

theHoustonMuseumofnaturalscience

Policy of Management of the Collections

Houston Museum of Natural Science
5555 Hermann Park Drive, Houston, Texas 77030-1749

Adopted by the Board of Trustees, December 5, 1985.
Reviewed and revised May 1989, May 1994, March 1997, November 2000,
September 2003, November 2006, September 2009.
Reviewed February 2012 and February 2014.

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INTRODUCTION

The Houston Museum of Natural Science is a private, non-profit institution chartered by the State of Texas. The Museum collects, preserves, studies, and interprets objects in its collections in pursuit of education, exhibition, research and publication programs. The Museum is committed to maintaining high professional and ethical standards, and to preventing loss and/or damage to its holdings through mismanagement, deterioration, or irresponsible disposal.

The scope of the Museum's collections includes anthropology, mineralogy, paleontology, zoology, and botany, with emphasis on specimens from Texas, the Gulf Coast region and North America. However, the collection also has many specimens worldwide in scope. Collections are arranged systematically, and contain, whenever possible, thorough records of geographic regions or ecology. The various collections are used for research, exhibits, and educational programs.

I. DEFINITIONS

A. Collection's Item

An object or specimen that has been, or is in the process of being accessioned into the collections. Throughout this policy, the term "item" will be used to indicate either an object or a specimen.

B. Accessioning

The formal process employed to accept and record an object or specimen as a collections item.

C. De-accessioning

The formal process used to remove an item permanently from the collections.

D. Loans

The temporary transfer of items to other institutions or organizations for stated educational or research purposes. There is no transfer of ownership.

E. Exchanges

The formal reciprocal transfer of items of comparatively equal value between two or more institutions for the purpose of research, education, or exhibition.

II. ACCESSIONS

A. Accessions Goals

Museum collections will be improved by the selective addition of new material, using the following guidelines to determine the direction and scope of accessions. Museum accessions should:

1. Strengthen the collections in subject areas pertinent to the specialized interests of the Museum;
2. Broaden the comparative base of established collections for reference purposes;

3. Provide materials for educational purposes including exhibition;
4. Represent and add to knowledge of the natural history of Texas and the Gulf Coast region, and broader geographic areas, and the understanding of science and technologies important to Texas.
5. Collections plans for each collection are included as an addendum to this policy.

B. Considerations for Accessions

If the Museum is offered or becomes interested in acquiring certain items for its collections, the following considerations should be reviewed.

1. The acquisition of the item must be consistent with the Museum's collection goals
2. Preferential consideration can be given to a unique item that presents an exceptional opportunity for the Museum.
3. If the item is being offered for sale, might it or a comparable object be obtained as a gift or bequest? When an item is offered for sale determine if the item or a comparable object can be obtained as a gift or bequest.
4. Can proper care be given to the item, or does it require additional expenses for conservation or maintenance? The Museum must be able to properly care for the item. Additional expenses required for conservation or maintenance should be carefully reviewed.
5. Will the item be used in the foreseeable future for exhibits, teaching, or research? The item should be of use in the foreseeable future for exhibition, teaching, or research.
6. Is the item encumbered with conditions imposed by the donor? Thoroughly examine all conditions imposed by the donor and evaluate what burdens those conditions might place on the Museum.
7. The use of the item cannot be limited or unethical due to legal restrictions, strong public sentiment, or cultural associations.
8. The acquisition of the item must be in compliance with all state, federal and international laws as they specifically relate to the Museum's ownership and use of the item. A list of the laws HMNS complies with are found in Appendix IV of this document.

C. Rights of Ownership

The Houston Museum of Natural Science has ownership when one of the following has occurred:

1. Gifts - The item is physically located at the Museum and the Deed of Gift and acknowledgement letter have been executed,

The Deed of Gift is designed to transfer ownership and legal rights in personal property donated to the Houston Museum of Natural Science (HMNS) to be administered in accordance with established Museum policies. The Deed of Gift constitutes the transfer of title and serves to define the terms of the transfer. This is executed in duplicate and a copy retained as part of the Museum's permanent Accession Records.

Copyright Conveyance: The HMNS encourages Donors to transfer any copyright they may control whenever possible. Copyright ownership by the HMNS facilitates use by scholars. Copyright conveyance shall be noted at the time of acquisition.

1.2. Promised Gift - The Museum does not have ownership of a promised gift until the donor has delivered the promised gift to the Museum with the intention to pass title and the Deed of Gift and acknowledgement letter have been executed. *Currently there is new federal legislation concerning fractional (or partial) gifts. This will need to be addressed when more information is available.*

1.3. Gift / Purchase – A Deed of Gift and acknowledgement letter have been executed and payment for the remainder has been rendered.

2. Purchases - The payment for the item has been rendered.

2.1. Bargain Sales - Owner has offered to sell an item(s) to the Museum for less than its fair market price, the Museum must be certain that the offered price is less than fair market value and should note that the transaction is a bargain sale on the sale contract. After payment is made and the item located at the Museum, a letter should be sent to seller acknowledging the transaction was a bargain sale and gratitude for the resulting "gift" to the Museum.

3. Exchanges - The institutions have signed letters of agreement and the items involved have been received by the respective institutions.

4. Abandonment - Items that are not owned by the museum but are left in the museum temporarily for other than loan purposes (e.g. identification, photography) must be accompanied by signed receipts of temporary deposit. This receipt is not a guarantee against damage or loss. If an item is not reclaimed by an agreed-upon date, it will be considered abandoned and the museum will then adhere to Texas State Property Code, Title 6A, Chapter 80 (found in the appendix).

D. Rights of Refusal

The Houston Museum of Natural Science has the right to refuse items if:

1. It is known that the collection of said items involved the destruction of historical or archaeological sites, or harmed endangered or protected species and/or habitats,(see *Appendix IV*),
2. They are known to have been illegally collected, illegally exported from their country of origin, illegally imported into the United States, or illegally transported within the U.S.,
3. They have restrictions placed on their use or disposal by the donor that would not be in the best interest of the Museum,
4. They are not consistent with the goals of the Museum.

