purposes and support of research, exhibitions and programming, and less for provenance and documentation. Aside from applying some general care or maintenance to these objects, HDNM allows them to live out their ordinary lives through continual use and handling. Objects in this collection may be used by staff and the public as general reference material, serve to illustrate talks and demonstrations, or provide visitors and program participants' hands-on knowledge. Due to the nature of their use and handling, objects do not have to undergo formal accession, and may be removed from the collection at any time without formal deaccession or documentation. Care and maintenance for these objects will be at the discretion of HDNM's education and programming staff.

Live Animal Collection

The live animal collection is comprised of living, non-releasable native wildlife that HDNM has acquired for rehabilitation, and exhibit and programming purposes. HDNM commits to the life-long care of each animal by ensuring a suitable and stable living environment while enhancing the animal's quality of life. Per legal obligations of collecting and exhibiting wildlife, animals in the live animal collection are documented and cataloged like objects in the permanent collection. However, they do not need to undergo formal accession. When their term of life has expired or the museum is no longer able to accommodate the animal's living arrangement, they are documented as being removed from the collection, but are not required to undergo formal deaccession. The acquisition, care and removal of animals fall under the purview of the Museum Biologist.

1.4 STATEMENT OF AUTHORITY

Governance

HDNM is a component of the Community Services Department of the Town of Yucca Valley, located in Yucca Valley, California. The Town of Yucca Valley has legal, fiscal, and an ethical responsibility for the collections for which HDNM holds title.

Councils and Commissions

The Town of Yucca Valley is governed by a five-member Town Council, which is elected by popular vote and charged with the administration of the Town of Yucca Valley government. This

elected Council appoints a five-member Parks, Recreation and Cultural Commission (PRCC) to oversee the general operation of HDNM, and to serve as the governing board for the acquisitions, deaccessions, disposals and collection policies amendments, under the general supervision of the Town Council.

Museum Supervisor

The Museum Supervisor is responsible for the overall administration and operation of HDNM. With respect to collections, he/she acts as the direct intermediary between the Town of Yucca Valley's respective boards and the museum, and relays and/or updates these boards on collections-related matters. In the event that there is not a Registrar in place at HDNM, the Museum Supervisor is responsible for the oversight of collections and related functions.

Museum Registrar

The Museum Registrar's primary responsibilities are to develop and maintain all records pertaining to HDNM's permanent collections and loans, and oversee the proper care, use, handling, transport and storage for those collections. The Museum Registrar also develops, updates, and implements specific policies and procedures relating to the management of records and objects, under the general supervision of the Museum Supervisor and the approval of PRCC.

Museum Biologist

The Museum Biologist acts as curator of live collections and his/her primary responsibility is to ensure the integrity of the live animal collections by developing and overseeing the proper care and handling of HDNM animals. With general direction from the Museum Registrar and/or Museum Supervisor, the Museum Biologist will also develop and maintain records pertaining to the live animals in the collections. This also includes applying for and maintaining suitable permits and licensing to obtain and exhibit live animal specimens.

2. LEGAL AND ETHICAL STANDARDS

2.1 LEGAL STANDARDS

HDNM manages its collections in such a way as to meet its fiduciary obligations as a municipal organization operated, and thus governed by the Town of Yucca Valley and all of its statutes. HDNM, in policy and practice, shall conduct all collections activities in accordance with all applicable local, state, federal, and international laws, regulations and guidelines. The information that is mentioned below should be used as a starting point and not in any way be considered exhaustive.

HDNM observes all wildlife regulations addressed in the Convention on International Trade in Threatened and Endangered Species of Wild Fauna and Flora, and subscribes to the principles and recommendations of the UNESCO Conventions Concerning the Protection of the Cultural Heritage (UNESCO, 1970) and the Native American Graves Protection and Repatriation Act (NAGPRA, 1990). Refer to Appendix A for a more extensive list of laws, regulations, and guidelines.

2.2 ETHICAL STANDARDS

As a collecting institution, HDNM's prime responsibilities are concerned with guaranteeing that objects in its custody are maintained in the public trust—that they are “lawfully held, protected, secure, unencumbered, cared for, and preserved” (AAM, 1990). HDNM will manage its collection in accordance with ethic statements of the American Association of Museums (AAM) and all other statements of professional standards and ethics that pertain to its mission and activities.

Activities that conflict with roles and responsibilities of board or staff members, or cause them to favor outside interests over those of HDNM and/or the Town of Yucca Valley must be avoided. No staff, volunteer, contractor, or board member shall use his/her position at HDNM or the Town of Yucca Valley for personal gain or benefit at the expense of HDNM, its mission, its reputation, and/or the community it serves. HDNM requires its board members, staff, contractors and volunteers to conduct themselves in accordance with all applicable standards, policies and procedures stated in the Town of Yucca Valley's Employee Handbook, in conjunction with those set forth by AAM. Refer to Appendices B and C.

2.3 NON-CAPITALIZATION OF COLLECTIONS

HDNM will not capitalize or treat collections as financial assets in any way. Any revenues gained from sale of its collections shall be used for the sole purpose of direct care and acquisition of collections. In addition, under no circumstances should be HDNM's collections be considered as capital assets or used as collateral in any financial transaction.

