



Collections Management Policy

The Casemate Museum

The Collections Management Policy outlines the legal and ethical responsibilities of the Casemate Museum as an institution and its employees as individuals. It deals with not only collections objects, but also the overarching mission and vision of the Casemate Museum. As a government organization holding objects in the public trust, the Casemate Museum is obligated to the community it serves to care for and make those objects accessible. The Collections Management Policy must be approved by the staff who will implement it and the Trustees who are responsible for the overall governance of the Casemate Museum.

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INTRODUCTION

The Casemate Museum, hereinafter referred to as the Museum, is owned and operated by the Fort Monroe Authority and is located at Fort Monroe, Virginia. Originally opened in 1951 to commemorate the imprisonment of Jefferson Davis in Fort Monroe, the Museum has grown and undergone significant changes. Although initially started as a private endeavor, the Museum quickly evolved into a United States Army organization dedicated to the history of Fort Monroe. The Museum changed hands once again in 2011 to its current status as a museum of the Fort Monroe Authority, a political subdivision of the Commonwealth of Virginia.

Historic Background

The Museum is located inside the first front of casemates of Fort Monroe at 20 Bernard Road. A casemate is a vaulted room inside the ramparts of a fort with embrasures for artillery. Constructed in 1826, its walls are made of brick and granite stone, with brick floors and ceilings and an earthen roof. At the conclusion of the Civil War, several of the casemates were used to hold high ranking Confederate prisoners, including former Confederate President Jefferson Davis. In 1889, the individual casemates were converted into living quarters. In the early 1950s the casemates of the first front were refitted to house Fort Monroe's Chapel Center and History Office.

Museum History

Efforts to create a museum at Fort Monroe began in December 1949. Dr. Chester Bradley proposed that Casemate #2, where Jefferson Davis was imprisoned, should be restored and opened to the public. The following year, Colonel Paul R. Goode, Fort Monroe's Deputy Post Commander, and Dr. Bradley organized the Committee for the Jefferson Davis Casemate. In concert with prominent corporate executives, historians, and political leaders, the committee successfully restored the casemate and dedicated it on June 1, 1951.

In July 1954, the Museum acquired two additional casemates and converted them into exhibit space. In 1969-1970, the Chapel Center and History Office were relocated, freeing up three additional casemates as exhibit areas for the Museum. It was at this time that the Museum became an official Army museum and received appropriated funding from Army and a permanent staff.

In 1982, the Museum underwent a significant expansion with the addition of casemates for exhibits, museum offices, collections care and storage, and an exhibit workshop in the adjacent row of casemates at 54 Bernard Rd. A major renovation of the interior included: cementing over all but two of the brick floors to protect the original building fabric; installation of new electrical, plumbing and climate control systems; new windows and

doors; and new restrooms partitioned off with cinderblock construction. The Museum achieved two professional milestones in 1982: certification by the Army’s Center of Military History and accreditation by the American Association of Museums. During the 1980s and 1990s, the Museum installed exhibits in the living quarters and added the West Bastion area to its exhibit space. In 2004, Army museum staff initiated a phased update of all the exhibits throughout the Museum.

Museum Ownership Transfer

The Base Realignment and Closure Act of 2005 legislated the closure of Fort Monroe on September 15, 2011. The transfer of Fort Monroe from the US Army to the Commonwealth of Virginia would have ceased all operations at the Museum, but there was interest in the public and private arenas to keep the Museum and its exhibits open. Consequently, the Army and the Commonwealth of Virginia entered into Memoranda of Agreement and Understanding to leave the Army’s historical property on display at the Museum and minimally staffed with Army museum personnel for two years after the closure of Fort Monroe as a military post. During this two-year transition, Army museum staff cared for the collection and assisted the Fort Monroe Authority with its establishment of a professional museum organization capable of taking on the Army’s historical property as a loan in September 2013.

Fort Monroe Authority and Casemate Museum Mission Statements

It is the mission of the Fort Monroe Authority to:

“Preserve the historic and natural resources at Fort Monroe, Old Point Comfort, Virginia, and promote public access, enjoyment, and educational enrichment while striving to achieve economic sustainability.”

It is the mission of the Fort Monroe Authority at the Casemate Museum to:

“Educate its audiences about the historical significance of Fort Monroe and Old Point Comfort to the nation and the Commonwealth of Virginia by researching, collecting, preserving and interpreting its archeological, architectural, archival, historical and cultural resources through educational exhibits, public programs and other interpretive media.”

Fort Monroe Authority and the Casemate Museum Statements of Purpose

The purpose of the Fort Monroe Authority is to:

- Protect the historic resources at Fort Monroe;
- Provide public access to the Fort’s historic resources and recreational opportunities;

- Exercise exemplary stewardship of the Fort’s natural resources;
- Maintain Fort Monroe in perpetuity as a place that is desirable in which to reside, do business, and visit, all in a way that is economically sustainable.

The purpose of the Fort Monroe Authority’s Casemate Museum is to:

- Provide access and orient the public to Fort Monroe’s and Old Point Comfort’s historic resources;
- To educate about the significance of the historic resources at Fort Monroe and Old Point Comfort to the Hampton Roads region, the Commonwealth of Virginia and the United States;
- To collect and preserve archival and material culture related to the significance of Fort Monroe and Old Point Comfort;
- To encourage public stewardship of Fort Monroe’s and Old Point Comfort’s historic resources;
- To serve as the primary repository for artistic, cultural, educational and historic collections related to the history of Fort Monroe and Old Point Comfort;

The purpose of this collections management policy is to establish procedures and criteria for the acquisition, exhibition, and care and maintenance of the Museum’s collections.

Statement of Authority

The Casemate Museum is a historical museum of the Fort Monroe Authority. The Fort Monroe Authority, created by the Virginia General Assembly in the Fort Monroe Authority Act, is a political subdivision of the Commonwealth of Virginia. The Fort Monroe Authority Act grants the Fort Monroe Authority power and duty to:

- Administer, develop, and maintain at Fort Monroe permanent commemorative cultural and historical museums and memorials...
- Determine what paintings, statuary, works of art, manuscripts, and artifacts may be acquired by purchase, gift, or loan and to exchange or sell the same if not inconsistent with the terms of such purchase, gift, loan, or other acquisition...
- Receive and expend gifts, grants, and donations from whatever source derived for the purposes of the Authority...

Fort Monroe Authority Board of Trustees—The Fort Monroe Authority is governed by a 12 member Board of Trustees that includes three Governor’s Cabinet Secretaries, one member from both the Virginia Senate and House of Delegates, two appointees from the City of Hampton and five Governor appointed citizens of the Commonwealth. The Board of Trustees is the governing authority for the museum responsible for adopting policies for the Museum including its collections management policy.