E. Restrictions

There should be no restrictions on the use or disposal of an item. If an object is accepted with restrictions, these must be documented at the time of acceptance and approved by the Museum President.

No item will be accepted and accessioned into a collection with the exclusive intent of sale. However, items may be sold at a later time if conditions warrant. When specified by the donor, an item may be accepted, and not accessioned, with the intent of sale as a form of donation to the Museum

F. Authority to Acquire

The President is authorized to purchase and accept gifts valued at less than \$20,000 based upon (1) the written recommendation(s) of the appropriate curatorial staff and (2) availability of funding. (This includes single items or groups of items valued at \$20,000 or less, and presented as a single transaction.) All supporting recommendations shall become part of the permanent acquisition record. Any acquisition under \$20,000 will be reported by the President at the next meeting of the Accession/De-Accession and Collections Committee. The President may delegate the authority to the Vice President of Collections and curatorial staff to accept or purchase items on his/her behalf. Such authority, as well as exceptions, must be in writing. (See Appendix I.)

Purchases and gifts in excess of \$20,000 require the approval of the Accessions/De-Accessions and Collections Committee of the Board of Trustees. (This includes single items or groups of items valued at \$20,000 or more, and presented as a single transaction.) All such gifts or purchases proposed for consideration must be accompanied by (1) a review and recommendation by the appropriate curator, (2) a statement of support from the President, (3) the approval of the appropriate subcommittee and (4) in the case of purchases, identification of funding at the time they are presented to the Committee for consideration. All supporting recommendations shall become part of the permanent acquisition records.

Gifts with restrictions likewise require review by the appropriate curator and the supporting recommendation of the President for consideration by the Committee.

Purchases and gifts in excess of \$20,000 require the approval of the Collections Committee of the Board of Trustees. Gifts with restrictions likewise require Committee approval.

G. Collections Records

1. Accession Records

Accession records document the accession (control) number, name, description of the object/specimen, date and place of collection, date of accession, and donor's or seller's name, if applicable. For museum purchases, the price paid for each item is also included in the records.

Items collected in the field are of particular value only if the specific locality, collector's name, date of collection, and related information are noted. Therefore, it is important that all of the pertinent data be recorded in the accession records or in an additional file indexed to the records.

- a. All original documents relating to the object/specimen become part of the accession records. Copies are provided for curatorial files.
- b. Accession records and accession worksheets are kept in a designated file room. Access to and the security of accession files are the responsibility of the Registrar responsible for Acquisitions.
- c. Copies of the accessions records should be maintained in a file kept separately from the original documents for protection from fire, storm, or other forms of destruction.

2. Accession Procedures

All items acquired for the permanent collections must be promptly accessioned, thereby establishing them in the Museum's permanent records. The Registrar will accession items according to accepted procedures established by a recognized authority in the field.

- a. The item is assigned a unique accession number. This number is affixed to the item.
- b. An accession worksheet, including a description of the item must be completed.
- c. A letter of acknowledgment and a Deed of Gift are sent to the donor. The donor must return a signed copy of the Deed of Gift.

- d. Extremely valuable items should be photographed.
- e. Objects exchanged with other museums will be so noted in the accession records. Pertinent correspondence will be maintained in the Curator's records.

3. Curatorial Catalogs

In addition to the accession records, departmental catalogs are maintained by the Curator. Two types of records are kept:

- a. The Collection Catalog is the primary departmental record. It assigns a unique catalog number to each accessioned item. Each recorded entry must include both the catalog number and the accession number to allow cross-referencing to donation records.
- b. The second type of record is the Location Inventory which lists the location of the collections items. This location inventory includes those items on exhibit, on loan, and in storage. It is to be kept current at all times.
- c. Additional subject or taxonomic catalogs may be maintained. These catalogs may arrange the collection items systematically, by geographic location, or by object function.
- d. Departments maintaining computerized catalogs must retain 'hard copies' of these records and update them periodically.

4. Specimen/Object Labels

Many items have accompanying paper labels listing the catalog number, genus and species, and other information. Specimen labels should never be discarded, even if incorrect. New labels may be attached to the specimen in addition to the original. Unaccompanied labels found in collections storage should be kept in the event that the specimen is located at a future date. The labels for all objects donated, destroyed, sold, or lost must be kept in the departmental files.

III. DE-ACCESSIONS

De-accessioning is a process subject to public scrutiny and criticism; therefore established de-accession procedures must be closely followed. De-accessioning must be done with care, consideration, and with the best long-term interests of the collections in mind. All de-accessions must be approved in writing by the President and the appropriate curator, and in the case of items of significant scientific, historical, or monetary value, by the Collections Committee of the Board of Trustees. Significant monetary value is interpreted as more than \$5,000 for a single item or \$20,000 for the aggregate.

A. De-accessioning Criteria

The following considerations should be used when determining if an item should be removed from the permanent collections.

1. The item is no longer relevant to the purposes and activities of the Museum
2. Is there a danger of not being able to preserve the item properly?
3. The item has deteriorated beyond usefulness and there are better specimens of the same object in the collections
4. A better example is available for acquisition and accession.

5. There are legal ramifications to the proposed action, such as:
 - a. Lack of clear title to the item(s)
 - b. Donor restrictions
 - c. State or Federal regulations which affect disposal, (e.g., protected species and cultural material)

B. Disposal of De-accessioned Items

If it has been decided that a particular item should be removed from the collections, the item should be disposed of by the procedures below, adhering to each in turn; 1 followed by 2, 2 followed by 3, etc.

1. Exchange

If an item is of unusual scientific or cultural value, the President, or the curator of the specific collection involved should identify and contact institutions whose collections or programs might benefit from the addition of the item through exchange. An exchange may be arranged if another institution has items appropriate to the Museum's acquisition policies and represents equivalent value. Exchange agreements keep the item within the public domain, and thereby, increase the probability of preservation of the item. Exchange is the preferred method of disposing of de-accessioned objects.

