

MANUAL OF PROCEDURE

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PROCEDURE TITLE: Miami Dade College Museum of Art and Design,
Collections Deaccession Policy and Procedure

STATUTORY REFERENCE: FLORIDA STATUTES 1001.64 AND 1001.65

BASED ON POLICY: V-40, Miami Dade College Art in Public Places

EFFECTIVE DATE:

LAST REVISION DATE:

LAST REVIEW DATE: February 12, 2024

I. INTRODUCTION

Deaccessioning is a legitimate and necessary component of Museum collections stewardship. This process serves to refine and improve the quality, appropriateness, and safekeeping of the collections, in support of Museum of Art and Design's mission and collecting strategies.

Deaccessioning is the official process of permanently removing an object from the collection for clearly stated reasons, and disposing of it in accordance with approved policies and procedures.

Objects selected for deaccessioning undergo a rigorous process of review guided by recommendations of Association of Art Directors (AAMD) Task Force on Deaccessioning, American Alliance of Museums standards and best practices, as well as domestic and international laws. Caution and transparency are essential in the deaccessioning process.

II. PRINCIPLES

Works of art may be deaccessioned for a variety of reasons, including but not limited to the follow:

- A. The object lacks relevance to Museum's mission, collection themes and purpose.
- B. The object lacks sufficient aesthetic merit or has little or no historical significance.

- C. The object is a duplicate or redundant and is not necessary for research.
- D. The authenticity, attribution or genuineness of the object is questionable or determined to be false or fraudulent.
- E. The object has been illegally acquired or is determined to be Nazi-era loot.
- F. The object is non-compliant with Native American Graves Protection and Repatriation Act (NAGPRA) or other Federal or International laws protecting material culture, or endangered species.
- G. The objects cannot be adequately stored or physically managed by staff, or is considered hazardous to humans or other objects.
- H. The object is in poor condition, damaged or deteriorated beyond reasonable repair.
- I. It is not feasible for the museum to continue to care for the object.

In prioritizing objects for deaccessioning, MOAD will determine feasibility of care, use and storage. Circumstances may require that certain objects be deaccessioned in support of cultural repatriation laws.

Where there are reservations or disagreement about the significance and relevance of items proposed for deaccessioning, MOAD will consult with appropriate outside experts for written opinions. Items proposed for deaccessioning will be available for inspection, together with a statement detailing the reasons for deaccessioning. For objects claimed to be acquired illegally, the burden of proof will remain with the claimant.

Items proposed for deaccessioning will be formally approved by the ACAC. A form with visual documentation of the object(s) will be prepared indicating the reason for deaccession and recommended method of disposal. This deaccession information, including method and date of disposal, will be maintained in the database and physical object files in perpetuity..

MDC staff and Board of Directors, MOAD Advisory Committee members, museum volunteers and their immediate families, may not receive a special benefit to acquire works that have been deaccessioned from MOAD's Permanent Art Collection.

III. PROCEDURES

The Chief Curator, together with appropriate staff, will determine whether an object may be considered for deaccessioning based on the guidelines herein. The following procedures will be followed.

- A. Recommendation for Deaccession Form. The Registrar will initiate a Recommendation for Deaccession Form for each item or group items, which will include a full description of the object, an evaluation of the object's art historical significance and condition. The form will also include provenance, source documentation, valuation, as well as reasons for deaccessioning, and recommendations for method of disposition.
- B. Approval to Proceed with Deaccession. The Executive Director shall review the

- Recommendation Form and give written approval to proceed with the deaccession candidates.
- C. **Review of Records:** The MOAD Registrar will examine the object's records to determine whether the College has legal title and will review donor records. If the proposed deaccession candidate was a gift, the Curator will examine donor files for any restrictions that may influence the decision to deaccession.
 - D. **Contact with Donor, Heirs, or Living Artist:** In the case of unrestricted gifts, the Registrar will make reasonable efforts to contact donors, their heirs, or executors, to inform them of the proposed deaccession. Such action shall not be construed as a request for permission to deaccession or as an attempt to return the object. MDC's Office of Legal Affairs will be consulted for any legal concerns. If the object is by a living artist, the Museum will attempt to contact him or her or their representative.

Reasonable efforts to contact a donor whose gift occurred within thirty years of the deaccession date may include, but is not limited to, an internet search for current address, review of obituary records.

- E. **Outside Opinion:** For significant objects, MOAD will seek a written opinion of the recommendation to deaccession from an outside expert. Whenever possible evaluations must be made based on review of the actual object. If the reason for deaccession is condition, a conservation report should accompany the Recommendation Form, unless the object poses a danger to people or other objects and needs to be removed immediately.
- F. **Appraisal:** For objects of value, an outside expert should be consulted to determine valuation for those objects to be disposed of by public auction.
- G. **Final Review by Executive Director:** The Executive Director will review all proposed deaccessions to ensure the that recommendations are based on authoritative expertise prior to presentation to Deaccession Committee.
- H. **Presentation to Deaccessions Committee:** The deaccession must be presented to the full Deaccessions Committee for review and signature. Once the deaccession form is completed and approved, the Executive Director will submit the completed forms to Director of Cultural Affairs for review and comment prior to disposal.
- I. **Methods of Disposal:** Each deaccessioned object shall be disposed of in an appropriate and transparent manner that complies with state and federal laws, museum standards and best practices, as well as MDC policies.

- i. Return to the donor: This is only permissible when there have been restrictions written into the deed of gift requiring this, or if the work was donated by a living artist and will be exchanged for a better example.
- ii. Transfer to another museum: Deaccessioned objects may be transferred to another appropriate institution that may be better able to use, display or care for the objects.
- iii. Sale: Items may be sold through public auction or other public method of sale. Private sales of artwork held in the public trust are unethical. In conformity with The Association of Art Museum Directors Task Force, the funds received through the

sale of deaccessioned items shall be used for the purchase of works of art from the same period or culture or for direct care of collections. Sale of works by living artists should be done with sensitivity and in communication with the artist or their representative.


iv. Reserve or Education Collection: Objects of lower significance may be deaccessioned an education or campus collection.

v. Destruction: Where the item is incomplete, in poor condition, of no value, or beyond reasonable repair, it may be destroyed. The process of the destruction of the object must be well-documented and included within the permanent object files in the MOAD Collection Records.

J. Documentation of Deaccession and Disposal: The Registrar will document the deaccession and disposal in the permanent files, and in the collection management database. Photographic documentation of the object must be on record prior to its disposal. The Deaccession Form and documentation of the deaccession process, including the amount realized from any sale, will become part of the permanent object's file.

Resource Documents:

Association of Art Museum Directors (AAMD) Report of the AAMD Task Force on deaccessioning (June 9, 2010/Amended October 2015); Indianapolis Museum of Art (IMA) Deaccession Policy (February 2008); the Metropolitan Museum of Modern Art Collections Management Policy (October 2010); The Patricia and Phillip Frost Art Museum Collections Management Policy (May 2015); Florida Statutes 1001.64, 1001.65, 265.565, 212.08(7)

	02/12/2024
PRESIDENT	DATE