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**AMENDMENT - June 9, 2020**

## I. INTRODUCTION

### A. Mission Statement

“The mission of the New-York Historical Society is to collect, preserve, and interpret, for the broadest possible public, material relevant to the history of the United States in general and of this state and city in particular.” New-York Historical Society Bylaws (amended 5/13/13)

Established in 1804, The New-York Historical N-YHS has collected and continues to collect a broad and significant array of artwork, material culture, visual media, and documents representing the social, cultural, political, and economic history of New York, its environs, the State of New York and the United States, from the earliest European exploration to the present. Every intention is made to preserve these historical records for the education and the elucidation of current and future generations. The N-YHS’s collections are overseen by two separate administrative branches: the Museum Division and the Library Division. Because the Museum and Library Divisions employ different means and collecting approaches in their advancement of the N-YHS’s mission, this document is intended for the specific guidance of the Museum Division. The Library Division functions under a similar but independent policy. Prints, photographs, and architectural collections are part of the Library Division and are managed through its collections policy.

### B. Purpose of this document

The purpose of this document is to delineate the policies that concern all activities related to the stewardship of the Museum’s collection. This policy reinforces the premise that the collections exist to support the mission of the N-YHS and that the specific activities associated with the use, maintenance, and enhancement of the collections also further that mission. The policy is respectful of the history inherent in N-YHS’s extant museum collections and mindful of future opportunities to build upon these rich resources to better serve its public.

## II. CONTENTS OF COLLECTIONS

The New-York Historical N-YHS was founded in 1804 as part of an ambitious campaign to establish New York City as a leading center of American culture and to preserve the legacy of New York’s intersection with the country’s dramatic origins. The N-YHS’s original mission to “discover, procure, and preserve whatever may relate to the natural, civil, or ecclesiastical history of the United States in general, and of [New York] State in particular” opened the door to broad avenues of collecting. Through the nineteenth century this mission was promoted by New York’s prominent citizens and philanthropists who donated everything, from mastodon bones to marble portrait busts.

### A. Recent Focus of Mission

In 1989, the N-YHS’s Board of Trustees adopted a significantly revised mission statement explaining that N-YHS henceforth should move toward “all aspects of the history of New York City, New York State, and the early United States as represented in our collections.” In 1993, the N-YHS further refined these goals by declaring its primary mission to be the collection, preservation, and interpretation of “the rich history, cultural diversity, and current evolution of New York City and State and the surrounding region.”

The current board has reconfirmed the N-YHS's dedication to interpreting American, and not just local, history, while recognizing the need to focus current collecting efforts on material with strong local connections.

The N-YHS's unique combination of collections—perhaps its most distinctive asset—represents the material and visual culture of more than three and a half centuries of life in New York City or New York State and, through [1900], the United States. Amassed over 200 hundred years, the collection tacitly documents the changing tastes and interests of its citizenry, the shifting importance of what they chose to preserve and remember, and the values they ascribed to the objects donated to or obtained by the N-YHS.

## **B. Scope of Existing Collections**

The Museum collections are broad and encompass distinct holdings in the fine and decorative arts and material culture production of four centuries.

The fine art holdings consist of a singularly significant and internationally important collection of American painting, drawings, and works on paper, and figurative sculpture. The painting collection of over 2,500 works includes the personal collection of New York philanthropist and art patron Luman Reed, the holdings of the New York Gallery of Art, and the Robert L. Stuart Collection, and as such includes the masterpieces of *The Course of Empire* painting cycle by Thomas Cole, and numerous masterworks of the Hudson River School painters Albert Bierstadt, Asher B. Durand, Frederic Edwin Church, and Thomas H. Hotchkiss. The painting collection has significant holdings in eighteenth- and nineteenth-century portraiture of New York citizens. The drawings collection numbers around 9,000 sheets and includes the original preparatory watercolors by John James Audubon for *The Birds of America* and all the known watercolors by William Guy Wall for the *Hudson River Portfolio*. The sculpture collection encompasses over 800 works, including a comprehensive collection of nineteenth-century figural genre scenes by John Rogers, an important collection of portrait busts of major historical figure, death masks, and significant holdings in American folk art purchased from the sculptor and collector Elie Nadelman.

The decorative arts holdings consist of an encyclopedic collection of early American silver, broad holdings in domestic furniture, functional and decorative glass and ceramics, an internationally recognized collection of leaded glass lamps and windows by Tiffany Studios, and significant holdings in eighteenth- and nineteenth-century textiles, jewelry, and objects of personal adornment. The furniture collection, over 500 pieces, includes George Washington's inaugural armchair, pieces from the first United States Congress at Federal Hall, chairs of Louis XVI and Napoleon, and pieces attributed to New York cabinetmakers Duncan Phyfe and Charles-Honoré Lannuier. The silver collection contains objects of domestic use as well as presentation silver such as the 381-piece dinner service given to Commodore Matthew Perry for negotiating the opening of Japanese ports to United States trade. The Tiffany collection consists of 132 lamps and 5 windows manufactured by Tiffany Studios and given to the N-YHS by Dr. Egon Neustadt, who over five decades amassed one of the most comprehensive Tiffany lamp collections in the world.

Material culture holdings include tools for the home and trade, toys and games, textiles and needlework, military objects, fire fighting tools, souvenirs and relics, archeological artifacts, transportation equipment, coins and medals, lapel devices, business ephemera, and objects for personal use or adornment. In 2014, the N-YHS acquired the 11,000 piece Jerni Collection of Antique Toys and

Trains, the world's premier collection of classic model-railroad artistry and N-YHS's largest Museum acquisition in eight decades.

After September 11, 2001, the N-YHS actively pursued artifacts, relics, and artistic responses to the events of that day. Processing of the September 11 Collection is ongoing and items have been loaned and/or transferred to the 9/11 Memorial Museum. Because of the ephemeral nature of some materials, as well as extensive duplication in types of artifacts and other considerations, not all items will necessarily be accessioned into the N-YHS's permanent collection.

### **C. Existing Categories of Collecting**

The N-YHS's collection comprise artwork, material culture, visual media, and documents representing the social, cultural, political, and economic history of New York, its environs, and the State of New York, from the earliest European exploration to the present. The Museum has divided its holdings into the following categories that emphasize either the object's subject matter or material for ease of computerized record keeping. These categories represent the general structure of the N-YHS's historic collecting endeavors.