2.4 APPRAISING DONATIONS

No staff, board member, interns or volunteer of HDNM should provide appraisals for any purpose. Under current Internal Revenue Service (IRS) guidelines, HDNM cannot act as a qualified appraiser because of the inherent conflict of interest. HDNM may suggest several qualified appraisers, but should not make arrangements for the appraisal and cannot pay for the appraisal. HDNM staff may provide estimations on cost of replacement for insurance purposes only. These estimates will be based on fair market valuations that are publicly known.

3. COLLECTIONS CARE AND MAINTENANCE

Acquired and loaned objects shall be preserved under a system of documentation, maintenance, and preventive conservation in accordance with the highest professional standards and practices presented by the registration, collections management and conservation communities.

3.1 STORAGE AND DISPLAY

Permanent Collection

When not on exhibit, objects belonging to the permanent collection will be securely stowed in areas designated for collections only. Such areas will be climate controlled, thus regulating temperature, relative humidity, and lighting exposure to the objects. Currently, HDNM has one area on its premises designated to the permanent collection; this area is referred to as the Collections Room. Items stowed in the Collections Room must be housed in appropriate archival storage materials, otherwise they run the risk of rapid deterioration or becoming damaged.

When on exhibition, objects on display must remain protected in, under or behind protective barriers or casings to prevent direct access to the collections, unless other means of display can be justified by the Museum Registrar.

Education Collection

All education objects will be afforded the varying levels of care consistent with their status and use at HDNM. Nevertheless, objects should be handled with care to maintain their long and efficient usefulness. To reduce confusion, HDNM staff should refrain from storing education objects in the Collections Room with permanent collections. Objects may be stored, used and/or exhibited in non-climate controlled areas.

Live Animal Collection

Animals belonging to HDNM's live animal collection will be housed and displayed in cages, tanks, kennels, or similar receptacles that are to be located in the animal exhibition area of the museum.

Environmental Conditions and Pest Management

HDNM staff must remain mindful of the potential risks that having objects on display may incur. HDNM's facility, nor cases, are equipped to accommodate fully controlled environments for collections on display in exhibition areas. Objects on display run the risk of being exposed to an array of light sources and fluctuations in temperatures and relative humidity, which could ultimately speed up the process of deterioration for most objects. HDNM staff must take this into consideration and help mitigate potential damage to collections by regulating light, temperature, and humidity settings throughout the museum. The Museum Registrar and trained staff will be responsible for monitoring exhibit areas, rooms and cases on a daily basis to ensure that objects are not at extreme risk. Findings will be recorded and kept on file in the Museum Registrar's office.

The Museum Registrar and trained staff, interns and volunteers will also place and monitor traps throughout areas where collections are stored and displayed. These traps will be monitored monthly when pest activity is normal and more frequently if persistent infestations are suspected or confirmed. Findings will be recorded and kept on file in the Museum Registrar's office.

Security

Efforts to protect HDNM collections against theft and vandalism during business hours will be delineated through constant staff supervision of exhibit and collections storage areas.

Collections holding areas, including exhibit cases, must remain locked at all times when unsupervised by the Museum Supervisor or Museum Registrar.

HDNM will remain armed with anti-theft security alarm system during non-business hours.

Although not all HDNM staff, contractors, interns and volunteers will be working directly with collections, it is vital that they be required to undergo a Collections Handling seminar within the first two months of employment. These individuals will be trained to recognize suspicious activities in regard to collections and be responsible for notifying the Museum Supervisor and/or the Museum Registrar in the event of witnessing ill-treatment toward objects stowed or on display.

3.2 CONSERVATION

As HDNM does not employ a trained Conservator, the Museum Registrar and trained staff will only provide preventative conservation, such as proper mounts for support of fragile objects and noninvasive cleaning. Staff will not attempt irreversible repairs or restorative work. HDNM staff will consult or contract with a trained Conservator for restorative services.

3.3 RECORD KEEPING AND INVENTORIES

HDNM's collections records contain both registration and curatorial information. Curatorial records provide a broad body of information that establishes an object's proper place and importance within its cultural, historical and/or scientific sphere. Whereas, records that are associated with HDNM's registration functions include donor and lender contact information, as well as information pertaining to the legal status of objects, their value, and their movement and care while under the control of HDNM.

HDNM will continue to create and maintain complete and accurate collections records, since official documentation is critical to the fair and thorough approach needed to remain accountable. Principal responsibility for creating and maintain object records lies with the Museum Registrar.

Complete inventories of HDNM's records and collections should be conducted, at minimum, every five years. Spot inventories will be conducted as needed, determined by the Museum Registrar.

4. USE AND ACCESS

4.1 USE OF COLLECTIONS

General Use of Objects

Objects acquired through gifts, bequests, strategic purchases, transfers or exchanges will be free of limiting conditions and restrictions concerning their fair use within the normal scope of educational, archival and exhibition activities of HDNM. Under the oversight of the Museum Registrar, objects acquired may be exhibited, loaned to like institutions, preserved, conserved, stored, studied, or otherwise utilized in the best interests of the objects and HDNM.

Educational Use of Objects

At the discretion of the Museum Supervisor, collections may be made available for educational movies, filmstrips, electronic media, or still photography for scholarly publications.

Commercial Use of Objects

At the discretion of the Museum Supervisor, objects or their images may be made available for reproduction or replication for commercial use. The Museum Registrar shall be the judge of quality control, selection, and marketing with the approval of the Museum Supervisor. Such commercial use shall be for the benefit of the collections and consistent with this CMP. Copyright for reproduction of collection objects will remain the property of HDNM.

