



## Art Policy and Procedures

**Category:** General;

**Jurisdiction:** Vice President, External Relations;

**Approval Authority:** Executive Team;

**Established on:** June 19, 1997;

**Amendments:** November 2009.

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### INTRODUCTION

The intent of this policy is to define the philosophy, guidelines and procedures that will regulate the development of the Lakehead University Art Collection. More specifically the policy will ensure the provision of:

- an up-to-date inventory of works;
- the care and maintenance of the collection;
- the development and expansion of the collection.

### POLICY STATEMENT

Lakehead University believes that works of art

- should be displayed for the enjoyment of all,
- are most accessible when integrated with daily living,
- should be of high quality, and
- should be protected through management policies and guidelines.

For purposes of the Lakehead University Art Policy, “works of art” include:

1. paintings, drawings, prints, photographs, films or videotapes;
2. sculptures, in any material or combination of materials whether in the round, relief, mobile, fountain, kinetic or electric;

3. crafts, in any material or combination of materials such as clay, fibre, wood, textiles, glass, metal, plastic;
4. architectural embellishments such as ornamental surface treatment, special lighting, landscaping or specific architectural design features;
5. works of historical significance, arts and crafts, and antiques are other possibilities.

**Permanent** works of art shall include:

- fixed works of art (e.g., permanently installed sculpture) shall include works which because of their size, weight, or site-specific nature cannot or should not be easily moved, e.g. Chancellor portraits in the Senate Chambers). Also included are works of art which are an integral part of a structure(e.g. mural in the Braun Building);
- portable works of art (e.g. a small painting) shall include works which may be located in a variety of settings.

**Temporary** works of art shall include:

- works of art exhibited on a temporary basis or for a specific occasion, time frame or event,
- shall also include works of art which are temporary in nature (e.g. performance art or ice sculpture).

## **WHAT ARE THE OBJECTIVES OF THE LAKEHEAD UNIVERSITY ART POLICY?**

The objectives for the Lakehead University Art Policy are:

- to identify and document Lakehead's present collection;
- to establish guidelines for maintaining and expanding the collection;
- to provide specific guidelines for acquisitioning and deacquisitioning to the collection;
- to clearly define areas of responsibility regarding the University's collection and art issues;
- to ensure works of art displayed on campus are integrated into their environment;
- to conserve and protect each work of art.

## MANDATE

The chair or designate of the Department of Visual Arts(DVA) shall be responsible for the administration of ***The Lakehead University Art Policy and Procedures***. The DVA will report to the Office of the President regarding this policy.

## TERMS OF REFERENCE

- To oversee the management, including standards, of the University's art collection.
- To ensure the development and conservation of the University's art collection.
- To act as a resource and provide advice to the University regarding aspects of visual arts on campus.
- To prioritize and arrange sites for placement of works of art.

## THE COLLECTION MANAGEMENT POLICIES

The Collection Management Policies (Acquisition, Deaccession, Loan and Competitions and Commissions) contained in this document shall apply to collections of works of art in all University departments and will cover any acquisition that is the direct result of University funding and/or fund raising efforts done under the University's name.

## ACQUISITION

“How Will the University Acquire Works of Art?”

### Definition

An acquisition constitutes the addition of an object to the collection. Acquisition may include transfer of an object to the University's permanent collection: a) by purchase or donation, whereby the ownership of the object is transferred to the University; b) when unsolicited works of art are approved through the normal acquisition process; or c) by loan for a set period of time, whereby the ownership of the object remains with the donor - see Loans Policy.

## Policy

The acceptance of gifts of works of art will be the responsibility of the Office of University Advancement.

The University can acquire works of art in the following ways:

**By donation**, which includes donations from:

- individual donors by gift or bequest;
- organizations or associations within the University;
- corporations or organizations outside the University;
- students.

**By purchase**, which includes:

- works of art paid for by the University;
- commissioned works;
- acquired works of art that are an integral part of a university construction project;
- works of art as a joint project with another organization.

**By loan** – see *Loans Policy: Incoming Loans*

## Guidelines

The following guidelines must be observed when considering the acquisition of works of art:

1. The proposed work of art should be compared with the artist's best work. The acquisition shall strengthen the collection.
2. The physical condition of the work of art shall be ascertained and any requirements for immediate or future conservation shall be noted. Special storage, display and loan requirements are also considerations before acquisition.
3. It is important to ascertain the interest that the donor has in the work of art as absolute ownership must pass to the University.
4. All collecting activities shall be in accordance with the laws of Ontario, other Canadian provinces, Canada, and international agreements between Canada and other countries.

These include:

- The Ontario Heritage Act

- The Cultural Property Import and Export Act, 1977.
- The UNESCO Convention on the Means of Prohibiting and Preventing the Illicit Import, Export and Transfer of Ownership of Cultural Property, 1970.