- Advertising and Business Ephemera
- Agricultural Tools and Equipment
- Archaeology
- Architectural Features
- Artists' Tools and Equipment
- Base Metals
- Business Tools and Equipment
- Ceramics
- Childhood and Education
- Clothing and Fashion
- Coins and Tokens
- Decorative Sculpture
- Drawings and Watercolors
- Entertainment and Recreation
- Equestrian Tools and Equipment
- Fire Fighting Tools and Equipment
- Furniture
- Glass
- Historic Relics
- Household Tools and Equipment
- Jewelry
- Lapel Devices
- Maritime Tools and Equipment
- Medals
- Medical Tools and Equipment
- Military Tools, Equipment, Uniforms and Weapons
- Miniatures
- Models
- Paintings
- Personal Accessories

Pewter  
Plaques  
Police and Law Enforcement  
Political Memorabilia  
Science and Technology  
Sculpture  
September 11, 2001 Terrorist Attacks  
Sewing Tools and Equipment  
Ship Models  
Silver  
Smoking Tools and Equipment  
Souvenirs  
Textiles  
Tiffany  
Toys  
Trade Tools and Equipment  
Transportation Tools and Equipment  
Urban Artifacts  
Writing Tools and Equipment

#### **D. Collecting Plan**

. As part of long range strategic planning N-YHS's Museum division is developing a long-range collecting plan. The purpose of this plan is to identify areas where acquisitions will be actively pursued, themes for collecting that feed into established future exhibitions, and potential objects/collections that are deemed suitable for deaccession consideration. The collecting plan will address issues of access and conservation and guide the work of the curatorial staff in refining the established collection categories described above.

### **III. DELEGATION OF AUTHORITY**

The Staff Acquisition and Loan Committee and the Board Collections Committee are the two bodies that develop and implement policies and procedures that guide the stewardship of the N-YHS's Museum collections.

#### **A. Staff Acquisition and Loan Committee**

The Staff Acquisition and Loan Committee ("SALC") is composed of the Museum Director, Director of Collections Management, Collections Manager, Registrars, Chief Conservator for the Museum, Conservator for Loans and Exhibitions, all museum curators, and a representative from the Library. Additionally, to foster interdepartmental team work and encourage discussion based upon a broad range of expertise, the following staff members are invited, though not mandated to attend: t Executive Vice President/Chief Operating Officer, Head of Prints, Photographs, and Architectural Collections, and Conservator for Loans and Exhibitions. The SALC meets monthly, and all mandated members of the Committee are considered voting members. For all formal recommendations to the Board Collections Committee, a quorum of one half of the mandated members must be present. For approval of any proposal, majority vote is required. In the rare instances of a tie, the Museum Director may break the

tie. The SALC reports on its actions, advises, and makes recommendations to the Board Museum Collections Committee at that Committee's sessions.

#### **B. Board Collections Committee**

The Board Museum Collections Committee (BCC) comprises not fewer than five members of the Board of Trustees or Chairman's Council, the N-YHS President, the Executive Vice President/COO, and the Museum Director. Museum staff members may be asked to attend meetings of the BCC to report on agenda items, but are non-voting members.

The Board Museum Collections Committee, whose legal roles and responsibilities are outlined in the N-YHS's By-laws, is responsible to the Board of Trustees for the oversight of the collections and collection-related activities of the Museum Division. The Board Collections Committee reviews, advises, modifies, and approves the policies and activities proposed by the Staff Acquisition and Loan Committee. The BCC, through policy, establishes the scope of what is to be collected, sets the standards for preservation and access to the collection, reviews acquisitions, and recommends the deaccession of collection materials.

The BCC meets two to three times annually; for any binding action a quorum (one half) of Committee members must be present and a majority vote is required. In instances when a decision is required prior to the next scheduled meeting, an emergency session may be convened or business may be conducted telephone or video conferencing, or a vote solicited on a written proposition by regular or electronic mail or facsimile transmittal.

#### **C. Daily Delegation of Authority**

On a daily basis, the Board of Trustees extends the authority to act, in accordance with established and approved policies, to the professional museum staff as delegated to the Museum Director who supervises such staff.

### **IV. ETHICS**

#### **A. Avoidance of Conflict of Interest**

The N-YHS, grounded in two hundred years of public service, holds its collections and information as a benefit for the public it was established to serve. As a scholarly institution, continually in the public eye, it is important that all employees, trustees, and volunteers avoid any activity that involves an actual, perceived, or potential conflict of interest, financial or otherwise, between that individual's personal interests and that of the institution.

#### **B. Adherence to established codes**

In collecting, the N-YHS, through the actions of its staff and board, adheres to the American Alliance of Museums (AAM) Code of Ethics (Appendix i). The N-YHS does not knowingly acquire objects that are known to be stolen or illegally removed from their place or country of origin, nor any materials that violate State or Federal laws. The N-YHS makes its policies transparent to the public and strives to exceed the laws that govern American museums and non-profit cultural institutions.

#### **C. Appraisals**



Under no circumstances shall staff members of the N-YHS appraise the financial value of objects brought to their attention either for acquisition consideration or research inquiry. Nor shall they offer either verbal or written scholarly opinion on such objects when such opinion results in their direct monetary gain or may alter the potential valuation of the object. Such appraisals constitute a conflict of interest and are prohibited in the AAM Code of Ethics.

#### **D. No competing personal collecting**

The N-YHS encourages its employees to take an active interest in history, and recognizes that collecting is an exciting, personal way to connect with the past. However, the N-YHS expects that no employee, Trustee, or volunteer will directly compete with the N-YHS in their personal collecting activities. Once employed by the N-YHS, staff members must disclose to the Museum Director, Library Director, President, or Chair of the Board of Trustees their interest in the purchasing a work of art, artifact, or document that is suitable to the N-YHS's collections. A written right of first refusal for the purchase should be advanced to the N-YHS by the employee.

### **V. ACQUISITION**

The discriminating acquisition of materials is fundamental to the mission of the N-YHS. As outlined in this policy, the general authority to collect materials for the Museum Division is vested in the Museum Director and delegated to the N-YHS's curators and staff historians who recommend objects for acquisition consideration from within their area of specialization. Objects may be acquired by means of gift, purchase, bequest, exchange, or transfer.