Casemate Museum Advisory Committee (CMAC)—The Board of Trustees has created the CMAC, whose purpose is to advise the Director of the Casemate Museum, Fort Monroe Authority Executive Director and the Fort Monroe Authority Board of Trustees in all aspects of the Museum’s management and operations including collections. The CMAC, in consultation with the Director of the Museum and the Fort Monroe Authority Executive Director, make recommendations to the Fort Monroe Authority Board of Trustees, as the parent organization of the Museum, for items requiring their approval or adoption.

Executive Director of the Fort Monroe Authority—The Executive Director, hired by the Fort Monroe Authority Board of Trustees, is responsible for discharging the duties and responsibilities of the Fort Monroe Authority including the administration of the Casemate Museum.

Casemate Museum Director—The Director is responsible for all aspects of the daily management and operations of the Museum and is ultimately responsible for the management of the Museum’s collections, execution of the Museum’s collection management policy and supervision of collections management staff.

Casemate Museum Collections Staff—Collections Staff are qualified individuals with the appropriate education, training and experience to fulfill the Museum’s stewardship responsibilities of the collections and their care. As the number of Fort Monroe Authority staff assigned to the Museum grows, the Director of the Museum will designate in position description documents and standard operating procedures specific collections management responsibilities for qualified staff members.

Scope of Collection and Collection Plan

Scope of Collection

The current collection is maintained in the Casemate Museum, 20 Bernard Road, the Library/Archives room, 54 Bernard Road, and the Chapel of the Centurion at Fort Monroe. The museum collection consists of objects from archaeological excavations on Fort Monroe; donated and loaned objects and images; objects acquired through purchase, donation, or trade for display and interpretation throughout the Museum.

The collection is divided into the following sub-collections:

Permanent Collection: Artifacts collected should have provenance relating to Fort Monroe inhabitants or its concomitant institutions. Artifacts of all types added to this collection may be used for exhibition, research, interpretation and documentary purposes. Such artifacts should relate closely to the mission and purpose of the Museum. The Museum commits to long term care of these artifacts, which may only be removed from the collection through formal deaccessioning. (See Deaccessioning section for details about removing artifacts from the collections.) The collection will be maintained and displayed at the highest standards as defined by the American Alliance of Museums (AAM) and will be held in the public trust.

Exhibition Collection: Includes objects purchased or accepted expressly for use in the museum, public exhibitions, and educational programming and may include reproductions of period artifacts. This collection is also intended to be used when items from the permanent collection have been removed from display for care or conservation purposes. Exhibition collection objects need have no direct connection with Fort Monroe. Objects in this collection are assumed to be replaceable due to the nature of their use.

Library/Archives: The archives of the Casemate Museum record the history of Fort Monroe and Old Point Comfort, including its military history, and the development of the Museum. These materials include correspondence, memoranda, photographic prints and negatives, film reels, and audio and video cassettes, and other files pertaining to the Casemate Museum. They are intended to be used for collections research, scholarly activity and education and exhibit development.

Digital Image Collection: The image collection consists of historic photographs taken in and around the Fort Monroe National Monument. Significant important portions of this collection include military photographs and documents taken during the years Fort Monroe was an active United States Army Military Post. These documentary photographs show life on Fort Monroe, and are valuable tools for both research and display. Note: image collection is a digital archives provided by the Army.

Collection Plan

The Museum is building a permanent collection following the collection themes listed below. The building of a permanent collection is necessary following the de-activation of Fort Monroe as an active military installation and the subsequent transfer of the museum's ownership to the Fort Monroe Authority. The transfer of the museum did not include the museum's former permanent collection. That collection, owned by the Army's Center for Military History, was removed with the exception of the approximately 450 items on display or in storage at the time of Fort Monroe's de-activation. The Fort Monroe Authority anticipates a loan from the Center for Military History of those items for continued display at the Museum.

Collection Initiatives

The Fort Monroe Authority's Casemate Museum collects cultural history artifacts, photographs, documents, architectural and archaeological artifacts, works of art and other material culture and reference materials in support of the stated mission and purpose of the Fort Monroe Authority and the Museum so they may be preserved, exhibited, interpreted, or used for research. Items collected are related to the subject areas or subject-related themes below, and meet other specific accessioning criteria.

1. Native American and Virginia Indians that occupied, or were associated with, Old Point Comfort from the Woodland period through the period of contact.
2. The colonial and maritime history of Old Point Comfort including the 1607 arrival of the English colonists; the exploration of Virginia and the Chesapeake Bay region; Fort Algernourne, Fort George and other colonial era fortifications; the site's role in establishing British maritime law and international trade in Virginia; and the Old Point Comfort Lighthouse.
3. The historic significance of Africans and African Americans to the United States and the Commonwealth of Virginia at Old Point Comfort and Fort Monroe, including the 1619 arrival of the first Africans to Virginia and English Colonial North America; the construction of Fort Monroe and the provision of enslaved labor and other services during the ante-bellum period; and the 1861 "Contraband" decision, its impacts and legacy.
4. The impetus for the construction of Fort Monroe and the military history of the site including its strategic location and importance to coastal defense; use for artillery training; its role in major American wars; social, recreational, and religious life on a U.S. military installation; and de-activation as a U.S. military installation and subsequent uses by the Commonwealth and the National Park Service.
5. Architectural and archaeological elements of Fort Monroe from the Woodland period through the present.
6. Individuals of historic significance to the Nation and the Commonwealth of Virginia associated with Old Point Comfort and Fort Monroe from 1607 through the present.

LEGAL and ETHICAL STANDARDS

Legal Standards

In policy and in practice, the Museum shall follow all applicable local, state, federal, and international laws and regulations. It will endeavor, to the best of its knowledge and abilities, to comply with all laws and regulations governing or barring the acquisition, possession, or disposal of materials relating materials from the culture(s) of other peoples and nations. Where such materials may be legally acquired or held, the Museum will endeavor, when exhibiting or publishing them, to respect the sensitivities of persons or cultures involved.

No staff, volunteer, or committee member shall use his/her position at the Museum for personal gain or benefit at the expense of the Museum, its mission, its reputation, and/or the community it serves.

- Artifact donations may qualify as tax deductible contributions consistent with the provisions of IRS Code Section 509 (a)(1).

Ethical Standards

The Museum is responsible for seeing that collections in its custody are “lawfully held, protected, secure, unencumbered, cared for, and preserved” (AAM 1993). The CMAC and its ad hoc sub-committees, staff, and volunteers will follow the AAM’s Code of Ethics and shall not acquire an object if there is any reason to believe that its recovery involved unscientific handling and/or intentional destruction or damage of archaeological/historical sites or illegal/ clandestine excavations, nor objects with questionable, undetermined or unethical history of ownership. See appendix A, American Alliance of Museums Code of Ethics for Museums

Appraising Donations / Tax Deductions

The Museum’s staff or representatives will not act as appraisers for gifts offered and/or accepted for collections. Appraisals are the sole responsibility of the donor. The Museum may hire a licensed appraiser to conduct appraisals for insurance and indemnification purposes once artifacts are accepted for and processed into the collections. Internal Revenue Service forms related to donations will be completed by the Museum according to the following steps:

1. Formal acceptance of the artifacts by the Museum,
2. Signature on IRS reporting forms by the Donor,
3. Signature on the IRS reporting forms by the Casemate Museum Director, and
4. Compliance with other applicable laws.

