

History San José



Preserving Our Heritage

Collection Management Policy for History San José

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Collection Management Policy for History San José

I. Introduction, History and Statement of Purpose

The purpose of this Collection Management Policy is to provide written policies and procedures to cover all aspects of the acquisition, care, use, and disposition of objects for which History San Jose (HSJ) is permanently or temporarily guardian; and to set forth regulations for the creation, maintenance, care, and use of records for such objects. It establishes the policies for accessions to the collection, for incoming and outgoing loans of objects, and for maintaining inventory control. It specifies the circumstances and methods of deaccessioning objects from the collection, and states HSJ's policy concerning access to collection objects and records. It recognizes the dual goals of access and accountability.

The historic collection of the former San Jose Historical Museum was established in 1949 and is owned by the City of San Jose. On 1 April 1998 History San José (HSJ), a nonprofit California 501(c)(3) corporation, entered into a 20-year contract with the City of San Jose to manage and care for this collection. This contract ("Operator and Use Agreement Between the City of San Jose and History San Jose") was renewed on 11 April 2019 for a period of 5 years.

In 2008, History San José received accreditation from the American Alliance of Museums.

History San José's mission is to preserve and enrich the cultural heritage of San Jose and the Santa Clara Valley through research, collections, partnerships, educational programs and events. In addition to creating rotating exhibitions of its collection in the two permanent galleries at History Park, HSJ also makes its collection available to other museums through loans. HSJ's collection also supports on-site educational programs that serve the elementary and secondary students of Santa Clara County, as well as remote programs that serve a worldwide audience. In addition, the research library & archives makes HSJ's collection available to researchers via an on-site reading room, online collections database and exhibitions, and remote reference assistance to those unavailable to visit in-person.

II. Ownership and Governance

1. Title and Ownership

Title and ownership of the collections are defined as follows in the Operator and Use Agreement between HSJ and the City of San Jose (see OPERATOR AND USE AGREEMENT BETWEEN THE CITY OF SAN JOSE AND HISTORY SAN JOSE, April 4, 2019)

The City will continue to own all grounds and buildings, current and future, and all collections that existed at the time that the original agreement with HSJ was signed. Collections donated or acquired after 1 April 1998 are the property of HSJ, unless already owned by the City or another governmental entity, in which case title shall remain with the government of origin.

The title to any public records, managed by HSJ on behalf of a governmental entity or agency, shall remain with the government or agency of origin, unless mutually agreed upon by contract. Such records will be managed in accordance with all applicable public law, regulations and procedures. Specifically, the City of San Jose shall retain ownership and title to any and all City of San Jose Archives that are managed by HSJ.

Upon expiration or termination of said agreement, title to items owned by HSJ shall be transferred to the City, unless specific donor restrictions prohibit such transfer.

2. Co-Stewardship Contracts and Agreements

Per the operation agreement between HSJ and the City of San Jose, HSJ may enter into co-stewardship contracts and agreements with other private and public organizations and agencies to manage historical collections, under the following conditions:

- The collection must agree with HSJ purpose and scope as defined above.
- The contract or agreement must be accompanied by adequate financial resources or a plan to acquire financial resources for collection processing, management, care and access.
- All parties agree that HSJ Collections Policy and Collection Procedures will govern the management, care, access, and use of the collections.

Notwithstanding the above, HSJ accepts any and all conditions, understandings, and specifications contained in the Operator and Use Agreement between the City of San Jose and HSJ.

Governance

1. Board of Directors

The HSJ Board of Directors has final authority and responsibility to ensure that the collection is managed and cared for in accordance with the highest professional standards, applicable laws, statutes, resolutions, and contractual terms and conditions.

2. Employees, Volunteers, and Interns

The HSJ President & CEO will act on the behalf of the Board of Directors to ensure that Collections Management Policy and Collections Procedures are implemented in accordance with the highest professional standards, applicable laws, statutes, regulations, and contractual terms and conditions. The Collections & Exhibitions staff shall manage and care for the collections on a daily basis and shall make all professional decisions and recommendations in accordance with the Collections Management Policy and Collections Procedures. Volunteers, interns, and contractors may work under the direct supervision of the Collections & Exhibitions staff to perform specific tasks.