4.2 COPYRIGHT

All copyright and associated rights are transferred to HDNM when the transfer of title for the object is completed. Use of any donated artifact, photographic image, or intellectual work, are to be credited to the “Hi-Desert Nature Museum.”

Where use of copyright-protected materials beyond those above enumerated rights is desired by HDNM, specific application for exclusive or non-exclusive license will be made to the holder of copyright. HDNM staff will apply to the holder of copyright, for example, when it wishes to use images of copyright protected materials.

4.3 ACCESS TO COLLECTIONS AND INFORMATION SYSTEMS

Public Access

The public will be afforded access to collection through exhibits, educational programs, and HDNM’s website. However, members of the public are not permitted to handle objects from the permanent and live animal collections.

Objects from the permanent and live animal collections will only be accessible for hands-on research and study to responsible investigators, subject to procedures necessary to safeguard the objects, and to restrictions imposed by limitations of exhibition requirement, availability of study space and facilities, and availability of appropriate museum staff. Researchers must be accompanied by the Museum Supervisor or Museum Registrar at all times while in the presence of the object when on HDNM premises.

Items may not leave HDNM premises without the consent of the Museum Registrar and proper loan documentation.

Access to collections or collection records can be denied if such access may create a substantial risk of harm, theft, or destruction of such objects or of the area or place where the objects originated.

Staff Access

Daily and continual access to the permanent collection and storage facilities is limited to the Museum Supervisor and Museum Registrar who are directly responsible for the protection of the objects. Access to the live animals is limited to the Museum Biologist, and trained staff and volunteers. All other staff, interns, board members, volunteers and contract employees will gain access through one of these qualified members.

Permission of a HDNM staff to remove any object from the collections must be approved by the Museum Registrar. Should the Museum Supervisor need to remove any object, he or she will have to gain the approval from the Museum Registrar and vice versa. Detailed procedures and proper forms for the removal of an item from collections are noted in the Collection Procedures Manual.

Furthermore, no HDNM or Town of Yucca Valley staff shall have access outside of normal business hours to any secure areas related to the storage, procession, administration and servicing of collections, without the prior approval of the Museum Supervisor.

The doors to collections storage areas and offices will remain locked when unsupervised by the Museum Registrar or Museum Supervisor. Only the Museum Registrar and the Museum Supervisor will have access to keys for collections storage areas.

Access to Records and Information Systems

HDNM, as a municipal organization associated with local government, will comply with all applicable federal and California state legislation and restrictions regarding both the protection and release of documented information. HDNM records may be subject to legislation enacted by the Federal Freedom of Information Act (enacted 1966), the Federal Privacy Act (enacted 1974), the Federal Sunshine Act (enacted 1976), and the California Public Records Act (enacted 1968).

Only the Museum Supervisor and Museum Registrar will have direct access to and are allowed to handle original records and documents. Inquisitions requiring the use of these records and/or documents will be made directly to the Museum Registrar and/or Museum Supervisor. Both the Museum Supervisor and Museum Registrar are responsible for carefully reviewing requests and determining whether all of the material can be released. When required, HDNM may seek legal advice regarding this matter.

While the Museum Registrar is responsible for managing and maintaining records on HDNM's electronic database, Past Perfect, HDNM staff, volunteers, interns and contractors will have permitted access to Past Perfect. These individuals may use Past Perfect for basic curatorial

inquires. Nevertheless, data may not be edited or modified. Furthermore, like the policies stated for original records, requests for information must be made at the discretion of the Museum Supervisor and/or Museum Registrar.

5. ACQUISITIONS

5.1 ACQUISITIONS OVERVIEW

HDNM's collections should be built in an active and focused manner continuously striving to support its mission. Specific acquisition strategies will be employed to strengthen and expand its permanent, live animal and education collections in areas HDNM deems weak, limited, or missing entirely. HDNM will build its collections through gifts (donations, bequests, and trusts), strategic purchases, transfers or exchanges, and bargain (donative) sales.

Objects brought to HDNM will be subject to initial evaluation in order to determine whether they qualify as potential acquisitions for either of HDNM's collections. Objects will not be accepted by HDNM staff unless:

1. the objects are consistent with the purposes and activities of HDNM;
2. HDNM can provide for the storage, protection, and preservation of the objects under conditions that ensure their availability in keeping with professional standards of museum preservation;
3. it is intended that the objects shall remain in the collections as long as they remain useful for the purposes of HDNM;
4. HDNM can acquire valid and legal title to them effective in the United States and in the country of origin, if different; In doubtful cases, staff will abide by the advice of the Town of Yucca Valley's legal counsel;
5. HDNM can be assured that they were not collected or recovered under circumstances that would support or encourage irresponsible damage to, or destruction of cultural sites and monuments, desert ecology, or human burial places; and,
6. free-and-clear title, without restrictions as to use, reproduction, or future disposition, can be obtained, and a legal instrument of conveyance, setting forth an adequate description of the objects and the precise conditions of transfer, signed by the donor or seller and by an authorized HDNM representative, can be placed on file with the Museum Registrar. (If, under rare conditions, objects are accepted with restrictions or limitations, then such conditions must be approved by the Museum Supervisor and PRCC, and must be stated clearly in the instrument of conveyance, which is to be made part of the accession records for the objects. This policy shall be strictly observed by HDNM.)
7. the objects are free of hazardous chemicals or materials

5.2 EDUCATION COLLECTION ACQUISITIONS

Not all objects are recommended for HDNM's permanent collections. HDNM may wish to acquire objects for research, exhibit, or education purposes that HDNM does not intend to hold in its collections indefinitely. For instance, HDNM may intend to subject material to destructive analysis or to use for educational or exhibit purposes with the expectation that the material will deteriorate through use and become unsuitable for continued stewardship. HDNM may accept any such material without accessioning it into its permanent collections, provided that appropriate documentation shall be prepared by the Museum Registrar formally accepting the material on behalf of HDNM.