Personal Dealing of Objects

Museum staff, volunteers and CMAC members, may not participate in the dealing of objects similar to those objects collected by the Museum. For the purposes of this policy, dealing is defined as the purchase, sale or trade of objects for profit on a regular basis. Objects collected prior to an individual's association with the Museum, bequests, or personal gifts will be exempt from this policy.

Acquisitions

Collection building activity is fundamental to the Museum’s long-term success. Objects will be considered for acquisition based on various factors.

Objects may be added to the collection by the means of gift, bequest, purchase, exchange and any other transaction by which the title to an object passes to the Museum. All objects acquired for the collection become Fort Monroe Authority’s exclusive property but in the custody and control of the Museum staff, who are best qualified to take care of it. If objects are unrestricted, they may be displayed, loaned, retained or disposed of in the best interest of the Authority and the Museum and the education of the public it serves.

During the acquisition process, the Museum strictly adheres to the professional ethics and the law as defined by the AAM. The Museum assures prompt recording and full accounting of all accessioned objects.

Adequate resources to store and care for objects are at a premium in most museums, as is true at the Museum. If resources for collections care are inadequate, a decision to curtail or suspend acquisition is a responsible option. When an important object cannot be accommodated, The Casemate Museum Director, or a qualified collections staff member, may inform potential donors of local, regional, or international repositories that can effectively use the object for educational or not-for-profit purposes.

The Museum does not acquire sensitive Native American objects, as defined by the Native American Graves Protection and Repatriation Act, 25 U.S.C. 3001 et seq. (NAGPRA). Culturally sensitive materials include objects whose treatment, custodianship, or use is a matter of concern to contemporary cultural groups. These groups or individual members of these groups are defined by their ability to demonstrate cultural affiliation and/or legal cultural standing. See procedures described in the NAGPRA legislation.

The CMAC has the authority and responsibility to assess potential acquisitions and to recommend purchases and gifts. Items for consideration shall be researched by qualified collections staff and presented to the CMAC by the Casemate Museum Director. A recommendation by the CMAC to acquire an item shall be made with a majority vote at a meeting of the CMAC.

Criteria for Acquisition

CMAC considers objects for acquisition based on the following criteria and guidelines:

1. Criteria and consideration relevant to all acquisitions include but are not limited to:
 - Object’s relevance to Museum mission and collecting goals;

- Object’s quality;
- Historical significance of the object, in terms of the artist’s career, historical movement, relationship to Fort Monroe or Old Point Comfort;
- Potential of the work for exhibition or reference purposes;
- Nature and physical condition of the object to an extent that the same may be relevant to the resources required for the object’s storage, restoration, or conservation (whether immediate or long term) or its installation requirements;
- Degree to which accessioning the object might be commercially exploited, jeopardize the non-profit status of the museum, or bring discredit upon the Museum;
- Degree to which the retention of copyright by the vendor, donor, transfer or any other party or any similar intellectual property rights would impair the Museum’s use of the objects;
- Satisfactory provenance; and
- Restriction or condition attached to the acquisition. The Museum shall not acquire works with restrictions as to perpetual exhibitions or retention. Any conditions or restrictions attached to works of art or artifacts must be approved by the Casemate Museum Director or a designated and qualified collections staff member. The Casemate Museum Director shall countersign the Deed of Gift expressly stating the restrictions.

Objects promised to the Museum as future gifts or bequests will not be presented to the CMAC for accessioning unless the intent of the donor is expressed in a written instrument that is irrevocable and binding.

2. Criteria and considerations that pertain specifically to purchase include but are not limited to:
 - Fairness of the purchase price; establish independent appraisal;
 - Possibility that a comparable object might be obtained by gift or bequest;
 - Terms of any restrictions that might apply to the purchase funds intended to be used;
 - Availability of funds to cover the cost of purchase, transportation, documentation, conservation, and storage of the object; and
 - Purchase price relative to the importance of the object to the collection
3. Criteria and consideration that pertain specifically to gifts include but are not limited to the aims and intentions of the donor;
 - Unless there is a compelling reason to do otherwise, the Museum will only accept acquisition or unrestricted gifts wherein free and clear title shall be obtained without restriction as to use or future disposition; and
 - If objects are acquired with limitations, the condition will be stated clearly in a “deed-of-gift” or an instrument of conveyance that will become part of the accession records of the object.

4. Criteria and consideration that pertain especially to exchanges include but are not limited to:
 - Importance of the objects to be deaccessioned from the collection and the object to be acquired; and
 - Fair market values of the object to be exchanged as ascertained, in appropriate instances, from outside sources.
5. Criteria and consideration that pertain specifically to offers of whole collections include, but are not limited to:
 - The Museum’s ability to fulfill the responsibilities associated with the care, preservation, and utilization of the number of objects in the collection proposed for acquisition; and
 - The Museum’s ability to retain the right under the terms of purchase, gift, bequest, sale or exchange to accession collection either in whole or in part.

Process and Purchase Funds

The Casemate Museum Director, may on occasion without consultation with the CMAC, acquire items up to \$500 in value with the approval of the Fort Monroe Authority Director of Operations as defined in the Fort Monroe Authority Procurement Policy. An item considered for purchase must be represented with appropriate documentation to the Fort Monroe Authority Executive Director who shall determine, in consultation with the Casemate Museum Director and a qualified collections staff member whether it meets the criteria set forth herein and whether the gift or purchase is otherwise suitable. The Casemate Museum Director and a designated and qualified collections staff member shall be responsible for ensuring that all necessary documentation is obtained and kept in archival quality storage in a system where information is easily retrievable.

A decision for purchase of items over \$500 in value shall be made with approval by the CMAC. An item considered for purchase must be represented, with appropriate documentation, to the CMAC who shall determine whether it meets the criteria set forth herein and whether the gift or purchase is otherwise suitable. After approval by the CMAC, the item may be purchased following the Fort Monroe Authority Procurement Policy. The Casemate Museum Director and a designated and qualified collections staff member shall be responsible for ensuring that all necessary documentation is obtained and kept in archival quality storage in a system where information is easily retrievable.