#### **A. What the Museum Collects**

The Museum collects in the categories as described in Categories of Collecting. It seeks to continually develop, refine, and enhance the scope and depth of its existing collection categories through the judicious acquisition of significant materials.

The establishment of a new category of collecting is not undertaken lightly. Nevertheless, N-YHS recognizes the potential need to establish new areas of collecting. When such area(s) are identified, the SALC as instructed by the Museum Director explores the implications of the new category of collecting. If approved, the addition of this new category is submitted to the Board Collections Committee for discussion and final approval.

The N-YHS will not collect objects that are known to be or suspected of being stolen, have dubious or contested provenance, have been collected through unauthorized or undocumented archeological excavation, have been collected in contravention of existing state, federal, and international law, that are made of materials that are hazardous to the collections or personnel, or that, by their possession, would necessitate additional expenditures for storage, preservation, or maintenance not commensurate with their significance to the N-YHS.

#### **B. Criteria for Acquisition Consideration**

Materials considered for inclusion in the Museum's collections are evaluated on the following criteria:

- Relevance to and consistence with the mission of the N-YHS
- Historical and/or aesthetic significance

- Authenticity
- Potential for exhibition, scholarly research, or educational use
- Specificity of provenance
- Physical condition and integrity
- Ability of the N-YHS to conserve, maintain, store, and provide access to the materials
- Absence of legal impediments for the transfer of ownership or license to the N-YHS, or any restriction that limits the N-YHS's use or access

### **C. Terms of Acquisition**

The N-YHS acquires objects and artworks with the intent of long-term use and preservation. However, no guarantee can be made to retain any acquisition in perpetuity.

The N-YHS does not accept materials that restrict its ability to fulfill its mission or impair its fiduciary responsibility to maintain its holdings in good order. The N-YHS is not obliged to accept any acquisition that does not meet its stated criteria for consideration. No staff member, Trustee, or volunteer of the N-YHS may obligate the N-YHS to accept an acquisition.

In acquiring an object, no staff member, Trustee, or volunteer of the N-YHS is authorized to make commitments pertaining to exhibition, interpretation, or placement of that object.

The N-YHS will not pay for an appraisal, or reimburse a donor for appraisal costs, unless such an appraisal is deemed in the best interest of the N-YHS. In such cases, the Museum Director will review and authorize such action prior to making such a commitment in consultation with the N-YHS's Executive Vice President/COO and/or President.

### **D. Documents of Conveyance**

The legal transfer of ownership of materials to the New-York Historical N-YHS is accomplished through the use of specific documents of conveyance. In all cases, the document precisely itemizes the object(s) donated, identify the name and address of the donor, specify the desired credit line, and clearly state the terms of the acquisition and the rights assigned.

A Deed of Gift (Appendix iii) is mandatory for all items donated to the Museum. This Deed is issued by the Department of Collections Management (CMD) and must be signed by the legal owner(s) or their authorized agents and counter-signed by the Museum Director, Director of Collections Management, or Collections Manager.

A release or receipt of object from the legal counsel of the estate serves as documentation of a bequest.

A dated purchase order, check request, or authorized invoice signed by the Museum Director or his/her designee will serve as the legal instrument of conveyance for purchases.

Letters of exchange bearing authorized signatures serve as documentation of a transfer or exchange between museums.

All donations to the N-YHS's museum are acknowledged with a letter of receipt and appreciation from the Museum Director.

The N-YHS, through the Department of Collections Management, will acknowledge the non-cash charitable contribution by countersigning appropriate Internal Revenue Service Form 8283, "Non-Cash Charitable Contributions."

The Museum may accept gifts or make purchases of objects for which the donor has retained copyright. Should certain copyrights not be assigned, the N-YHS will endeavor to secure free and unlimited use of the donated or purchased objects for institutional activities through the assignment of exclusive or non-exclusive license. Such copyrights as the owner chooses to grant should be clearly delineated in an assignment of copyright or license. The assigning of partial or no copyright does not preclude acceptance.

#### **E. Acquisition by Gifts, Bequests, Exchanges, Transfers**

Curators are charged with enriching the collections within their area of expertise. The N-YHS makes every effort to fulfill its collecting plans through acquisition by donation and secondarily through purchase. A written acquisition proposal is required for all gifts, bequests, exchanges, transfers, and purchases. It is prepared by the curator and submitted to the SALC for review and approval. Curators may exercise their discretion to waive the written proposal in the case of gifts of small, ephemeral objects that extend existing collection areas, such as political and social cause buttons and related material.

All donations are considered unconditional gifts to be used at the discretion of the N-YHS, except in those instances when the N-YHS has expressly accepted a donation subject to written conditions. These conditions should be clearly stated in the instrument of conveyance (Deed of Gift, letter of agreement, use and copyright agreement). A full record of such conditions is maintained in the permanent acquisition records of the N-YHS maintained by the Department of Collections Management. The Museum will make every effort to acquire at the time of gift or purchase all copyright pertaining to the object in the effort to help to fulfill its mission without restriction. A full report of the accession activities of the Staff Acquisition and Loan Committee is made to the Board Collections Committee at each of the BCC's meeting for their approval.

#### **F. Acquisition by Purchase**

The N-YHS also strengthens its collections through purchase. In addition to the criteria for acquisition as outlined above, additional considerations that should be weighed include the reasonableness of the purchase price; whether a similar object could be obtained through loan, gift or bequest; and how the purchase advances the N-YHS's collecting plan.

The N-YHS's Board of Trustees authorizes the Museum Director to exercise discretionary power to approve purchases to \$10,000, providing appropriate funds exist. The Museum Director may choose to exercise this discretionary power or may consult with the SALC regarding the purchase. Purchases between \$10,001 and \$50,000 are presented for review and approval by the Staff Acquisition and Loan Committee and require final approval by the President of the N-YHS.

Purchases between \$50,001 and \$250,000 are presented for review and approval by the Staff Acquisition and Loan Committee and require final approval by the Board Collections Committee.

For any considered purchase over \$250,000, the approval by the Executive Committee of the Board of Trustees is required.

The composition of each committee and the vote required for acceptance is outlined in the Delegation of Authority section.

The purchase invoice must include the vendor's name and contact information, detail exactly what is being purchased, the purchase price, known provenance, and the terms of payment. A dated purchase order, check request, or authorized invoice signed by the Museum Director or his/her designee will serve as the legal instrument of conveyance.