2. Donation or Transfer

Where exchange of material is not feasible, the Museum may donate the de-accessioned items to other non-profit educational or scientific institutions. Such transfers are limited to institutions recognized by the state or federal government, and are exclusively for the purposes of research, education, or exhibition.

Favoritism should not be a factor in deciding which institution should receive a particular item from the Museum's collections. (*See Appendix II, Guidelines for Determining Alternative Repositories.*)

3. Sales

De-accessioned objects may be sold. The goal of the sale is to realize the best possible profit, based on the current fair market value for the object.

a. Responsibilities to the original donor or their heirs.

Prior to the sale of any de-accessioned items, other than those of nominal value,

- 1) all reasonable attempts should be made to contact the donor or their heirs to inform them of the Museum's intentions;
- 2) assurance should be given to the donor or their heirs, that any moneys received from the sale of the item(s) will be used to acquire other items for the Museum's collections, and that
- 3) the original donor's name will be affixed to any acquisition(s) purchased with funds from the sale.

b. Sales Procedures

If the value of an object cannot be determined from museum records, efforts will be made to obtain an independent appraisal of the item to establish its fair market value. The appraiser may not buy, directly or indirectly, the object being offered for sale. The Museum will not sell any specimens of protected species, or items that might appear to support illegal marketing or trading.

Objects of value should be advertised for sale through appropriate journals and publication(s), and / or sold at auction or through a dealer. If equivalent offers are received, the President shall decide which bidder appears most likely to provide the highest degree of care and make the most appropriate use of the object.

There will be no privately arranged sales of Museum items to the Museum's employees, employees of other museums, the Museum's Board of Trustees, or any representative of these groups. These individuals shall be eligible to purchase the object at public auction or, in the event of public sale, after the item(s) have been available in a public market forum for (15) business days.

The proceeds from the sale of de-accessioned items will be credited to a reserve account for future collection purchases or other collection needs.

4. Destruction

Destruction is defined as the final disposal of an item by physical or mechanical means. De-accessioned items designated for destruction must in fact be destroyed and not kept by staff members or given away.

IV. LOANS

The loan of collection items is undertaken only according to the terms of a written loan agreement which forms a contract between the lender and borrower. This document specifies the terms and conditions of the loan, including the respective responsibilities of each party. The Museum's standard loan agreement is to be used for all out-going and in-house loans.

The Museum lends collection items for the purposes of research, exhibition, or education. Curators or managers of specific collections will decide whether items from their collections may be lent. The President retains final approval on all loans. Loans will not be made for personal use.

Loans are made for a negotiable period of time, as determined by their purpose. The length of the loan must be clearly stated when the loan agreement goes into effect. All loans are reviewed annually and may be renewed.

A. Out-Going Loan Criteria

The Museum will lend to other museums, universities, or educational institutions with the following stipulations:

1. The borrowing institution is represented by officially recognized personnel.
2. Trained staff exist to ensure the proper handling of the loaned material. Where this does not exist, a designated HMNS staff member may accompany the loan and an hourly fee may be charged for this service.
3. No unreasonable hazards exist to the specimens.
4. The material to be loaned is not needed by Museum staff for research or exhibition during the loan period.
5. The Museum will not incur any unreasonable costs in the packing or transportation of the loan material (see Section IV, Part B.).
6. The item(s) requested are not exceptionally valuable, fragile, rare, or of inherent value to the museum's permanent exhibitions
7. The institution requesting the loan will honor future loan requests from the Museum.
8. There must be adequate facilities for the loan items including proper storage, security, closed cases, and controlled environment.

Commercial loan requests will be fulfilled, when appropriate, from non-catalogued collections. The commercial organization must have an educational purpose, e.g. exhibits at mineral show, professional educators' convention, etc.

B. Loans to the Museum for the Purpose of Exhibition

Museums have traditionally exhibited objects from their own collections but also objects and specimens borrowed from other museums, individuals, and organizations. Borrowing allows museums to provide more comprehensive exhibits and to make unique and important objects accessible to a larger audience. Displaying loaned or borrowed objects is an important part of the HMNS exhibition program. The HMNS will continue to undertake loans of objects and specimens when appropriate, and is committed to an ethical standard of care and presentation that exceeds legal minimums.

1. All loans will be in compliance with applicable local, state, federal and international laws and conventions. (See Appendix IV.)
2. All loans will be documented, maintained and managed in accordance with current industry standards and best practices.
3. The Museum will borrow objects and specimens in accordance with the AAM Guidelines on Exhibiting Borrowed Objects, American Association of Museums, © July 2000:
 - a) The Museum will only borrow objects and specimens for exhibition which will support the Museum's mission and objectives and will be consistent with the intellectual integrity of the exhibition for which they were borrowed.
 - b) The Museum will review the lender's relationship to the Museum specifically regarding any conflicts of interest, or appearance there of. Guidelines addressing conflict-of-interest and disclosure are presented in the HMNS Ethics Handbook.
 - c) The Museum, and its staff will not accept any fees or commissions from the sale of objects borrowed for exhibition. (This does not apply to displays of objects explicitly organized for the sale of those objects, for example craft shows.)
 - d) Although the Museum may work with lenders in developing exhibition information, the Museum will maintain intellectual integrity and institutional control over the content and presentation of borrowed objects and their exhibition.
 - e) If a lender to an exhibition is also an exhibition funder, the Museum will make this information public.

C. Loan Costs

The Museum will pay costs for normal packing and shipping of loans and the recipient will pay these costs when returning the loans. If extraordinary costs are involved in locating, packing, and shipping the loan objects, the borrowing museum or institution is expected to share in these expenditures.

