

BLACK AMERICAN WEST MUSEUM & HERITAGE CENTER

COLLECTIONS MANAGEMENT POLICY

June 1, 2024
DATE ADOPTED

I. INTRODUCTION

A. Mission Statement

The mission of the Black American West Museum & Heritage Center (BAWMHC) is to promote an understanding of the role that African Americans played in the settlement and growth of the western United States through its collections, programs, and exhibits.

B. Statement of Purpose

This document contains policies for management of the BAWMHC's permanent, education, and property collections, delineates the circumstances and methods by which materials shall be accessioned and deaccessioned to and from the BAWMHC collections, establishes policies on outgoing and incoming loans, and states principles and ethics governing access to the BAWMHC collections and records. It describes the circumstances under which items may be placed in the temporary custody of the BAWMHC and considerations of insurance coverage for the museum.

C. Terms

1. **Accession:** The conscious decision by the BAWMHC to add an item to its permanent, education, or property collections.
2. **Deaccession:** The conscious decision by the BAWMHC to remove permanently an item or property from its collections.
3. **Disposal and Disposition:** The transfer to title or the destruction of items or property to which the BAWMHC holds title.
4. **Loans:** The temporary physical transfers of material to or from the BAWMHC that do not involve a change of ownership.

D. Background of Collections

The BAWMHC was founded in 1971 by Paul W. Stewart. The BAWMHC was incorporated in 1975 as a 501(c)3 non-profit organization in the state of Colorado. Its collections have provided and will continue to provide and preserve significant primary source material for interpreting the history of African Americans who helped to develop the American West—broadly defined as the

U.S. region between the Great Plains and the Pacific Coast—with a focus on Denver and Colorado.

The importance of the development and preservation of the collections over the years is their usefulness for historical, research, and educational purposes. The collections provide basic source materials for historical, ethnographic, and archaeological research; for writing and illustrating scholarly and popular books, monographs, and articles that advance and disseminate knowledge; and as sources of artistic productivity. Additionally, the history of the collections include real estate (Dearfield) and standing buildings (Ford House). These collections provide the tangible means for interpreting the products of research through continuing and temporary exhibits at BAWMHC facilities and in loaned objects to responsible institutions and individuals. To that end, the collections must be available for study to staff, visiting scholars, students, and the public.

Thus, the BAWMHC's policies regarding its collections bear directly on its ability to influence and support both the learned world through research and educational activities and the lay community through exhibits and education. The principal collecting emphasis focuses on the history of the contributions of African American men and women to the development of Colorado and the American West. In particular, the BAWMHC will accept only those items that relate directly to the social, cultural, political, and economic history of the Black American West. The BAWMHC provides protection and storage for those objects under conditions that best ensure their availability for exhibit, educational programming, and research.

E. Scope and Categories of Collections

The BAWMHC's ethnographic and archaeological holdings include a range of historical and cultural items and properties pertaining to the Black American West. These collections fall into three categories:

1. **Permanent Collection:** Accessioned objects and materials that the BAWMHC anticipates holding indefinitely in the public trust, and which may be used for research, exhibits, education, and outreach. Items in this category may include but are not limited to decorative and fine arts, clothing, technology, industry, agriculture, military equipment, rare books, historical manuscripts, photography, and audio recordings.
2. **Education Collection:** Accessioned objects and materials that the BAWMHC considers "living" items whose standards of care support them to be actively used and handled in educational programming. Items in this category may include but are not limited to clothing, tools, agricultural and military equipment, common books, photography, and reference and informational materials.
3. **Property Collection:** Accessioned real estate and buildings that the BAWMHC anticipates holding indefinitely in the public trust, and which may be used for research, exhibits, education, and outreach. Items in this category may include but are not limited to land holdings and standing buildings.

