

The University of California, Los Angeles

# **The Fowler Museum at UCLA**

## **Collections Policy**

Last Revised: February 3, 2023

*The Fowler Museum at UCLA acknowledges the Tongva peoples as the traditional land caretakers of Tovaangar (Los Angeles basin, So. Channel Islands) and are grateful to have the opportunity to work for the taraaxatom (indigenous peoples) in this place. As a land grant institution, we pay our respects to Honuukvetam (Ancestors), 'Ahihirom (Elders), and 'eyoohiinkem (our relatives/relations) past, present and emerging.*

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## Collections Policy Outline

**I. Statement of Purpose:** The Collections Policy is intended to document the policies that govern the acquisition, care, and administration of the art and artifacts in the Fowler Museum at UCLA's collections.

**A. Mission Statement:** The Fowler Museum at UCLA explores global arts and cultures with an emphasis on works from Africa, Asia, the Pacific, and the Indigenous Americas—past and present. The Fowler Museum at UCLA enhances understanding and appreciation of the diverse peoples, cultures, and religions of the world through dynamic exhibitions, publications, and public programs, informed by interdisciplinary approaches and the perspectives of the cultures represented. Also featured is the work of international contemporary artists presented within the complex frameworks of politics, culture and social action. The Fowler provides exciting, informative and thought-provoking exhibitions and events for the UCLA community and the people of greater Los Angeles and beyond. Collections represent the cultural patrimony of communities spanning the globe.

**B. Background and Overview:**

In 1963, Chancellor Franklin D. Murphy consolidated all the ethnographic collections at UCLA into a single institution, first known as the Laboratory of Ethnic Arts and Technology, with an initial mandate to study the art and material culture of non-Western peoples. In 1969, the UCLA anthropology department transferred its archaeological holdings to the Museum. The Fowler Museum at UCLA received its current name in 2006, following 43 years of name and building changes. As of 2022, the Museum's collections consist of over 5 million objects, coming from six continents, and covering over 10,000 years of human history. The impressive breadth of the collections distinguishes the Museum among others and has enabled the museum to produce 290 exhibitions and 139 publications since its founding. Maintaining the diversity of the collection continues to be a guiding principle in accessioning decisions.

**II. Statement of Responsibility**

**Roles and Governance:** As a designated Research Unit within UCLA, the Fowler Museum at UCLA holds its collections in trust for the benefit of society and its development on behalf of the Regents of the University of California, as chartered under the constitution of the state of California. The University of California system is governed by the Board of Regents, which appoints the President of the University and sets broad, general policies for the system with respect to the budget and other matters. The President-appointed Chancellor has designated the Fowler Museum as an organization within the School of the Arts and Architecture at UCLA, and the Dean of the School is responsible for the appointment of the Director of the Fowler Museum.

### III. Code of Ethics

#### A. Ethics

##### 1. Commitment to Collaboration and Restitution

a) **Land acknowledgment:** The Fowler Museum at UCLA acknowledges the Gabrielino/Tongva peoples as the traditional land caretakers of Tovaangar (the Los Angeles basin and So. Channel Islands). As a land grant institution, we pay our respects to the Honuukvetam (Ancestors), ‘Ahihirom (Elders) and ‘Eyoohiinkem (our relatives/relations) past, present and emerging.

b) **Acknowledgment of colonial collecting practices:** The Fowler Museum at UCLA acknowledges the harm caused by colonial collecting practices. Museums, as institutions born of colonial projects, have been historically filled with objects acquired by unethical, exploitative, and often violent means. While an undeniable part of the past, the Fowler Museum condemns such practices, and encourages not only the restitution of unethically seized artifacts to their respective descendant communities, but looking forward, seeks to engage in and facilitate joint and traditional care practices of objects in our stewardship.

2. **Consulting with Descendant Communities:** Engagement with descendant communities is vital to ensuring the Fowler’s collections and exhibitions are culturally respectful and informed. Consultation must occur where legally required, such as in the case of the Native American Graves Protection and Repatriation Act (NAGPRA) and CalNAGPRA (California Native American Graves Protection and Repatriation Act) and should be prioritized in all cases where possible. When engaging with global descendant communities, we follow the principles of the UC Native American Cultural Affiliation and Repatriation Policy which provides tribes the ability to request access and direct traditional care practices for cultural items in the Museum’s control (see Section 5J). Decisions on permitting access to culturally sensitive materials and documentation (i.e photographs, texts, media, and archival records) should be made in conjunction with the respective community. Along with community members of descendant groups, those consulted need to include the proper governmental authorities and/or a constituted authority of the community.

#### B. Discipline-Specific Code of Ethics

Specialists are bound to their respective, discipline-specific codes of ethics, including but not limited to those outlined by the following:

- American Alliance of Museums
- American Anthropological Association
- Association of Art Museum Directors
- Association of Tribal Archives, Libraries, and Museums
- Museums Store Association
- Collections Stewardship Professional Network of the American Association of Museums
- Society for California Archaeology

- Society of American Archivists
- American Institute for Conservation
- International Council of Museums