Acquisitions of items over \$500 in value, that are of a demonstrated time sensitive nature may be purchased as defined in the Fort Monroe Authority Procurement Policy. An item considered for purchase must be represented with appropriate documentation to the Fort Monroe Authority Executive Director who shall determine, in consultation with the Casemate Museum Director and a qualified collections staff member whether it meets the

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criteria set forth herein and whether the gift or purchase is otherwise suitable. The Casemate Museum Director and a qualified collections staff member shall be responsible for ensuring that all necessary documentation is obtained and kept in archival quality storage in a system where information is easily retrievable.

DEACCESSIONS

It is the policy of the Museum to select objects for the collection in a manner that deaccessioning of objects will seldom be necessary. However, the Museum recognizes the importance of periodic evaluation of the collection and that judicious use of deaccessioning may strengthen the quality of the museum's collection over time. The Museum holds its collection in the public trust which obligates the museum to act in accordance with the highest ethical standards as defined by the AAM.

Deaccessions and Changes in Status

Deaccessioning is an uncommon practice for the Museum. Decisions to deaccession are made following extensive deliberation and input from the staff and the CMAC. Funds generated by sale of property will be placed in a separate, restricted account designated solely for the purchase of additional collection material and/or conservation of other art and artifacts.

Deaccessioning and the process of deaccessioning are designed to keep the Museum's identity clear and focused. When properly used, deaccessioning can assist the Museum in defining its mission, planning for its future, and improving its collection.

Conscious of its responsibilities to donors and ever mindful of its obligations to the public, the Museum will follow a rigorous procedure in selecting objects for disposal, sale, or trade. From curatorial recommendation to the final approval, each object is to be carefully scrutinized and its relevance to the museum's present and future mission properly weighed.

Reasons for Deaccessioning Objects from the Collections

Accessioned objects may be deaccessioned from the Museum's holding when one or more of the following conditions exist. An object may be deaccessioned because it:

1. Is no longer relevant or useful to the purpose of the Museum or the object is clearly outside the scope of the Museum's mission.
2. Quality
 - a. An object is determined to have insufficient quality of design, or/and workmanship.
 - b. An object is determined to have false historical or/and artistic significance.
 - c. A better example has been acquired.
3. Condition
 - a. Maintenance—The museum cannot provide for the maintenance or treatment of an object at professionally accepted standards.
 - b. Threat to Collection—An object's condition poses an environmental threat to other objects in the collection.

- c. Threat to Persons—An object poses a threat to the health or safety of the Museum staff or visitors.
 - d. Beyond the Capacity to Conserve—The object can no longer be preserved or has deteriorated beyond useful life or is damaged beyond repair or conservation.
4. Unnecessarily duplicates other objects in the Museum’s collections.
 5. Better used by other educational institutions.
 6. Not useful for research, exhibition, or educational programs in the foreseeable future.
 7. Poor, less important, incomplete, or an unauthentic example.
 8. Does not have clear, legal title and/or subject to a legislative strictures on possession.
 9. Does not provide clearly defined copyright.
 10. Subject to contractual donor restrictions the Museum is no longer able to meet
 11. Has been requested by a Native American tribe that human remains, funerary objects, or sacred objects of known lineal descent associated with that tribe be repatriated. See procedures described in the NAGPRA legislation.

Disposition of Deaccessioned Objects

Methods of disposal are by sale, exchange, donation, or in some extreme cases, by destruction.

Methods:

1. Private sales to employees and trustees are not permitted.
2. Monies obtained through the sale of an object shall be used for the sole benefit of the collection through establishing special purchase fund or endowment fund for collection and/or conservation of other art or artifacts and shall not be used for operational or other expenses.
3. If disposed of through exchange, the objects or objects acquired and accepted for the collection shall be comparable or greater overall value than the object(s) deaccessioned, by a professional appraiser.
4. Objects obtained for the collection as a result of donations shall be noted as objects acquired through the original donor’s generosity.
5. Destroyed and properly disposed of, if the object cannot be repaired or conserved, or if it presents a physical danger to life or property.

Change from Collection to Non-Collection Status

Objects may be transferred from the collection of the Museum to be used for education or an exhibition prop. To accomplish such change in status, the object must first be deaccessioned, marked as a prop and then administratively transferred to the appropriate staff within the Museum.

The status of an object may be changed only because the object:

1. No longer falls within the scope of collection and/or no longer supports the historical interpretation and/or storyline.
2. May duplicate other objects in the Museum collections.
3. Is damaged beyond use.

Exchange of Deaccessioned Objects with Outside Institutions

A deaccessioned object may be exchanged with an outside institution when independent appraisals determine that the fair market values of the items to be exchanged are approximately equal. Recommendation for exchange shall be evaluated according to the following criteria:

The reasons for deaccession fall within the Museum's accepted deaccession policy.

1. The condition of the object warrants exchange.
2. Conservation reports detail needs and repair cost.
3. Another institution can better preserve or exhibit the items.

LOANS

Purpose of Loans

Loans are temporary transfers of objects from one institution to another in which there is no transfer of ownership. The lending and borrowing of objects and specimens for exhibition, research, and educational purposes is an integral part of any museum's mission to make their collections accessible to the widest possible audience.

The lending and borrowing of objects is essential to the Casemate Museum's exhibition and programmatic needs and gives the Museum the ability to reach new audiences throughout the world. Loans are merely temporary reassignments of an object from one museum to another in order to satisfy these needs. Outgoing loans, in particular, enable the Museum to reach broader audiences thereby meeting a strategic initiative for the future.

In general:

- All loans will be reviewed by the appropriate curator, library or archives staff and will be submitted to the CMAC for approval.
- All loans will be coordinated through the Casemate Museum Director.
- All loans must be covered by loan agreements and fully insured by the borrowing institution.
- All objects subject to loan, either incoming or outgoing, will be photographed and condition reported on entry and exit.

Incoming Loans

In order to avoid the expense, custodial responsibilities, and use of staff time without the benefits of ownership, the Museum will not accept loans for which there is no intended exhibition or programming use. Exceptions may be made in instances where the objects offered on loan are historically significant, fit the Museum's mission and programming needs and where the possibility of future acquisition exists.

Objects on loan or deposit will be provided with an equal or higher level of professional care as given objects owned by the Museum.

1. Responsible Parties

- a. All loan transactions for temporary, traveling exhibits will originate with and be the responsibility of the Director of Casemate Museum and a qualified collections staff member, unless the exhibit is being coordinated or managed by the Museum.