II. RESPONSIBILITIES AND DECISION-MAKING AUTHORITY

1. Board: The BAWMHC is governed and managed by a Board of Directors (Board) which is elected by the BAWMHC membership. The primary responsibility for the daily application of the standards set forth herein lies with the BAWMHC Board. The Board has the primary responsibility for seeking donations, selecting and approving purchases of collection items, and making recommendations for the acceptance of materials to the Chair of the Board. The Board is responsible for proposing and updating collecting plans to complement the BAWMHC collecting policy. The Board details accession and deaccession procedures relating to the collections and approves plans to implement the BAWMHC collecting policy. Implementation plans will be consonant with the policies stated in this document.
2. Chair of the Board: The final decision for accessions, deaccessions, disposition/disposal, and loans rests with the Chair of the Board (Chair). Through the Chair, BAWMHC ensures the security of all collections and maintains established procedures for acquisition, accession, documentation, handling, storage, access, conservation, exhibit, research, loans, insurance, and deaccession.
3. Collections Committee: The Chair may appoint at their discretion a collections committee or Board member to serve in this role to assist in developing, overseeing, or advancing collections care, policies, and processes.
4. Collection Manager: The Chair may appoint at their discretion a paid or unpaid collections manager, working under the direction of the Board, Chair, or collections committee. The collections manager may act to implement policies but holds no authority in their approval.
5. Volunteers: Community members or area experts may volunteer in collection work, under the direction of the Board, Chair, collections committee, or collections manager. Volunteers may act to implement policies but hold no authority in their approval.

III. ACQUISITIONS AND ACCESSIONING

A. General Criteria for Evaluation

All accessioned items must meet at least one of these criteria:

1. Document directly the history of the Black American West—or be representative of the material culture of the Black American West (this includes ethnographic and archaeological material).
2. Be in good physical condition unless it has outstanding historical value that otherwise makes it necessary to add to the collections—or its condition can, under BAWMHC guidance, be brought to an acceptable level.

3. Be capable of storage, protection, and preservation by the BAWMHC under conditions that ensure availability for research and exhibit.
4. Be subject, preferably, to documentation of its provenance.
5. Be subject to review for status and potential transfer of intellectual property rights.
6. Fit within the general scheme described in collecting plans.

B. Laws and Ethics of Acquisition

1. All acquisitions will be evaluated to ensure compatibility with the present scope of collections and to prevent possible violations of legal and ethical standards involving ownership, possession, and authenticity.
 - a. The BAWMHC will not knowingly accept or accession an item—whether by purchase, gift, bequest, or exchange—unless the BAWMHC is satisfied that it can acquire valid title to the item in question.
 - b. Regarding ethnographic and archaeological items, the BAWMHC will not acquire by direct or indirect means items which are collected in contradiction of law governing such collecting or which it has reason to believe have been unethically collected or unethically alienated from another museum or historical society or place of origin (even when not in violation of the relevant formal laws of that country).
 - c. The BAWMHC will attempt to verify that questionable artifacts considered for acquisition were not acquired in or exported from their country of origin (or any intermediate country in which they may have been legally owned) in violation of that country's laws and that they have been acquired in full compliance with the laws and regulations of the federal and state governments of the United States.

C. Conditions of Acceptance

The BAWMHC accepts gifts on an unconditional basis to be used at its discretion. Additionally:

1. Only in rare instances, for good and sufficient reasons, the BAWMHC and the donor may agree to impose restrictions on certain acquisitions. If such restrictions are negotiated, it shall be the objective to limit them to a definite period, which should be as short as possible. Such restrictions must be set out in the deed of gift.
2. Long-term loans are not accepted except under extraordinary conditions.
3. The BAWMHC has an important obligation to donors to indicate clearly if a gift is not intended for the permanent research collection. In addition to a verbal or written explanation, noncollection use of the gift must be indicated on the deed of gift or receipt.

In the case of large collections that may be reduced before accessioning by intellectual appraisal, donors must be forewarned and provided an opportunity to request the return those parts of a collection not accessioned.

4. The BAWMHC may accession abandoned property in its custody following procedures outlined in Colorado's Abandoned Property Act 1988 (Colorado Revised Statutes, 1982, 38-14-10 through 38-14-112).