3. Collection Committee

The Collection Committee is composed of at least five staff members, including the President & CEO, Collections & Exhibitions staff members, and the Director of Education & Public Programming. The Committee may also include a Board member with relevant expertise. The composition of the Collection Committee is at the discretion of the President & CEO, with whom final authority rests. The Collection Committee reviews donation offers and determines whether or not donations are accessioned. The responsibilities of the Collections Committee also include but are not limited to these actions:

- Periodically review and recommend revisions to the Collections Management Policy and all related procedural documents
- Upon recommendation of the professional Collections staff, act upon and refer to the Board of Directors any exceptions to approved Collections Management Policy or Collections Procedures.
- Recommend and refer to the Board of Directors the acquisition of any historic sites, buildings, and structures.
- Act upon and refer to the Board any professional staff recommendations for deaccessioning and disposition of collections.
- Provide technical expertise and consultation to the Collections staff on specific collections activities and issues.
- As needed, review reports on collection activities and conditions, including historic buildings and structures and refer reports to the Board, the San Jose City Manager, and the San Jose Historic Landmarks Commission.

4. San Jose Historic Landmarks Commission

HSJ will meet all provisions, conditions, and requirements of the Municipal Code of San Jose (Sec. 2.08.2630) as it defines the relationship between the San Jose Historical Museum and the San Jose Historic Landmarks Commission. In addition, HSJ will solicit the Commission's advice and expertise in the acquisition, conservation, restoration, and interpretation of historic sites, buildings, and structures.

III. Scope of Collection

History San Jose manages the City of San Jose's Historic Collections, as well as objects collected by History San Jose after the non-profit was established in 1998.

The Collection is divided into the following broad categories:

The Artifact Collection comprises objects created or shaped by human workmanship, including but not limited to tools, vehicles, textiles, art, and furniture. HSJ actively acquires objects in the Artifact Collection through donations, submitted to and approved by the Collection Committee.

The Research Library and Archives contains documents and records from private individuals, businesses and organizations, including but not limited to photographs, manuscripts, maps, film, books, ephemera and electronic documentation. The Research Collection includes records of the City of San Jose and a small number of Santa Clara County records. HSJ actively acquires archival materials through donations submitted to and approved by the Collection Committee.

Historic Sites are structures that are under History San Jose's care as part of the Operator and Use Agreement Between the City of San Jose and History San Jose. These buildings are situated in History Park at Kelley Park, and downtown San Jose. Any new structures must be approved through the process outlined in the Operator and Use Agreement Between the City of San Jose and History San Jose.

The Reference Collection includes non-accessioned, organized materials such as news clippings, photocopies, and books. These materials serve as supplementary research tools to HSJ staff members and public researchers. This collection was created over the course of many years by volunteers and staff members, but is no longer being actively added to.

History San Jose Institutional Records are records created in the course of operations of the San Jose Historical Museum, the History Museums of San Jose, and History San Jose that have been identified by the Curator of Research Library & Archives as historically significant to save beyond their records retention schedule.

Props are supplementary items for use in exhibitions or educational programs. While not accessioned into the Collection, they are tracked in the Museum's Collections Management

Database. Props are acquired through donation or purchase. Deaccessioned objects may also be converted to props.

For the purpose of this Collection Management Policy, all collections managed by HSJ may be referred to individually as artifacts, items, objects, or materials. These terms extend to all collecting areas including Research Library materials such as manuscripts and records.

IV. Acquisitions

1. Authority

The authority to accept and acquire materials for the HSJ Collection – with the exception of historic sites, buildings, and structures – rests solely with the Collection Committee. No employee, volunteer, public body or official, or Board or Committee member other than the Collection Committee may obligate HSJ to acquire an item for the collection.

HSJ will consider the acquisition of a building structure or site that is listed on, or is eligible for, any state or local register of historic sites, or that is on or is eligible for the National Register of Historic Places, only after prior approval by the City of San Jose Historic Landmarks Commission, *and only if* (a) it clearly is demonstrated that the building is endangered and unable to be left at its original or historic site, and (b) it clearly fits within HSJ's master interpretive and programmatic plan and the prospective site. If the property is to be added to or located on land that is owned by the City of San Jose, City Council approval is required before the item can be accepted and located.

2. Criteria

The Collection Committee shall use the following criteria in considering collection acquisitions.