For-profit organizations are charged an hourly rate for the preparation of loans, plus material and shipping costs. The recipient also pays the packing and shipping costs when the loan is returned.

D. Loan Insurance

Insurance for out-going loans must be completed before the material is sent. A certificate of insurance or a confirmation letter must be received from the borrowing institution's insurance company or Registrar indicating that the loan objects are insured against fire, water, theft, vandalism, pests, and natural disaster. When necessary, the borrowing institution will take out a special insurance policy or they will be billed for coverage granted under the Museum's policy. With the approval of the President, the Vice President of Collections or Curator may waive the borrower's insurance requirements, and the Museum will provide insurance coverage.

The Curator or Manager must specify the insured value of each item on the loan form. If the borrower is unwilling to provide the specified insurance coverage, the loan will not be made.

When required, the Museum will insure incoming loans for all risk coverage at the value prescribed by the lender.

E. Staff Responsibilities

1. The Curator must be notified of any plans to remove specimens temporarily from the collection for any reason.
2. No item should leave its location in the collection without a written record being made by the Curator, Registrar, or a designated assistant.
3. The Loans Registrar will be responsible for all correspondence concerning loans and loan insurance, and with the Curator, will ensure that insurance coverage is adequate for outgoing loans of collection items.
4. In conjunction with the Loans Registrar, the Curator's duties include the packing and shipping of objects moving in and out of the collection in their care, and the maintaining of a catalog and loan records.
5. The Loans Registrar and the Curator should also review outstanding loan records biennially and notify those borrowers who are delinquent in returning loans to the Museum.

F. Temporary Deposit

Item(s) may be left at the Museum on a temporary basis (max. 120 days) for identification, research, conservation and/or donation consideration. Items on temporary deposit are subject to the following guidelines:

1. Object(s) are on deposit for a maximum of (120) days. Objects on loan for longer than (120) days are considered regular loans.
2. The Museum holds no liability for loss or damage to object(s) on temporary deposit. This is so stated on the temporary deposit form signed by the depositor.
3. Unclaimed object(s) will be disposed of following the guidelines for disposition of de-accessioned object(s), in compliance with Texas State Property Code, Title 6A, Chapter 80 (Appendix V).

V. CARE OF COLLECTIONS

A. Preservation

The main responsibility of the Curators and associated collections staff is to preserve and protect museum objects and specimens. Storage and exhibition conditions are to be designed and monitored to insure the long-

term protection of the items. Collections on exhibition or in storage must be protected against pests, fire, water, theft, vandalism, and natural disaster. Because of their extraordinary intrinsic value and scientific importance, the collections must be protected by special security measures.

1. Fire alarm and electronic security systems should be periodically tested.
2. In the event of an emergency the following individuals should be notified immediately to assess the situation/damage and ensure the safety of the collections: the President, the Curator of the collection affected or the Vice President of Collections, and the Building Superintendent.
3. Where applicable, the Curator or Vice President of Collections is responsible for the fumigation of items when deemed necessary, and for the identification and assessment of recent pest damage in the collections.

B. Conservation

Conservation needs are reviewed on a case-by-case basis. The recommendations and assistance of professional conservators are to be sought, as needed.

C. Records

In conjunction with collection catalogs, Curators or Managers of collections are responsible for maintaining a current record of the condition of each collection under their care, to be reviewed on a regular basis.

D. Loss

In the event that an item is missing from a collection, the following procedures will be initiated by the Curator:

1. Personally check objects in the immediate vicinity to determine if the item has been misplaced.
2. Check records to determine if the object is on loan and improperly documented. Contact Museum department heads to determine if the location of the item is known.
3. Notify the President, providing detailed information on the item and the impact of its loss to the collection.
4. Further investigate the loss as indicated by the President, and contact the police if the item appears to have been stolen.
5. If, after two years, the item has not reappeared, consider it permanently lost, and so note in the Department catalogs and the accession records. The Curator's or Manager's office will maintain a file on all temporarily and permanently lost items from a collection.

E. Access to and Use of Collections

1. Museum Staff

The President, Vice President of Collections, Curators, and Registrar(s) have access to the collection areas. Designated curatorial assistants, associates, and volunteers may also be allowed access to the collections if approved by the President, Vice President of Collections, or Curators. Issuing keys to the collections area must be approved by the President.

The Building Superintendent will have access to collections storage for maintenance and emergencies.

2. Researchers and other members of the General Public

The collections may be used by researchers, artists and scholars under the supervision of a designated Museum staff member. Access should be approved in advance by the President, Curator or Vice President of Collections. It is essential that an individual requesting access to the collections be reliable,

responsible and accustomed to handling museum objects/specimens. No one shall be admitted to the collections without the express permission of the President, Vice President of Collections, Curators or Registrar. Access to a collection will be decided using the following criteria:

- a. The individual is conducting valid research, sponsored by a legitimate institution.
- b. The individual demonstrates competence in handling specimens and artifacts.
- c. The individual demonstrates responsibility in maintaining the general security of the collection storage area.
- d. The individual agrees to comply with Museum procedures.
- e. Areas of access within a collection requested by the individual must be specifically stated in their request prior to gaining access to the collections storage area.
- f. The individual must work during the hours when curatorial staff is available.
- g. Work space needs must be determined and approved by the Curator or the Vice President of Collections prior to commencing work in the collections.
- h. Requests for destructive sampling must be accompanied by an action request form from the Curator of the collection affected. Decisions to such request will follow the procedures set forth in the Collections Procedures document.

Visitors without permission will not be admitted to the collection areas. Visitors should be encouraged to make an appointment to use the collection or visit the curatorial staff.

F. Repatriation of Culturally Sensitive Materials

The policy of the Houston Museum of Natural Science is to collect, care for and interpret archaeological and ethnographic materials in a manner that respects the diversity of human cultures and religions. The HMNS will comply with state and federal legal requirements regarding such collections, including the Native American Graves Repatriation Act (NAGPRA) of 1990. Requests for repatriation will be considered on a case by case basis. The Museum will not release any collection for reburial, or for any other purpose which removes it from the public trust, until it has been fully evaluated and documented by the appropriate museum staff: the Curator of Anthropology, the Vice President of Collections, and approved in writing by the Museum President, the Collections Committee and the Board of Trustees.