- b. All objects borrowed will originate with and be the responsibility of the Casemate Museum Director, in cooperation with a qualified collections staff member.
 - c. The Casemate Museum Director, in consultation with qualified collections staff, is responsible for preparing and maintaining all loan paperwork.
 - d. The Casemate Museum Director, in consultation with qualified collections staff, is responsible for packing, unpacking, pest control, shipping, insuring, and providing condition reports for all incoming loans, except for those for temporary exhibitions. If a lender places unusual restrictions on a proposed loan, the Casemate Museum Director, in consultation with a qualified collections staff member, will approve or negotiate these conditions, and be held responsible for ensuring compliance.
2. Incoming Loan Criteria
- a. Objects may be borrowed from other educational or non-profit institutions, or from individuals.
 - b. All loans must be accompanied by a written Incoming Loan Agreement indicating all rights and responsibilities, including any fees. These agreements may originate or be accompanied by documents from the lending institution. However, if the terms and conditions of the incoming loan agreement will place a greater burden of risk on the Museum than the standard Casemate Museum Incoming Loan Agreement, the Casemate Museum Director will consult the Fort Monroe Authority Director of Operations for risk management purposes prior to accepting the agreement.
 - c. No permanent loans will be accepted, unless, in the case of extremely important objects, an exception is authorized by the Casemate Museum Director on the recommendation of a qualified collections staff member or, in the case of governmental collections, a Memorandum of Agreement or other appropriate instrument detailing responsibilities of both parties has been signed.
 - d. The Museum will not knowingly accept incoming loans of objects acquired or collected illegally or not in compliance with all applicable international, national, state, and local laws and regulations.
 - e. All borrowed objects shall be reviewed by the lending institution for physical condition prior to shipping to the Museum and the Museum shall be provided with a written approval from the lending institution for packing, travel, handling, and climate change.

3. Incoming Loan Procedures

- a. The individual responsible for originating the loan request will contact lending institution/individual and agree upon Conditions of Loan, including the specified period of time.
- b. Upon receiving the loan, the Museum will inventory, inspect, assign temporary loan numbers (where appropriate), process according the Casemate Museum Integrated Pest Management Policy, photograph (where appropriate), and make written notations of the findings.
- c. Any inconsistencies in the loan inventory or any change in condition of the borrowed objects during the loan period must be immediately reported to the lending party, and when appropriate, notify the Fort Monroe Authority Director of Operations for risk management purposes, and prepare a full condition report.
- d. Loans will be returned by the date agreed upon, and 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.
- e. All borrowed objects will be subject to the same level of care, security, and handling as objects in the Museum's permanent collection.
- f. Museum staff will not transfer possession or alter in any way objects the Museum has received on loan without the express written approval of the lending institution.

4. Special Considerations

- a. As required by lending institutions, the Museum will provide insurance on incoming loans for exhibit and research purposes once the loan has left the possession of the lending institution (providing wall-to-wall coverage).
 - i. Coverage will be through the Commonwealth of Virginia's Department of Risk Management.
 - ii. The Commonwealth of Virginia's Department of Risk Management shall be informed in writing of an incoming loan consisting of an object, or group of objects, with a value exceeding \$250,000.
 - iii. A Certificate of Insurance may be provided by the Commonwealth of Virginia's Department of Risk Management to a lender, if requested.
- b. All incoming loans should have an established and proven provenance. If the provenance of a borrowed object is challenged, the Casemate Museum will seek and follow the advice of Commonwealth of Virginia's Office of the Attorney General.
- c. Objects brought in by visitors, with the approval of the Casemate Museum Director, may be left temporarily in the custody of the Director or a qualified collections staff member to identify, study, or examine either as a public service

or as a possible gift, purchase, or loan. Objects left in the temporary custody of the Museum must be documented as a temporary, short-term loan, with the owner being issued a receipt. Only the Director or a qualified collections staff member has the authority to accept an item to be left in temporary custody of the Museum.

Outgoing Loans

Loans of collection items will only be made to AAM accredited museums or to those facilities that meet or exceed the Museum's requirements for environmental stability, security, staffing, collections care and management. Loans to businesses, private individuals or homes, or to institutions not open to the public on a regular basis are strictly prohibited.

- Loan requests will not be considered if any question exists about an object's ability to safely withstand the rigors of travel to a borrowing institution.
- The Museum retains the right to recall with notice any item on loan to another institution.
- The Museum may make outgoing loans of museum objects for purposes of exhibition, exhibit preparation, conservation, or photography. Standard outgoing loans may be made to nonprofit educational or cultural institutions (e.g., museums, historical societies, and universities) and to organizations providing services (e.g., conservation treatment and exhibit preparation).

1. Responsible Parties

- a. The authority to approve an outgoing loan rests with the Casemate Museum Director.
- b. A qualified collections staff member, in consultation with the Casemate Museum Director, is responsible for communicating with the requesting organization, preparing and maintaining all loan paperwork, as well as monitoring the transaction over the loan period.
- c. The authority to recall the loan prior to the noted end date rests with a qualified collections staff member or Casemate Museum Director.
- d. If unusual restrictions are required for a requested loan, a qualified collections staff member, in consultation with the Casemate Museum Director, will approve or negotiate these conditions, and be held responsible for enforcing them.

2. Outgoing Loan Criteria

- a. The Museum lends objects to qualified institutions or non-profit organizations for scholarly research and exhibition, subject to policies and practices within the collection.

- b. The Museum does not grant loans of its collections to private or corporate establishments, except for educational, non-profit purposes.
 - c. Objects requested for loan must be physically capable of withstanding packing, travel, extra handling, and climate change. Any objects not up to this standard should not be approved for loan, unless special conditions are agreed upon in the loan contract.
 - d. Outgoing loans will be for a one year period unless otherwise specified. The loan may be renewed with the written approval of the Casemate Museum Director prior to the return date.
 - e. The Museum may require that an approved Facilities Report be completed, or on file, prior to the approval of an outgoing loan.
 - f. The borrowing institution will not transfer possession, repair, clean, alter, or restore objects it has received on loan without express written approval of the Casemate Museum Director or a qualified collections staff member. Exceptions to the requirement for written approval to clean or alter may vary by collection.
 - g. Loans promoting the Museum in public buildings (airport, Governor's office, various Fort Monroe Authority administrators) are permitted, providing the objects in such loans are displayed under approved environmental and security conditions. Facilities Reports will be completed for these outgoing loans.
 - h. The borrowing institution will assume full responsibility for any loss of or damage to the objects.
 - i. The Museum requires that the borrower insure objects loaned for exhibition once the loan has left the possession of the Museum (providing wall-to-wall coverage) and will request a Certificate of Insurance as proof of such.
 - j. Objects on loan from the Museum will not be reproduced or replicated in any manner without the written permission of the curator.
 - k. Failure to adhere to the terms of previous loans will be deemed adequate cause for denying loan requests. In such instances, alternative measures to ensure compliance, such as requiring the borrower to post a performance bond, may be considered.
3. Outgoing Loan Procedures
- a. The borrowing institution must contact the Casemate Museum Director and make a written request, indicating:
 - i. The nature of the objects requested (catalog numbers, specimen types, etc.)
 - ii. The purpose of the loan
 - iii. The proposed start date of the loan
 - iv. Any special conditions of the requested use
 - v. The location of the proposed activity