Library material that is not unusually rare or valuable (either economically or for the long-term purposes of HDNM) may be accepted by HDNM as part of the education collection. Such library material may be disposed of in accordance with standard practice for research libraries, provided that complete records are kept of all transactions. Unusually rare or valuable library material will be accessioned into the HDNM's collections in the same manner as other artifacts.

5.3 LIVE ANIMAL COLLECTION ACQUISITIONS

HDNM will accept native fauna for research, exhibit, and education purposes. However, activities regarding the intake of museum animals will be at the discretion and oversight of the Museum Biologist. The Museum Biologist will initiate, and thus carry out appropriate means to legally obtain and retain animals.

5.4 ACCESSION OF OBJECTS FOR PERMANENT COLLECTIONS

Objects recommended for HDNM's permanent collection must undergo and complete the formal accession process. Guiding principals and policies regarding the formal accession process are as follows:

Temporary Custody Receipt

The first step in the donation process involves completing a Temporary Custody Receipt, specified for acquisition. The Temporary Custody Receipt will list all of the objects being offered and states clearly the conditions under which these objects are being left in HDNM's custody. It officially gives HDNM permission to consider the artifacts listed thereon for HDNM's permanent collection. This form requires a signature of both the owner/donor and the staff member receiving the donation on behalf of HDNM.

Parks, Recreation, and Cultural Commission (PRCC) Review

The Museum Supervisor will prepare a monthly staff report for the Town of Yucca Valley's Parks, Recreation, and Cultural Commission (PRCC) to introduce recommended accessions. PRCC determines whether offered objects will be accepted for the museum's permanent collection, transferred to other institutions, returned to donors, or otherwise disposed of.

Objects are reviewed by the following criteria:

1. consistent with HDNM's mission and purpose;
2. level of provenance or documentation;
3. duplication;
4. physical space required to care for, store, and exhibit;
5. need for excessive care and/or conservation due to fragility or damage; and,
6. the potential hazard or risk to other artifacts in the collections and/or to people.

Deed of Gift

The Museum Registrar is responsible for preparing and issuing a Deed of Gift to donors whose objects have been accepted for accession by PRCC. In order for the transfer of ownership to become complete, the Deed of Gift must include the signatures of the Museum Supervisor and Donor.

If the Deed is not signed by the Donor within 90 days after the object(s) listed thereon have been accepted by PRCC, objects listed will automatically and completely become the property of HDNM. According to the Terms and Conditions listed on the Deed, no liability will accrue to HDNM or its agents or staff if reasonable attempt have been made to contact the Donor for his/her signature. The Museum Registrar will only make attempts at 30 and 60 days to remind the donor after the original deed has been presented.

Declined Objects

Objects that are not accepted for accession by PRCC are returned to the Donor, sold to benefit HDNM, transferred to another institution or otherwise disposed of according to the provisions provided by the Donor on the Temporary Custody Receipt. Objects not accessioned but are no longer wanted by their Donors may not be acquired by Town of Yucca Valley or HDNM staff, interns, volunteers, or board members. Town of Yucca Valley and HDNM representatives may not directly and/or personally gain benefit from object donations, deaccessions, or disposals.

5.5 ACQUISITION FOR SALE OR TRADE

HDNM may receive objects not considered appropriate for existing collections for the specific purpose of sale or trade. Objects accepted specifically for sale or trade will be recorded as incoming and outgoing, but will remain outside of all regular collections procedures.

6. DEACCESSIONS

6.1 DEACCESSIONS OVERVIEW

HDNM is committed to the continual strengthening of its collections in order to further advance its mission and vision. Under strictly controlled circumstances, HDNM can permanently remove an accessioned object from its permanent collection through a process known as deaccessioning.

Accessioned objects in the collections may be deaccessioned only with the approval of the Museum Supervisor and upon the subsequent approval of PRCC in accordance with policies and guidelines approved in this CMP. Deaccession policies and guidelines shall be consistent with the prevailing legal and ethical constraints.

The Museum Registrar is responsible for record keeping during the deaccessioning process, since official documentation is critical to the fair and thorough approach needed to remain accountable.

6.2 DEACCESSIONING OBJECTS FROM PERMANENT COLLECTION

Objects from the permanent collection will be retained permanently if they continue to be relevant and useful to the purposes and activities of HDNM. Deaccessioning of objects may only be considered when these conditions no longer prevail.

Objects may only be removed from HDNM permanent collection based on the following criteria:

1. *Unrelated*: The object is unrelated to HDNM's Mission statement.
2. *Duplicate*: The object is a duplicate and will not be used for display or research.
3. *Damage*: The object is irretrievably damaged; deteriorated beyond usefulness.
4. *Exchange*: The object is part of an exchange, by gift or sale agreement.
5. *Quality*: The object is not museum quality.
6. *Proper Care*: An object may be removed if HDNM is no longer able to fulfill its obligation to provide proper storage, maintenance and preservation, and if HDNM can designate another institution capable of fulfilling those obligations to the object.
7. *Restrictions*: The object is subject to contractual donor restrictions that HDNM is no longer able to meet.