(The Director of Youth Education Programs is responsible for curation of the teaching collection. The teaching collections currently under review and will be included in this policy at a later date. Appendix V.)

VI. ETHICS

A. Collections Staff

The Museum is subject to a high degree of public visibility, and employees of the Museum are never completely separated from the institution. The activities of the individual staff member are a reflection of the Museum or even may be attributed to it. All collections staff must be concerned with how their actions are construed by the public. Museum staff should never abuse their official positions or counterparts within the museum community, compete with their institution, or discredit the museum profession.

The following guidelines establish activities which pose a potential conflict of interest between the museum and the collections staff. Collections staff includes the Vice President of Collections, Curators, Registrars, Associate Curators, Curatorial Assistants, and those holding courtesy appointments unless otherwise stated.

1. General Department

- a. Collections staff will not use any object from the Museum's collections, including items in their temporary custody, for personal purposes.
- b. The name of the Museum and its reputation should not be exploited for personal advantage or the advantage of others.
- c. Collections staff should not show favoritism in referring the public to outside services, such as appraisers or taxidermists. Whenever possible, more than one qualified source should be provided.

2. Personal Collecting

Although the acquiring and collecting of objects is not in itself unethical, the maintenance and development of a personal collection by a staff member may be perceived as a conflict of interest. Therefore, extreme care must be taken when a staff member collects objects similar to those collected and held by the Museum.

- a. Collections staff members may not compete with the Museum in the collection, purchase, trade, loan, or exchange of objects or specimens. This policy does not prohibit staff from possessing a professionally related collection or a collection acquired prior to the individual's employment with the Museum.
- b. The Museum reserves the right to purchase any object or specimen acquired by a collections staff member at the price* paid by that individual. Collections staff must inform the President of personal acquisitions within three months of receipt. The Museum has three months after the date of notification to act on its right of purchase.
- c. Staff members may not acquire objects from Museum collections except through the procedures of public sale outlined in Section III.
- d. Personal collections similar to those within the museum must be disclosed in writing.
- e. Holders of courtesy appointments are exempt from the restrictions on maintaining personal collections, but they are prohibited from acquiring any objects that have been obtained as a result of their connection with the Museum. Any exceptions to this rule must be approved by the President.
- f. Collections staff members may not use their Museum affiliation to advance their, or any associates', personal collecting activities.
- g. No collections staff member may participate in the buying or selling of objects for profit that are similar and / or related to objects collected and / or held by the Museum.

*Note: In the event that a staff member has acquired objects or specimens on a non-museum funded trip, the cost of the trip may be included in the value of the object(s)/specimen(s) collected.

3. Appraisals

As a service to the public, or to comply with legitimate requests from professional or governmental organizations, curatorial staff may identify or authenticate items for educational or professional purposes. The Museum will comply with record keeping requirements of I.R.S. Reg. 1.170-13T and 1.6050L-1T pertaining to "charitable deduction property".

- a. Collections staff members may not engage in any form of appraisal without the written consent of the President.
- b. When identification and authentication are pursued as outside activities, these activities must be disclosed to and approved by the President.

4. Gifts, Favors, and Dispensations

- a. Collections staff members and volunteer collections workers may not accept gifts, favors, loans, or other dispensations because of their relationship to the Museum. Staff members are permitted to retain gifts of minimal value when acceptance does not appear to influence their decisions concerning activities at the Museum.
- b. Collections staff members can accept objects defined as a personal gift that originated from purely personal relationships. If such a gift originates from someone who is a potential benefactor of the Museum, the employee must inform the President of the circumstances.

5. Field Collections

- a. Field exploration, collecting, and excavation by collections staff must be governed by the professional judgment of the employees.
- b. Prior to collecting on the Museum's behalf, a thorough investigation of the legal aspects of collecting must be made for any proposed trip. This includes contacting any individuals or organizations who might be concerned with the activity. Minimally, a general statement of the objects to be collected, the purpose of the collection and their final disposition must be prepared by the parties involved, prior to the trip. All necessary collecting permits must be obtained and, copies placed on file with the Museum.
- c. Field collecting must be executed in such a way that all participants act responsibly and legally in the acquisition of specimens and data. No illegal, unethical, or destructive activities shall be undertaken in the collection, transportation, or importation of objects. All field expedition participants must ensure that their activities will not offend the host cultures or jeopardize future field work in the area.
- d. Material should not be acquired which cannot be properly curated or used for Museum purposes as identified in the Collection Management Policy and the Long Range Plan.
- e. Museum collecting permits shall not be used for personal collecting.
- f. Upon the completion of field work, a full and prompt report should be submitted to the Museum President. All materials should be made available to the scientific and educational community.
- g. HMNS is in compliance with all laws listed in Appendix IV in regards to field collections and salvages.

B. Trustees and Collections

Museum Trustees should avoid any appearances of conflict of interest concerning themselves, the Museum and the collections staff. The AAM publications "Museum Ethics" and "Museum Trusteeship" shall serve as guidelines concerning this issue.

C. Acquisitions Ethics

Let us not appear to comport ourselves in any way which might be construed as abusing our responsibility to the preservation and protection of the natural science artifacts and specimens, both the unique and the common, as represented in our Permanent Collections.