It is important to avoid any personal or organizational conflict of interest or the appearance of any conflict of interest. Should a staff member, Board Collections Committee member, or Trustee through their business or personal affiliations find that they have a direct financial interest in the purchase of material for the collection, this fact must be immediately disclosed to the Museum Director and Chairperson of the Board Collections Committee. That individual must be recused from any further participation in the proceedings. The Chairperson of the Board Collections Committee presents the matter and potential circumstances to the Board Executive Committee prior to approval of purchase.

#### **G. Objects Found in Collection**

The Museum houses several groups of objects found in the collection and generally identified through special object numbering. Objects with an "INV" number were inventoried in the late 1980s, but are not documented and not believed to have been formally accessioned into the Museum collection. Similarly, objects with a "Z" number were found in the collection between 1998 and the present and are not known to be accessioned. An object number with a prefix of "X" designates objects found in the collection and believed to have been at the Museum since the nineteenth or early twentieth century. The Museum also occasionally acquires props from temporary exhibitions, which are given numbers with a prefix of "prop," but are not accessioned into the collection.

#### **VI. DEACCESSION**

Deaccessioning is the formal process in which an object is permanently removed from the collections of the N-YHS's Museum.

The N-YHS collects with the intention of long-term use and the commitment to the preservation of its collection. However, it recognizes that its holdings may be strengthened through the judicious and well-considered deaccession of previously acquired materials.

The N-YHS is also cognizant that certain of the materials collected, such as those items in its September 11<sup>th</sup> Collection, have been subjected to extraordinary circumstances and may be laden with inherent vice. All the N-YHS's best stewardship efforts can only forestall the inevitable deterioration of such objects and the need for their eventual deaccession.

Any funds realized from the sale of deaccessioned items will be reserved for future acquisitions.

It is even more important in questions of deaccession to avoid any personal or organizational conflict of interest or the appearance of conflict of interest. Should a staff member, Board Collections Committee member, or Trustee through their business or personal affiliations find that they have a direct financial interest in the deaccession of material from the N-YHS's collection they should immediately disclose this fact to the Museum Director and Chairperson of the Board Collections Committee and exempt him or herself from any further participation in the proceedings. The Chairperson of the Board Collections Committee presents the matter to the Board Executive Committee prior to final approval of the deaccession.

#### **A. Criteria for Deaccession Consideration**

Material may be considered as a candidate for deaccession for one or more of the following reasons:

- It does not, or no longer, falls within the mission of the N-YHS
- It does not fall within the defined collecting scope of the Museum Division
- It has deteriorated to a point of making it useless for exhibition or study
- It has been determined to be inauthentic
- It is discovered to have been stolen, exported illegally, or obtained under questionable circumstances
- Its needs for storage or maintenance are beyond the Museum's reasonable capacities or are determined not to be commensurate with the artifact's importance to the collection
- It contains materials hazardous to the collection or the staff
- It duplicates collection holdings beyond the needs of the institution and is surpassed by better examples

#### **B. Guidelines for Deaccession**

In order for material to be considered for deaccession the following conditions must be met:

- N-YHS should have clear title
- There should be no legal restrictions to prohibit the deaccession
- The accession file should be as complete as possible and contain appropriate visual documentation of the material.

#### **C. Disposition**

Deaccessioned objects are to be considered for disposal on a case by case basis under the following guidelines:

- The manner of disposal must comply with all applicable state and federal laws, serve the best interests of the N-YHS and the general and scholarly community it represents, and take into consideration the public trust represented in owning a collection.
- If deaccession has been approved because the object has been determined to be inauthentic, extraordinary care is taken in considering the appropriate method of disposal to ensure that the object does not resurface and deceive others.
- The N-YHS will consider transferring the object through donation, exchange, or sale to another museum or tax-exempt public institution where it may have a valid purpose in research, education, or public programs.
- The decision to associate the N-YHS's name with the sale, exchange, or donation of any deaccessioned object is made by the BCC.

#### **D. Avenues of Disposal**

The following methods are acceptable for the disposal of a deaccessioned object:

- Sale at public auction
- Public sale through a reputable dealer
- Privately negotiated sale to another museum or non-profit institution
- Donation to another museum or non-profit institution Exchange with another museum or non-profit institution for an object to be accessioned into the N-YHS's collection. Under these circumstances, the object to be acquired must be reviewed and approved by the SALC prior to the exchange.
- Return to the original donor or their direct heirs
- Witnessed and documented destruction when the artifact has deteriorated beyond its useful life, or when it presents a hazard to Museum staff or other collection objects, or has been deemed to have negligible monetary or historic value.

#### **E. Approval Process**

The deaccessioning process is initiated by the curatorial staff, who submits a written recommendation to the Museum Director, which is reviewed by the SALC. If approved, the recommendation for deaccession is presented to the President of the N-YHS. If the President concurs with the recommendation, it is presented to the Board Collections Committee, which then makes a recommendation to the Board of Trustees, which has the final authority to approve deaccessions. The exception is objects with a value less than \$5000, for which the President may make a determination regarding deaccession. For a nonaccessioned object, the Museum Director may make the final determination regarding the disposition of the object.

#### **F. Outcomes of Deaccession**

Any funds realized from the sale of deaccessioned items will be reserved for future acquisitions.

Any purchase(s) made with such designated funds will continue to acknowledge the donor of the deaccessioned gift.

The deaccessioned object's accession file, augmented by any additional research uncovered for the deaccession proposal, the curatorial recommendation for deaccession signed by the Museum Director, the minutes of the SALC and BCC meetings approving the deaccession, and visual documentation remain part of the N-YHS's permanent records. These files are marked to indicate their status as deaccessioned objects and, as with all accession files, are maintained by the CMD.

Should the object be acquired by another museum or other cultural institution, agreements must be established at the time of the sale/exchange/donation that perpetuate the credit of the original donor in conjunction with the use of the deaccessioned object.

### **VII. ACCESS AND USE**

As a public institution mandated to collect, preserve, and interpret the material history of the region, the N-YHS is guided by its responsibility to preserve the collection it hold in trust and provide access to the collections on a nondiscriminatory basis.