8. *Illegal*: The object is determined to have been acquired illegally or unethically.
9. *Mandate*: An object may be removed if object is subject to a legislative mandate, e.g., repatriation.
10. *Hazardous*: The object is considered hazardous and unsafe to preserve and/or store.

6.3 DISPOSAL

When restrictions do not apply, HDNM is free to dispose of objects that have ceased to serve a useful purpose to the museum, subject to criteria listed above.

In determining an appropriate manner of which to dispose of an object, the Museum Supervisor, along with the Museum Registrar, must consider which manner would be in the best interests of HDNM, the public it serves, the public trust it represents in maintaining the collections, and the scholarly or cultural communities of which it forms a part. The Museum Supervisor must then provide a recommendation of disposition for PRCC, at and/or during the time PRCC will review the object for deaccession. PRCC must approve the manner of disposition in order for the HDNM staff to implement it.

In determining a manner of disposition, consideration will be given to:

1. *transferring* objects to HDNM's education collection, with the understanding that objects will be subject to physical deterioration or destruction over time;
2. lawfully *repatriating* objects that were part of a significant historical, cultural, or scientific heritage to communities, states, or nations from which they were originally removed;
3. *donating* objects to another museum or non-profit institution wherein they may serve the purpose for which they initially were acquired;
4. *exchanging* objects with another museum or non-profit institution for objects of equal monetary and historical value;
5. *selling* objects to another museum or non-profit institution, whereby proceeds will be spent to purchase new objects for the permanent collections;
6. *selling* objects at public auction, where objects must be advertised in the public marketplace in a manner that will best protect the interests, objectives, and legal status of HDNM. Objects will not be given or sold privately to employees of the institution, to officers, to members of the governing authority, or to their representatives; and

7. *destroying/discarding* objects that may have deteriorated due to inherent vice, natural disaster, vandalism, accident, or other causes, and cannot be of any practical use. This is also the best option for objects that may be considered hazardous, such as those containing drugs, chemicals, explosives, or asbestos. Proper regulatory agencies or experts must be contacted to ensure proper disposal.

6.4 DEACCESSIONING PROCESS

Initial Evaluation

When an object from HDNM's permanent collection has met one or more of the criteria listed above for deaccession, the Museum Supervisor, along with the Museum Registrar will review the paper and electronic records for the object to confirm that all documentation is complete and accurate. The Museum Registrar must then complete and document a physical inspection of the object and further establish an appropriate means of disposal.

Verification of Legal Title

Before the deaccession and disposal of any objects from the permanent collection can take place, reasonable effort must be made to ascertain that HDNM is free to do so. The Museum Registrar must check records to ascertain if any restrictions exist from the original gift, bequest, or purchase agreement.

Where restrictions on the objects under question are found to apply, the HDNM shall act as follows:

1. Mandatory restrictions shall be strictly observed unless deviation from their terms is authorized by a court of competent jurisdiction; and,
2. If there is any question as to the intent or force of restrictions, HDNM shall seek the advice of legal counsel. In particular, legal council might review any copyright or trademark restrictions, since those rights will not transfer to a new owner.

Parks, Recreation, Cultural Commission (PRCC) Review

The Museum Supervisor recommends objects for deaccession in a monthly staff report for the Town of Yucca Valley's Parks, Recreation, and Cultural Commission (PRCC) to review. If PRCC approves of the terms by which the object is to be deaccessioned, the Museum Registrar may proceed with the proper documentation and disposal. A record of the conditions and circumstances under which objects are deaccessioned and disposed of shall be made and retained as part of the HDNM's permanent register.

If PRCC does not approve of the terms recommended for deaccession, the Museum Supervisor may elect other options listed in this CMP. If PRCC rejects recommendations for deaccession and/or cannot come to a consensus on object disposal, objects will not be removed from the permanent collection, and HDNM will continue to be liable for them.

7. LOANS

7.1 LOANS OVERVIEW

Lending and borrowing objects for exhibition, research, and educational purposes is essential in making HDNM's collections, as well as those of other persons and organizations assessable to the widest possible audience.

All objects on loan to HDNM will be afforded the same level of care and attention as that afforded to objects in its permanent collection. The detail of all incoming and outgoing loans are specified on the Loan Agreements issued by the Museum Registrar, and will be followed unless changes are agreed to in writing by both parties.

All loan records will be retained permanently.

7.2 INCOMING LOANS

With the approval of the Museum Supervisor, HDNM staff may solicit incoming loans for the purposes of exhibition or research. HDNM will only accept for loan:

1. Objects that would be subject to loss and cannot be obtained through acquisition; and,
2. Objects that are required for HDNM sponsored exhibitions or related activities.

HDNM will not accept loaned objects that are known to have been collected illegally, that represents a hazard to the existing collections and/or HDNM staff, or fails to conform to local, state, or federal law (e.g. human remains, sacred material, etc.).

The terms and conditions governing incoming loans are stated on the back of the Loan Agreement to be entered into with the lender. The lender may choose to negotiate the already stated loan terms and conditions with the Museum Supervisor. However, terms and conditions may only be amended if they are still in accordance with the policies, guidelines, and professional standards set forth in this CMP, and those stated by AAM. Details of loan terms and conditions will be communicated to the Museum Registrar to ensure that all loan documentation is complete and accurate.