Inasmuch as natural history and ethnographic artifacts and specimens are commercially available and may be solicited, or offered to the Museum as merchandise for resale through the gift shop, or any number of associated fund-raising activities, the Museum shall strive to protect its primary responsibility to the Permanent Collections by presenting all donations of natural history or ethnographic materials to appropriate curatorial staff and the President for review prior to public sale. Should it be determined that these items would serve to enhance the Museum's Permanent Collections, as described in this Collection Management Policy:

1. The item(s) shall be donated to the Permanent Collections, allowing full donor recognition.
2. The item(s) shall be made available for purchase by the Permanent Collections at the wholesale price offered the Museum. In the event that the curatorial staff and the President determine that the items are not appropriate to the Collections, they may be disposed of by sale or gift to the Education Department, gift shop, or associated fund-raising projects.

In this way, it is assured that no facet of the Museum's activities shall be placed in direct competition with the Museum's primary focus of responsibility, the Collections.

(Adopted May 10, 1994.)

VII. PHOTOGRAPHIC REGULATIONS

Subject to Museum review, photographs of the Museum material will be provided to interested and qualified persons upon request. If negatives or slides already exist, copies will be made available at cost. If special photographs of items are desired for which negatives or transparencies do not already exist, charges for professional photographic services will be based on time and materials. Estimates of such services will be provided upon request.

Permission to photograph specimens not on display must be subject to the approval of the Manager or Curator in charge of the specific collection. Requests submitted to the Curator, should include the following information:

- Name of the photographer
- Agency, if any, represented
- Purpose for which the pictures will be used
- Particular specimens desired
- Date of proposed visit, and amount of time required
- Equipment to be used
- Copyright restrictions

A. Museum Photographic Requirements

1. Permission must be obtained in advance to avoid inconveniencing Museum staff.

2. A collections staff member will transport the material and remain present to handle and arrange the specimens during the photographic session.
3. If the photographs are to be published or used by a for-profit organization, the required staff time must be paid for by the photographer.
4. The photography must be done during the regular hours of the Museum.
5. Unless special circumstances exist which require off-site photography, objects may not be taken from the Museum building, and must be photographed in the space available (see Loans, Sec. IV).
6. No photography will be permitted which may cause damage to the specimens.

B. Rights and Reproductions

Individuals or organizations requesting authorizations to reproduce photographs of collection items, or take photographs of collection items must provide proper credit to the Museum. Permission will be granted for one time use only; subsequent reproduction requires additional written permission and payment. A publication fee must be paid for each approved print to be published. The published picture or transparency must carry the credit line "Houston Museum of Natural Science". The Museum will receive a complimentary copy of the publication or description of the program in which the picture or slide appears. The publication fee may be waived for scientific publication or educational use.

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APPENDIX I

January 24, 2007

TO: Collections Staff
FROM: Joel A. Bartsch, President
RE: Gifts to the Museum's Permanent Collections.

In keeping with the Collections Management Policy requirements, (Accessions, Sec. II Part F), I hereby authorize HMNS Curators and the Vice President of Collections to accept gifts and transfers of specimens and/or objects on my behalf if:

- The items fall within the role and scope of the Museum, as identified in the Collections Management Policy and the Long Range Plan,
- Acceptance of the items complies with all terms and conditions as outlined in the Collections Management Policy,
- The items fall within the respective areas of expertise and responsibility of those doing the accepting, and
- The items are valued at LESS than \$20,000.

If any questions arise, especially regarding special care, budgetary consideration, or donor restrictions, the matter is to be referred to the Vice President of Collections or the Museum President.

I **retain** the privilege of acknowledging the gifts by signing the Museum's Deed of Gift.

The Museum's Deed of Gift can also be signed by the Vice President of Collections.

Original on file with the Office of the President, the Collections Department and Registrar's Office. May 5, 1989, and updated January 24, 2007.

APPENDIX II

Guidelines for reviewing alternative repositories for artifacts or specimens which might be de-accessioned from the Museum's collections.

1. Is the donation consistent with HMNS policy? The donation or exchange to another institution must be consistent with HMNS policy as defined in the Collections Management Policy.
2. Is the repository legally able to accept the item(s)? The alternative repository must be legally able to accept the item(s).
3. Does the collection policy of the alternative repository reflect a commitment to the type of material being offered? The material being offered by HMNS must fit the scope of the alternative repository's collection policy.
4. Will the alternative repository have the capacity and/or capability to provide appropriate exhibition or storage space for the materials? The alternative repository must have the capacity and capability to provide appropriate exhibition or storage space for the material offered by HMNS.
5. If the material is significant to the city of Houston, it must continue to be available to its citizens. If the material is not significant to Houston, preference should be shown to institutions with some geographic or community 'claim' to the material, particularly historical artifacts.

These guidelines were approved by the Collections Committee, April 1, 1986.

APPENDIX III

(State and Federal Laws)

The Houston Museum of Natural Science adheres to and is in compliance with the international, federal, and state laws listed below.

Cultural Artifacts

UNESCO Convention on the Means of Prohibiting and Preventing the Illicit Import, Export, and Transfer of Ownership of Cultural Property, 1970

Convention on Cultural Property Implementation Act, Title III of Public Law 97- 446, US Congress, December 1982

Public Law 92-587, United States Statute regulating the importation of pre-Columbian monuments, architectural sculpture or murals, US Congress, October 1972

Native American Graves Protection and Repatriation Act - NAGPRA, Public Law 101-601, US Congress, November 1990

Antiquities Act of 1906 and Archaeological Resources Protection Act of 1979
(16 USC-432 and Public Law 96-95, 93 Statute 721, 16 USC-470, respectively)

National Historic Preservation Act of 1966, Public Law 89-665, US Congress, October 1966

Flora and Fauna

Convention on International Trade in Endangered and Threatened Species - CITES
(ratified by US Congress, 1974; enforced since 1975)

Lacey Act, 1900 (*last major amendment 1981*), US Congress

The Endangered Species Act of 1973 (*amended 1978*), US Congress

Marine Mammal Protection Act, 1972, (*amended 1981*), US Congress

Migratory Bird Treaty Act, 1918 (*amended several times*), US Congress

Bald and Golden Eagle Protection Act, 1940, US Congress

Wild Exotic Bird Conservation Act, 1992, US Congress

African Elephant Conservation Act, 1988, US Congress (*also CITES*)

Antarctic Conservation Act, 1978, US Congress

Abandoned Property

Texas State Property Code, Title 6A, Chapter 80 (*passed by Texas State Legislature 1987*) see Appendix V of this document
APPENDIX V

PROPERTY CODE

TITLE 6A. PROPERTY LOANED TO MUSEUMS

CHAPTER 80. OWNERSHIP, CONSERVATION, AND DISPOSITION OF PROPERTY LOANED TO MUSEUM

§ 80.001. PURPOSES. The purposes of this chapter are to establish the ownership of loaned cultural property that has been abandoned by the lender, to establish uniform procedures for the termination of loans of property to museums, to allow museums to conserve loaned property under certain conditions, and to limit actions to recover loaned property.