The President may, if requested by DVA, access R.O.S.A. (The Repository of Stolen Artifacts) through C.H.I.N. (The Canadian Heritage Information Network) which is the Interpol listing of stolen art.

5. The University shall investigate the status of copyright on all works of art. The University should acquire reproduction copyright whenever possible though not being able to acquire it would not prohibit the acquisition. On all contemporary work (since June 8, 1988) acquired by the University, exhibition copyright should be acquired through purchase or waiver. The University shall carefully monitor changes in copyright law. (Copyright exists for the lifetime of the artist plus 50 years.)
6. Donations may not normally be accepted where a condition of donation requires permanent exhibition of a work of art.
7. The University will attempt to honour a request that a work of art be placed in a specific location.
8. If a work of art is rejected, care must be taken to thank the donor and to advise where the gift might be acceptable and to establish connections so as to retain the confidence and goodwill of the donor. If a donation is accepted, thanks shall be extended by the President.
9. All acquisitions, loans and dispositions will be listed in an Annual Report to the President.

## **RECEIPTS and APPRAISALS GUIDELINES**

The issuance of receipts to donors and the accurate appraisal of donated works of art shall be undertaken with the following guidelines.

1. As a general principle the donor is responsible for having the work(s) officially appraised. Normally, P.A.D.A.C. (the Professional Art Dealers Association of Canada) would be used for appraisal purposes. There may be an opportunity for works estimated to be under \$5,000 to be evaluated locally (e.g. Thunder Bay Art Gallery).

2. The University may undertake to have the proposed acquisition appraised if the donor agreed in writing beforehand to make a donation to completely cover the cost of the appraisal. A tax receipt will then be issued for the amount of this appraisal and a benefit will be gained by the donor and the University. A receipt will be issued as well for the value of the work of art.
3. In order to preserve the legal integrity of the gift, free of challenge by Revenue Canada, it is important to ensure that the object is in the physical possession of the University at the time that the gift is made.
4. Documentation of the date of the gift is important to the donor for tax purposes.

## DEACCESSIONING

"How will Lakehead University Remove Objects from the Collection?"

### Definition

Deaccessioning is the process of removing an object permanently from the collection.

### Policy

The greatest care must be taken in the disposal of works of art. Clear definition of what is to be collected and careful monitoring thereafter will reduce the possibility of deaccession activity.

Deaccessioning shall not be based on current fashion or taste. Attention shall be paid to the acquisition policy requirement of maintaining a collection which forms a continuum of the Lakehead University's art focus.

A work of art can be deaccessioned under any of the following conditions:

- it does not meet the criteria of the policy;
- it is a duplicate which is not considered useful;
- it is in irreparable condition.

### Procedures

To deaccession requires a recommendation from DVA to the President.

Items of significant monetary value, which have been approved for deaccessioning, may be disposed of by the University in such a way as to obtain a return which approaches current market value.

Methods of disposal will adhere to all Lakehead University conflict of interest policies.

Recommended methods of disposal include:

- out-right sale offering items by auction or any other means to ensure maximum value for the item;
- donating item to non-profit institutions, organizations, businesses, etc.;
- sale through established, reputable dealers;
- exchange for upgrading purpose with a living artist or established dealer;
- destruction (elimination).

### **Legalities**

Legal counsel as to the disposition of the object should be sought regarding questions of legitimate title and/or the discovery that a work is stolen.

### **Cautions**

The following cautions must be observed when deaccessioning works of art:

1. It must be ascertained that there are no legal or time restrictions against disposal of the work and that disposal will not contravene cultural property legislation. Where there are no legal restrictions, efforts will be made to consult with the donor(s) or his/her heir(s) or representative(s).
2. Memorial gifts that have been accepted should be deaccessioned with caution.
3. All terms of sale and sales negotiations shall be the responsibility of the Office of University Advancement.
4. Control of all funds realized from the disposal of art would be under the control of the Priorities and Planning Group (PPG)(PPG). Any monies realized from the disposal of art would be held in a special fund to be used for the acquisition of art and for other

enhancements of the campus. Expenditures from this fund would require the approval of PPG.

5. All items which are deaccessioned shall be listed in the annual report of the DVA.
6. No work shall be subjected to disposal unless an exceptional condition or reason for disposal is found to exist.

## **EXHIBITIONS**

### **Definition**

An exhibition is defined as a display of artworks for a specific period of time. The University views this as an educational opportunity.

### **Policy**

It is the University's policy to promote and/or facilitate the display of artworks on campus. It is the intention of the University to display high quality artworks from a variety of sources, in all media possible. The overall goal of the University is to provide educational and cultural opportunities for the University and public communities.

### **Procedures**

Any group or individual wishing to exhibit on campus must apply in writing to the President who will pass the information on to DVA. Applications should include:

- contact name
- address, telephone, fax
- brief description of work (slides if available)
- the aim/purpose of this exhibition
- dates requested (including set up and take down)
- exhibitions space required (provide dimensions and specific needs)
- promotional materials, if available

DVA will review the application and notify the applicant on behalf of the President as soon as possible regarding the status of their request.