**C. Legal commitments:**

1. **NAGPRA/CalNAGPRA:** The Fowler Museum is subject to laws which require federally or state funded institutions, such as UCLA, to return all Native American human remains, their funerary belongings, and ceremonial items as designated by the culturally affiliated tribe(s).
2. **1970 UNESCO Convention:** In recognition of the November 1970 UNESCO Convention on the Means of Prohibiting and Preventing the Illicit Import and Export and Transfer of Ownership of Cultural Property, the Fowler Museum will, in most cases, not acquire any archaeological artifacts or works of ancient art known to have been “stolen from a museum, or a religious, or secular public monument or similar institution” (Article 7b - <https://en.unesco.org/fightrafficking/1970>). In addition, the Fowler Museum will not acquire any archaeological material or work of ancient art known to have been part of an official archaeological excavation and/or removed in contravention of the laws of the country of origin. Exceptions to the above exist wherein the Museum will acquire artifacts to facilitate repatriation of works to the appropriate party.
3. **Convention on International Trade in Endangered Species of Wild Fauna and Flora (CITES), the Endangered Species Act, the Marine Mammal Protection Act (MMPA), & California Penal Code Section 639-653.2:** Per these mandates, the Museum will not acquire, trade, or sell items from endangered flora or fauna, or species outlined in section 639-653.2 of the California Penal Code, living or dead, their progeny (seeds in the case of plants), or parts or products derived from them.
4. **Washington Conference Principles on Nazi-Confiscated Art 1998:** Per the December 3, 1998 guidelines, and bolstered by the American Alliance of Museum’s (AAM) guidelines on Unlawful Appropriation of Objects During the Nazi Era, when faced with the possibility that the Museum might be in possession of art unethically seized or acquired by Nazis, the Museum is obligated to practice ethical stewardship and seek the rightful owners, or heirs, of the work. As such, and per AAM guidelines, the Museum is obligated to “(1) identify all objects in their collections that were created before 1946 and acquired by the museum after 1932, that underwent a change of ownership between 1932 and 1946, and that were or might reasonably be thought to have been in continental Europe between those dates; (2) make currently available object and provenance (history of ownership) information on those objects accessible; and (3) give priority to continuing provenance research as resources allow.”
5. **United Nations Declarations of the Rights of Indigenous Peoples (UNDRIP):** Adopted by the United Nations on September 13, 2007, the declaration protects the individual rights of Indigenous peoples. Specifically outlined, the right to enjoy and practice their customs, religions, and languages are protected, as are the rights to self-

determination, and the right to strengthen their economies, social, and political institutions. The Fowler strives in its practices and policies to comply with the protections outlined by the declaration.

**D. Staff Members' Personal Collections:** The Fowler Museum discourages members of the Collections and Curatorial divisions from collecting and / or acquiring objects of cultural importance that overlap with the Fowler's areas of collecting, especially those with vague or unethical provenience. This includes objects that may be ceremonial, burial associated, or otherwise sacred.

**1. Required Disclosures:**

- a) Within a month of the purchase of art or cultural belongings, staff must disclose the transaction to the Fowler's Acquisitions Committee, so that the committee may acquire the object for the Museum's collections if it fits collection priorities.
- b) Any gift offered to the staff member in course of their position must be offered to the Acquisitions Committee meeting for right of first refusal.
- c) Staff must disclose their possession of any Indigenous human remains, ceremonial, burial associated, or otherwise sacred items, especially if those items are Native American. This is regardless of time of purchase, inheritance, or other means of personal acquisition: it is the Museum's intention to facilitate the return of all such objects to descendent communities.

**E. Field Collecting:** Any person provided with Museum funds for the collecting of objects may not collect for personal ownership any objects of similar type for the duration of the agreed upon period of field collecting.

**F. Museum Gift Shop:** The Fowler Museum Gift Shop adheres to the professional guidelines of the Museum Store Association's Code of Ethics. This code outlines policy for the sale of reproductions, replicas, and derived products. The Museum Gift Shop will not sell deaccessioned objects or artworks. The Museum Gift Shop will further adhere to all state and federal policies concerning trade, including but not limited to the ban of sales of endangered species or their parts or products.

**G. Textile Council Sale:** The Fowler Museum reserves the right of first refusal for those items proposed for sale in the Textile Council's annual fundraiser. The Fowler Museum will further adhere to all state and federal policies concerning trade, including but not limited to the ban of sales of endangered species or their parts or products.

**IV. Scope of Collection:** The Fowler Museum holds a wide variety of archaeological and ethnographic cultural heritage and contemporary art. While a majority of the Museum's holdings come through donations, the materials held in the Archaeology Collections Facility are primarily the products of UCLA led academic research as well as Cultural Resource Management projects.

**A. Africa:** One of the largest collections of African arts in the United States, the Fowler Museum's holdings encompass metalwork, wood carvings, textiles, musical instruments, popular urban arts, and ceramics. These arts come from throughout the African continent and span millennia, reflecting the vibrancy and diversity of the arts from nearly every time period and region of the continent.

Large portions come from Senegal, Nigeria, Ghana, Cameroon, Democratic Republic of the Congo, Kenya, and South Africa. There are many strengths in the collection: Yoruba arts, Kuba and Lega style arts, Senegalese and Ghanaian popular arts, ironwork from West and Central Africa, and the collection from Askut, Sudan stand out as highlights. The collection histories of these works range, broadly, from objects collected during the colonial period by tourists, administrators, missionaries, soldiers, and others to arts that were field collected, archaeologically excavated, or commissioned during the post-colonial period. The depth and breadth of this collection—geographically, temporally, and in terms of provenance—speaks to the complex history associated with this area of the collection, making the arts of Africa a vibrant collection for its historical, aesthetic, and research qualities.

- B. The Americas:** The collections from the Western Hemisphere cover broad spans of time and space. The museum maintains the largest representation of Los Angeles history focused on Gabrielino/Tongva and Chumash material culture in addition to Native American communities across the United States. The best representations of arts of the ancient Americas are from West Mexico, the Valley of Mexico, and Peru (with special strengths in the art of the Moche). Many of these objects come from the looting of archaeological sites, though there are major collections of materials from officially sanctioned excavations in North America. Notable holdings of modern/contemporary-era arts (post-1900) include collections from the Warao and Yecuana peoples of Venezuela; Guatemalan and Mexican regional dress, festival masks, and religious objects; Wixarika (Huichol) yarn painting. There are significant collections from African diasporic communities in the Caribbean, especially Haitian sacred arts (Vodou), and Afro-Surinamese textiles and woodcarving.
  - C. Oceania, Asia and Southeast Asia:** The collections from Insular Southeast Asia are among the largest in the United States, including notable collections of textiles and basketry from Indonesia, the Philippines and Timor-Leste; sculptural material from Sumatra, Borneo, Sulawesi West Timor (Indonesia), Luzon (Philippines) and Timor-Leste; puppetry from Java and Bali (Indonesia); and metalwork from the Philippines. The primary strength of the Oceanic collections lies in materials from Australia, Papua New Guinea, especially the Papuan Gulf, Trobriand Islands, Sepik River, and Maprik region. A variety of collections include textiles from Japan, India, Bhutan, basketry, and decorative arts from Japan; puppetry from China, Thailand, India, and field-collected materials from Nepal.
  - D. Europe and the Middle East:** The European material culture is represented by the Museum's namesake, the Francis E. Fowler silver collection, a collection of 16th to 19th century silver decorative arts; neolithic tools; and a variety of textiles and folk arts. Strengths include a comprehensive British transferware collection and Southeastern European dress. The collection also includes domestic objects from Iran, Armenia, Syria, and other Middle Eastern countries.
- V. Categories of Collections**
- A. Permanent Collections:** Collections which were acquired by the Museum and are under ownership of the Regents of the University of California. See Section VI.A.1.