- b. The Casemate Museum Director and a qualified collections staff member will review the loan request, determining potential legal, ethical, or professional reasons why it should or should not be approved.
 - c. The borrowing institution must agree and adhere to the Conditions of Loan, established by the Museum.
 - d. The Casemate Museum Director or a qualified collections staff member will prepare all paperwork, which may include:
 - i. Outgoing Loan Agreement
 - ii. Condition Report (with current photographs)
 - iii. Import/Export permits
 - iv. Invoice for loan fees
 - e. Objects will be packed and shipped by qualified individuals and a shipping or transportation mode agreed upon by both Museum and borrower, to the physical location indicated on the loan agreement.
 - f. If the loan has not been returned by the date indicated on the loan agreement, the Casemate Museum Director or a qualified collections staff member will contact the borrowing institution to initiate return.
 - g. Upon the return of borrowed material, a qualified collections staff member will unpack, inventory, assess condition, and process per the Casemate Museum Integrated Pest Management policy prior to reintegrating the objects into the collection.
 - h. The Casemate Museum Director or a qualified collections staff member will close out the loan agreement upon the return of all objects.
4. Special Considerations
- a. If a borrowing institution is unable to provide adequate insurance for the requested objects, a request for exception, along with an explanation for the reason insurance cannot be obtained, must be made in writing to the curator. The curator will consult with the Casemate Museum Director and the Fort Monroe Authority Director of Operations for approval to waive the insurance requirements.
 - b. Loans that will radically alter or destroy an object (destructive sampling) will not be permitted.
 - c. The Museum must be credited in all publications and exhibitions associated with the loaned object, including photographs and reproductions, and must receive at least one copy of any publication. The object(s) should be identified by its catalog or accession number. The proper name of the Museum to be used in all acknowledgements is “The Casemate Museum.”

Unclaimed Loans and Undocumented Property

Unclaimed loans may be a loan that has expired, and the owner cannot be located, long-term loans without a termination date that the lender has not claimed, or partially or wholly undocumented loans. The resolution of unclaimed loans should be a high priority. Without legal title, the Museum has limited use of these objects, but must pay the costs of storing and caring for them. The Museum will make a good faith effort to contact the lender to officially notify him/her of the termination of the loan as stipulated in the Code of Virginia, Title 55 – Property and Conveyances, Chapter 11.2 Property Loaned to Museums. See appendix B.

The Fort Monroe Authority and the Museum may possess property that is undocumented or with insufficient documentation to determine if they are or should be part of the permanent collection. The Museum may acquire title to undocumented property following the Code of Virginia, Title 55 – Property and Conveyances, Chapter 11.2 Property Loaned to Museums. See appendix B.

CARE and MAINTENANCE of the COLLECTIONS

PermanentCollection

All permanent collection artifacts will be housed in climate controlled storage areas when not on exhibition; such areas currently include the collection storage area. Permanent collection artifacts will only be handled with gloves by trained staff and protected according to professional standards, and fully and properly documented according to Appendix D: The Weekly Task-Standard Operating Procedures, found in the Casemate Museum's Housekeeping Plan.

Army Collection

All Army artifacts on loan to the Museum will be afforded the highest level of care consistent with their status and use.

Such artifacts may be housed in climate controlled areas while not in use, but are allowed to be stored and exhibited in non-climate controlled areas (e.g. Chapel and/or Powder Room). Such artifacts will be handled with care to maintain their long-term usefulness. Army artifacts will be fully and properly accessioned and documented according to the collections management policy.

Conservation and Reproductions

As the Museum does not employ a trained Conservator, only qualified collections staff members will provide preventative conservation, such as proper mounts for support of fragile artifacts, and will not attempt in-depth cleaning or repairs. The Museum will consult or contract with a trained Conservator for these services.

Creating reproductions of artifacts may be considered. In some cases, an artifact may be in particularly fragile condition and, to share its history and information with the public, a reproduction may be appropriate. Photocopies or scanned copies of photos or archival material will be permitted if the material is not copyrighted. Qualified collections staff will make such copies to ensure proper handling of artifacts.

Pest Management and Environmental Conditions

Museum staff monitors insect traps placed throughout the building. These traps will be monitored monthly when pest activity is normal and more frequently if problems are suspected or confirmed. The identity and quantity of the pests found on or in the traps will be recorded and retained permanently in museum files.

Qualified collections staff monitors and record the temperature and relative humidity levels in the collection storage area, exhibit galleries and library twice daily, at the beginning and end of the working day. This data will be maintained and graphed in a digital format. Any

problems that arise will be reported to the service provider for the air handlers to schedule maintenance or repair.

Collections Area Security, Access and Restrictions

At all times, the doors to collections storage areas and library/archives will remain locked. Only authorized Museum staff will have keys to collections storage areas, library/archives and offices. All other staff, interns, Board members, and volunteers will gain access through one of these staff members. All contract employees will gain access through one of these staff members and will normally be supervised while inside the secured area.

Visitors and/or researchers who have scheduled appointments with one of these staff members will be supervised at all times while in the collections areas.

All collections staff, interns, and volunteers will be trained properly in the procedures and functions of collections management and become familiar with all necessary policies.

Museum Wide Preservation Efforts

One of the easiest ways to protect the Museum's collections is to remove as many risk factors as possible. These include the following:

- No smoking anywhere in the building.
- No food or drink allowed throughout exhibition or collections spaces. Food and drink should remain in the kitchen, conference room, and in some staff offices (only drinks with screw-on lids are allowed in the collection storage areas offices).
- No pets or animals of any kind will be allowed in the building, with the exception of licensed service animals.
- No handling of artifacts at any time without prior approval by and supervision of collections staff, and none without appropriate gloves.
- No flash photography without specific prior authorization by the collections staff.

Museum staff or volunteers observing infringements or transgressions of the above required behavioral standards are requested to address such in a direct and timely manner.

Record Keeping and Inventories

It is important to create and maintain complete and accurate collections records, particularly information on donors, artifact histories, and status of the physical condition of each artifact in the collections database Re:discovery. Principal responsibility for creating and maintaining artifact records lies with the Casemate Museum Director or qualified collections staff.

Collections Management Policy—Care and Maintenance of the Collections

The Casemate Museum

All objects will be documented with a digital record accessible through the collections database Re:discovery and a physical file containing all original correspondence i.e. Deed of Gift, research material condition reports, conservation reports, etc., photos of the object and a paper copy of the Re:discovery entry and stored in a fire resistant cabinet. The accessions book will also be stored in a fire resistant safe container.

All archives should be accessioned and catalogued in the collections database like three dimensional objects, but will also have finding aids with summaries created.

A digital record of the collection will be maintained using a collections database. This database should be backed up to hard drive daily, and to removable disk monthly. The backup to removable disk will be kept in a secure offsite location.

No artifacts will be relocated except by the qualified collection staff that have been preauthorized by the Casemate Museum Director to do so.