Successful applicants will be sent an information package composed of the following:

- security responsibilities (University's, exhibitor's);
- costs - housekeeping, administration fee, etc.;
- confirmed dates;
- insurance;
- uncrating & crating requirements;
- University contact person;
- promotional possibilities;
- expectations of the exhibitor such as set up, take down, etc.

Upon confirmation of exhibition, a contract will be signed between the University and the exhibitor(s).

## **LOANS**

### **Definition**

Loans refer to the placement of moveable works of art loaned to the University by individuals, corporations, or national and international organizations for a set period of time of short duration in which ownership remains with the donor.

### **Policy**

The University will not lend moveable works of art from its permanent collection but may borrow works of art for a set period of time.

### **Procedures**

- When a department, individual and/or group of the University wishes to borrow works of art from individuals, corporations, and national or international organizations for a set period of time of short duration, requests must be made in writing and shall be directed to DVA for consideration.
- The same criteria for acceptance of art work donations as listed in the Acquisition Policy (Guidelines) shall apply to loans.
- The installation location/site must be approved by DVA and the loan approved for a specific period of time.

- Insurance coverage for loans against loss or damage or public liability and any cost incurred for special installation needs such as installation or location site preparation, restoration after removal of artwork, shipping costs to and from installation, lighting and special environment controls, shall be the responsibility of the lender.

## COMPETITIONS AND COMMISSIONS

### Definition

A competition is a contest based on specific requirements which offers to artists the opportunity to compete to produce a work of art especially for Lakehead University. A commission is an order for a work of art to be produced especially for Lakehead University.

### Policy

Competitions and commissions are the responsibility of the PPG on behalf of Lakehead University.

### Guidelines

Suggested Guidelines for Conducting Competitions and Commissions:

The following are the guidelines to be followed by the Acquisitions Committee when conducting a competition or commission:

1. Calls for entry will contain the following information:
  1. *Background:* Information for the University, the general purpose for the competition; e.g. to promote cultural exchange, to beautify an area on campus, or as a memorial tribute.
  2. *Project Specifications:* All parameters of the project (e.g. a painting/sculpture to be on display in the foyer of the Agora).
  3. *Site:* A complete description of the proposed site including light sources, adjacent buildings, walkways, landscape features, general ambience of site, amount and type of traffic security and access. Photographs may be supplied.
  4. *Budget:* A statement of what costs will be included in the commission fee. Costs might include:

- artist's fee
  - material costs (and shipping)
  - maquette fee (fee to prepare maquette/fee to purchase all maquettes/winning maquette only)
  - maintenance costs
  - travel component (shelter, food, transportation)
  - transportation of completed work
  - installation costs
5. *Copyright*: A statement regarding details of copyright.
6. *Selection Process*: Works will be juried by PPG itself or an appointed panel whose names and positions will be provided. The panel will make the final recommendation to PPG.
7. *Committee Selection Criteria*:
- compliance to requirements
  - artistic merit
  - appropriateness to site
  - feasibility -(technically and financially)
8. *Right of Refusal*: The University reserves the right to refuse any and all submissions.
9. *Contract*: The chosen artist will be required to sign an agreement with the University.
10. *General Time Frame*:
- submit application by \_\_\_\_\_ (date)
  - notification by \_\_\_\_\_ (date)
  - completion of project by \_\_\_\_\_ (date)
11. *Contact Person*: Name, address, phone number of specific person to contact with questions.
12. *Entrance Fee*: Any entrance fees required are to be specified on call for entry.
13. The winning artist may be required to give a public lecture and/or exhibition to students and/or the general public.
2. The following information will be required from the artist;

1. a completed entry form including name, address, phone number, fax number of artist;
2. entrance/handling fee;
3. documentation: photographs, slides, video tapes of recent works. Each photograph/slide is to be labelled with the artist's name, top and bottom indicated, numbered to correspond with a list which indicates title, medium, dimensions and date of work;
4. a written description of proposed commission including:
  - title
  - medium
  - maintenance requirements
  - length of time to complete
  - specific light, atmosphere or other requirements
  - detailed budget
  - maquette (if appropriate)
  - installation details
  - safety information.

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**Review Period:** 7 years;

**Date for Next Review:** 2020-2021;

**Related Policies and Procedures:** To be determined;

**Policy Superseded by this Policy:** None.

The University Secretariat manages the development of policies through an impartial, fair governance process, and in accordance with the Policy Governance Framework. Please contact the University Secretariat for additional information on University policies and procedures and/or if you require this information in another format:

Open: Monday through Friday from 8:30am to 4:30pm;

Location: University Centre, Thunder Bay Campus, Room UC2002;

Phone: 807-346-7929 or Email: [univsec@lakeheadu.ca](mailto:univsec@lakeheadu.ca).