- The item is relevant to the collections and HSJ's Purpose and Scope.
- The item is unique in a collecting area and would thereby enhance the existing collection.
- The item fills a specific need within a collection or opens a new collection area consistent with HSJ's goals.
- The item is in good provenance.
- The item does not have any donor-imposed restrictions or any stipulations regarding the method of display, copyright, or any other limitations that would affect the exhibition or loan of the artifact.
- The item will be treated according to museum standards and kept in good faith.
- The item's condition must not threaten or endanger any other collections, people, or property.
- HSJ must be able to provide proper care with existing resources.

- Acceptance of the item shall not impose major future expenses, unless an expense plan is made.

3. Special Circumstances

Whole Collections

Whole collections which do not entirely fit the Scope will be accepted only if the collection is predominantly related to HSJ's mission, and if the collection has distinct merit as a whole, or the whole has value that is greater than the sum of its parts.

Illegally Collected Material

HSJ will not knowingly accept or acquire objects illegally obtained, imported, or collected; or that were recovered in a way that would support or encourage illegal or irresponsible collection, or that would damage or cause destruction of natural or cultural objects, resources, or sites. HSJ may accept objects confiscated by governmental agencies that are offered by these agencies if these materials are applicable to HSJ's acquisition policy and meet collection criteria.

Protection of Endangered Materials

In the case of special circumstances related to the immediate preservation or salvage of endangered, unique, or non-renewable materials, HSJ may accept temporary or permanent custody of such materials to ensure preservation. If upon evaluation they are not within the Scope or the priorities of the Collections Acquisition Plan and therefore not accessioned into the collections, they will be transferred as soon as possible to an appropriate public or private organization or agency.

4. Means of Acquisition

Materials may be added to the collections by means of gifts, bequests, purchases, transfers, exchanges, fieldwork acquisitions, or any other transaction by which title to the material passes to HSJ. All specimens obtained through field collection shall be accompanied by all appropriate permits, letters of consent from property owners, and necessary documentation to establish that materials were collected in accordance with local, state, federal, and international law.

HSJ is not required to accept any collections that do not meet the Purpose and Scope unless otherwise indicated in the 1 April 1998 agreement with the City of San Jose.

Potential donations are submitted to the Collection Committee via a Google form on the HSJ website, including photographs of the proposed donation objects. Donors may also contact HSJ by phone or email, but are usually directed to the Google form. The Collection Committee then reviews the proposed donation within one month of receipt via in-person or email discussion.

Once a decision has been made, the donor is notified of the decision, and delivery or pickup is arranged. HSJ does not accept donations that have not gone through the Collection Committee.

Detailed procedures are outlined in the *Collection Policies and Procedures* document.

5. Title and Right

Full title and all rights shall be transferred free and clear, with no restrictions or preconditions. HSJ will request documentation and transfer of intellectual property rights if applicable. Obtaining clear title to items previously acquisitioned into the collections but not documented may be done through any legal means, such as abandonment, a contractual reversionary clause, or application of the State of California's Unclaimed Loan law (California Civil Code Section 1899).

Title to undocumented items that were identified on the collections inventory prior to the agreement of 1 April 1998 belong to the City of San Jose.

6. Appraisal, Monetary Value, and Internal Revenue Service Compliance

HSJ staff will not provide collection donors with monetary appraisals for artifacts. Appraisals or valuation for tax deduction purposes are the responsibility of the donor. Collections staff will provide appropriate access for appraisals.

The Collections staff may place a value on accessioned materials for insurance purposes only. HSJ will comply with all current Internal Revenue Service rules and reporting regulations for charitable contributions.

7. Reporting

A summary of new accessions by the Collection Committee will be included in the President & CEO's report to the Board of Directors at the monthly Board meetings.

VI. Deaccession and Disposal

1. Policy

Deaccessioning is the formal process used to remove an object legally and permanently from the collections. Disposal is the means by which both accessioned and non-accessioned items are removed from a collection. HSJ will deaccession items only for the purpose of strengthening or protecting the collection as a whole. An artifact may be considered for deaccessioning or

disposal if it does not have significance to the organization as a whole. Collecting is an intelligent process of selection and periodic pruning is necessary if growth is to occur within a collection. Deaccessioning is not a means to an end. Thoughtfulness and discrimination will be exercised in the initial collecting process to avoid unnecessary resource burdens.

