

ART COMMITTEE

Gifts of Art Review Policy

The University of North Carolina School of the Arts (hereinafter referred to as UNCSA) Art Committee is responsible for review of all proposed gifts of public art to UNCSA, including donations by individuals, neighborhood and community groups, and state, national and international organizations. The UNCSA Art Committee, made up of twelve (12) members appointed by the Chancellor or Chancellor's designee, shall meet as necessary (typically each semester) to review proposed gifts of art. The UNCSA Art Committee reviews each proposed gift of art for aesthetic quality and/or relevance to UNCSA history or culture; reviews the potential site(s); and reviews safety and long-term conservation and preservation considerations.

The Committee shall include representatives from the following areas:

- a. Archives
- b. Budget and Finance;
- c. College student body;
- d. Development Office;
- e. Facilities Services;
- f. Faculty Council;
- g. General Council;
- h. High school student body;
- i. Staff Council;
- j. UNCSA Foundation
- k. Visual Arts faculty;
- l. Winston-Salem community representative

The UNCSA Art Committee reviews:

- a.) all proposed gifts of public art to UNCSA, including donations by individuals, neighborhood and community groups, and state, national and international organizations.
- b.) all proposed artworks created or commissioned by any of these groups for long-term or permanent display
- c.) all spaces proposed to be used primarily for the display of visual art for more than 9 months.
- d.) curatorial needs of works in the UNCSA collection, including relocating, hanging, repair and restoration, de-accession, or sale .

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Situations *not* requiring review by the UNCSCA Art Committee:

- a.) artworks placed temporarily on UNCSCA property without being offered to UNCSCA as gifts, provided that the donor obtains the appropriate revocable permits for placement of the works and agrees to insure and maintain the artworks throughout the period covered by the permit. For the purposes of this policy, “temporary” is defined as any period less than 9 months.
- b.) exhibition spaces inside a building used primarily by an individual school or division for pedagogical purposes.
- c.) gifts valued at less than \$1000 and smaller than 18”x 24” for 2-dimensional work and smaller than 18” in any dimension for 3-dimensional.

Gifts of Art Policy

Background

Works of art are occasionally offered to UNCSCA. The UNCSCA Art Committee is entrusted with the responsibility to evaluate the suitability of a proposed artwork and recommending whether to accept it as a gift, and/or to allow it to be installed on the UNCSCA Campus. The committee makes recommendations to the Chancellor or Chancellor’s designee, and, if approved by the Chancellor or Designee, the gift becomes the property of UNCSCA and/or UNCSCA Foundation for the express use of UNCSCA campus community unless otherwise specified. Maintenance becomes the responsibility of UNCSCA and/or UNCSCA Foundation. (Gifts may be transferred from the UNCSCA Foundation to the State of North Carolina). In accepting a gift, UNCSCA and/or the UNCSCA Foundation may require that the donor establish a maintenance endowment to ensure the adequate quality of care for the artwork.

Guidelines for Review

Proposed gifts are evaluated on the basis of the criteria outlined below. Community groups or individual donors proposing gifts are informed of the importance of these criteria in the UNCSCA Art Committee’s considerations. The UNCSCA Art Committee requires evidence that these criteria have been met satisfactorily when making a recommendation regarding a proposed gift.

See guidelines for format under Item 10: Proposal Format.

1. Aesthetic Merit

Is the proposed gift an artwork with strong aesthetic merit? Aesthetic merit refers to the application of sound formal design principles as well as a clearly articulated conceptual framework. In certain special instances, works of particular relevance to UNCSCA history or culture may be accepted for their historical value regardless of aesthetic merit.

2. Technical Quality

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Is there evidence of professional working methods that will support long-term care and conservation efforts? Are the hanging and framing materials and methods of archival quality? If an outdoor work, is the proposed gift fabricated to professional standards and capable of withstanding an outdoor climate of wind, rain, snow, ice, intense heat and high humidity? Is the work structurally engineered to insure the safety of the viewing public?

Potential donors should provide documentation of the proposed gift in the form of description, photographs, and documentation of artists' qualifications.

3. Site

Will the artwork occupy a site of significance on campus (e.g. an entrance to the campus or a major building or renovation project)? How well does the proposed gift complement the site both aesthetically and conceptually? What is the scale of the artwork in comparison to other structures near it? What impact will the proposed artwork have on the environment? That is, how will it affect animal habitats, erosion, drainage, etc.? Site selection should involve representatives of campus constituencies housed near the proposed site(s).

