

ARTWORK DEACCESSION PROCEDURE

This procedure is governed by its parent policy. Questions regarding this procedure are to be directed to the identified Procedure Administrator.

Functional Category:	Operations
Parent Policy:	Public Artwork Management Policy
Approval Date:	January 12, 2017
Effective Date:	February 1, 2017
Procedure Owner:	Vice President, External Affairs and Corporate Counsel
Procedure Administrator:	Director, Brand & Market Development

Overview:

NorQuest College (college) is committed to acquiring, displaying and exhibiting artwork that improves the campus community through learning opportunities and physical space enhancement. From time to time, it may be necessary and appropriate to permanently remove artwork from the NorQuest College Artwork Collection (the collection).

This procedure establishes processes through which artwork is removed from the collection.

Authority to establish this procedure is derived from the [NorQuest College Board of Governors Policy No. 5](#) which delegates authority to the President and CEO to establish policies and procedures for the college's management and operation.

Procedures:

The college recognizes that there must be a strong presumption against the permanent removal of artwork from the college. However, there are circumstances where deaccession may be necessary and appropriate. These include:

- The college's ownership of the artwork has been successfully challenged by law
- The artwork has deteriorated or been damaged to the point that it cannot be exhibited
- The artwork has been determined to be a fraud or copyright violation,
- Deaccession is warranted as outlined in a donation, loan, or lease agreement
- The artwork does not meet the objective and terms of the policy
- To acquire new artwork with the funds realized by the sale of a piece of the collection.

The Public Artwork Management Committee (the committee) will review the collection on a regular basis and identify artwork that meets the conditions above. Deaccession requests may be submitted to the committee for consideration, and include the reasons for proposed deaccession.

Deaccession of Loaned Artwork

If the artwork is loaned to the college, the committee will ensure that the terms of the loan agreement are followed in deaccessioning the artwork from the collection. The artwork will be removed from the collections registry.

Deaccession of Owned Artwork

If the artwork is owned by the college, the committee will:

- Review the request
- Determine the method for disposal (see Artwork Disposal below)
- Recommend deaccessioning or not to the President & CEO.

The final deaccessioning of an artwork decision will be made by the President & CEO following the review and recommendation of the committee.

If deaccessioning is not approved, the decision will be recorded in the collections registry.

If deaccessioning is approved, the committee will proceed to dispose of the artwork in the recommended manner.

Artwork Disposal

Integrated Planning & Financial Services will be consulted and experts/stakeholders engaged to determine the appropriate disposal method.

Appropriate disposal methods include:

1. Transfer (by donation or gift) to an institution or individual.
2. Exchange for a new artwork.
3. Sale, at fair market value as determined by an expert or by auction, with proceeds to be put toward acquisition and/or maintenance of the collection.
4. Return to the living artist, unless the artist was the donor.
5. Return to the owner if it is a loaned artwork.
6. Intentional discard or destruction, as a last resort, if the artwork has been damaged beyond repair or no other disposal method can be achieved.
7. Other disposal method as stipulated in a donation agreement.

The college cannot return the artwork to the original donor if the artwork was received as a donation in compliance with Canada Revenue Agency regulations. The original donor may be allowed to purchase the artwork at current fair market value. Where donated artwork is deaccessioned and new artwork acquired with the funds realized from the sale, the new work will be designated as coming from the original donor "by way of exchange".

As a courtesy, the college should allow living artists the first right of refusal to reacquire their artwork that has been approved for deaccessioning.

An artwork that has been stolen will be deemed to be disposed.

Notification of Deaccession

On deaccession, the committee will:

- Notify Facilities Management to remove the artwork from exhibition and display.
- Notify Integrated Planning & Financial Services who will be responsible to ensure all policy and procedures related to capital assets and financial disclosure are executed, and the disposal is executed in accordance with all college policies and procedures.
- Notify Advancement if the artwork was donated to notify relevant donor(s) and/or living artists.
- Update the collections registry.

Definitions:

Artwork: an object created, manufactured, or produced by human art, craft, or workmanship, including but not limited to paintings, drawings, prints, photographs, sculpture, architecture, installations, digital, and electronic works.

Collections registry: the collections registry will catalog all artwork in the collection in detail, as defined by the committee.

Deaccession: the process of formally removing artwork from the collection. The deaccession process includes the formal review and approvals process that lead to the removal of artwork from the collection.

Donation: A voluntary transfer of property without valuable consideration to the donor. In order for a gift to qualify for a charitable tax receipt the following three conditions must be satisfied:

- some property, usually cash, is transferred by the donor to the college,
- the transfer is voluntary, and
- the transfer is made without expectation of return. In alignment with Canada Revenue Agency (CRA) guidelines: it may be permissible for donors to receive recognition for their gift, including donor wall listing, signage and plaques, or naming opportunities for buildings, displays, education programs, etc. Donations can be in many forms including: cash, gift in kind, planned gift, and endowment.

Exhibitions: the display of artwork in the collection on college campuses.

Loan: the rental, lease, or loan for a set period of time where the ownership of the artwork remains with the original owner.

NorQuest College Artwork Collection (“the collection”): Artwork that has been acquired by the college or artwork that is on display at the college and owned by another party. This does not include artwork acquired by the Students’ Association of NorQuest College or artwork from individual employees’ or students’ personal collections.

Public Artwork Management Committee: a standing committee reporting to the President & CEO that reviews all acquisitions, exhibitions, and decisions relating to the collection in accordance with the Public Artwork Management Policy.

Related Information:
Related Documentation:
Next Review Date:
Revision History:

Artwork Acquisition and Accession Procedure
Collections Maintenance Procedure (to be developed)
[Donation Policy](#)

- [Donation Acceptance Procedure](#)

[Facility Operations Policy](#)

- [Space Allocation & Utilization Procedure](#)
- [Managing Displays on Common Area Wall Space Procedure](#)

[Procurement Policy](#)

- [Contract Management Procedure](#)
- [Goods and Services Procurement Procedure](#)

[Tangible Capital Asset Management Policy](#)

- [Asset Inventory Management Procedure](#)
- [Capitalization & Amortization Procedure](#)

[Signing Authority Policy](#)
[Code of Conduct Policy](#)

Public Art Management Committee Terms of Reference (to be developed)

January 2021

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