2. Criteria

An object may be deaccessioned only if the Curator determines that it meets one or more of the following criteria:

- *Relevance*: The artifact does not fall within the scope of the collections, or is not consistent with the purposes, priorities, and areas of interest of HSJ. Specifically, the artifact is not associated in any way with San Jose or Santa Clara Valley history.
- *Access*: The collection/artifact and/or potential users would be better served elsewhere.
- *Cost*: The preservation/maintenance costs are not within HSJ's budget/capacity.
- *Redundancy*: The artifact is comparable but inferior to another object within the collections; or the collection contains reproductions or copies of materials that are located elsewhere.
- *Physical Integrity*: The artifact is in poor physical condition that conservation is not feasible, or restoration would render the object essentially false.

The artifact is a danger to the health, safety, or well being of the general public, to the museum staff, or to other objects in the collection.

The artifact is a fragment or portion of an artifact, or part of a set, which is only meaningful as a whole.

- *Legality*: The artifact is determined to have been acquired in a manner contrary to HSJ's acquisition policy, or if the artifact is determined to have been illegally exported from its country of origin or place of repose.

The artifact is subject to cultural repatriation through the Native American Graves Preservation and Repatriation Act of 1990 (NAGPRA) or any other local, state, national, or international law, ruling, agreement, or convention.

- Donor conditions restrict the museum's ability to store or exhibit the object.
- *Historic value*: The item may not meet any of the above criteria, but has been determined to be of no historic value

3. Restrictions and Title Clearance

No item may be deaccessioned without proof of clear title, or evidence that HSJ has conducted due diligence to determine title. Artifacts without clear title must be converted by due process of the law before they can be deaccessioned from the collections. Except in cases of human health or collection safety reasons, objects that have been accessioned must have been held for at least two years before being deaccessioned.

4. Authority

The Collections & Exhibitions staff will periodically review the collections and make recommendations for artifact removal. For artifacts subject to NAGPRA, HSJ will follow procedures established by the National Park Service. Staff recommendations for deaccessioning will be presented to the Collection Committee. If approved by the Collection Committee, the recommendations will be forwarded to the Board of Directors for action. In no case will any item be deaccessioned without official and specific Board of Directors approval. When approved by the Board, the recommendations will be forwarded to the Historic Landmarks Commission for review and comment.

Public Ownership: For items owned by the City of San Jose, or by other public bodies or agencies, deaccession will be subject to all appropriate public codes, policies, and procedures. Specifically, deaccession of collections whose title resides with the City of San Jose must be in accordance with appropriate sections of the Municipal Code of the City of San Jose, and may require City Council approval.

Co-Stewardship Agreement: If the Board supports deaccessioning of an item that is managed by contract or agreement with another organization or agency, other than the City of San Jose, HSJ will follow the conditions of the agreement or contract for deaccessioning and disposal. If the other party does not agree to the deaccessioning, HSJ reserves the right to remove the item from the collections it manages and return it to the other party.

5. Exceptions

1. If an item must be removed from the collection because it poses an immediate and serious threat to people or to other collections, the item may be deaccessioned immediately by Collections & Exhibitions staff action and approval of the President/CEO. The Board of Directors and other organizations or agencies will be notified as mandated and appropriate.
2. If an item under review is found by the Curator to be inappropriate to HSJ's overall collection, and can be transferred to another repository, the Curator will make a recommendation to the Collection Committee. If approved by the Committee, the President & CEO of HSJ may authorize the transfer. Transfer may be recommended on

one or more of the following criteria: the materials better fit the collecting, research or exhibition criteria of the receiving institution; would be better used or made available to the public at that institution; and/or would be better preserved and housed at that institution. The receiving institution must adhere to best practices of the Society of American Archivists, the American Alliance of Museums, National Park Service or other relevant professional/government association.

6. Disposition

Methods: Final disposition will be in accordance with the following methods in order of priority.

1. Sale, transfer to, or trade with, another non-profit museum or institution.
2. Sale by public auction or in the public marketplace.
3. Destruction or disposal, which must be attested to in writing by Collections staff.

Limitations: Exchanges can be made only with non-profit institutions. HSJ will not exchange items with individuals nor will title be transferred to an individual by any means other than public auction. Exchanges should be for objects of equivalent monetary or historic value. In the case of artifacts of significant monetary worth, this must be documented with formal appraisals.

7. Records

A copy of all relevant records shall accompany any artifact exchanged, sold, or transferred to a public institution provided that confidentiality is not required. Complete record of the condition and circumstances under which items from the collection were deaccessioned and disposed will be maintained in perpetuity in HSJ's permanent collection records.