- B. Loans:** Loans are temporarily in the physical possession of the museum but are not permanent. See Section XI.
- C. Education/Teaching Collections:** Objects in the education and teaching collections are used by museum staff to provide educational experiences for students and visitors. The limited number of objects in this category receive a minimum of administrative, curatorial, and conservation care.
- D. Found in Collection:** Objects with unclear provenance. Refers to objects found during regular objects inventories, inspections, and research that are otherwise unidentified and/or unnumbered. Unless determined to be part of a larger collection not owned by the museum, they are considered part of the permanent collection.
- E. Temporary Receipts:** This category includes objects brought into the museum for consideration as acquisitions or objects not destined for the permanent collection but used as ephemera used in exhibitions.

## VI. Ownership Levels

- A. Physical Possession vs Legal Control:** See Section II. to understand Fowler's responsibility to all collections in its care. The physical presence of an object in our collections does not always correlate to legal control. The physical possession of artworks or texts does not necessarily confer copyright ownership to the museum- refer to Section XVII for more information about copyright. Definitions of Possession and Control per NAGPRA/CalNAGPRA and UC Repatriation Policy may differ, but still refers to items where the museum has sufficient legal interest to lawfully treat the objects as part of its collection. Thus, this section delineates the various ways objects are legally situated in the collections. Although a deed may be present, we acknowledge that this does not mean that the object was acquired ethically.
  - 1) **Ownership by Fowler:** The Fowler Museum purchased or acquired the object through a gift and has a deed of ownership or other such paperwork proving ownership.
  - 2) **Co-ownership:** In a very limited number of cases, the Fowler acquired objects with another institution.
- B. Joint Care Between Fowler and Another US Agency or Tribe:** Some collections are stewarded jointly, meaning in collaboration with another agency or tribe who shares decision making power. Objects in the collections which are under joint care and control must be accompanied by a written agreement (MOA/Curation Agreement). Traditional care practices may be requested to be implemented - refer to Section XII.C for more information. Per the MOA/Curation Agreement, this level of ownership requires Museum staff to regularly consult with the partnering Agency or Tribe on decisions regarding the collection.
- C. Joint Care Between Fowler and an International Agency or Community:** Currently no objects in the collection are governed by such an agreement.
- D. Temporary Custody:** There are some collections which are only held temporarily by the Museum. Objects in temporary custody require that the museum follow a loan agreement or Memorandums of Agreement/Understanding (MOA/MOU), whichever appropriate, which will outline rules of curatorial



conditions, duration of temporary custody, and exhibition requirements. This includes:

- 1) Collections or objects on loan to the Museum for the purposes of exhibition and / or research. For more information, see section XI.
- 2) Or collections where formal agreements have been made to deaccession or repatriate to another entity but are in the care of the Museum until physical transfer can occur.

## VII. Repositories

The Fowler Museum has three on campus collection repositories and also stores a small number of objects offsite.

## VIII. Acquisition and Accessioning

**A. Priorities of Collecting:** The Fowler Museum will consider acquiring objects that strengthen the collection. Priorities include, objects reflecting active exhibition, publication, and research interests; objects that augment existing areas in permanent collections by filling a void or improving the quality of the collection. The Museum is committed to the principle that all collecting be done to the highest standards of ethical and professional practice.

### B. Responsible Parties

**1. Acquisition and Deaccession Committee:** Chaired by the Museum Director, overseen by the Director of Registration and Collections Management and the Chief Curator, and composed of curatorial staff, the collections managers, registrar, and conservator. This group meets monthly, or more often and as needed, to review prospective donations, bequests, and purchases to the Museum's permanent collections, as well as to discuss potential deaccessions from the permanent collection. The Committee also evaluates potential repository agreements.

**C. Acquisition Criteria:** The UCLA Standard Procedure, Policy 742 for Acquisition of Works of Art, Antiquities, and Artifacts states that "The acquisition of all works of art, antiquities, and artifacts is conducted according to the following criteria: All items shall be judged as to whether they demonstrably enhance an existing campus collection, fill an identifiable instructional procedure, add to the aesthetic value of the campus, or contribute in a significant way to an academic program or research activity conducted by a recognized research unit."

(<http://www.adminpolicies.ucla.edu/APP/Number/742.0>) As such, criteria considered are as followed in order of priority, and the object should meet more than one of the criteria listed:

1. Follows the Code of Ethics outlined in section III.
2. The object is not on a country specific ICOM red list (<https://icom.museum/en/resources/red-lists/>).
3. Follows the principles of the UC Native American Cultural Affiliation and Repatriation Policy (<https://policy.ucop.edu/doc/2500489/NAGPRA>).