HDNM will not store, on behalf of other institutions or members of the public, materials and/or objects that are not required for exhibition, ongoing research or promised donation. Objects lent to HDNM on the understanding that they will ultimately be donated to the collections must be accompanied by a written binding declaration of the lender's intent to this effect. Legal and ethical acquisitions policies shall apply to all incoming loans.

Duration of Incoming Loans

Specified loan terms will be determined in accordance with the purpose for which HDNM wishes to borrow objects. Typically, objects on loan for temporary exhibit are on loan for the duration of the exhibition for which they are intended. If a Lender would like to place their object on loan for a longer period of time, the Museum Supervisor will take into consideration HDNM's capacity to intake objects for long-term care, and determine how long HDNM would like to borrow the object. Long-term loans may not exceed a period 5 years without entering a new agreement with the Lender.

The duration of a loan or loan term must be mutually agreed upon by the Museum Manager and the Lender. A loan term must be stated on the Loan Agreement at the time of signing, otherwise the agreement is null and void.

HDNM will not accommodate permanent or indefinite loans.

7.3 OUTGOING LOANS

Only with the approval of the Museum Supervisor, will HDNM make objects from its permanent collection available for loan.

Objects may be made available to qualified non-profit or government institutions for specified periods of time, provided that:

1. the object's condition is not so fragile that it would be endangered by transit or by change of environment; and
2. the object will benefit the public more through loan than by being held by HDNM.

Objects shall not be lent to individuals except under special circumstances and with the approval of the Museum Supervisor. Before lending to individuals, staff must make every effort to seek an institutional affiliation or endorsement for the person. If an affiliation is impossible to establish, then written reasons must be stated with the loan form.

Objects requested by students or associates will require faculty or institutional endorsement and will be considered the direct responsibility of the faculty member or institutional representative endorsing the request.

The borrower will sign and return the Loan Agreement prior to the requested objects being transferred to the borrower's custody. Once HDNM's Museum Supervisor signs the agreement, the loan is finalized, and the objects will be shipped or delivered.

Duration of Outgoing Loans

The maximum duration of outgoing loans shall be one year, but may be subject to renewal.

8. UNCLAIMED LOANS AND FOUND OBJECTS

8.1 OLD (UNCLAIMED) LOANS

Old loans refer to expired loans or loans of unlimited duration left unclaimed by lenders at the museum. Prudent collections management dictates that museums should pursue systematic efforts to resolve old loans, as prolonged care for such objects continue to usurp HDNM's valued resources. HDNM is guided in managing such objects per the authority of California Civil Code Section 1899-1899.11.

Per the authority of California Civil Code Section 1899-1899.11, HDNM may terminate an incoming loan if the loan is for a term of more than seven years, is for an indefinite period, or if the loan term has expired, but the property remains in the HDNM's custody.

To terminate a loan, HDNM must first attempt to contact the object's lender at his or her last known address. If HDNM has no address for the lender or does not receive proof of receipt of attempt to contact within 30 days, HDNM must publish its intention to conclude the loan at least once a week for three weeks in a major newspaper in the lender's area. Subsequently, if HDNM does not hear from the lender within three years, the lender will then legally be deemed to have donated the property to the HDNM. If the loan is for an indefinite period of time and HDNM fails to receive written contact from the lender within every 25 years, ownership of the loaned property reverts to HDNM. It is the responsibility of the lender to keep HDNM informed of changes of address or ownership of the property.

The Museum Registrar is responsible for contacting lenders and tracking their whereabouts or heirs. Given the HDNM's resources, staff will attempt to undertake a search with the utmost diligence and good faith. When required HDNM will seek legal advice.

8.2 UNDOCUMENTED AND FOUND IN COLLECTION

HDNM possesses objects with insufficient documentation to determine if they are or should be part of the permanent collection. Objects that are *Found in the Collection* (FIC) differ from unclaimed loans in that no record of past or current ownership exists.

While in HDNM's possession, FIC objects will be cared for in the same manner as objects in the permanent collection, but will be stored in a designated area of the Collections Room to avoid and limit confusion between loan and formally accessioned objects. Such objects will be labeled indicating their status, and must be tracked by the Museum Registrar.

Reasonable attempts by the Museum Registrar will be made to contact original owners. The Museum Registrar will also maintain documentation of these attempts in the accession file.

Assuming Ownership of FIC Objects

Should HDNM wish to retain ownership of an FIC object, it will be accessioned into the collection following procedures outlined for objects to be accessioned to the permanent collection. However, the object must still be noted as an FIC item. In retaining ownership of an FIC object, HDNM must recognize the possibility that the object may be claimed by the rightful owner at a later date. Only upon receiving adequate documentation proving ownership, will HDNM return the object to its rightful owner. HDNM may also seek the advice of legal counsel in such cases.

Disposal of FIC Objects

Should HDNM decided to dispose of an FIC object after making all reasonable attempts to identify its rightful owner have failed, it recognizes the risks involved, such as subsequent claims by owners and the inability to sell with a guarantee of legal title.

FIC objects will be initially evaluated by the Museum Registrar and Museum Supervisor, then recommended for removal following the deaccessioning policies and guidelines outlined for objects in permanent collections. In choosing a method of disposal, HDNM must first attempt to donate FIC objects to institutions and/or organizations whose activities are similar to those of HDNM. Such action is less likely to have repercussions for HDNM should the rightful owner make a claim. FIC objects may not be sold, since HDNM does not assume legal title of the item. Legal counsel may be consulted in any of these cases.

