



POLICY FOR DEACCESSIONING WORKS OF ART

City Of Portland/Multnomah County

Revised April 2008

Background

When the Metropolitan Arts Commission (MAC) was formed in 1973, artwork owned by both the City of Portland and Multnomah County, including historical and memorial statuary deemed to be fine art, became the responsibility of MAC. Works of art have also been acquired through the CETA program, donations, and the Percent for Art Program. In 1995, when MAC became a non-profit agency, the Regional Arts & Culture Council (RACC), this responsibility continued via contracts between RACC and the City of Portland and Multnomah County. RACC is the agency that has been tasked with building these Public Art Collections and overseeing their maintenance and conservation. When necessary, RACC also oversees the removal of artworks from the Public Art Collections—this process is referred to as “deaccessioning”.

Policy

Deaccessioning is a procedure for the withdrawal of an artwork from the public collection. Deaccessioning will be considered only after a careful and impartial evaluation of the artwork within the context of the collection as a whole. At the beginning of the process, RACC staff will make reasonable efforts to notify the artist whose work is being considered for deaccessioning.

Eligible Artworks

All artworks owned by the City of Portland/County of Multnomah whether acquired through the Percent for Art Program, donation, or CETA may be considered for deaccessioning. In the case of donated artworks, all legal documents relating to the donation will be consulted prior to beginning the process.

Deaccessioning Procedure

A Deaccessioning Subcommittee of the Public Art Advisory Committee (PAAC) will be appointed as needed. This subcommittee will consist of five arts professionals/experts (4 members of the PAAC and an art conservator or curator). RACC staff is responsible for recommending artworks for consideration for deaccessioning.

Criteria for Deaccessioning

The Deaccessioning Subcommittee and the PAAC may consider the deaccessioning of artwork for one or more of the following reasons:

1. A work is not or is rarely on display for lack of a suitable site.
2. The condition or security of the artwork cannot be reasonably guaranteed.
3. The artwork has been damaged or has deteriorated and repair is unaffordable or unfeasible.
4. The artwork endangers public safety.
5. The site of a site specific artwork is so severely altered that the work no longer is physically possible or conceptually relevant.
6. The artwork is significantly incompatible or inferior in the context of the collection.
7. The City/County wishes to replace the artwork with a work of more significance by the same artist.
8. There has been sustained and overwhelming public objection to the artwork over a ten year period

Sequence of Action

1. Public Art staff recommends pieces for deaccessioning to the PAAC.
2. The PAAC appoints a subcommittee which determines whether an artwork meets one or more of the criteria above.
3. Staff prepares a report that includes:
 - a. The findings of the Subcommittee
 - b. The opinion of the City Attorney/County legal staff on any restrictions which may apply to this specific work.
 - c. Cooperation of appropriate City/County bureau
 - d. Completion of deaccessioning worksheet
4. The PAAC reviews the report and either rejects the Subcommittee's recommendation or forwards a recommendation to the RACC Board.
5. The RACC Board votes on the PAAC's recommendation.
6. If deaccession is approved by the Board, the PAAC considers the following actions:
 - a. Sale or Trade
 1. Artist will be given first option to purchase or trade artwork.
 2. The work may be sold through auction, gallery resale or direct bidding by individuals, in compliance with City/County law and policies governing surplus property.
 3. A trade may be made through the artist, a gallery, museum or other institutions for one or more artwork(s) of comparable value by the same artist.
 4. No works of art may be sold or traded to members or staff of the RACC, consistent with RACC conflict of interest policies.
 5. Proceeds from the sale of a work of art will be deposited in the Public Art Trust Fund departmental account from which the original purchase was made if acquired through the % for Art program. Funds from the sale of gifts will go into the Public Art Trust Fund for future undesignated projects. Any pre-existing contractual agreements between the artist and the City regarding resale will be honored.
 - b. Destruction of work deteriorated or damaged beyond repair and deemed of negligible value.
 - c. Donation to a non-profit organization or other disposal as RACC sees fit.