Complete inventories should be conducted, at minimum, every two years. Spot inventories will be conducted as needed, determined by the Casemate Museum Director or qualified collections staff. Artifacts on loan to the Museum may require more frequent inventorying.

Insuring Collections

The Museum will maintain insurance coverage for its permanent and loaned Army collection, as well as for those artifacts on loan or in the temporary custody of the Museum. Such insurance will cover probable loss at any one time due to theft, negligence, or catastrophe. All Fort Monroe Authority owned artifacts in the care of the Museum will be covered while on the premises of the Museum, in transit, and while in the custody of the borrower. All artifacts loaned to the Museum will be covered while on the premises of the Museum and in transit.

APPENDIX A

American Alliance of Museums Code of Ethics for Museums, adopted 1991, amended 2000

Please note that the Code of Ethics for Museums references the American Association of Museums (AAM), now called the American Alliance of Museums.

Ethical codes evolve in response to changing conditions, values and ideas. A professional code of ethics must, therefore, be periodically updated. It must also rest upon widely shared values. Although the operating environment of museums grows more complex each year, the root value for museums, the tie that connects all of us together despite our diversity, is the commitment to serving people, both present and future generations. This value guided the creation of and remains the most fundamental principle in the following Code of Ethics for Museums.

Code of Ethics for Museums

Museums make their unique contribution to the public by collecting, preserving and interpreting the things of this world. Historically, they have owned and used natural objects, living and nonliving, and all manner of human artifacts to advance knowledge and nourish the human spirit. Today, the range of their special interests reflects the scope of human vision. Their missions include collecting and preserving, as well as exhibiting and educating with materials not only owned but also borrowed and fabricated for these ends. Their numbers include both governmental and private museums of anthropology, art history and natural history, aquariums, arboreta, art centers, botanical gardens, children's museums, historic sites, nature centers, planetariums, science and technology centers, and zoos. The museum universe in the United States includes both collecting and non-collecting institutions. Although diverse in their missions, they have in common their nonprofit form of organization and a commitment of service to the public. Their collections and/or the objects they borrow or fabricate are the basis for research, exhibits, and programs that invite public participation.

Taken as a whole, museum collections and exhibition materials represent the world's natural and cultural common wealth. As stewards of that wealth, museums are compelled to advance an understanding of all natural forms and of the human experience. It is incumbent on museums to be resources for humankind and in all their activities to foster an informed appreciation of the rich and diverse world we have inherited. It is also incumbent upon them to preserve that inheritance for posterity.

Museums in the United States are grounded in the tradition of public service. They are organized as public trusts, holding their collections and information as a benefit for those they were established to serve. Members of their governing authority, employees and

volunteers are committed to the interests of these beneficiaries. The law provides the basic framework for museum operations. As nonprofit institutions, museums comply with applicable local, state, and federal laws and international conventions, as well as with the specific legal standards governing trust responsibilities. This Code of Ethics for Museums takes that compliance as given. But legal standards are a minimum. Museums and those responsible for them must do more than avoid legal liability, they must take affirmative steps to maintain their integrity so as to warrant public confidence. They must act not only legally but also ethically. This Code of Ethics for Museums, therefore, outlines ethical standards that frequently exceed legal minimums.

Loyalty to the mission of the museum and to the public it serves is the essence of museum work, whether volunteer or paid. Where conflicts of interest arise—actual, potential or perceived—the duty of loyalty must never be compromised. No individual may use his or her position in a museum for personal gain or to benefit another at the expense of the museum, its mission, its reputation and the society it serves.

For museums, public service is paramount. To affirm that ethic and to elaborate its application to their governance, collections and programs, the American Association of Museums promulgates this Code of Ethics for Museums. In subscribing to this code, museums assume responsibility for the actions of members of their governing authority, employees and volunteers in the performance of museum-related duties. Museums, thereby, affirm their chartered purpose, ensure the prudent application of their resources, enhance their effectiveness and maintain public confidence. This collective endeavor strengthens museum work and the contributions of museums to society—present and future.

Governance

Museum governance in its various forms is a public trust responsible for the institution's service to society. The governing authority protects and enhances the museum's collections and programs and its physical, human and financial resources. It ensures that all these resources support the museum's mission, respond to the pluralism of society and respect the diversity of the natural and cultural common wealth.

Thus, the governing authority ensures that:

- all those who work for or on behalf of a museum understand and support its mission and public trust responsibilities
- its members understand and fulfill their trusteeship and act corporately, not as individuals
- the museum's collections and programs and its physical, human and financial resources are protected, maintained and developed in support of the museum's mission

- it is responsive to and represents the interests of society
- it maintains the relationship with staff in which shared roles are recognized and separate responsibilities respected
- working relationships among trustees, employees and volunteers are based on equity and mutual respect
- professional standards and practices inform and guide museum operations
- policies are articulated and prudent oversight is practiced
- governance promotes the public good rather than individual financial gain.

Collections

The distinctive character of museum ethics derives from the ownership, care and use of objects, specimens, and living collections representing the world's natural and cultural common wealth. This stewardship of collections entails the highest public trust and carries with it the presumption of rightful ownership, permanence, care, documentation, accessibility and responsible disposal.

Thus, the museum ensures that:

- collections in its custody support its mission and public trust responsibilities
- collections in its custody are lawfully held, protected, secure, unencumbered, cared for and preserved
- collections in its custody are accounted for and documented
- access to the collections and related information is permitted and regulated
- acquisition, disposal, and loan activities are conducted in a manner that respects the protection and preservation of natural and cultural resources and discourages illicit trade in such materials
- acquisition, disposal, and loan activities conform to its mission and public trust responsibilities
- 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.
- the unique and special nature of human remains and funerary and sacred objects is recognized as the basis of all decisions concerning such collections
- collections-related activities promote the public good rather than individual financial gain
- competing claims of ownership that may be asserted in connection with objects in its custody should be handled openly, seriously, responsively and with respect for the dignity of all parties involved.

Programs

Museums serve society by advancing an understanding and appreciation of the natural and cultural common wealth through exhibitions, research, scholarship, publications and educational activities. These programs further the museum's mission and are responsive to the concerns, interests and needs of society.

Thus, the museum ensures that:

- programs support its mission and public trust responsibilities
- programs are founded on scholarship and marked by intellectual integrity
- programs are accessible and encourage participation of the widest possible audience consistent with its mission and resources
- programs respect pluralistic values, traditions and concerns
- revenue-producing activities and activities that involve relationships with external entities are compatible with the museum's mission and support its public trust responsibilities
- programs promote the public good rather than individual financial gain.

Promulgation

This Code of Ethics for Museums was adopted by the Board of Directors of the American Association of Museums on November 12, 1993. The AAM Board of Directors recommends that each nonprofit museum member of the American Association of Museums adopt and promulgate its separate code of ethics, applying the Code of Ethics for Museums to its own institutional setting.