D. Evaluation of Accessions

1. The BAWMHC staff cannot furnish appraisals of monetary value but can assist donors of artifacts in obtaining such appraisals by furnishing the names of appraisers known to the BAWMHC and by permitting access to donated material by the appraiser chosen by the donor.
2. The BAWMHC will not identify or authenticate for other people or agencies items under circumstances that could encourage or benefit illegal, unethical, or irresponsible traffic in such materials. Staff members and volunteers may identify and authenticate items (where they have expertise) for professional or educational purposes and in complying with the legitimate requests of professional or governmental bodies or their agents. The staff will not render opinions for the general public. It is in the best interests of the BAWMHC to converse with donors and dealers but not to aid them in any way in realizing a monetary profit based upon the museum's expertise.
3. The Board will regularly evaluate the collection relative to the collecting plans to determine their range and quality, make a systematic effort to fill gaps or augment existing collections through donation, purchase, or transfer, and make recommendations for deaccession in accordance with this policy.

IV. ACCESS AND USE OF THE COLLECTIONS

A. Guiding Principles

1. The BAWMHC will make its collections available for examination and study by its staff, volunteers, and qualified scholars under established procedures for access and will provide reasonable access to the collections by the general public.
2. The BAWMHC will make its collections available to responsible institutions for temporary exhibitions or research under established loan procedures and regulations.
3. Religious items and human remains within the collections will be treated with the utmost respect and dignity, with limited scholarly and public access.

V. CARE OF THE COLLECTIONS

A. Guiding Principles

1. The BAWMHC will make every reasonable effort to ensure that its collections are stored, used, and exhibited by the best current standards.
2. The BAWMHC will seek guidance from the standards and models suggested by such organizations as the American Association of Museums, American Association for State and Local History, American Institute of Conservators, Institute of Museum Services, Society of American Archaeology, American Film Institute, American Library Association, and African American Museum Association.
3. Procedures for storage, security, insurance, environmental control, use, and exhibit will follow the written procedures manual, which will be updated to reflect changes in the best current practice.
4. The BAWMHC Disaster Plan, as updated from time to time, will guard all efforts to protect the collections in the event of disaster.

VI. RECORDS

The BAWMHC will keep such records as are necessary to establish title and physical and intellectual control of its collections. Procedures to accomplish this will follow the written procedures manual, which will be updated to reflect changes in the best current practice.

VII. Loans

A. Guiding Principles

1. Loans are made for educational, research, artistic, community work, and exhibition purposes to and from the BAWMHC to support its mission.
2. Loans are made between the BAWMHC and the borrowing institution.
3. The prescribed outgoing or incoming loan duration will typically not exceed one year, and may not exceed five years. Renewals or extensions will be considered and these requests must be made in writing before the original term has expired.
4. All outgoing loans will follow all applicable local, state, federal, and international laws. They will also adhere to discipline-specific ethical standards.
5. Loans will follow all BAWMHC policies, protocols, and procedures.
6. The collections manager or volunteers with area expertise may be responsible for initializing any outgoing or incoming loan, and will be approved in sequence by the collections committee (if established; see Section II.2), Board, and Chair.

7. The Board Secretary will make a record of all items on loan, to be retained with all of the original accession records, catalog cards, and documentary material.

B. Outgoing Loans

1. The BAWMHC does not approve third-party loans or facilitate third-party loans without prior authorization from the first-party/owner.
2. The BAWMHC reserves the right to decline the loan request if the loan falls outside of its collection policies.
3. Outgoing loan terms, conditions, and restrictions will be determined and agreed upon before material is sent. All outgoing loan documentation will be completed according to the Museum's signing authorities prior to the item or items leaving the building.
4. The conditions of the item or items will be documented prior to leaving the BAWMHC and upon arrival, with the loan agreement defining borrower's obligations should the condition change during the course of the loan. That determination will be made by the collections manager or volunteers with area expertise, in consultation with professional conservators, if needed.
5. The collections manager or volunteers with area expertise are responsible for overseeing the packing, shipping, and handling standards of the item or items going out on loan.

