



UC San Diego Foundation

UNIVERSITY OF CALIFORNIA, SAN DIEGO INTERIM GUIDELINES FOR THE ADMINISTRATION OF FINE ART

STATEMENT OF PURPOSE

The purpose of these interim guidelines is to provide a framework for acceptance, de-accession and curation of gifts of art to the University of California, San Diego while the campus administration examines the feasibility of establishing a permanent fine art collection at UCSD. The art work considered in these interim guidelines will include all art held by the UC San Diego Foundation and art held by The Regents, on behalf of UCSD, which exceeds the value at which the IRS requires a written appraisal.* These interim guidelines do not apply to the Stuart Collection which operates under a separate agreement with The Regents, or the UCSD Library which collects art directly related to its library holdings.

INTERIM ADMINISTRATIVE GUIDELINES – ACCEPTANCE

- A. Only gifts of art which fill an identifiable instructional purpose or research activity, or hold a viable resale value will be accepted by UCSD. Items which do not meet standards of quality, or relevance, or value may be refused.

- B. All proposed gifts of art are reviewed by the Development Office, in consultation with the UCSD Fine Arts Committee, prior to acceptance by the Chancellor or his/her designated representative. The UCSD Fine Arts Committee acts in an advisory role to the Chancellor regarding the acceptance of gifts of art. The objective of the Committee's review is to assist in evaluating the benefit of accepting gifts of art as well as evaluating the obligations of the University in fulfilling curatorial responsibilities.

In addition, all proposed gifts of art to the UC San Diego Foundation must also be approved by the Foundation Board of Trustees.

- C. A proposed gift of art which is subject to conditions, such as display in perpetuity or excessive expense to maintain, may be considered for acceptance with the imposed obligations if the Chancellor, in consultation with the Fine Arts Committee (and the UC

San Diego Foundation when appropriate), determines the work to be of significant value to UCSD.

* As outlined in IRS Publication 561, Determining the Value of Donated Property

- D. Administrative & Financial Services, University Relations (A&FS), will perform a cost analysis on each proposed gift of art to determine the costs of acceptance, storage, insurance, staff support, and all other expenses associated with accepting the gift. A work will be accepted only if the University has assurances that these costs will be covered by funds from the donor, a specific departmental budget or other funding source.
- E. The donor is responsible for obtaining an appraisal of the proposed gift through a professional fine art appraisal service prior to acceptance. In accordance with the Internal Revenue Service standards, the University is prohibited from furnishing appraisals.
- F. Gifts of art will not be accepted from other than the legal owner. Upon acceptance, A&FS will ensure that a Deed of Gift and Gift Agreement, including a written statement of intent if the gift is de-accessioned, are secured from the donor. A&FS will ensure that the gift acceptance, recording, and acknowledgement procedures.
- G. The individual campus department beneficiary will implement departmental procedures for inventory control and preparation for display or storage of the work.
- H. Proposed gifts of art, which upon review do not meet the criteria for acceptance as outlined above, will be declined. The Development Office is responsible for notifying the donor that the proposed gift is declined.

INTERIM ADMINISTRATIVE GUIDELINES – DE-ACCESSION

- A. Any Work held by UCSD may be de-accessioned provided it does not have restrictions preventing sale. Before de-accession can take place, A&FS will determine, with advice of General Counsel if necessary, if there is any legal restriction to against de-accession. Requests accompanying the gift which do not impose any legal obligation but contain certain stipulations will be respected to the extent possible.
- B. Prior to de-accession, the University will advise the donor, if still living, of the proposed de-accession. Circumstances may warrant extending similar courtesy to the heirs of a donor. When a work of art by a living artist is de-accessioned, consideration may also be given to notifying the artist.
- C. Recommendations for de-accession of work(s) held by UCSD must be reviewed by the UCSD Fine Arts Committee and coordinated with A&FS. Recommendations are then submitted to the Chancellor for approval.

In addition, recommendations for de-accession of work(s) held by the UC San Diego Foundation must also be approved by the Foundation Board of Trustees.

- D. The sale of art work is carried out in accordance with applicable University policies, the State of California Resale Royalties Act of 1976, and subject to appropriate tax laws.
- E. A&FS will review sales procedures and approve exact terms.
- F. The funds realized from the sale of art shall be used to benefit visual arts at UCSD unless otherwise specified by the donor at the time of the donation. Decisions regarding expenditure of these funds will be made by the Chancellor, upon the advice of the UCSD Fine Arts Committee.

In addition, the UC San Diego Foundation Board of Trustees, upon the advice of the UCSD Fine Arts Committee, may make recommendations to the Chancellor regarding expenditure of funds realized from the sale of art held by the UC San Diego Foundation.

- G. Upon completion of the sale, the individual campus department beneficiary will initiate the appropriate University accounting and recording procedures, and will inform the office of Equipment Management Division.