

PROCEDURES MEMORANDUM

TO: MCC Staff

FROM: Office of the President

SUBJECT: Public Art/Public Art Committee

DATE: January 25, 2018

PURPOSE: To establish uniform procedures for the acquisition, display and deaccession of public art at the College.

SCOPE: This Procedures Memorandum applies to all staff and internal College groups, as well as any external individuals or groups, who wish to exchange with or donate art to the College or the Metropolitan Community College Foundation.

Per resolution of the Board of Governors (10/28/2014), the process developed by the President for the selection and display of appropriate and inspirational art in and around new public buildings constructed by the College, but not the actual decisions regarding selection and display of art, should be submitted to the Board of Governors for its approval.

GENERAL PRINCIPLES:

The mission of the Public Art Committee is to identify artists, select works of art and identify locations for display of public works of art that forward the mission of Metropolitan Community College (“MCC” or “College”).

1. Vision Statement

Public works of art on all MCC campuses and centers will make the College a destination point. In conjunction with civic groups and organizations, MCC’s Public Arts exhibit will be part of a public art driving tour with a map highlighting locations of public art throughout the Omaha metropolitan area.

2. Public Art

Art in Public Places was established by the National Endowment for the Arts in 1967 to “give the public access to the best art of our time outside of museum walls” (Lacy, 1995, p. 22). Public works of art are typically three dimensional sculpture, can be representational or abstract in form, concept or execution, and may include traditional

and non-traditional mediums or designs that incorporate environmental components. Two dimensional works, such as murals or mosaics, also work within the framework of what the Committee sees as “public art.” Public art pieces may also serve a function such as a sculpture that also doubles as a park bench. Installations may be permanent or temporary.

Artwork from MCC’s permanent collection displayed in campus and center public spaces is also defined as public art and is subject to the Committee’s oversight as outlined below. The permanent collection will consist of all art donated to, sold to, and commissioned by MCC and the MCC Foundation, including works by students, staff, and external artists.

Public spaces, where public art is to hang or be displayed, are spaces that are accessible to the public, including reception areas, student commons areas, College outdoor spaces and hallways.

### 3. Committee Structure

The Public Art Committee shall consist of at least nine members and shall be chaired by the Dean of Humanities and The Arts. A minimum of five members (including the chair) shall come from within the College and be appointed by the College President. A minimum of four external individuals will be selected and invited to serve on the Committee by the internal Committee members. Representatives of the Nebraska Arts Council and the MCC Foundation Executive Director and other individuals interested/experienced in Public Art initiatives will be sought to serve on the Committee.

### 4. Committee Responsibilities

- A. The Committee will recommend public art policy, select display locations, establish both accession and deaccession criteria, maintain inventory and identification guidelines and make recommendations to the College President concerning public art accession, display and deaccession for all MCC campuses and centers.
- B. The Committee will be responsible for creating and maintaining a Master Plan for Art on all the campuses and centers. Final approval of any public art project is the responsibility of the President.
- C. The Committee will work in collaboration with the Office of Campus Planning to recommend proper maintenance and repair of public art.
- D. The Committee will review requests to loan pieces of the College’s public art collection to outside entities. Committee recommendations will be forwarded to the College President for final approval. Terms and conditions of any loan of MCC art to another entity will be negotiated by the Director of Administrative Management and the General Counsel.

- E. After the art is placed in public spaces, the Committee or its designee will continue to monitor the space to ensure that an appropriate environment around the art work is maintained.
- F. The Committee will meet on an as-needed basis and meetings shall be initiated by the Committee Chair.
- G. All public art installations must be reviewed by the Public Art Committee and forwarded, with recommendations, to the College President for his/her approval.

## 5. Selection Process for Public Art

### A. Location Identification

- 1) The Public Art Committee will seek input from each campus and center, tour each campus and center, utilize the Campus Master Plan and determine the best and most appropriate locations for public art projects.
- 2) Per resolution of the Board of Governors (10/28/2014), a portion of the art selected for display in new public buildings constructed by the College should be permanently affixed to, or incorporated into the construction of, said buildings in such a way that it cannot be easily removed (such as a tile or stone mosaic built in to a ceiling, wall or the floor, stained glass windows, ornate tapestries, ornate door(s), permanently affixed sculpture, etc.).

B. Seek Funding—Funds for public art projects will be sought on an ongoing basis. The College development office and the MCC Foundation may seek grant opportunities and private donations to fund projects.

C. Acquisition of Work—Works may be acquired in any of the following ways:

- 1) Call for Art—Artists are invited to submit proposed works for an identified location. The Committee will determine the scope and limitations (if any) of the invitational process on a case-by-case basis. Artwork may be purchased or commissioned.
- 2) Direct Commission—The Committee identifies an artist and works with the selected artist to create a piece for an identified location.
- 3) Purchase of an Existing Work—The Committee identifies and recommends purchase of an existing work that fits in an identified location and meets the criteria consistent with the mission, vision and design parameters established by the Public Art Master Plan.
- 4) Donation of an Existing Work—The Committee recommends acceptance of a donated work that meets criteria consistent with the mission, vision and design

parameters established by the Public Art Master Plan. Receipt of any donation of art must list MCC Foundation as the receiving agent. All donations must be consistent with College and Foundation policy and procedures for donation and acceptance of personal property.