C. Incoming Loans

1. Loan terms, conditions, and restrictions will be determined and agreed upon before material is sent.
2. The item's or items' conditions will be documented upon arrival and prior to being returned to the lending institution.
3. When borrowing material for an exhibition, the lender's relationship to the BAWMHC will be examined for potential financial conflicts of interest. Any potential conflicts regarding the borrowed item or items must be disclosed to the Chair.
4. An item or items on loan from volunteers, staff, Board, or others closely associated with the BAWMHC will typically be acknowledged as anonymous loans to avoid any conflicts of interest.
5. Objects on loan may not be offered for sale by the BAWMHC.

VIII. DEACCESSION AND DISPOSAL

The BAWMHC acts as a trustee of the materials in its collections for the benefit of the public, particularly for the African American people of Colorado. The BAWMHC interprets deaccessions conservatively and the process shall be prudent and ethical.

A. General Criteria for Deaccession

Any item in the collections of the BAWMHC which is considered for deaccession must meet at least one of the following criteria:

1. The item does not pertain to the BAWMHC mission statement or acquisition policy and collecting plans.
2. The item lacks historical or museological value or usefulness for any of the following reasons:
 - a. Lacks integrity, including if heavily reconstructed.
 - b. Lacks identity.
 - c. Lacks provenance.
 - d. Lacks authenticity.
 - e. Cannot be salvaged even with prudent conservation care because of deterioration.
3. Degree of conservation care necessary to maintain historic value of item is beyond the scope of the BAWMHC's mission statement.
4. Item poses threat to the safety of the public, staff, or other collections items (examples: nitrate film, photo chemicals, kerosene gasoline, bombs, hand grenades, mace).
5. Item is a duplicate of other collections items, or is a typical duplicate of other items, which equally or better demonstrate an historical theme (examples: numerous similar costumes from the same decade, excessive copies of business directories, history books beyond future replacement expectations).

B. Procedures for Deaccession

1. Recommendations: Any item or items to be deaccessioned from the BAWMHC may begin with recommendations by the collections manager or volunteers with area expertise, and will be approved in sequence by the collections committee (if established; see Section II.2), Board, and Chair.
2. Written notices: Written notice of the rationale for deaccession and ample time for thoughtful consideration must be included at each stage.

3. Board members and officers of the BAWMHC must excuse themselves from voting on the proposed deaccession of items which they have donated to the BAWMHC collections or might have any other financial conflict of interest.
4. Restrictions: Before any material is recommended for deaccessioning or is deaccessioned, reasonable efforts must be made to ascertain that the BAWMHC is able to do so. Any proposed deaccession must consider:
 - a. Where conditions or restrictions as to use or disposition of the items under question are found to apply, the BAWMHC shall act as follows: mandatory conditions or restrictions placed on donations shall be observed strictly and imposed on subsequent owners. Deviation from the terms must be authorized by a competent jurisdiction or received in writing by the donor or his/her heirs and assigns.
 - b. In consideration of the good will of the donor, the BAWMHC shall make reasonable efforts to notify the donor if it intends to dispose of any gifts of collections within a ten-year period from the date of receiving the gift or within the donor's lifetime, whichever is less.
 - c. The BAWMHC will not offer a deaccessioned item back to the donor excepting only under extraordinary and extenuating circumstances. It must be considered that the donor may have taken a tax deduction and that the BAWMHC's first responsibility is to the collection, which may benefit by trade or sale of the item.
 - d. Consideration will be given to the possibility that the donor received a tax deduction as a result of the donation, in which case the BAWMHC will be obligated to retain the item(s) for a minimum period of time or notify the Internal Revenue Service of disposal.
 - e. If there is a requirement for clarification or interpretation of conditions or restrictions, the BAWMHC shall seek the advice of legal counsel.

C. Disposition and Disposal

In tandem with the recommendation of deaccession, the item's or items' disposition and disposal must also be considered.