4. The object is not claimed by a descendant community after a good faith effort to determine provenance history.
5. The object will be treated according to professional museum standards and in good faith, and the museum is able to provide proper care with existing resources.
6. A valid deed of ownership or other instrument of title conveyance must be provided to the Museum from the acquisition source.
7. The object is relevant to an existing collection and the Museum's mission and purpose.
8. The object is unique within an existing geographic collecting area and would thereby enhance the existing collection.
9. The object fills a specific need within a collection.
10. Opens a new collection area consistent with the Museum's goals.
11. The object does not have any donor imposed restrictions or any stipulations regarding the display, copyright, or any other limitations that would affect the exhibition or loan of the object.
12. The gift is an outright and not a fractional gift.
13. The object's condition must not threaten or endanger any other collections, people, or property.
14. Acceptance of the object shall not impose major future expenses.
15. Copyright issues for objects to be acquired must be considered.

**D. Acquisition Procedure:** The Fowler Museum Acquisition and Deaccession Committee will convene monthly to evaluate the criteria and decide whether or not to acquire proposed objects. The Museum Registrar prepares monthly Acquisition and Deaccession Committee agendas in consultation with Curatorial staff and documents the committee proceedings. Potential additions to the collections must fit the criteria in Section VIII.C to be considered. If the gift is not accepted, the Curator of that area, the Chief Curator, Museum Director, or the Museum Registrar will send a letter to the donor declining acceptance.

**E. Gifts in Kind**

The Museum Registrar processes gifts in accordance with the University Regents' gift acceptance and recording procedures. Once the gift has been accepted by the Acquisition and Deaccession Committee and has been received on-site, the Registrar prepares a Deed of Gift that is signed by the donor, followed by the Museum Director, and in the absence of the Director the designated representative, then the Registrar processes the gift using the Regent's Gift Transmittal form. The Deed and Regents Gift Transmittal Form are then forwarded to the UCLA Gift Policy Department for processing. After the Gift Policy Department reviews all donor related paperwork for the gift, it may officially accept the gift on behalf of the Regents of the University of California, which establishes the University's legal title and provides donors with Internal Revenue Service documentation necessary to establish income tax credit. Additionally, an attempt will be made to contact the relevant stakeholders as outlined in Section C.

## IX. Deaccessioning

- A. Purpose of Deaccessioning** In periodic reviews of the collections, the Museum considers the permanent removal of objects that meet specific criteria. When conducted in an orderly, ethical, and legal manner, this activity is an important part of the collection management function that strengthens the quality of the collections, as well as ensuring adequate space and care for all accessioned objects. Deaccessioning is especially important in the context of repatriation, a global movement that requires the return of museum collections to descendant communities.
- B. Responsible Parties:** The Acquisition and Deaccession Committee is responsible for all deaccessioning decisions. See Section VII.B.1.
- C. Deaccessioning Criteria:** Objects may be considered for deaccessioning under one or more of the following circumstances:
1. The object does not support the mission of the Museum.
  2. The object is duplicative or of inferior quality to pieces in the collection.
  3. Inadequate documentation or absence of documentation critically reduces the cultural or scientific value or significance of the object.
  4. The object cannot be preserved or has deteriorated and is no longer of any cultural or research value.
  5. The object represents an unacceptable hazard to personnel or to other collections.
  6. The object has been approved for repatriation under the Native American Graves Protection and Repatriation Act (NAGPRA).
  7. The object has been approved for repatriation to an international party or descendant community.
  8. The Museum is instructed to deaccession an object or collection by its legal owner.
  9. The object has been destroyed or damaged to the extent that it no longer conforms to the Acquisitions criteria in section VIII.C, above.
- D. Deaccessioning Procedures:**  
Objects proposed for deaccessioning based on the above criteria will be handled as follows:
1. The Acquisition and Deaccession committee will meet to determine if the object/s are appropriate for deaccessioning.
  2. If selected for deaccessioning, the curatorial, registration, and/or collections management staff will conduct trace research in order to find the artist/creator, their next of kin, or their most likely descendants to inform them of the plan to deaccession. If a descendent community is located, the deaccessioned material may be offered for return. Additionally, for the archaeological collections the Collections Manager will investigate all legal and ethical considerations surrounding the proposed object(s).
    - a) The Museum must hold a free and clear title to the object.
    - b) There must be no restrictions placed on the use of the object (e.g. copyright, MOA/MOU, trust agreements, donor imposed restriction, etc.)

3. If no such party is found, or if all decline ownership of the object, the committee will make a good faith effort to offer the objects back to the donor or donor's next of kin, if one exists.
4. If no such party is found, the committee will make a good faith effort to offer the work to other relevant institutions.
5. If no suitable institution can be located, the objects will be placed in a public auction.
6. If no party will claim the object and it is not suitable for public auction, it shall be destroyed by museum staff. Destruction is defined as the obliteration of an object or specimen by physical or mechanical means. No remains of the object may be retained by university staff or affiliated parties. Prior to destruction, the object will be evaluated to ascertain whether it contains any hazardous materials. If any hazardous materials exist, the object will be destroyed in accordance with all federal or state laws and/or university environmental health and safety procedures. The remains of the object must be placed in a University or Museum garbage receptacle, unless constituent parts can be considered hazardous materials. Hazardous materials must be disposed of through the Operations Manager. This disposal method must be both documented and witnessed.
7. The Registrar or Collections Manager will prepare all required paperwork, including a Deaccession & Disposal form.
8. Museum staff will determine the method of disposal, taking into account the reason for deaccessioning.
9. The Registrar or Collections Manager will include copies of associated documents in the collection record.
10. The Registrar or Collections Manager will modify catalog and accession files and database entries to reflect the change in status of the object; the records will not be deleted or removed but maintained intact for future reference.