9. Appendices

APPENDIX A: LAWS, REGULATIONS, AND GUIDELINES

HDNM conducts all collection activities in accordance with international, national, state, and local laws, regulations, and guidelines. The information that appears in this appendix should be used as a starting point and not in any way be considered exhaustive.

- I. International laws, regulations, and guidelines include but are not limited to:
- A. Protection of objects of archaeological, historical, and ethnological interest is addressed by Section 4.4 of the International Council of Museums Code of Ethics for Museums (2001) http://palimpsest.stanford.edu/icom/ethics_rev_engl.html, and by ICOM Measures Concerning the Fight Against the Illicit Traffic of Cultural Property (2004) <http://palimpsest.stanford.edu/icom/measure.html>
 - B. The Museum observes the UNESCO Convention on the Means of Prohibiting and Preventing the Illicit Import, Export and Transfer of Ownership of Cultural Property (1970) http://www.unesco.org/culture/laws/1970/html_eng/page1.shtml and the Convention for the Protection of Cultural Property in the Event of Armed Conflict (The Hague Convention, 1954) <http://www.icomos.org/hague/>
 - C. The Museum observes all wildlife regulations addressed in the Convention on International Trade in Threatened and Endangered Species of Wild Fauna and Flora <http://www.cites.org/>
- II. Federal laws and regulations include but are not limited to:
- To search for U.S. Code: <http://uscode.house.gov/usc.htm>
To search for Code of Federal Regulations: <http://www.gpoaccess.gov/cfr/index.html>
- A. Lacey Act (1900)
16 USC 701; 1981 Amendments 16 USC 3371-3378; 15 CFR 904; 50 CFR 10; 50 CFR 14; 50 CFR 300
 - B. Antiquities Act (1906)
16 USC 431-433; 18 CFR 6; 43 CFR 2300
 - C. Migratory Bird Treaty Act (1918)
USC 703-712; 50 CFR 21.1-60
 - D. Bald and Golden Eagle Protection Act (1940)
SC 668-668d
 - E. Fish and Wildlife Act (1956)
16 USC 742a-754j-2; 50 CFR 20
 - F. Marine Mammal Protection Act (1972)
16 USC 1361-14211; 50 CFR 18.1-129
 - G. Endangered Species Act (1973)
16 USC 1531-1544; 50 CFR 23.1-57
 - H. Federal Land Management Policy Act (1976)
43 USC 1701-1782; 36 CFR 254; 43 CFR 5000

- I. Archaeological Resources Protection Act (1979)
16 USC 470aa-mm
- J. African Elephant Conservation Act (1988)
16 USC 4201-4245; 50 CFR 17
- K. Native American Graves Protection and Repatriation Act (NAGPRA) (1990)
25 USC 3001; 43 CFR 1
- L. Wild Bird Conservation Act (1992)
USC 4901-4916; 50 CFR 15.1-33
- M. Federal Freedom of Information Act (1966)
- N. Federal Privacy Act (1974)
- O. Federal Sunshine Act (1976)

III. State laws and regulations include but are not limited to:

To search for California legislation:

<http://leginfo.legislature.ca.gov/faces/billSearchClient.xhtml>

- A. California Civil Code Section 1899-1899.11.
- B. California Public Records Act (1968)

IV. Local laws and regulations include but are not limited to:

To search for local legislation contact the local office.

APPENDIX B: TOWN OF YUCCA VALLEY CODE OF ETHICS

Policy: It is the Town's policy to be a government responsive to the diverse citizenry's needs and concerns, and secure a safe environment while maintaining the highest quality of life. To this end, employees are expected to be committed to customer care, and to continue to promote a user friendly philosophy. To effectuate this policy, all Town employees must understand and meet the standards of conduct and performance as specified in the Employee Handbook with Personnel Rules, Policies and Procedures (Town of Yucca Valley Employee Handbook, 2012).

APPENDIX C: AMERICAN ASSOCIATION OF MUSEUMS (AAM) CODE OF ETHICS FOR MUSEUMS

Introduction

Ethical codes evolve in response to changing conditions, values, and ideas. A professional code of ethics must, therefore, be periodically updated. It must also rest upon widely shared values. Although the operating environment of museums grows more complex each year, the root value for museums, the tie that connects all of us together despite our diversity, is the commitment to serving people, both present and future generations. This value guided the creation of and remains the most fundamental principle in the following *Code of Ethics for Museums*.

Code of Ethics for Museums

Museums make their unique contribution to the public by collecting, preserving, and interpreting the things of this world. Historically, they have owned and used natural objects, living and nonliving, and all manner of human artifacts to advance knowledge and nourish the human spirit. Today, the range of their special interests reflects the scope of human vision. Their missions include collecting and preserving, as well as exhibiting and educating with materials not only owned but also borrowed and fabricated for these ends. Their numbers include both governmental and private museums of anthropology, art history and natural history, aquariums, arboreta, art centers, botanical gardens, children's museums, historic sites, nature centers, planetariums, science and technology centers, and zoos. The museum universe in the United States includes both collecting and non-collecting institutions. Although diverse in their missions, they have in common their nonprofit form of organization and a commitment of service to the public. Their collections and/or the objects they borrow or fabricate are the basis for research, exhibits, and programs that invite public participation.