- 5) Art on Loan— The Committee recommends acceptance of a loaned work of art, from the owner of the work, provided that the piece meets criteria consistent with the mission, vision and design parameters established by the Public Art Master Plan. If the President accepts the Committee’s recommendation, then the Committee Chair shall work with the Director of Administrative Management and the General Counsel to negotiate the terms and conditions of the loan.
  - 6) Donation of Art Created by a Donor-selected Artist—The Committee recommends acceptance of artwork based on review and approval of the proposed artist’s credentials and approval of the artist’s proposal as that proposal meets criteria consistent with the mission, vision and design parameters established by the Public Art Master Plan.
  - 7) Artwork sold to the College or the Foundation by a College employee must be appraised by an independent recognized art appraiser. No artwork can be sold directly by the employee to the College or the Foundation without the input of an outside appraiser. In the case of a commissioned work or a call for art, an appraiser must still verify that the pricing is at an appropriate level. Any artwork transaction between a College employee and the College requires the Public Art Committee Chair to work with the Director of Administrative Management and the General Counsel to negotiate the terms and conditions of the transaction.
- D. Installation— Once identified, the piece will typically be installed by the artist in conjunction with the College Director of Facilities Management. Installation costs, including engineering certifications, transportation to the site, insurance, labor of assistants and artist travel will be borne by the artist. The College may provide necessary site preparation such as concrete footings, utilities, and lighting.
- E. Maintenance – The artwork will be displayed at the selected site and maintained within reasonable standards by qualified personnel. If the selected site is deemed inappropriate for any reason, the Committee will be responsible for recommending an alternate location, if necessary.
- F. Deaccession—The Public Art Committee may recommend that a piece, or pieces, in the College’s permanent collection, be designated for deaccession (removal) from the collection.

## 6. Selection Criteria

- A. Locations--The Committee will identify high-profile locations for public art, including, but not limited to:

- 1) areas of heavy vehicular or foot traffic.
  - 2) outdoor gathering spaces.
  - 3) natural entry ways.
  - 4) sightlines from multiple vantage points.
  - 5) building enhancement.
  - 6) classrooms and offices where the courses of study are relevant to the work of art being considered for placement in said room.
- B. Art Selection—The Committee will seek a variety of pieces, in terms of creative expression and artistic style, that “fit” the surroundings based on, but not limited to, the following:
- 1) consistency with the overall College mission and/or individual campus mission.
  - 2) aesthetic/artistic merit.
  - 3) consistency with campus personality/character.
  - 4) relationship to the immediate surroundings.
  - 5) appropriate size/scale in relation to the location.
  - 6) material selection/durability/safety.
  - 7) maintenance costs (graffiti removal, cleaning, and weather-related damage prevention/protection).
  - 8) site preparation costs.
  - 9) cost.
- C. Per resolution of the Board of Governors (10/28/2014), preference shall be given to art produced by MCC students as part of their coursework.
- D. Once the location, funding, artist and work are identified, the College and the artist will enter into a contractual agreement establishing timelines, terms of payment, a written description of the work to be installed, a visual representation of the work to be installed, site preparation and installation responsibilities, maintenance responsibilities, and reproduction rights. The Committee will make recommendations

to the MCC President based on the terms and criteria established in this document. The College President will make the final approval.

## 7. Deaccession Criteria

### A. Inappropriate

- 1) The Committee determines that the art piece is no longer appropriate in its given surroundings.
- 2) The Committee determines the piece no longer speaks to the mission of a given program or to the mission of the College.
- 3) The Committee determines a piece is inferior or a near duplicate of a better-executed piece either in the collection or being considered for the collection.
- 4) The work is in poor condition and deemed beyond repair, due to cost or other factors.

### B. Legal Restitution

- 1) The work has been legally reclaimed by another party or entity.

### C. Infrequently or Never Exhibited Work

- 1) The work is rarely or never exhibited.
- 2) A suitable location for the work is no longer available.

## 8. Disposal of Deaccessioned Art

### A. Loan

- 1) The work may be loaned to another institution.

### B. Exchange

- 1) The work may be exchanged with another institution or individual in return for a work of equal or greater value, as long as the work received in exchange falls within the Committee's selection criteria.

### C. Sale

- 1) The work may be sent to surplus auction to be sold.

### D. Destruction

1) The work may be destroyed if it is determined to be beyond repair, poses a health hazard, or holds no intrinsic or monetary value.

9. Property of Metropolitan Community College

- A. Per resolution of the Board of Governors (10/28/2014), the College should appropriate up to a maximum of one percent (1%) of the cost of construction of new College public buildings for the acquisition and display of art in and around said buildings, that the art selection process should be open and competitive, and that the selection and display of said art shall be complete within five (5) years of construction of the subject new building.
  
- B. Works of art acquired by Metropolitan Community College become the property of Metropolitan Community College. The artist retains artist's moral rights in the artwork, as established in the Visual Artists Rights Act (17 U.S.C. §106A), but does not retain ownership or control over the art.

Adopted January 13, 2010; revised December 16, 2011; August 1, 2014; April 17, 2015; January 25, 2018