## X. Repatriation

- A. **Purpose:** The Fowler Museum is legally obligated to fulfill repatriation requests per the Native American Graves Protection and Repatriation Act (NAGPRA), the California Native American Graves Protection and Repatriation Act (CalNAGPRA). The Museum is also ethically obligated to consider repatriation requests made by international parties on a case-by-case basis following the principles as expressed in the 2007 United Nations Declaration on the Rights of Indigenous Peoples (UNDRIP), as well as, the 1970 UNESCO Convention on the Means of Prohibiting and Preventing the Illicit Import, Export and Transfer of Ownership of Cultural Property.
- B. **Responsible Parties:** UCLA's Repatriation Coordinator is responsible for coordinating all outside repatriation requests, domestic and international, and must be contacted if any curator, registrar, or staff member of the Museum or UCLA receives such a request. The Director of the Museum is tasked with assembling a Fowler Repatriation Advisory Committee, headed by the Repatriation Coordinator, to evaluate, advise, and support non-NAGPRA/CalNAGPRA repatriation requests.

1. **Fowler Repatriation Advisory Committee:** The Committee, formed by the Director of the Museum and headed by the UCLA Repatriation Coordinator, will meet when a request for the repatriation of non-NAGPRA and non-CalNAGPRA eligible materials is made. The Committee will include the Repatriation Coordinator, Chief Curator, Director of Registration and Collections Management, curator of the respective region, the NAGPRA Project Manager, Head of Conservation and other staff as needed. The committee will present their opinion to the Director who must sign-off on all repatriations.

**C. Repatriation Criteria (should meet one or more):**

1. Meets the NAGPRA/CalNAGPRA regulations, privileging traditional knowledge, as provided in the UC Native American Cultural Affiliation and Repatriation Policy.
2. Was requested by descendants or another proper responsible party.
3. Is being considered for repatriation as part of the deaccessioning process (see VIII.D.2).
4. Has been deemed by Fowler staff as a candidate for repatriation.

- D. Repatriation Procedure:** Repatriation requests for NAGPRA eligible material must follow all guidelines set by NAGPRA, CalNAGPRA if a California collection and the UC Native American Cultural Affiliation and Repatriation Policy (see Appendix). In cases where both NAGPRA and CalNAGPRA are applicable, NAGPRA will take precedence due to Federal law. International repatriations, though not governed by law, will be conducted following the spirit of UNDRIP. A good faith effort must be made to comply with all repatriation requests, domestic or international. The Fowler Museum may also initiate a return or repatriation when objects within the collections are identified as being obtained in an illegal and / or unethical manner.

## **XI. Loans**

### **A. Incoming Loans**

1. **Responsible Parties:** All loan transactions for temporary or traveling exhibits will be facilitated by the Registrar and overseen by the Director of Registration and Collection Management in consultation with the relevant curator. The Registration Department is responsible for administering insurance coverage for any artwork or object in physical custody of the Museum, and also ensures loan agreements, receipts, and any accompanying documentation are on file to effect insurance coverage in consultation with the UCLA Office of Insurance and Risk Management. The Collections staff, in consultation with curators, will be responsible for preparing and maintaining all loan paperwork, and will be also responsible for packing and unpacking all incoming loans.
2. **Incoming Loan Criteria:** Objects may be borrowed from other museums, educational or non-profit institutions, galleries, artists, or individuals, and must abide by the following criteria:

- a) The Museum will not knowingly accept incoming loans of objects acquired or collected illegally, or out of compliance with all applicable state, federal, or international laws and regulations.
- b) All incoming loans should have an established record of provenance in keeping with the acquisitions guidelines as outlined above in section VIII.
- c) All incoming loans should serve to bolster the Mission Statement of the Museum and/or serve as a visiting or temporary exhibition, in part or in whole.
- d) All loans must be accompanied by a written incoming loan agreement indicating all rights and responsibilities, including any fees, special considerations, or specific care or display instructions.

**3. Incoming Loan Procedure:**

- a) The individual responsible for originating the loan request will contact the lending institution/individual and agree upon the conditions of the loan.
- b) The Fowler Museum must insure objects entering its custody by a fine art insurance policy. This policy is obtained by the Registration Department through the UCLA Office of Insurance and Risk Management.
- c) Prior to any borrowed objects entering the physical custody of the Museum, the lending party will be requested to provide documentation (i.e. recent images, condition report) of the present condition of the borrowed object(s).
- d) With permission from the lender, upon receipt of the loan, members of the Collections team will unpack, inventory, inspect, and make written and /or photographic notations of the findings. Any inconsistencies in a lenders condition report and this evaluation, or any change in condition of the borrowed object(s) during the loan, must be immediately reported to the lending party.
- e) Loans will be returned by the agreed upon date to the lending party identified on the loan agreement, at the stated address, unless an authorized agent of the lender has given notice of change of ownership or location.
- f) All borrowed objects will be subject to the same level of care, security, and handling as objects in the Museum's permanent collection, unless otherwise specified by the lender.

**B. Outgoing Loans**

- 1. **Responsible Parties:** A formal loan request letter and a facilities report from the requesting institution must accompany written application for loans. The Collections Committee reviews the application and makes recommendations for special handling, display methods, and/or research protocols with the final approval given by the Director.
- 2. **Outgoing Loan Criteria:** The Museum loans materials for research and exhibition purposes to non-profit cultural and educational institutions. Objects are eligible for outgoing loan unless specified otherwise in an

acquisition agreement, and as long as the objects, proposed loan terms, and receiving institution meets the following criteria:

- a) The material is not NAGPRA eligible.
  - b) The material is not under review for repatriation.
  - c) In jurisdictions where NAGPRA applies, a culturally affiliated descendant community, nation, or tribe will be contacted for approval of the loan as provided in a traditional care agreement or UC Policy.
  - d) The receiving facility must match the curatorial standards of the Fowler Museum at UCLA, as supported by submitted documentation of facility conditions.
  - e) Objects must be stable enough to physically withstand the rigors of packing and transportation without sustaining damage.
  - f) The borrowing institution will not transfer possession, repair, clean, alter, or restore objects it has received on loan without express written approval.
  - g) For the archaeological collection, objects requested for loan by UCLA or other students require departmental faculty endorsement prior to the approval of the registrar/collections manager. Loans will be made to an individual within their department, however the department is liable for any unreturned loans.
  - h) The borrowing institution will assume full responsibility for any loss of or damage to the objects.
  - i) Objects on loan from the Museum will not be reproduced or replicated in any manner without the written permission from the Fowler Museum at UCLA.
  - j) Failure to adhere to the terms of previous loans will be deemed adequate cause for denying future loan requests.
  - k) Copies of any research generated from outgoing loans, including any analysis must be submitted to the appropriate museum staff member.
- 3. Special Considerations:** The following circumstances are accepted, despite falling outside of the above outgoing loans criteria:
- a) Loans to descendant communities: Descendant communities have the ultimate knowledge and say of how their objects should be cared for, and as such, the standards for facilities requirements should be appropriately adapted.
  - b) Protecting cultural knowledge: Some knowledge is culturally sensitive or easily exploited, and as such information produced by descendant communities is exempt from the criteria requirement (l) above. Descendant communities in receipt of a loan are not required to share culturally sensitive or proprietary information with the Museum.
  - c) NAGPRA loans: per the UC Native American Cultural Affiliation and Repatriation Policy, tribes may request the transfer or loan of

NAGPRA eligible items to another UC. The Fowler will respect such requests.

#### **4. Outgoing Loan Procedure**

- a) A formal loan request letter and facilities report from the requesting institution must accompany the written application for loans. The request must include:
  - The nature of the objects requested (Object type, accession number, site number, etc.)
  - The purpose of the loan
  - The proposed start and end date of the loan
- b) The Collections Committee reviews the application and makes recommendations for special handling, display methods, and/or research protocol, with the final approval given by the Director.
- c) For exhibition loans, the registrar will prepare all paperwork, including the outgoing loan agreement, and/or required import/export permits.
- d) For exhibition loans, an outgoing condition report will be prepared by the Conservation Department. For all other types of loans, a formal condition report may or may not be warranted.
- e) Packing and shipping arrangements will be made by the Fowler Collections staff, in a manner agreed upon by the Museum and the borrowing institution, to the address indicated on the loan agreement.
- f) Objects will be noted as “loaned” in the accession and collections records until the return of the objects.
- g) If the loan has not been returned by return date, a member from the Collections staff will contact the borrowing institution to initiate return.
- h) Upon return of the loan, Fowler will unpack and inventory and/or check the condition of the objects before reintegrating them into their collection.

## **XII. Conservation and Care of Collection**

### **A. Responsible Parties**

1. The Head of Conservation is responsible for decisions involving the conservation of materials. The Conservation department will consult with all pertinent staff to ensure proper care and housing of all objects in the Museum’s collections.

### **B. General Guidelines and Strategies**

1. The Conservation department will ensure that the museum follows all current professional best practices and standards of traditional care (see section XI.C). Museum collections are carefully monitored in a pest free environment at 70 degrees +/- 2 degrees, 50% RH +/- 5%, with the added provision that RH is at 50% +/- 5% except in extreme Santa Ana desert wind conditions (generally November through March) when the range can be 45% +/- 10%.



2. Storerooms and gallery spaces will routinely be inspected for environmental compliance by a member of the Conservation, Registration or Collections team.
3. Fowler staff will report all potential conservation issues to the Head of Conservation and the Collections Manager immediately.
4. The Conservation department will ensure that all artworks are properly and safely displayed during an exhibition.
5. The Collections Manager, Conservation staff, and Curatorial staff will work to identify materials when possible.
6. The Conservation department will seek to increase the documentation of the collection, through photography, condition reporting, and potentially analysis.

**C. Traditional Care:** The mission of the Museum includes working with descendant communities to ensure the best possible care for the items in our custody. This includes consideration of traditional care of objects from Indigenous communities. Fowler staff will work with descendant community leaders to establish traditional care practices which will ensure the preservation of the physical and conceptual integrity of objects within the collection. Considerations include but are not limited to:

1. **Storage:** Location, environmental conditions, and access within storage facilities.
2. **Object orientation:** Specific orientation of an object, including towards a specific site, or towards a cardinal direction.
3. **Object display:** Restrictions on the display of a particular object or request a specific means of any potential display.
4. **Culture-specific language in object description:** Collaborative development of interpretation and description.
5. **Restricted access:** Some objects are only meant to be seen or handled by specific groups. Restricted access may be based on initiation, age, gender, or other criteria.
  - a) **Human remains access:** Descendant communities will be consulted regarding the storage of their ancestors. While staff or specialists require access to remains, descendant communities may grant permission for others to have access or may request access restrictions.
6. **Offerings and ceremonial care:** Ritual care may be performed for some objects. This care could include making appropriate arrangements to allow for smudging, burning, or feeding in the collection spaces. Some objects may need to be used and handled, or brought outdoors at certain times, and offering tables may be present in collection spaces.
7. **Indigenous preservation techniques:** Communities may request traditional herbs and medicines be used in place of other pest control techniques. Communities may also require specific materials be utilized during treatment, such as natural products rather than synthetic.
8. **Avoidance of preservation:** Conservation techniques should consider the possibility of future repatriation and object use. Furthermore, while

against typical conservation practices, some objects (upon community request) are intended to decay over time and should be allowed to live out their lives.

### **XIII. Documentation and Collections Records**

- A. Purpose:** Maintaining records through documentation of the collections is an integral part of collection management. Not only does it allow for increased accessibility to the objects and respective information, but it facilitates care and maintenance of the collection.
- B. Nature and Quality:** When possible, information should be held and received in both physical and digital copies. When documentation exists only as a physical asset, it should be promptly digitized. All digitized records should be entered into the museum's collections management system. The following records should be kept:
- Accession files: including deaccession and/or repatriation records and collection catalogs
  - Field records: including field notes, maps, and photographs
  - Research reports
  - Records of origin and provenance
  - Legal documents: including MOAs/MOUs, deeds of gift, permits, etc.
  - Loan records
  - Condition reports
  - Exhibition histories
  - Conservation requirements and treatments
  - Related Correspondences
  - Pest management records
  - Insurance
- C. Responsible Parties:** The Registration Department and Collections managers are responsible for maintaining records and entering them into Museum's collections management system. Supplemental information may be added as needed by appropriate museum staff members.