The N-YHS encourages intellectual and physical access to its Museum collections through long-term exhibition in the Henry Luce III Center for the Study of American Culture, changing exhibitions, and other interpretive programming; through the dissemination of collection information via the N-YHS's website and participation and other electronic resources; through research and viewing requests; through publication of scholarly books and articles, and through an active traveling exhibition program and the loan of objects to sister institutions and educational entities.

Access to the N-YHS's collection is contingent upon the security and well-being of the objects and records under its stewardship. Resource limitations, security and privacy issues, and collection care requirements may occasionally constrain access to the collections.

#### **A. Intellectual Access**

A primary responsibility of the N-YHS's curatorial staff is to increase intellectual access to the collections under its stewardship. N-YHS scholarship is made publicly available to aid the understanding of a shared history. The curatorial staff is responsible for thorough documentation of their collections and sharing this information through the collection database, paper records, exhibition, publication, or interpretive programming.

The curatorial staff is responsible for providing and enriching the content of the object's paper and electronic records with pertinent research into the maker, donor, history of the object, comparanda, exhibition or publication records, and other appropriate information. The N-YHS strives to maintain the highest levels of scholarly objectivity and accuracy in the research, attribution, and authenticity of the objects in its collection.

Additionally, curators are vested by the Museum Director to judiciously acquire and carefully refine the collections under their care. As such they are responsible for proposing new acquisitions and potential deaccessions for the N-YHS's consideration, and working closely with the CMD helping provide the highest levels of physical and legal care to their collections.

Furthermore, curators are responsible for aiding the Exhibitions, Public Programs, and Education departments to increase public access to their collections through the development of exhibitions, educational aids, and interpretive programming pertaining to their collections, and for proposing the contents and overseeing the rotations of collections within long-term exhibitions.

#### **B. Outgoing Loans**

The N-YHS believes that the loan of its collections encourages public understanding of the history of New York and American culture. By lending, the N-YHS strives to increase public access to its holdings while balancing the institution's own needs for exhibition, education, and the long-term preservation interests of the objects themselves.

Requests to borrow objects from the N-YHS's collections are evaluated on a case-by-case basis.

The Museum may consider outgoing loans to other museums, cultural or non-profit organizations that engage in publicly accessible educational or scholarly programming. On special consideration, outgoing loans can be made to non-museum entities such as government agencies or community institutions for exhibition purposes provided that such organizations satisfy all loan requirements and the loaned objects are on view in a public context. Under no circumstance will objects be loaned to individuals. Certain collection objects, because of their rarity, inherent fragility, legal restrictions, or vital importance to the interpretive programs of the N-YHS may not be eligible for loan. As movement, shipping, and transit involved with loans greatly increase risks to collections, restrictions may be placed on inherently fragile or unstable media and objects. In considering loan requests, the protection of the N-YHS's collections outweighs all other concerns.

The SALC reviews and approves all requests for outgoing loans and apprises the BCC of loan activities. The following criteria are considered by SALC in its review:

- The nature and purposes of the borrowing institution and the proposed project are consistent with the institutional mission and goals of the N-YHS
- The scholarly content of the exhibition, the importance to the public, and the significance of the N-YHS's object within the exhibition context
- The historic value or rarity of the object
- The overall condition of the object: whether the nature of its materials and composition are able to survive the rigors of travel, whether its size or weight pose potential shipping problems or increased risk
- The security, environmental conditions, staffing, and facility of the borrowing institution meet all the N-YHS's concerns for the safety and preservation of its objects. Documentation of such conditions in the form of a current AAM facilities report must be received prior to Committee evaluation
- The current or projected needs of the N-YHS's exhibition, educational or interpretive programs during the proposed loan period
- The request for loan is made in a timely manner, preferably a minimum of 6 months prior to the loan period

### **C. Incoming Loans**

To enhance the intellectual content of its special exhibitions, the Museum takes into its custody incoming loans and provides them with the same care as comparable objects in its own collection.

The Museum will consider the following criteria before the solicitation of an incoming loan:

- The solicited object will significantly fulfill the goals of the exhibition
- Availability of exhibition or storage space
- Object's condition can withstand the rigors of transportation, environmental fluctuations, handling, and display
- Restrictions imposed by the lender, including anticipated costs associated with the loan, such as conservation, insurance, storage, packing, crating, transportation, courier expenses, or installation costs
- Issues of provenance, ownership, or copyright that might negatively impact the N-YHS

### **D. Documents that Govern Loans**



All loans are governed by written loan agreements between the N-YHS and the borrower/lender. Such agreements specify the objects borrowed/lent, the period of time the loan is in effect, and the purpose of the loan. Any special conditions governing the loans must be detailed in writing as well as the rights and responsibilities of both parties.

Any modifications to the N-YHS's standard loan agreements must be set forth in writing and approved by the Museum Director in consultation with the CMD.

Incoming loans are governed under N-YHS's incoming Loan Agreement (Appendix iv) and outgoing loans are governed under the N-YHS's Outgoing Loan Agreement (see Appendix v).

Should a lender to the N-YHS require that their institution's loan agreement govern the conditions of the loan, the CMD may comply upon review and approval of the terms with the Museum.

#### **E. Conditions that Cover Loans**

The Museum will not accept a loan for an indefinite period of time or as a so-called "permanent" loan. After the expiration of the stated loan period, an extension may be negotiated or a new loan agreement drafted upon the approval of both parties.

The Museum will insure all incoming loans at their fair market value, as determined by the lender and indicated on the loan agreement. Should the lender not assign a value, the Museum may assign a value and insure for that value for its own protection. Such values are not to be construed as appraisals of fair market value.

It is the responsibility of the lender to promptly notify the Museum in writing of any change of ownership or address-of-record. The N-YHS assumes no responsibility to search for a lender who cannot be reached at the address-of-record.

If an object remains in the custody of the museum, and after pursuing all possible measures for the return of the object, the lender cannot be found, or the lender refuses to accept return of the object, the Museum, in accordance with the requirements of the State and Federal governments may deem the object abandoned and the object may become the property of the museum to accession or dispose of at its discretion.

If ownership of any object on loan to the Museum is contested, the Museum reserves the right to withhold the return of the object until legal ownership is determined.

#### **F. Condition Reports**

Written condition reports accompanied by photographic documentation are made for all loans entering or leaving the Museum.