8. Use of Funds

HSJ shall not deaccession or otherwise dispose of collections in order to provide financial support for institutional operations, facilities maintenance, or any other reason other than the preservation or acquisition of collections, as defined within the *Collection Policies and Procedures*. These uses may include archival housing, preservation supplies, conservator fees, and digitization vendors and supplies.

Funds from the sale of deaccessioned collections will be held in a restricted account, and assigned a unique cost center to track expenditures. Only Collections & Exhibitions staff in conjunction with the Collection Committee and President & CEO may determine how to spend deaccession funds. Expenses will be tracked via the unique cost center, and a quarterly report issued on the status of the funds.

VII. Loans

1. Authority

Authority to approve and sign incoming or outgoing loans rests with the professional Collections & Exhibitions staff. A written loan agreement made prior to the receipt or shipment of loan materials shall govern all incoming and outgoing loans. The Collections & Exhibitions staff shall maintain complete records of all loans and track loan activity.

2. Incoming Loans

Purpose

Incoming loans are accepted for temporary exhibition, research, copying, or other reasonable temporary use for a specified period of time, not to exceed three years, which may be renewed in one year increments by mutual agreement. Artifacts can be borrowed from private collectors, individuals, corporations, galleries, private or public institutions, and commercial establishments.

Packing and Transit

Packing and transportation arrangements will be made by HSJ's Collections staff. Artifacts are only accepted if they are in condition to travel and can be properly cared for and exhibited while on loan to HSJ.

Insurance

Insurance will be handled on a case-by-case basis. Ordinarily, HSJ will not take out insurance on loans if the items are covered by the lender's personal insurance identifying the History San Jose as ADDITIONALLY INSURED. HSJ may insure incoming loans under its own fine arts policy.

Long Term Loans

HSJ does not accept permanent long-term loans or incoming loans solely for deposit or storage. The period of the loan will be specific. The lender will be notified of any changes in the loan period in writing by the Collections staff. Long term loans accepted prior to 1 April 1998 will be reviewed and renewed every two years. HSJ will strive to return all outstanding long-term loans or convert them to gifts.

Unclaimed Loans

Pursuant to California Civil Code, Section 1899, it is the responsibility of the owner of the property on loan to HSJ to notify, promptly and in writing, of any change of address or change in ownership of the property. Failure to notify HSJ of these changes may result in the owner's loss

of rights in the property. In keeping with California Civil Code, section 1899, HSJ will make the requisite effort to return loans property to the lender or their successor. Unless the loaned property is returned to the lender or their successor, HSJ shall retain for a period of not less than 25 years the original or an accurate copy of each notice of change in address or in ownership of the property filed.

If HSJ's effort to return artifacts within a reasonable period following the termination of the loan are unsuccessful then the objects will be maintained at the Lender's risk and expenses for a maximum of 5 years. If after 5 years the artifacts have not been claimed, then and in consideration for maintenance and safeguarding, the Lender/Owner shall be deemed to have made the artifacts an unrestricted gift to HSJ.

Limitations

HSJ will not perform or allow any repairs, alterations, or conservation treatment on any loaned item without the lender's prior and specific written permission.

3. Outgoing Loans

Outgoing loans may be made for exhibition, educational, or scholarly purposes to institutions or organizations that agree in writing to meet specific requirements.

Conditions

Loan requests from the HSJ collection are considered on a case-by-case basis, depending on the nature and condition of the artifact, the specific proposed use, and the borrower's ability to meet professional standards of care for the artifacts. HSJ may require a facilities report from a borrowing institution, as determined by the Curator. Artifacts may not be lent to private individuals.

Criteria

HSJ must have clear title to, or clear contractual management authority over, an artifact to consider that object for an outgoing loan and must not be encumbered by restrictions inhibiting such a loan. Objects will not be loaned if the proposed use might present unreasonable risks to the objects or the use might reflect on the integrity of HSJ. Except under very special circumstances, HSJ will not lend artifacts that the professional Collections staff determines to have extraordinary historical, aesthetic or cultural value, or which are too fragile to travel.

HSJ may lend to museums or institutions that meet professional museum standards for the care and handling of objects. HSJ may make loans to corporations for educational exhibition purposes only and only to those corporations where artifact handling and environmental conditions are known to be in compliance with specific professional museum standards. Artifacts may not be lent to private individuals.