Added by Acts 1987, 70th Leg., ch. 1076, § 1, eff. Sept. 1, 1987.

§ 80.002. DEFINITIONS. In this chapter:

(1) "Museum" means an institution located in this state and operated by a nonprofit corporation or public agency, primarily educational, scientific, or aesthetic in purpose, that owns, borrows, or cares for and studies, archives, or exhibits property.

(2) "Lender" means a person whose name appears on the records of a museum as the person entitled to property held or owed by the museum.

(3) "Loan," "loaned," and "on loan" include all deposits of property with a museum that are not accompanied by a transfer of title to the property.

(4) "Property" or "cultural property" means all tangible objects, animate and inanimate, under a museum's care that have intrinsic, scientific, historic, artistic, or cultural value.

Added by Acts 1987, 70th Leg., ch. 1076, § 1, eff. Sept. 1, 1987.

§ 80.003. NOTICE TO LENDER. (a) If a museum is required to give a lender notice under this chapter, the museum is considered to have given the lender notice if the museum mails the notice to the lender at the lender's address and proof of receipt is received by the museum within 30 days after the date the notice is mailed.

(b) If the museum does not have an address for the lender or if proof of receipt is not received by the museum, the notice is considered to be given if the museum publishes notice at least once a week for two consecutive weeks in a newspaper of general circulation in both the county in which the museum is located and the county of the lender's address, if known.

(c) In addition to any other information prescribed by this chapter, notices given under this chapter must contain, if known, the lender's name, the lender's address, the date of the loan, and the name,

address, and telephone number of the appropriate office or official to be contacted at the museum for information regarding the loan.

Added by Acts 1987, 70th Leg., ch. 1076, § 1, eff. Sept. 1, 1987.

§ 80.004. ABANDONED PROPERTY; NOTICE; TITLE TO PROPERTY. (a) Unless there is a written unexpired loan agreement to the contrary, any property on loan to a museum for 15 years or more and to which no person has made claim according to the records of the museum is considered abandoned and, notwithstanding Chapter 72, becomes the property of the museum if the museum has given the lender notice in accordance with Section 80.003.

(b) If no valid claim has been made to the property within 65 days after the date of the last notice given under Section 80.003, title to the property vests in the museum free from all claims of the owner and all persons claiming through or under the owner.

Added by Acts 1987, 70th Leg., ch. 1076, § 1, eff. Sept. 1, 1987.

§ 80.005. INTENT TO TERMINATE LOAN; FORM; TRANSFORMATION OF SPECIFIED TERM TO INDEFINITE TERM. (a) A museum may give the lender notice of the museum's intent to terminate a loan that was made for an indefinite term or for a term in excess of seven years. A notice of intent to terminate a loan given under this section must comply with Section 80.003 and must include a statement containing substantially the following information:

The records of (name of museum) indicate that you have property on loan to it. The museum wishes to terminate the loan. You must contact the museum, establish your ownership of the property, and make arrangements to collect the property. If you fail to do so within 65 days after the date of this notice, you will be deemed to have donated the property to the museum. See Chapter 80, Property Code.

(b) If, within 65 days after the date of the notice given under Subsection (a), the lender fails to contact the museum, establish ownership of the property, and make arrangements to collect the property, the property is considered to be donated to the museum.

(c) For the purposes of this chapter, a loan for a specified term becomes a loan for an indefinite term if the property remains in the custody of the museum when the specified term expires.

Added by Acts 1987, 70th Leg., ch. 1076, § 1, eff. Sept. 1, 1987.

§ 80.006. CONSERVATION OR DISPOSAL OF LOANED PROPERTY; CONDITIONS; LIEN; LIABILITY OF MUSEUM. (a) Unless there is a written loan agreement to the contrary, a museum may apply conservation measures to or dispose of property on loan to the museum without a lender's permission if immediate action is required to protect the property on loan or to protect other property in the custody of the museum, or the property on loan has become a hazard to the health and safety of the public or of the museum's staff, and:

(1) the museum cannot reach the lender at the lender's last address of record so that the museum and the lender can promptly agree on a solution; or

(2) the lender will not agree to the protective measures the museum recommends, yet is unwilling or unable to terminate the loan and retrieve the property.

(b) If a museum applies conservation measures to or disposes of property under Subsection (a), the museum:

(1) has a lien on the property and on the proceeds from any disposition of the property for the costs incurred by the museum; and

(2) is not liable for injury to or loss of the property if the museum:

(A) had a reasonable belief at the time the action was taken that the action was necessary to protect the property on loan or other property in the custody of the museum, or that the property on loan constituted a hazard to the health and safety of the public or the museum's staff; and

(B) exercised reasonable care in the choice and application of the conservation measures.

Added by Acts 1987, 70th Leg., ch. 1076, § 1, eff. Sept. 1, 1987.

§ 80.007. ACTION TO RECOVER PROPERTY; LIMITATIONS. (a) The two-year limitation on actions to recover personal property prescribed by Section 16.003, Civil Practice and Remedies Code, runs from the date the museum gives the lender notice of its intent to terminate the loan under Section 80.005.