Taken as a whole, museum collections and exhibition materials represent the world's natural and cultural common wealth. As stewards of that wealth, museums are compelled to advance an understanding of all natural forms and of the human experience. It is incumbent on museums to be resources for humankind and in all their activities to foster an informed appreciation of the rich and diverse world we have inherited. It is also incumbent upon them to preserve that inheritance for posterity.

Museums in the United States are grounded in the tradition of public service. They are organized as public trusts, holding their collections and information as a benefit for those they were established to serve. Members of their governing authority, employees, and volunteers are committed to the interests of these beneficiaries. The law provides the basic framework for museum operations. As nonprofit institutions, museums comply with applicable local, state, and federal laws and international conventions, as well as with the specific legal standards governing trust responsibilities. This *Code of Ethics for Museums* takes that compliance as given. But legal standards are a minimum. Museums and those responsible for them must do more than avoid

legal liability, they must take affirmative steps to maintain their integrity so as to warrant public confidence. They must act not only legally but also ethically. This *Code of Ethics for Museums*, therefore, outlines ethical standards that frequently exceed legal minimums.

Loyalty to the mission of the museum and to the public it serves is the essence of museum work, whether volunteer or paid. Where conflicts of interest arise — actual, potential, or perceived — the duty of loyalty must never be compromised. No individual may use his or her position in a museum for personal gain or to benefit another at the expense of the museum, its mission, its reputation, and the society it serves.

For museums, public service is paramount. To affirm that ethic and to elaborate its application to their governance, collections, and programs, the American Association of Museums promulgates this *Code of Ethics for Museums*. In subscribing to this code, museums assume responsibility for the actions of members of their governing authority, employees, and volunteers in the performance of museum-related duties. Museums, thereby, affirm their chartered purpose, ensure the prudent application of their resources, enhance their effectiveness, and maintain public confidence. This collective endeavor strengthens museum work and the contributions of museums to society — present and future.

Governance

Museum governance in its various forms is a public trust responsible for the institution's service to society. The governing authority protects and enhances the museum's collections and programs and its physical, human, and financial resources. It ensures that all these resources support the museum's mission, respond to the pluralism of society, and respect the diversity of the natural and cultural common wealth.

Thus, the governing authority ensures that:

- all those who work for or on behalf of a museum understand and support its mission and public trust responsibilities
- its members understand and fulfill their trusteeship and act corporately, not as individuals
- the museum's collections and programs and its physical, human, and financial resources are protected, maintained, and developed in support of the museum's mission
- it is responsive to and represents the interests of society
- it maintains the relationship with staff in which shared roles are recognized and separate responsibilities respected
- working relationships among trustees, employees, and volunteers are based on equity and mutual respect
- professional standards and practices inform and guide museum operations
- policies are articulated and prudent oversight is practiced
- governance promotes the public good rather than individual financial gain.

Collections

The distinctive character of museum ethics derives from the ownership, care, and use of objects, specimens, and living collections representing the world's natural and cultural common wealth.

This stewardship of collections entails the highest public trust and carries with it the presumption of rightful ownership, permanence, care, documentation, accessibility, and responsible disposal.

Thus, the museum ensures that:

- collections in its custody support its mission and public trust responsibilities
- collections in its custody are lawfully held, protected, secure, unencumbered, cared for, and preserved
- collections in its custody are accounted for and documented
- access to the collections and related information is permitted and regulated
- acquisition, disposal, and loan activities are conducted in a manner that respects the protection and preservation of natural and cultural resources and discourages illicit trade in such materials
- acquisition, disposal, and loan activities conform to its mission and public trust responsibilities
- disposal of collections through sale, trade, or research activities is solely for the advancement of the museum's mission. Proceeds from the sale of nonliving collections are to be used consistent with the established standards of the museum's discipline, but in no event shall they be used for anything other than acquisition or direct care of collections.
- the unique and special nature of human remains and funerary and sacred objects is recognized as the basis of all decisions concerning such collections
- collections-related activities promote the public good rather than individual financial gain
- competing claims of ownership that may be asserted in connection with objects in its custody should be handled openly, seriously, responsively and with respect for the dignity of all parties involved.

Programs

Museums serve society by advancing an understanding and appreciation of the natural and cultural common wealth through exhibitions, research, scholarship, publications, and educational activities. These programs further the museum's mission and are responsive to the concerns, interests, and needs of society.

Thus, the museum ensures that:

- programs support its mission and public trust responsibilities
- programs are founded on scholarship and marked by intellectual integrity
- programs are accessible and encourage participation of the widest possible audience consistent with its mission and resources
- programs respect pluralistic values, traditions, and concerns
- revenue-producing activities and activities that involve relationships with external entities are compatible with the museum's mission and support its public trust responsibilities
- programs promote the public good rather than individual financial gain.

Promulgation

This *Code of Ethics for Museums* was adopted by the Board of Directors of the American Association of Museums on November 12, 1993. The AAM Board of Directors recommends that each nonprofit museum member of the American Association of Museums adopt and promulgate its separate code of ethics, applying the *Code of Ethics for Museums* to its own institutional setting.

A Committee on Ethics, nominated by the president of the AAM and confirmed by the Board of Directors, will be charged with two responsibilities:

- establishing programs of information, education, and assistance to guide museums in developing their own codes of ethics
- reviewing the *Code of Ethics for Museums* and periodically recommending refinements and revisions to the Board of Directors.