### **XIV. Insurance and Risk Management**

- A. Responsible Parties:** The Registration Department is responsible for managing the Museum's fine arts insurance coverage. The Registration staff administers insurance coverage for the objects from the collection or on loan. The Head of Security is responsible for Museum security. The Registration, Collections, and Conservation departments are responsible for risk management of the Museum's holdings.
- B. Collections Insurance:**
1. Incoming loans are insured by the Museum's Fine Arts Policy unless the lender waives this requirement in writing.
  2. As outlined in the *Insurance Summary of Coverage*, all Museum Collection and Temporary Loan items are covered:
    - a) while on premises (this includes objects offered as gifts, for sale to the museum, or while awaiting formal acceptance)
    - b) at any other location (Worldwide)
    - c) in any one transit (Worldwide)

- d) has Earthquake Coverage within California
  - e) has Terrorism Coverage
3. Notable Exclusions:
- Wear and tear, gradual deterioration, moths, vermin, inherent vice, or loss or damage sustained due to or resulting from any repairing, restoration, or retouching process.
  - Hostile or warlike action in time of peace or war, including action in hindering, combating, or defending against an actual, impending, or expected attack. Any weapon of war employing atomic fission or radioactive force whether in time of peace or war; Insurrection, rebellion, revolution, civil war, usurped power, or action taken by governmental authority in hindering combating or defending against such an occurrence, seizure or destruction under quarantine or customs regulations, confiscation by order of any government or public authority, or risks of contraband or illegal transportation or trade.
  - Against loss by nuclear reaction or nuclear radiation or radioactive contamination.
  - Radioactive contamination, Chemical, Biological, Bio-Chemical, and Electromagnetic Weapons
4. Insurance coverage applies to the use of FedEx, DHL, UPS, or any other trackable mail service (Worldwide), when shipping objects to/from the Museum.
5. The Insured (the Fowler Museum) should notify the Insurance Agency as soon as it discovers a loss or a situation that may result in a loss. Detailed, sworn proof of loss must be submitted within ninety (90) days.

**C. Risk Management:**

1. Object Handling:
- All Fowler staff members required to handle museum objects must first receive instructions on basic object handling.
  - Visitors to Collections will not handle museum objects unless prior arrangement and exclusive approval has been made with the appropriate department.
  - Gloves must be worn at all times for the safety of the object in addition to the safety of the handler, unless in situations where clean hands are appropriate.
2. Object Movement and Tracking:
- The Collections and Registration department is responsible for coordinating movement of all museum objects throughout the building. The Collections Manager or Registrar must be notified of all object movements to maintain updated location records.
  - Museum object fragility must be assessed prior to movement for safest moving options.
  - Notify Fowler building security of:

- a. all large-scale movements through public and areas of the museum.
    - b. Notify security when removing or replacing objects in gallery spaces.
  - Check events schedules prior to movement of objects in and out of gallery spaces.
  - New locations will be updated in Argus by Collections Manager or other Collections staff member as soon as possible.
3. Exhibition Installation Procedures:
- The Collections and Registration Department is responsible for the movement of objects during the installation and deinstallation of an exhibition. The supervision of Conservation may be required during the physical mounting of objects. Gallery preparators and anyone involved in the installation must be briefed prior to work about gallery protocols.
  - When museum objects are in the gallery during installation periods, the gallery doors must remain locked and closed at all times. A locking “object cage” can be employed for extra security when nobody is in the gallery. It is the responsibility of those working in the gallery to ensure that this is enforced. Do not leave unmounted objects in the gallery overnight, unless locked in the “object cage”.
  - Non-staff visitors to the gallery must be approved by the installation team or Security Department. All visitors must be accompanied by a member of the staff at all times.

**D. Museum Security:**

The Fowler Museum has building wide on-site 24-hour surveillance that is linked to UCPD and UCFD. The Security Department manages all access to the building’s storage, galleries, and public areas.

**XV. Collections Access**

**A. Responsible Parties:** Collections Managers are responsible for approving visitors to the collections. All parties facilitating a visit must first notify the appropriate Collections Manager via e-mail.

**B. Fowler Collections Access:** Visitors to the collections must be accompanied by appropriate museum staff. Visits must be recorded in the onsite storage logbook.

**C. Fowler Collections Access Research Request Requirements**

1. Research requests must be facilitated by a curator or appropriate Collections team member. Record photography may be permitted for research purposes only and should be recorded in the storage logbook. Any photos taken in the storage areas may not be posted or published without prior consent. These visits should be scheduled 6 weeks in advance.

2. To request a research visit, the following information must be sent to the appropriate Collections Manager:
  - a) Name, title, and affiliation
  - b) A research description or proposal. Please describe your project, including where applicable:
    - Collection type (archaeological, historic, ethnographic, etc.)
    - Culture and Geographic location(s)
    - Objects type(s)
    - Accession number(s)
    - Site number(s) - where applicable
    - Proof of consultation and support from descendant community and/or Tribe (as applicable)
  - c) A brief CV or resume
  - d) Preferred visit dates during non-holiday workdays between (9am-5pm) at least 6 weeks in advance (Fowler staff will work with visiting researchers to arrange a workable schedule)
3. Class visits are facilitated and accompanied by a member of the curatorial or collections staff. These visits should be scheduled 3 months in advance.

**D. Collections Research Fees:** The Collections Manager will assess fees for each visitor, and the fee balance is due within one week of the visit. Payment can be made by bankers check made out to the “Regents of the University of California.” No refunds will be granted.