(b) No action may be brought against a museum to recover property on loan to a museum for 15 years or more and to which no person has made claim if the museum has complied with Section 80.004.

(c) A lender is considered to have donated loaned property to a museum if the lender fails to file an action to recover the property on loan to the museum within the period specified by Subsection (a).

(d) A person who purchases property from a museum acquires valid title to the property if the museum represents that it has acquired title to the property under Subsection (b) or (c).

Added by Acts 1987, 70th Leg., ch. 1076, § 1, eff. Sept. 1, 1987.

§ 80.008. NOTICE OF PROVISIONS OF CHAPTER; LENDER'S NOTICES. (a) If, after August 31, 1987, a museum accepts a loan of property for an indefinite term or for a term in excess of seven years, the museum shall inform the lender in writing at the time of the loan of the provisions of this chapter.

(b) The lender of property to a museum shall notify the museum promptly in writing of any changes of address or change in ownership of the property.

Added by Acts 1987, 70th Leg., ch. 1076, § 1, eff. Sept. 1, 1987.

APPENDIX IV

(The Director of Youth Education Programs is responsible for curation of the teaching collection. The teaching collections currently under review and will be included in this policy at a later date.

The Education Collection

(Approval to Youth Education Subcommittee, September 2010.)

Youth Education Department Mission Statement

*To provide an inspirational learning environment
To promote scientific inquiry as a mode of thinking
To engage children in the wonders of science*

Acquisition Goals and Practices

The Houston Museum of Natural Science's Education Collection will be improved by the selective addition of new material. The goal of the Youth Education department is to use education collection objects to engage patrons and students in the natural sciences presented through educational programming. The Youth Education department will use the following guidelines to determine the best method for acquiring new objects and materials. Items accepted into the Museum's education collection should enhance Museum experiences and lessons in subject areas pertinent to the specialized interests of the Museum as well as broaden the existing collection for reference purposes and program development.

Careful consideration is taken when the Youth Education department acquires new objects for the education collection. Any acquisition must be consistent with the Museum and department collecting goals and mission statement. Several goals for the collection are reviewed before accepting any object.

Goals for the Collection include:

- The object should be useful to the Education Department for use in educational programming either onsite or as part of the outreach programming.
- The object should not pose any threat to the health and safety of museum patrons as it will part of a classroom display or educational programming.
- Costs associated with the item's care, storage or restoration immediately and long term should be manageable .
- Sufficient space for display or storage must be available for the object.

Items from the Museum's permanent collection are occasionally de-accessioned for use in the education collection and for educational programming. In these instances the Museum's Registrar for Acquisitions will maintain all original documentation for the object and provide a copy of the original documents to the Youth Education Department at the time of the transfer.

The Youth Education department reserves the right to refuse items if they are deemed inconsistent with the department needs or mission statement

Education Collections Records

The Houston Museum of Natural Science's Education Collection is composed of static un-accessioned objects available for use in Museum programming. Information associated with items in the Education Collection, including but not limited to a control number, object/specimen description or photo, date and place of acquisition, donor's or seller's name, will be maintained in a database by the Youth Education

department. Items that are accepted as donations from patrons, volunteers or other organizations will be recognized with a written thank you letter, copies of the letters will be maintained as a supplement to that item's record. The record of the Education Collections database will be maintained on the internal server at the Houston Museum of Natural Science in addition to a printed version updated on a semi-annual basis.

Details from the Education Collection database may be requested by employees of the Houston Museum of Natural Science in preparation for use of Education Collection items in Museum programming. Sensitive details, such as donor contact information, may be withheld.

The Release of Education Collection Objects

Care will be taken when relinquishing objects from the education collection to ensure it will be in the Youth Education department's best interest while coinciding with short and long term goals. The following considerations should be used when determining if an item should be removed from the education collection.

1. This item is no longer relevant for the purposes of educational programming at the Museum.
2. The item has deteriorated beyond usefulness.
3. A better example is available for acquisition or is already present in the collection

When it is determined by the Curator of Education Collections that a particular item should be removed from the education collection he or she must request approval from the Director of Youth Education Programs for disposal of this item. Items in question will be discussed by the Curator of Education Collections and the Director of Youth Education Programs to determine the best course of action for disposal.

Item designated for disposal may be disposed of in one of the following ways;

Exchange:

Items may be exchanged with another institution for an equally valued item more appropriate for the needs of the education collection acquisition goals.

Donation or Transfer:

Items may be donated or transferred to other non-profit educational institutions exclusively for the purpose of education.

Destruction:

Items may be designated for destruction. Destruction is defined as the final disposal of an item by physical or mechanical means. Items designated for destruction must in fact be destroyed and not kept by staff members or given away.

Care of the Education Collection

The Education Collection is a collection of static un-accessioned objects used to enhance programming and assist patrons in the interpretation of the knowledge presented at the Houston Museum of Natural Science. Objects are intended for use in programming when applicable and may be handled by Museum personnel, patrons and volunteers in an effort to enhance programming and the museum experience as well as instill a sense of stewardship in visitors by creating a more personal connection with the collection. Collection objects include representative casts and models of rare objects.

It is understood that over time educational materials and education collection objects may breakdown or deteriorate through use. Care will be taken by providing proper storage and maintenance for all Education Collection objects to extend usefulness for future programming. Items identified as particularly delicate

by the Curator of Education Collection may only be handled by designated Museum personnel trained to handle those particularly delicate objects.

Loans

The education collection is accessible to Museum employees outside of the Youth Education Department through an interdepartmental loan. Loan request forms are available through the Curator of Education and on the Museum's internal server. Loans may be requested by Houston Museum of Natural Science personnel for use within museum programming, these items may not be requested on behalf of patrons, visitors, or volunteers for use outside of designated museum programming. Object condition is noted upon loaning objects and upon their return to ensure the continued care of the collection. Loans are approved on a case by case basis by the Curator of Education Collections or the Director of Youth Education.