

## Why do we need this? Insights and Hindsight from Deaccessioning

### Trailing Questions and Answers from Leslie Jones (LJ)

**Grant Briscoe [Jackson, Mississippi]:** How would one go about deaccessioning items lost in the event of a disaster such as a fire, flood, tornado, etc.?

**LJ:** This is a tricky question, but a good one considering many important cultural organizations are in areas where natural disasters (or accidents) can occur. If items are lost or damaged due to these reasons, you would first want to work with your insurance company and a conservator to see what can be done to salvage them, or if they are unsalvageable. If they are beyond repair, you'll want to wait until your insurance claims have fully processed and then begin the deaccessioning process. You'll want to consider and weigh your options as to whether you have an opportunity to sell or transfer as well as destruction. Destruction should only occur if an object is in very, very poor condition or has irreparable damage. You don't have to destroy it specifically, you can actually just throw it away (but you must document this process).

**Lacey Czeluscinski [Florence]:** can the speaker go a little into the concept and practice of valuation in deaccessions?

**LJ:** The monetary valuation of an object should not be a consideration during the deaccession process. One should never deaccession an object if it is worth a lot or a little in the current market. If you're speaking of an object's value from an intrinsic stance, then you need to look at its value in relationship to how it ties into its placement with your collection, future collection goals, institutional mission, exhibition plans etc.

**Kate Swisher [Chicago]:** Leslie, can you speak to how you would determine whether an object was more suitable for archival collections than permanent collections? This is a real gray area for my institution.

**LJ:** I can give you an example: say you have historic photographs that document people or events that relate directly to your institution's history, but they are in the permanent collection because they are old and their medium is historical. I would transfer that photograph to your archival collection since it relates to the institutional history and development.

On the other hand, say it's a photograph taken by someone who has a relationship to the institution, but its of people and/or an even that has no connection to the institution's history, then it would remain in the permanent collection.

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Generally speaking, I look at my experience from working at the Smithsonian's American Art Museum and National Portrait Gallery's library and archives during graduate school... if its an object, it's permanent collection. If it's related to an object but of an ephemeral quality, then its archival quality.

Feel free to contact me and we can talk through some of your specific examples.

**Jessica Noyd [Hastings, NE]:** Thoughts on returning a deaccessioned object to the donor or donor's family per the request of the board?

**Grant Briscoe [Jackson, Mississippi]:** @Jessica, look at your collections plan. Ours states that donors must be contacted if the object was donated within the past 10 years

**LJ:** Jessica and Grant – these are both unique situations to be in. There aren't any specific guidelines that I know of regarding returning objects to donors within time frames. What needs to be looked at is more of the tax situation from a legal perspective. Whomever donated that work of art should have received a gift agreement that stated the current market value of the object, and therefore they could have used it for tax incentives. That is a big reason to now return objects to a donor or a donor's family as they will have a considerable amount of work to do in paying for an appraiser to fairly re-value the work, and then determine what the IRS thinks they should pay as reimbursement to the federal government.

Besler's "Art Law" is a great two-volume resource every museum should have as it states case studies on many of these important topics.

**Lacey Czeluscinski [Florence]:** The last webinar I attended the speaker was very anti notifying donors, just goes to show you...

**LJ:** I think it is important to contact them for good-faith reasons. I know it's not legally required, unless its stated in a gift agreement, but it goes a long way to ensure them you are accountable, organized and courteous as an institution.

**Brad Bredehoff [Minneapolis, MN]:** Careful about returning objects to donors, it can create a tax issue for them

**LJ:** Yes, Brad – my thoughts exactly.

**Carol Appenzellar [Martinsburg, WV]:** I've been told not to contact donors. Particularly in our area it can cause a lot of hurt feelings.

**LJ:** You do run that risk, but it's better to tell them (in my opinion) while the deaccession process is taking place, before dispersal, so that they have the opportunity to buy back the work of art if it's being sold, or to know where it will be going if it's transferred. Better to keep an honest conversation than have them contact you five years from now asking why they haven't seen their donation on view in a while.

**Kate Swisher [Chicago]:** Lacey and Carol - I have also heard cautions against contacting donors in previous C2CC webinar. Can the speaker go into more detail on how this decision is made?

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**LJ:** Transparency is important to our institution, as well as to me as a professional. We did not feel the need to hide anything from anyone because we know what we are doing is the right thing for the institution.

**Kelsey Brow [Jamaica, NY]:** If they took a tax write-off I thought they couldn't get it back (Not anything I've had to deal with recently as most of our objects were donated c. 1900)

They can get an object back, but it is a very complicated and expensive process – it also then generally requires a retroactive audit by the IRS. Not many people want that

**Jessica Noyd [Hastings, NE]:** @kelsy we have a very similar time frame for donations. Plus a number of our donors do not request information for their taxes

**LJ:** They may not request it, but it's good practice to still give it to them anyway. It helps with clarifying title of ownership disputes.