4. Liability

The potential liability to UNCSA should be addressed. Analysis should be based upon the artwork's potential susceptibility to wear and vandalism, inherent danger to the public, and any special insurance requirements.

5. Budget

Potential donors should also show evidence of the financial considerations based upon cost of implementation of display, sources of funding, and a sample maintenance plan that estimates such costs to UNCSA over the life of the artwork. Works intended for a finite period of display over 9 months but not proposed as permanent gifts to UNCSA should also include estimates of the costs for installation and removal from campus. [See also: Item 10, Long-Term and/or Permanent]

The Internal Revenue Service does not allow recipient institutions to estimate the value of proposed gifts. Donors should refer to the appropriate IRS documents for help in determining the value of the property to be donated. A written appraisal completed by an independent, professional art appraiser is required for all gifts of art valued above \$5,000. The cost of appraisal is the donor's responsibility.

6. Recognition

UNCSA will provide appropriate recognition of the donors of art works, unless said donors wish to remain anonymous. Any work of art to be placed on campus over 9 months should have a

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plaque placed near the work that recognizes the artist(s) and/or designer(s), as well as the title, media and date(s) of the work.

7. Reproduction

UNCSA retains the right to reproduce and/or publish photographs or replicas of any work of art placed in public settings on campus or in our collection. In the unusual case where UNCSA obtains a work of art with a copyright on file, the donor will transfer the "chain of title" to the copyright in the work to UNCSA

8. Rights of Attribution

The author of any work displayed on UNCSA campus with permission from the UNCSA Art Committee has the right to claim authorship of that work and to prevent the use of his or her name as the author of any work of visual art which he or she did not create, and to prevent the use of his or her name in the event of a distortion, mutilation, or other modification of the work which would be prejudicial to his or her honor or reputation. The complete rights of Attribution may be seen here: [17 USC 106A](#).

9. Rights of Integrity

In most cases, the author of a work of art permanently installed or donated to UNCSA will assign UNCSA the rights of integrity. If they will not transfer these rights, the committee will weigh that limitation in its analysis for acceptance. The rights are at [17 USC 106A](#).

10. Installation

Committee should address the following questions in evaluating proposals for works to be displayed in public:

- A. How many persons are necessary to site or remove the work? Can it be displayed and transported easily?
- B. Does the installation of the proposed gift require special equipment or vehicles? Are these costs accurately reflected in the proposed budget? Is this equipment readily available, or must arrangements be made for rental and/or reservation of it?
- C. What is the installation schedule?
- D. What accommodations have been made to adequately anchor the work to prevent theft, vandalism and harm to the public?

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- E. Has UNCSEA's Facilities Services office been consulted to help in determining suitability of the site and the timing of installation?

11. Maintenance and Preservation

Committee should address the following questions in evaluating proposals for works to be displayed in public:

- A. Are unusual or on-going costs likely?
- B. Have maintenance funds in perpetuity been provided by the donor? UNCSEA may, at its discretion, require the donor to allocate and guarantee funds for maintenance and preservation.
- C. Donors should provide a final report on future maintenance, including a plan for routine care, with estimated costs. UNCSEA may ask that this report be prepared with the assistance of a qualified conservator.
- D. Have the artists/designers granted written permission for work by a qualified conservator, should the need arise?

12. Recommendations on Acceptance of Gifts

The UNCSEA Art Committee makes recommendations to the Chancellor or Chancellor's designee on a course of action regarding each gift or project proposed. If the UNCSEA Art Committee recommends acceptance of the gift or project, the UNCSEA Art Committee may request formal approval of the site by the Chancellor or Chancellor's designee. The UNCSEA Art Committee may also recommend that a community group retain ownership of the work. The UNCSEA Art Committee's recommendations will be presented to the Chancellor or Chancellor's designee for consideration.

13. Long-Term or Permanent Loans

Some donors may wish to offer works of art for long-term or permanent loan (any period exceeding nine months that also includes either a fixed or implied termination date) while retaining ownership of the work. In this instance, all of the above procedures remain the same exclusive of issues pertaining to the transference of ownership of said works to the UNCSEA Foundation or the State of North Carolina. Donors should specifically address issues of liability and the length of the loan period in their proposals.