#### **G. Insurance**

Outgoing loans are to be insured by the borrower, unless other arrangements are agreed to in advance and in writing, or such coverage is waived. Waiving insurance coverage is subject to review by the Museum Director in consultation with the CMD.

Incoming loans are insured by the N-YHS at the fair market value assigned by the lender unless the lender waives coverage or requests use of their own insurance coverage on the loan agreement.

#### **H. Approval, Monitoring and Compliance**

The approval of outgoing loans is a multiphase process. Each object for loan consideration is vetted by the curator of that collection, conservator, and the CMD prior to proceeding to the SALC for review. Any stage of this serial review process may result in the denial of the loan request prior to presentation to and formal approval by Committee. The Committee's approval is reported to the BCC at their thrice yearly meetings.

Candidates for incoming loans are proposed by the exhibition curator in consideration of the criteria outlined above. Only the CMD is authorized to issue an official request for such objects over the signature of the President of the N-YHS or the Museum Director. The N-YHS's official request to borrow is accompanied by the appropriate loan agreements, facilities reports, exhibition rationales, or other supporting documentation that may aid the lender in its decision making process. Loan agreements are final only when signed by the lender and countersigned by the Museum Director or the CMD.

The CMD monitors all loans for compliance with the terms and conditions that govern them.

#### **I. Courier Policy**

The SALC will evaluate the information provided by the curator, conservator, and the CMD to determine if a courier is needed. The Museum endorses and follows the professional "Code of Practice for Couriers of Museum Objects" drafted and approved by the Registrar's Committee of the American Alliance of Museums. A courier must be a member of the CMD, conservator, or curator who is expected to act in the best interest of the object and the N-YHS at all times.

#### **J. Objects Temporarily in the Custody of the Museum**

The N-YHS may take temporarily into its custody objects for study, research, or acquisition consideration. Such objects are governed under the Receipt of Temporary Custody (see Appendix vi). Only the CMD is authorized to issue a Receipt, which records contact information of the depositor and the intention of the deposit, detail the objects deposited, the expected duration of stay, and clearly state the rights and responsibilities of both parties. Objects left in temporary custody will not be insured; if insurance is requested, the objects are placed on an incoming loan agreement. The CMD is responsible for the issuing and monitoring these receipts and the objects described therein.

#### **K. Exhibitions and Public Programming**

Public access to the N-YHS's collections is the rationale that supports its exhibition and educational programs. Collections are made accessible to the public through inclusion in exhibitions and interpretive programs. Exhibits are mounted in secure, climate-controlled galleries, and collections materials are

physically protected through the use of guards, cases, or barriers, or the supervision of professional staff.

. The appropriate length of time an object may be exhibited is assessed on a case by case basis by the curator, conservator, and the CMD taking into consideration materials, condition and historic significance.

#### **L. Access to Storage, Research, or Viewing Requests, Access to Object Information**

Those collections not on public view are held in secured storage. Access to such collections is restricted to the CMD and conservators. Curators may make arrangements to view study objects in storage.

Requests by staff or public to access specific collections not on display, termed viewing or research requests, are coordinated through the CMD. In the case of access requests from the media, the CMD additionally coordinates with the N-YHS's Communications department. Access is only available during regularly scheduled hours and only when accompanied by an authorized member of the CMD or their designate.

Certain objects may be deemed unsuitable for viewing requests by the CMD due to their inherently fragile nature, conservation concerns, size, or physical location. The N-YHS is not obligated to accommodate requests for such materials nor any request that might endanger the collections.

While N-YHS attempts to accommodate all legitimate requests as staffing and time permit, preference will be given to its staff and to scholars and professionals from other museums. Depending upon the physical accessibility of objects and/or handling needs, viewing of objects from the collection may incur costs that the viewer will be required to pay.

The N-YHS does not typically allow viewing of its holdings of the original preparatory watercolors for Audubon's *The Birds of America*. Should an advanced degree scholar working on serious and significant research on John James Audubon or *The Birds of America* request access to view these holding, he/she may write a proposal petitioning the Curator of Drawings and the SALC for access. Such a proposal should detail the research project, his/her qualifications, the intended outcome of the research, and demonstrate the need for physical access to these materials. For research and study purposes, the N-YHS is able to provide high-resolution images of many objects in the collection, including *The Birds of America*.

. Significant information about collection objects is made available to the public on the N-YHS's website, and through the upkeep of paper files. Requests to view files are likewise considered a viewing request. Such requests are reviewed by the CMD and privileged information that may compromise the privacy of donors, lenders or vendors, or information that may compromise the safety of collections or the security of the N-YHS is kept confidential. The Curatorial Staff is responsible for providing, and adding to, the ongoing research and provenance information contained in each object's paper and computerized record.

Procedures regulating access to the collection are developed by the CMD in consultation with Museum curators and conservators.

## **M. Rights and Reproduction Uses**

### **i. Photography**

The N-YHS makes its permanent collections available for photography and digital reproduction under the supervision of the Rights and Reproductions Department, in consultation with the CMD. The purpose of such surrogates is to facilitate research, protect the collections from handling, document the N-YHS's holdings, and maximize the educational potential of these resources. Photography of Museum objects may be commissioned and utilized as allowable in scholarly and general publications. All reproductions of Museum collections must be fully credited as determined by the CMD and specified in the written agreement between the Rights and Reproductions Department and the user. Access to these photographic resources is secured through the Rights and Reproductions Department.

The Museum reserves the right to approve or refuse photographic or other reproduction copies of its artifacts. The Museum may deny permission if donor or lender stipulations do not permit photography, if attribution or other information about the object is uncertain, if the object cannot physically withstand the handling, if the circumstances of use demean, alter, or otherwise misrepresent the artifact and/or bring discredit to the N-YHS.

The Museum encourages non-flash photography of its permanent collection and objects on loan, with the agreement of the lender. The N-YHS does not permit the use of tripods or "selfie sticks" in the galleries, and photography may not be used for commercial purposes.

### **ii. Merchandising**

The N-YHS recognizes the possibility of judicious use of its collections in the development and manufacture of merchandise. Such retail activities and the revenue they generate support the N-YHS's larger mission. Commercial development of the collection is overseen by the Director of Merchandise Operations, in consultation with the appropriate staff of both the Museum and Library Divisions.