**1. Fees associated with research are broken into three groups as follows:**

- a) **Group 1:** Fees are waived for this group, which includes current UCLA faculty, staff, and qualified staff members; tribal descendant communities and associated qualified researchers; and campus approved post-doctoral and visiting scholars.
  - b) **Group 2:** No fees are incurred for the first five days of research per calendar year, with a fee of up to \$120 per day thereafter. This group includes non-UCLA graduate students pursuing graduate research at an accredited institution of higher education, non-UCLA qualified academic researchers, qualified educators seeking instructional content for K-12 students, qualified researchers from recognized non-profit organizations, and qualified self-funded independent researchers.
  - c) **Group 3:** A fee of \$30 per hour is due from employees of cultural resource management firms (CRM); from employees of local, state, and federal government agencies; and from employees of commercial or for-profit organizations.
- 2. Additional Fees:** Visitors requiring staff to conduct extensive research ahead of a visit may incur additional charges of up to \$50 per hour. Visits requiring extensive time to pull and rehouse objects may incur additional charges. Visitors in Groups 2 and 3 who make reservations with less than six weeks’ notice will be charged an additional one day’s fee.

3. **Use of Fees:** All revenue of these fees will be dedicated to visit-related operating costs and conservation supplies.
4. **Special Considerations:** Should the required fees prove a hardship, the Museum Director or their designated proxy may waive or reduce the fees. These accommodations will be considered on a case-by-case basis.

## XVI. Appraisal and Authentication

### A. Appraisal

1. **Policy:** Museum staff will not provide monetary appraisals for objects. The Museum cannot act as a qualified appraiser. Appraisals or valuation for tax deduction purposes are the sole responsibility of the donor and those costs are borne entirely by the donor. The Museum, in coordination with UCLA's Gift Policy, will comply with all current Internal Revenue Service rules and reporting regulations for charitable contributions. Any object valuations made by Museum Staff are for insurance purposes only and are not offered to donors.
2. **Procedure:** The value for an object will be recorded in the collections management database at the time the item is donated or purchased. Subsequent valuations by the curatorial staff are also recorded in the collections management database system.

### B. Authentication

1. **Policy:** The staff shall not identify or otherwise authenticate objects under circumstances that could encourage or benefit the illegal, unethical, or irresponsible traffic in such materials, or when there is reason to believe such identifications will be used primarily for commercial purposes. Identification and authentication may be given for scientific or educational purposes, or in compliance with the legitimate requests of governmental bodies or their agents.

## XVII. Rights and Reproduction

A. **Copyright Law:** Parts of the Museum's holdings are protected by copyright under United States Code Title 17 (<https://www.copyright.gov/title17/>).

B. Additionally, Section 106 of the 1976 Copyright Act (<https://www.copyright.gov/title17/92appa.html>) gives the owner of copyright, in this case the Museum, the exclusive rights to the following relevant actions:

1. The right of reproduction
2. The right of distribution
3. The right of display

### C. Copyright notice:

1. The Fowler's granting permission to publish does not transfer copyright, and permission is granted only to the extent of Fowler ownership of the rights related to the request. Certain works requested, which are physically owned by the Fowler Museum, may be protected by copyright, trademark, or related interests not owned by the Fowler Museum. The responsibility for determining whether any such intangible rights exist, for obtaining all necessary permissions, and for guarding against the infringement of those rights that may be held elsewhere, remains with the requester.

**D. Granting Rights for Reproduction**

1. Requests to reproduce images, texts, or media belonging to the Museum will be directed to the Director of Photography. The Director of Photography will similarly be responsible for charging any fees associated with the right to reproduce such images.
2. The individual or organization who has requested rights for reproduction must abide by any regulations established concern limits or scope of reproduction rights.

**E. Electronic Use:** Images, texts, and media on the Museum's website ([www.fowler.ucla.edu](http://www.fowler.ucla.edu)), or contained in digital publications by the Museum may be protected by copyright. Any copying of digital materials requires the prior approval of the Fowler Museum, except as permitted under fair use laws, as outlined in Section 107 of the U.S. Copyright Act. Museum staff refer to the AAMD Right and Reproduction Policy (<https://aamd.org/standards-and-practices>) to assess other issues related to copyright.

**XVIII. Photography and Filming**

- A. Museum staff is permitted to photograph objects for official activities including record keeping, archival purposes, collections documentation, publicity and publications.
- B. Photography of exhibits by museum visitors is permitted for personal use only, unless otherwise noted. Public use of videography, tripods, auxiliary lighting, and flash photography are never permitted.

**XIX. Implementation and Revision:** This policy will be implemented beginning, *February 3, 2023*. It will be reviewed and updated to current ethical, professional, and legal standards every 5 years, or sooner if need be.

**XX. Appendices:**

- UC Native American Cultural Affiliation and Repatriation Policy [Sections III.A. 2; VIII.C.3; X.B. - D.; XI.B.3.c)]
- 1970 UNESCO Convention On The Means Of Prohibiting And Preventing The Illicit Import, Export And Transfer Of ownership Of Cultural Property (Sections III.C.2; X. A)
- California Penal Code Section 639-653.2 (Section III.C.3)  
[<https://law.justia.com/codes/california/2021/code-pen/part-1/title-15/chapter-2/>]
- Washington Conference Principles on Nazi-Confiscated Art 1998 (Section III.C.4)  
[<https://www.state.gov/washington-conference-principles-on-nazi-confiscated-art/>]
- 2007 United Nations Declaration on the Rights of Indigenous Peoples (UNDRIP – Sections III.C.5; X.A. & D)
- The UCLA Standard Procedure, Policy 742 (Section VIII.C)
- International Council of Museums (ICOM) Red Lists Database (Section VIII.C.2)  
[<https://icom.museum/en/resources/red-lists/>]
- US Code Title 17 – Copyrights, Chapter 1 - Subject Matter and Scope of Copyright, Sec. 106 - Exclusive rights in copyrighted works; Section 106 of the 1976 Copyright Act (Section XVII.A)
- US Code Title 17 – Copyrights, Chapter 1 - Subject Matter and Scope of Copyright, Sec. 107 - Limitations on exclusive rights: Fair use (Section XVII.E)
- AAMD Right and Reproduction Policy (Section XVII.E)