14. Proposal Format

The UNCSEA Art Committee does not wish to discourage the submission of proposals by establishing a rigid format; the following list is meant as a guide to help those wishing to put forward work(s) for consideration by the UNCSEA Art Committee. It is recommended that

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parties wishing to offer works of art to the UNCSCA community consider making an initial inquiry via letter prior to the submission of a complete proposal. Submission of a letter of intent would facilitate the scheduling and convening of the UNCSCA Art Committee, and allow for a review of potential sites on campus, etc.

The format for proposals is as follows:

- A. Cover letter stating the nature of the proposal (donation of existing work, commission of new work, loan or permanent gift);
- B. Contact information for all parties involved (names, addresses, phone numbers, e-mail addresses, etc.);
- C. Images of the work(s) to be considered;
- D. Written description of the work(s) to be considered. Address the following areas:
 - 1. Aesthetic merit;
 - 2. Technical quality;
 - 3. Site analysis;
 - 4. Analysis of liability;
 - 5. Budget;
 - 6. Plans for recognition (or desire for anonymity) of the donor(s);
 - 7. Maintenance and preservation plan;
 - 8. Installation plan;
 - 9. Time-line for implementation;
- E. Resume or curriculum vitae of each artist(s), member of the design team and professional fabricator;
- F. Other support materials such as catalogs, reviews, etc.

In order to facilitate development of a proposal by potential donors, paper and electronic copies of this policy may be obtained by contacting the UNCSCA Office of Development, or from the UNCSCA Web site: www.uncsa.edu. It is recommended that potential donors retain a copy of their proposals for reference throughout the process. Donors are asked to submit at least two (2) copies of each proposal being offered for consideration for distribution to the UNCSCA Foundation and the UNCSCA Art Committee. Initial letters of inquiry regarding donation should be sent to:

Office of Development
Director of Donor Communications
University of North Carolina School of the Arts
1533 S. Main Street
Winston-Salem, NC 27127-2188
336-770-3330

15. De-Accessioning Policy (Brief)

The University shall retain the right to the de-accession of any items, however acquired, which do not meet its overall standards of quality or relevance as described herein below. De-accession of materials shall be related to the policies here set forth, rather than to temporary needs or to the dictates of taste.

Funds realized from the de-accession of materials shall be used to augment University holdings in art or otherwise fulfill the intent of the original donation, bequest, or appropriation as determined by the Chancellor or Chancellor's designee on the recommendation of the UNCSCA Art Committee

15. De-Accessioning Policy (Extended w/procedure)

A. Subject to the discretion of the UNCSCA Art Committee, objects in the collection may be proposed for removal for any or all of the following criteria:

1. Relevance to UNCSCA's mission or permanent collections
2. Condition of the object, particularly if it has deteriorated or been damaged beyond repair or poses a health hazard
3. Care of the object by UNCSCA is no longer feasible

B. De-Accessioning procedures

Methods of removing objects from the collection will be carried out in accordance with any local, state, and federal regulations and legal requirements and in accordance with UNCSCA policies as follow:

1. An affirmative vote for de-accessioning must come from the UNCSCA Art Committee UNCSCA Art Committee, finalized by the approval of the Chancellor or Chancellor's designee.
2. A third party authority on the object to be de-accessioned will be consulted to verify current market value.
3. UNCSCA will undertake due diligence to contact the donor or heirs of the donor if the object to be de-accessioned was a gift or bequest to extend the right of first refusal. Special consideration and notification is given to living artists whose work has been acquired through purchase or donation.

C. Documentation of Deaccessions

Documentation of the following steps in the deaccession process will be retained in the original object file:

1. UNCSCA Art Committee's written justification and photograph for each object
2. Authorization by the Chancellor or Chancellor's designee
3. Copies of exchange, sale receipts, or any other relevant documentation.

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D. Allocation of Proceeds from Sale

Funds realized from the de-accession of materials shall be used to augment University holdings in art or otherwise fulfill the intent of the original donation, bequest, or appropriation as determined by the Chancellor or Chancellor's designee on the recommendation of the UNCSA Art Committee

Committee voted *not* to accept works of art for the purpose of resale due to complexities of the art market.