## **VIII. COLLECTIONS CARE AND CONTROL**

Every employee, paid or volunteer, and Trustee of the N-YHS is charged with the well-being of the collections held in public trust, borrowed, or deposited with the N-YHS. The actions of the staff and the trustees in all matters are guided by a profound respect for the integrity and historical significance of its holdings. It is the responsibility of all to preserve the collections and their associated documentation by providing the proper physical environment, insuring the highest standards of handling and care, and promoting an intellectual environment that fosters scholarship, object-based learning, and respect for material heritage.

The N-YHS accepts and agrees to fulfill all legal, ethical, and professional responsibilities inherent in the possession of its collection. The N-YHS further supports the professional standards, and goals of collections care as articulated in the American Alliance of Museums' and American Library Association's Code of Ethics and the American Institute for Conservation's Code of Ethics and Guidelines for Practice.

The N-YHS believes that preservation standards should be applied equally to all artifacts, regardless of their presumed financial value, whether in storage, on display, or on loan. Furthermore, the N-YHS recognizes the interdependent nature of objects and their related documentation. Records and other

documentary materials that support the collection are considered equally important and merit the same degree of professional care in their maintenance.

#### **A. Conservation and Preservation**

All museum collections carry with them the ethical obligation of preservation; therefore matters of conservation and stewardship are critical to the stewardship of N-YHS's collections.

The N-YHS recognizes that preserving the collection demands the joint efforts of the N-YHS's CMD, Chief Conservator for the Museum, Exhibition Department, Building Operations, and Security, aided by the curators and entire staff, working together to provide the safest environment for the objects under its stewardship. In general, the Chief Conservator makes technical recommendations regarding environment, storage, and display techniques that are implemented by the CMD, Exhibits, or Operations and monitored by the CMD, Operations, and Security assisted by the additional attentive eyes of the N-YHS's staff and Trustees. The Chief Conservator is assisted, as necessary, by the Conservator for Loans and Exhibitions with regard to works on paper and by the Chief Conservator for the Library.

Collections care and preservation efforts include:

- Preventive care geared to identifying and minimizing factors that can hasten chemical and physical deterioration. Such activities include condition reports and surveys, rehousing projects, storage upgrades, and routine housekeeping
- Environmental management of temperature, light, humidity, pest, pollutant or particulate matter within the N-YHS's spaces, particularly storage and exhibition areas
- Exhibition-driven care focused on assessing and minimizing risks associated with the physical display of objects. Activities will include condition reports, photographic documentation, construction of appropriate mounts or supports, identification of archival materials, monitoring of object and environment conditions, scheduled rotation of artifacts in exhibition, conservation treatment of objects in preparation for exhibition, security measures for display, and appropriate physical environments
- The development and implementation of an emergency response plan

The Chief Conservator and Conservator for Loans and Exhibitions provide advice on preventive conservation, evaluate the suitability of objects for loan, exhibition, or other public access uses, make recommendations for environmental conditions and packing, propose treatment for objects in the collection, and, when appropriate, execute those treatments.

In the absence of an in-house specialty conservator, the Chief Conservator consults with or invites outside conservators to propose and execute treatments and conduct formal surveys. Contract conservators must meet requirements as dictated by the American Institute of Conservation (AIC) Guidelines for Selecting a Conservator.

As an historical institution, N-YHS is cognizant that pre-existing damage, use, and wear on an object can provide critical information regarding its history, context or significance. As a result, some conservation treatments may focus on stabilization and preventive measures, rather than principally aesthetic treatments.

Conservation treatments are developed after physical examination of the objects in collaboration with the appropriate curatorial staff. Approvals are obtained from the responsible curator or the CMD prior to treatment. Copies of the completed treatment reports and conservation images are kept with the object's file.

CMD also performs routine condition inspection of incoming and outgoing loan objects and new acquisitions and consults with the Chief Conservator, as necessary, to evaluate and advise on condition issue.

All conservation treatments adhere to the Code of Ethics and Guidelines for Practice of American Institute of Conservation of Historic and Artistic Works (Appendix ii).

## **B. Handling**

To ensure the safety of the collections, physical handling of objects is kept to a minimum. Only authorized staff may handle, transport, and install objects. Knowledge of basic art handling guidelines for specific materials as laid forth in the separate document, "Guidelines for Collections Handling," (Appendix vii) is required of staff members with access to museum collections.

## **C. Storage**

The N-YHS seeks to provide the best conditions for the housing of all objects under its care. Storage facilities, either on or off site, are appropriate for the collections consigned to them. All collections held in storage are appropriately housed, supported, and protected from damage or loss due to theft, vandalism, fire, smoke, water, pests, vermin, fungi and molds, dirt, and pollutants. In addition, objects are protected against damage caused by sunlight, ultraviolet light, proximity to heating and cooling sources, and excesses of and fluctuation in temperature and relative humidity. All appropriate conservation materials, finishes, and mounting or construction methods are employed in the storage of objects in the N-YHS's collections.

## **D. Environment and Security**

The maintenance of appropriate environmental conditions, as determined by the Chief Conservator and the CMD, is the responsibility of the Building Operations staff who, with the assistance of the CMD, monitors the physical and electrical systems to protect the collections from damage or risk from fire, smoke, water, pests, vermin, fungi and molds, dirt, pollutants, and excesses of and fluctuation in temperature and relative humidity.

The maintenance of appropriate security conditions as determined by the CMD and Chief of Security is the responsibility of Security personnel and Building Operations, with the assistance of the CMD and, for objects on exhibition, the Exhibition Department, which monitors the objects, their physical environment, and the electronic detection and surveillance systems to protect them from damage or loss through theft, vandalism, fire, smoke, water, and unauthorized physical contact.

## **E. Collection Photography**

The N-YHS recognizes the utility of photographic documentation integrated into its object records. Collections objects are photographed as part of the inventory control for the purpose of identification,

condition documentation, and research. All new acquisitions are photographed as part of the accession process, and all incoming loans are photographed upon arrival at the time of execution of incoming condition report by the CMD. Outgoing loans are photographed by the CMD or N-YHS photographers prior to packing.

## **F. Collections Management**

It is the responsibility of the CMD to oversee the registrarial needs of the N-YHS as a whole and the needs of the museum collections in particular. Specific tasks of the CMD include space management, rehusing, access, transportation, preservation, documentation, and record keeping.

