

IV. DEACCESSION OF WORKS OF ART POLICY

Deaccessioning is the formal removal of a work of art from a museum's permanent collection. It is normally followed by disposition of the work by sale, transfer, or exchange. Deaccessioning is a best practice in the museum field used to improve overall collection quality through thoughtful assessment and redesignation.

Newfields, for any of the reasons described below, may find it necessary or desirable to amend its collections by deaccession.

A. Objects considered for deaccession may include but are not limited to the following:

- A1. Objects that are not appropriate for Newfields' art collections, such as Permanent, Study, Lilly House, or Miller House collections, or are not consistent with the goals of Newfields.
- A2. Objects that are determined to be below the level of quality necessary to advance Newfields' mission or possess little potential for research, scholarship, or educational purposes.
- A3. Objects that have been forged or misrepresented. A forgery is defined as a work that was intentionally made or sold for the purpose of defrauding buyers, or that has been altered in any way toward the same end. Forgeries may also include objects not made or used in their traditional contexts (i.e., as commonly occurs within the ethnographic art market and indigenous objects). Forgeries do not include studio works, copies, imitations, and similar works made without deceitful intent and sold in good faith by a reputable dealer. Objects misrepresented by the seller or donor may include but are not limited to objects that are either intentionally or unintentionally portrayed to Newfields as having falsified, incomplete, or dubious title, provenance, condition, attribution, date of creation, or edition of a series. Misrepresented objects may also include forgeries.
- A4. Duplicate and redundant objects. Redundant works include objects that are either duplicates, or similar variants, which includes works closely related in subject and style by the same artist or school but varying in quality, condition, and interest.
- A5. Objects damaged or deteriorated beyond reasonable repair.
- A6. Objects for which Newfields is not able to provide proper storage, care, or display.
- A7. Objects in art historical areas or cultures that are no longer within the scope of Newfields' Collecting Plan.

B. Art Committee of the Board of Trustees Approval

Any object proposed for deaccession must be presented to the Art Committee of the Board of Trustees after the object is identified by the Curator and approved by the Director for deaccession. Final approval for any object proposed for deaccession rests with the Art Committee, which must be approved by at least a two-thirds (2/3) majority in person or by proxy.

C. Disposal

Each deaccessioned object will be disposed of in a means appropriate to the item. In many cases, this will be by public consignment with an auction house or a reputable dealer (either online or physical sale), but some objects may best be disposed of by transfer to or exchange with another institution, retention by Newfields under a non-art status, or in cases of objects beyond reasonable repair, Newfields

may wish to destroy them. Disposal will not take place in a way that violates Newfields' Code of Ethics or otherwise creates a conflict of interest for Newfields.

As is applicable to all staff, trustees, governors, and volunteers of Newfields, directly or indirectly purchasing a work of art that is being deaccessioned by Newfields is a violation of Newfields' Code of Ethics.

In the cases of stolen, forged, or misrepresented objects, the Curator and Director will determine their proper disposition, which may include restitution, repatriation, or destruction. For purchases, Newfields may seek additionally a refund, credit, or exchange from the dealer or auction house.

In general, the Curator in whose area the deaccession falls, in association with the Director, will recommend a means of disposal and supervise the disposal. The Registrar will implement the disposal and keep the Curator and Director informed.

D. Use of Proceeds

Per the Collecting Plan, the funds received from the sale of works of art will be used to improve stewardship of the collection through the acquisition or deaccession of works of art or the direct care of the collection. Deaccession funds may be used on a case by case basis to cover the following:

- D1. The purchase price of new works of art for the Permanent Collection.
- D2. Payment for specific costs directly associated with such acquisitions after operating funds have been reviewed and/or exhausted.
- D3. To support the direct care of collections, including but not limited to framing, mounting, photography, conservation, staffing, packing, transportation, evaluation, and sales fees.

Works of art purchased with deaccession funds will be publicly credited to the original donor(s) in a similar manner as follows, "Gift of [donor's original credit] by exchange" or "Through prior gift of [donor's original credit]" or "[fund name] by exchange." For works of art originally purchased using unrestricted art purchase funds, the deaccession funds will revert back to the general deaccession art purchase fund.

E. Documentation

The Registrar will document the deaccession in the permanent files, accession card files, and in the collection management database. A reference photograph must be on record prior to the object's disposal. The completed Recommendation for Deaccession Form (including the amount realized from sale) will become part of the object's permanent historical file. The list of deaccessions will be posted on the Newfields website after approval by the Art Committee of the Board of Trustees and funds realized will be updated regularly. In addition, the IRS 990 form will also be accessible on Newfields' website.