**Rachael Beyer [Haverford, PA]:** If the deed states the museum can dispose of the gift as they see fit, then the museum is relieved of that responsibility.

**LJ:** That is correct.

**Ashley Kowalski [Fort Worth, Texas]:** For the first 20 years of our institution, the Deed of Gift actually stated that donated items would be kept permanently. No provision for any other alternative. Is there any way to ever deaccession these objects?

**LJ:** This is where a lawyer is very key if in fact you really do need to deaccession those objects. We had very tricky provisions in some gift agreements as well. We first contacted our legal counsel before contacting the donors and explaining the parameters as well as the justification as to why we were deaccessioning.

**Jess Miller-Camp (UCR):** Truth. UIMNH has a missing taxidermied giraffe. Probably due to someone not keeping records of it being deaccessioned.

**LJ:** Happens to the best of us—but a giraffe is hard to miss!

**Amy Thompson [Augusta, ME] 2:** I disagree on separating deaccessioned object files, better to keep all your accession records together and clearly mark those that are deaccessioned.

**LJ:** If that works best for your organization, then you should keep on doing it. We found that separating them was easiest to keep track of all deaccession information, including files that pertain to governance meeting minutes, the art assessments that took place, as well as just general notes that weren't for just one object but several.

My thoughts are: do what works best for you, as long as it's consistent and logical.

**Lacey Czeluscinski [Florence]:** Would love to hear the speaker's thoughts on how to spur/pitch a major deaccession project to your curator/director as a lowly registrar

**LJ:** Ha! I can understand your feelings. You should make a case and pitch it to them. But assess the situation, proactively gather your information, and do your research!

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**Grant Briscoe [Jackson, Mississippi]:** I prefer duplicating deaccession records, with one copy in the original accession record, and a copy in a special deaccessioned items location

**LJ:** If that works best for you, then that's what you should do.

**Grant Briscoe [Jackson, Mississippi]:** @lacey agreed, we just need to have a special deaccession area due to past deaccessions for extenuating situations

**Lacey Czeluscinski [Florence]:** So you basically had a consulting committee of specialists... handpicked?

**LJ:** I was not at the institution when the collection assessment took place. My understanding is that there were some colleague relationships already established, but there were also some outside recommendations for specific subject categories.

**Amber Morgan [Pittsburgh PA]:** Did the consultants know that this was related to deaccessioning?

**LJ:** Again, I was not at the institution when it was organized or took place, but my understanding is that they were not aware of the deaccessioning initiative. Our then-new President/CEO wanted to have a better understanding of what we had in our holdings and what we could use to separate ourselves from other institutions.

**Lisa DeLong [Cincinnati OH]:** Was any part of this process grant-funded, or how were funds raised?

**LJ:** The assessment was funded privately by a donor who was very interested and intrigued by the efforts to revitalize the institution as a whole. There was no campaigning or applications made – this is a very unique situation. Doing it all at once (assessing everything in your collection) is likely not a realistic approach for everyone, nor is it necessary for everyone.

**Jobi Zink [Philadelphia]:** My former institution had several specific non-accessioned collections -- whether they were props or intended for educational use

**Grant Briscoe [Jackson, Mississippi]:** just make sure they're labeled somehow, or else at some point someone WILL FIC them

**LJ:** This is true! There's always an uncoordinated dance to partake in when it comes to removing the FICs and replacing them with their actual known accession numbers.

**Elizabeth Cisar [Sioux Falls, SD]:** Any suggestions for how to deal with leadership who took the organization through the collections assessment and collecting plan processes, with the board's involvement, but who don't want to follow the board-approved policies that resulted? I'm in charge of acquisitions, and he expressed to me that he would rather accept items knowing we will deaccession them later than say "thank you, but no" to a donor up front, which would be my preference.



**LJ:** Elizabeth, I completely agree with you. First, that is being dishonest and not doing either your institution nor the donor any good. Second, deaccessions are a last resort for collection issues, plain and simple. Third, deaccessioning is a full-time project and will take away from the important role someone on your staff already had for an entirely different reason. Fourth, and somewhat off-topic, is that deaccessions do actually costs money in the end. When you sell an object, you'll have to either pay or have deducted from your final total the cost of packing, shipping, photographing and object on top of commission for the sale. It's an argument that's worked for me at another organization. This is also, again, where I think a Collecting Plan or Collection Scope, that is a formal, approved document, is very helpful in expressing 1) gratitude for a gift offer and 2) an approved, formal document that states your collection parameters and focus, which "unfortunately" prohibits you from accepting the gift – and might you recommend a more appropriate institution who would be more equipped and more appropriate to accept such a gift...?