Limitations

HSJ has authority to rescind a loan if it becomes apparent during the course of the loan that there is risk to the artifact(s) or that use is reflecting badly on the integrity of HSJ.

Unless otherwise notified by HSJ, the borrower may not photograph, videotape or otherwise reproduce borrowed artifacts for education, publication and/or publicity purposes without the permission of HSJ. The artifact(s) on loan may be photographed by the public for non-commercial or private use without the aid of tripod or flash.

Borrowed artifacts may not be reproduced for sale by other institutions or individuals without express permission from HSJ, with appropriate compensation.

Items on loan from HSJ may not be treated or otherwise altered without prior and specific written approval from the Curator.

Lent artifacts will be credited to History San José or as stated on the Outgoing Loan Agreement form.

Insurance

The borrower must provide wall-to-wall insurance or indemnification as required, including a certificate of insurance, before the artifact(s) are lent.

Duration

All loans must be for a stated term, agreed to by both parties on the Outgoing Loan Agreement form.

4. Temporary Loans

Professional conservators, framers, preservationists, and curators may receive artifacts on temporary loan for purposes of conservation, identification, research, digitization, etc. Such custody does not constitute a formal loan, or donation to the borrower. Records of all materials on temporary loan will be maintained and retained by Collections staff.

VIII. Collections Records

The Collections & Exhibitions staff shall maintain permanent collection records in accordance with the *Collections Policies & Procedures*. Collection records provide legal documentation of the collection; establish and document provenance; and provide a permanent record of care, use, and disposition. All collection records are considered permanent documents, to be retained in perpetuity, whether or not the physical item is retained in the collection.

HSJ maintains an open access policy regarding catalog and scholarship information. Access to collection records is by appointment with the Collections & Exhibitions staff. Insurance, financial, tax, financial appraisal and any records declared confidential by the donor will remain confidential and will be released only upon specific written approval of the donor and the President & CEO.

Three categories of records exist to preserve information about the collections and exhibitions. These records include: Documents, Information Management Records, and Task Records. Detailed records management instructions are found in the *Collections Policies & Procedures* document.

Documents

Deed of Gift: Transfers title to HSJ

Incoming Loan Form: Borrowed artifacts by HSJ from other institutions or individuals

Outgoing Loan Form: Lent artifacts by HSJ to other institutions.

Outgoing Release Agreement: Receipt of object release from HSJ to borrower.

Donation in Kind or Temporary Custody Receipt: Receipt of non-accessioned donations.

Request for Permission to Publish: Publication/use of photographic reproductions from HSJ's collections.

Information Management Records

Permanent Collections Database

Donor Records

Exhibition Documentation

Task Records

Condition Report

Conservation Report

Environmental Conditions Data

Inventory

Insurance Report

IV. Collections Care

1. Security

Every effort will be made to protect and monitor materials on temporary exhibit against fire, theft, vandalism, infestation, environmental hazards, over handling and natural disaster. A disaster plan will delineate the specific responsibilities of HSJ's staff.

2. Storage

Artifacts will be stored in collection storage fixtures and/or containers that are archival in order to assure that artifacts will be available in perpetuity. Temperature and relative humidity will be controlled and monitored. Collections will be protected against dust, vermin, and other detrimental elements.

3. Transit

The packing and shipping of artifacts is supervised by the Collections & Exhibitions staff. Staff will train, provide guidance and supervision on the proper handling, security, and other collection procedures as appropriate.

4. Conservation, Preservation, and Restoration

Conservation, preservation, and restoration activities are carried out with the highest professional standards and are in accordance with the following documents: *Collections Policies & Procedures*; the *Maintenance Manual for Historic Buildings and Structures*, and the *Collections Conservation Plan*. Historic sites, structures, and buildings will be treated in accordance with the Secretary of Interior's Standards for Historic Preservation and applicable state and local historic building codes.

5. Inventories

Ongoing inventory checks to confirm objects' physical condition and location are conducted through appropriate collections database queries.

X. Insurance

The real and personal collections to which the City maintains title, including historic structures and reconstructions are insured in accordance with the City's Risk Management policies and procedures, which may include self-insurance, private policies or a combination thereof. Collections managed by HSJ in agreement with any other public or private organization or agency will be managed in accordance with the terms of those agreements. All HSJ's

collections are insured under its own fine arts insurance policy. Any funds secured through or by an insurance claim shall be deposited into an account of the History San José reserved for the sole purpose of direct care and purchase of collections.