The CMD is authorized to create and sign all documents pertaining to incoming and outgoing loans, instruments of conveyance, and assignments of copyright. The CMD is also responsible for the assignment of accession, loan, or temporary receipt numbers. The CMD administers and safeguards all collection records, both paper and digital files. In collaboration with curators, the CMD works to ensure accurate documentation of the collection and aids in the dissemination of that information.

The CMD, in consultation with the Chief Conservator, as needed, is responsible for all functions and tasks pertaining to the physical movement and handling of objects including: safe handling practices, packing, shipping, issuance and authorization of passes and permissions, tracking of movement and record keeping of objects entering and leaving the facilities.

Working in coordination with the Exhibition Department and monitored by the exhibition curator, the CMD oversees the installation of both N-YHS and borrowed objects into exhibitions and verifies that the special requirements of all objects, regardless of owner, are met.

## **IX. LEGAL CARE**

### **A. Record keeping**

All primary records are housed on site with the CMD, and like the collections, are safeguarded from risks of fire, water, and loss. Digital records are backed up by the Information Technology department staff nightly and the N-YHS networks are backed up weekly. A full back-up of the collections database is stored off site every two weeks.

The CMD maintains accession records that establish the transfer of title and the legal status of all materials in the Museum collections. These records are to include all relevant memoranda or correspondence, invoices or payment documents, deeds of gifts, transfer of rights, assignments, appraisals, receipts, loan agreements, tax documents, and any other documentation relevant to the acquisition or loan transaction. Correspondence and other documentation related to nineteenth- and early twentieth-century gifts are maintained in the N-YHS archives.

The CMD maintains separate donor files that contain the personal information of the donor, correspondence pertaining to the object, and the original signed deed of gift.

In addition to these records, object files may contain other supporting documentation about the object such as original research, bibliographic information about the maker or donor, translations of

inscriptions, bibliography, comparanda, exhibition history, condition assessment, documentary photography, valuations, related correspondence, and records of movement.

The forms established to document the various procedural steps related to acquisitions and loan transactions are maintained and administered by the CMD.

#### **B. Disclosure of records**

As previously outlined in “Physical Access,” non-confidential records are made available to researchers who demonstrate scholarly interest. The proceedings of the Board of Trustees, its Collections Committees, and a significant collection of historic logs, record books, and correspondence documenting the business of the N-YHS are publicly available through the Institutional Archive housed within the N-YHS’s Library.

#### **C. Inventory and Audits**

The CMD establishes and maintains an inventory of the museum collections and reviews its accuracy on a periodic basis. An inventory encompasses the identification of both objects and their supporting documentation. Record photography is conducted as part of the inventory process. Periodic audits serve to verify the inventory accuracy of both physical objects and supporting documentation.

Procedural safeguards to ensure the accuracy of location information include the limitation of those authorized to move art to the members of CMD, or their designees, and the use of temporary removal slips. The CMD updates the location records following the relocation of objects.

Incoming loan objects are fully identified on an incoming loan agreement, inventoried before, during, and at the close of the loan period, and itemized for the lender’s signature on a receipt of return.

Outgoing loan objects are inventoried at the end of the loan period upon return to the N-YHS and are checked against the outgoing loan agreement and the receipt of return.

#### **D. No Mixing of Personal Collections and N-YHS Collections**

Staff, trustees, and other individuals associated with the N-YHS may not bring their personal collections into the museum. Privately owned objects may be used as office decoration, but should be clearly labeled as such prior to their arrival on the N-YHS’s premises. If the object could potentially be mistaken for an object from the N-YHS’s collection, the owner must provide a full description of the object to the CMD prior to the arrival of the object on site and a signed statement releasing the N-YHS from liability for the work. Objects owned by staff or trustees to be included in an exhibition are governed under the N-YHS’s loan policy.

#### **E. Insurance**

The N-YHS’s collections are insured under a comprehensive fine arts policy subject to the standard exclusions. The CMD will ensure that certificates of insurance and appropriate levels of coverage are obtained and in compliance with stated loan requirements. A periodic assessment of the N-YHS’s insurance coverage evaluates whether the coverage accurately reflects the N-YHS’s needs and the value of the collection.



Incoming loans are insured by the N-YHS unless the lender chooses to waive this requirement or requests the use of their coverage. Outgoing loans must be insured by the Borrower unless the N-YHS agrees to waive coverage. Waiver of coverage requires the approval of the Museum Director.

Damage, loss, or theft of collections must be reported immediately upon discovery to the CMD and followed by a written incident report. The CMD notifies the Museum Director, Chief Conservator, Executive Vice President/COO, Director of Security, as appropriate, or in the case of objects loaned from other institutions, the staff member designated in the loan agreements. The CMD initiates insurance claims in consultation with the appropriate senior management staff.

#### **X. POLICY REVIEW AND REVISION**

The Staff Acquisition and Loan Committee review this policy for ongoing relevance, legal and ethical standards and the potential need for revision every five years. A written proposal detailing recommended revisions is submitted by the CMD to the SALC for discussion and approval and subsequently to the BCC for consideration and approval. Procedures as outlined in the Appendices do not require the SALC or BCC approval for revision, but may be adapted as institutional organization dictates.

Approved June 9, 2020 by the Board of Trustees Collections Committe

**The following Interim Guidelines amend N-YHS's Collections Management Policy Regarding Use of Deaccession Proceeds through April 10, 2022.**

Owing to the extensive negative effects of the COVID-19 pandemic crisis on the operations and financial well-being of the New-York Historical Society and museums throughout the world, this temporary amendment to Section VI of the N-YHS Collections Management Policy permits the proceeds from deaccessioned works to pay for expenses associated with the direct care of collections. New-York Historical defines direct care as encompassing storage costs directly associated with the care and preservation of the Museum collection, salaries of staff involved in collections care, conservation treatment and associated costs, and housing supplies. Deaccessioning proceeds shall not be used for Museum general operating expenses. In accordance with interim Association of Art Museum Directors (AAMD) policies that were enacted in April 2020 and will be in effect through April 10, 2022, as well as with existing American Alliance of Museum (AAM) guidelines, this amendment is in effect from May 26, 2020 until no later than April 10, 2022. After April 10, 2022, in the absence of a renewal or extension of such AAMD policies, this amendment shall automatically expire.