Recommendations for disposition and disposal will carefully weigh the interests of the public for which the BAWMHC holds its collections in trust, the donor's intent in the broadest sense, the interests of the scholarly and cultural community, and the BAWMHC financial well-being. Disposition will be in accordance with the policies and procedures contained herein.

1. Recommendations: The recommended disposition and disposal of any item, items, or class of items may begin with the collections manager or volunteers with area expertise,

and will be approved in sequence by the collections committee (if established; see Section II.2), Board, and Chair.

2. **Written notices:** Written notice of the rationale for disposition and disposal and ample time for thoughtful consideration must be included at each stage.
3. Board members and officers of the BAWMHC must excuse themselves from voting on the proposed disposition and disposal of items which they have donated to the BAWMHC collections or might have any other financial conflict of interest.
4. **Restrictions:** Before any material is recommended for deaccessioning or is deaccessioned, reasonable efforts must be made to ascertain that the BAWMHC is able to do so.
5. **Ethics of Sale:** Materials and items shall not be given, sold or otherwise transferred, publicly or privately, to any BAWMHC employee, officer, Board members, or their immediate families or representatives.
6. **Methods for disposition of accessioned collections or abandoned loans include to following:**
 - a. Transfer to another non-profit educational institution or cultural organization.
 - b. Transfer to regional, state, or local surplus.
 - c. Retain for conservation research.
 - d. Retain for educational programming.
 - e. Public auction.
 - f. Destroy.
 - g. Other means, as determined appropriate by the Chair
7. **Proceeds:** All proceeds resulting from the deaccession of items from the collections of the BAWMHC shall be held by the Board Treasurer as custodian separate and apart from other funds, and may be withdrawn only upon the issuance of vouchers signed by the Chair and Board Treasurer or Board Secretary of the BAWMHC. Proceeds from the sale of deaccessioned collections should be held for collections acquisition:
 - a. Following the American Alliance of Museums Code of Ethics (Adopted 1993; Amended 2000) the “disposal of collections through sale, trade or research activities is solely for the advancement of the museum’s mission. Proceeds from the sale of nonliving collections are to be used consistent with the established

standards of the museum's discipline, but in no event shall they be used for anything other than acquisition or direct care of collections."

- b. The scope of "direct care of collections" for the museum follows the American Association for State and Local History's (AASLH) Statement of Professional Standards and Ethics (Adopted 2012; Revised 2018), which states that "funds acquired through deaccessioning can be used for direct care and preservation of objects, archives, buildings, archaeological sites, and cultural landscapes that provide public benefit as outlined/defined in their collections policy." Funds acquired through deaccessioning "should not be used to provide financial support for institutional operations."
 - c. Such funds may be used for historical building and landscape preservation, but not for regular building maintenance.
8. Records of Deaccession and Disposition: The Board Secretary will make a record of all items deaccessioned, to be retained with all of the original accession records, catalog cards, and documentary material. Copies of records may be supplied to transferees. The records will include:
- a. The date, rationale for deaccession, and references to the minutes of the Board which authorized the action.
 - b. Name of transferee and the terms of the transfer.
 - c. Description of the item deaccessioned if lacking in the original records.
 - d. Representative photocopy, or microform, if appropriate.
 - e. A copy of the notification letter to the donor, if issued.
9. The BAWMHC physical identification should be removed or invalidated on each item.

IX. ETHICS

All actions of the Board, Chair, staff, and volunteers should be such that they avoid an apparent as well as an actual conflict of interest with any aspect of the BAWMHC's operation and its collection. The members of the Board, staff, and volunteers will follow the practices in all ethics policies adopted by the Board. In cases not covered by established policies, the BAWMHC will follow the American Alliance of Museums, Code of Ethics for Museums.

X. ADDITIONAL MATTERS

Any additional matters pertaining to the BAWMHC's collections not covered by these policies shall be made available to the Board for their careful deliberations and in due consideration of the Chair's final decision-making authority.