A Committee on Ethics, nominated by the president of the AAM and confirmed by the Board of Directors, will be charged with two responsibilities:

- establishing programs of information, education and assistance to guide museums in developing their own codes of ethics
- reviewing the Code of Ethics for Museums and periodically recommending refinements and revisions to the Board of Directors.

Afterword

Each nonprofit museum member of the American Association of Museums should subscribe to the AAM Code of Ethics for Museums. Subsequently, these museums should set about framing their own institutional codes of ethics, which should be in conformance with the AAM code and should expand on it through the elaboration of specific practices. This recommendation is made to these member institutions in the belief that engaging the governing authority, staff and volunteers in applying the AAM code to institutional settings

will stimulate the development and maintenance of sound policies and procedures necessary to understanding and ensuring ethical behavior by institutions and by all who work for them or on their behalf.

The Code of Ethics for Museums serves the interests of museums, their constituencies, and society. The primary goal of AAM is to encourage institutions to regulate the ethical behavior of members of their governing authority, employees and volunteers. Formal adoption of an institutional code promotes higher and more consistent ethical standards.

APPENDIX B

Code of Virginia Title 55 - PROPERTY AND CONVEYANCES

Chapter 11.2 - Property Loaned to Museums

55-210.31. Definitions.

As used in this chapter:

"Loaned property" means all museum property deposited on or after July 1, 2002, with a museum not accompanied by a transfer of title to the property.

"Museum" means an institution located in Virginia and operated by a nonprofit corporation or public agency whose primary purpose is educational, scientific or aesthetic, that owns, borrows or cares for, and studies, archives or exhibits museum property.

"Museum property" means all tangible objects, animate and inanimate, under a museum's care that have intrinsic value to science, history, art or culture, except for botanical or zoological specimens loaned to a museum for scientific research.

(2002, c. 883.)

§ 55-210.32. Status of loaned property; statute of limitations on recovery.

A. Except as may be otherwise provided in a written agreement between a lender and a museum, no action shall be brought against a museum to recover loaned property when more than five years have passed from (i) the receipt by the museum of written communication concerning the loaned property or (ii) any display of interest in the property by the lender as evidenced by a memorandum or other record on file prepared by an employee of the museum.

B. Loaned property shall be deemed to have been donated to the museum if no action to recover the property is initiated within one year after the museum gave notice of termination of the loan as provided in §§ 55-210.35 and 55-210.36.

C. Loaned property shall not be delivered to the Commonwealth, and shall be exempt from the provisions of Chapter 11.1 (§ 55-210.1 et seq.) of this title, but shall pass to the museum if no person takes action under Chapter 1 (§ 64.1-01 et seq.) of Title 64.1. (2002, c. 883.)

§ 55-210.33. Notice to lenders of the provisions of this chapter.

When a museum accepts a loan of property, the museum shall inform the lender in writing of the provisions of this chapter. (2002, c. 883.)

§ 55-210.34. Status of title to property acquired from museum.

Any person who purchases property from a museum acquires good title to the property if the museum represents that it has acquired title to the property pursuant to § 55-210.32. (2002, c. 883.)

§ 55-210.35. Notice of termination of loan; content.

A. A museum may provide notice of termination on the museum's official Internet website, if any, or may give written notice of termination of a loan of property at any time if the property was loaned to the museum for an indefinite time. If the property was loaned to the museum for a specified term, the museum may give notice of termination of the loan at any time after the expiration of the specified term.

B. Notices given under this section shall contain:

1. The name and address, if known, of the lender;
2. The date of the loan;
3. The name, address, and telephone number of the appropriate office or official to be contacted at the museum for information regarding the loan; and
4. Any other information deemed necessary by the museum.

(2002, c. 883.)

§ 55-210.36. Procedure for giving notice; responsibility of owner.

A. To give notice of termination of a loan, the museum shall mail a notice to the lender at the most recent address of the lender as shown on the museum's records pertaining to the property on loan. If the museum has no address in its records, or the museum does not receive written proof of receipt of the mailed notice within thirty days of the date the notice was mailed, the museum shall cause to be published notice at least once a week for three consecutive weeks in a newspaper of general circulation in the county or city in which the museum is located, and in a newspaper of general circulation in the county or city of the lender's last known address, if different from the county or city in which the museum is located.

B. For purposes of this section, if the loan of property was made to a branch of the museum, the museum shall be deemed to be located in the city or county where the branch is located. In all other cases, the museum shall be deemed to be located in the city or county in which its principal place of business is located.

C. The owner of property loaned to a museum shall notify the museum promptly in writing of any change of address or change in ownership of the property.

(2002, c. 883.)

§ 55-210.37. Acquiring title to undocumented property.

A. A museum shall have the authority to acquire legal title to undocumented property if the museum can verify through written records that it has held such property for five years or longer, during which period no valid claim to the property has been asserted and no person has contacted the museum regarding the property, by complying with the following procedure:

1. The museum shall cause to be published a notice once a week for two consecutive weeks in a newspaper of general circulation in the county or city in which the museum is located, and in a newspaper of general circulation in the county or city of the lender's last known address, if different from the county or city in which the museum is located. The notice shall include:

- a. A brief and general description of the property;
- b. The date or approximate date of the loan or acquisition of the property by the museum, if known;
- c. Notice of the museum's intent to claim title to the property if no valid claims are made within sixty-five days following the date of the first publication of the notice under this subdivision;
- d. The name, address and telephone number of the representative of the museum to contact for more information or to make a claim; and
- e. If known, the name and last known address of the lender.

2. If no valid claims have been made by the end of the sixty-five day period following the date of the first publication of the notice under subdivision 1 c of this subsection, the museum shall cause to be published a second notice once a week for two consecutive weeks in a newspaper of general circulation in the county or city in which the museum is located, and in a newspaper of general circulation in the county or city of the lender's last known address, if different from the county or city in which the museum is located. The second notice shall include:

- a. A brief and general description of the property;

museum, if known;

c. Notice that the museum claims title to the property as of the date of the end of the sixty-five day period following the date of the first publication of the notice under subdivision 1 of this subsection; and

d. If known, the name and last known address of the lender.

B. Upon compliance with the requirements set forth in subsection A, clear and unrestricted title is transferred, as of the date specified in subdivision A 1 c of this section, to the museum and not to the Commonwealth. (2002, c. 883.)

§ 55-210.38. Status of property loaned to or deposited with museum prior to July 1, 2002.

Except as otherwise provided in a written agreement between a lender and a museum, property loaned to or deposited with a museum prior to July 1, 2002, may be discarded or transferred to another museum located in Virginia provided that (i) the notice provisions of §§ 55-210.35 and 55-210.36 have been complied with and (ii) such property is held by the museum receiving the transfer for at least three years before it sells or disposes of such property. (2005, c. 480.)