XI. Access

1. Public Access

Public access to the collections is available for research and reference through the Research Library, exhibitions, educational programs, websites, and other methods that provide the broadest possible public access dissemination of information, while ensuring the continuing preservation and care of the materials and the information they contain. Collection storage areas shall not be accessible to the public, except in the case of pre-arranged tours for specific purposes with the Collections & Exhibitions staff.

All storage/object activity must first be approved by the Collections & Exhibitions staff. The professional Collections & Exhibitions staff reserves the right to determine the appropriateness and method of access to any collections item in accordance with the *Collections Policies & Procedures* manual.

Access will not be provided to any item that might damage or threaten the long-term conservation and preservation of the artifact or the information that it contains or represents.

Artifact Collection

All direct physical access shall be arranged individually with the Collections & Exhibitions staff.

Research Library and Archives

HSJ shall establish and circulate visiting hours to provide maximum accessibility and service to the public, which shall be provided through the Curator of Research Library & Archives. Reference services may also be provided via email, social media, or telephone. Specifically, public access to the San Jose City Archives will be in accordance with appropriate sections of the City Administrative Policy Manual.

As materials are digitized, digital surrogates will be made available via suitable online platforms, including HSJs PastPerfect Online catalog, aggregate sites such as Calisphere, or publicly accessible sites such as the Internet Archive.

Historic Sites

Historic sites will be made available to the public in accordance with published schedules.

2. Intellectual Property

Materials will be treated in accordance with current law and international agreements and conventions regarding intellectual property rights, including the standard of “fair use.”

3. Fees

HSJ reserves the right to charge fees for the provision of services related to access, use or reproduction of the collections and any item therein. Such fees will be adopted by the Board of Directors and made available to the public on HSJ's website.

4. Reproduction

Non-commercial reproduction in any and all forms will be allowed to the maximum extent allowed by law, legal or donor restrictions, and current professional practices. Commercial reproduction, quotation, or use may be granted by the professional Collections & Exhibitions staff on a case-by-case basis and in accordance with the *Collections Policies & Procedures* manual and the approved schedule of fees.

5. Public Records

In the case of Public Records, any applicable State and Federal public policies, ordinances, and procedures will supersede all conflicting institutional policies. If these laws were to specify public access, a policy of HSJ's cannot supersede conflicting law.

IV. Ethics

1. General

HSJ, including its staff, management, and Board of Directors, subscribes to the ethics statements of the American Association of Museum (AAM), the American Association for State and Local History (AASLH), the Society of American Archivists (SAA), the American Library Association (ALA), and all other appropriate standards of professional ethics and performance. Further, HSJ subscribes to the principles and recommendations of the UNESCO Conventions Concerning the Protection of the Cultural Heritage (UNESCO 1970) and the Native American Graves Protection and Repatriation Act (NAGPRA 1990). HSJ will not acquire materials that were unethically or illegally alienated from their society of origin--even when not in violation of the formal laws of that country or society--and as appropriate, will repatriate any such objects that might be in or come under the museum's control.

2. Personal Collecting

Upon entering a relationship with HSJ, any Board member, Committee member, or employee must disclose any and all areas of personal collecting and agree to refrain from any collecting activities in competition with HSJ. No Board or Committee member, employee, or volunteer will present himself/herself as representing HSJ in negotiating or purchasing for personal collections. For these purposes, the personal acquisition of family heritage property is not considered to be personal collecting.

3. Personal Gain

All Board and Committee members, employees, volunteers, and interns will not use the reality and the appearance of using their positions or the information and access gained from their positions for personal gain.

4. Personal Use

Collections are not available to any individual for personal use, either on or off the premises, or for any other purpose contrary to HSJ's mission and collection Purpose and Scope.

5. Dispositions of Collections

HSJ collections will not be given, sold, or otherwise transferred, publicly or privately to individuals or family members of individuals who are Board or committee members, employees, officers, agents, or volunteers of HSJ, the City of San Jose, or other organizations or agencies with which HSJ maintains a contract or agreement.

V. Policy Review and Modifications

The Collection Committee shall review this Collection Management Policy on a yearly basis. Recommended changes will be presented by the President & CEO at the Board of Directors meeting for approval. The most recent version, as well as archived versions, will be stored and made available on HSJ's shared network drive. Each version will include on its cover the date of Board approval.