

Village of Mukwonago
Notice of Meeting and Grutzmacher Collection Committee Agenda

LIBRARY BOARD OF TRUSTEES MEETING
Thursday, May 4, 2023

Time: **5:00 pm**

Place: **511 Division Street, Mukwonago, WI 53149**

1. Call to Order

2. Roll Call and Introduction of Guests

3. Approval of Minutes

3.a Minutes from March 9, 2023

[Grutzmacher Collection Committee Meeting Minutes 20230406_unapproved.pdf](#)

4. Discussion/Action Items

4.a Publicizing the Grutzmacher Collection

Discussion and possible action on publicizing, marketing, and otherwise sharing information and photos of the Grutzmacher Collection and the Library Board's compliance with NAGPRA.

4.b Grutzmacher Collection Management Policy

Discussion and possible action on revised draft of the Grutzmacher Collection Management Policy as proposed by Driftless Pathways.

[Grutzmacher Collection Management Policy_v2_for Committee 20230504.pdf](#)

[Grutzmacher Collection Management Policy Appendix A_v1_for Committee 20230504.pdf](#)

[Grutzmacher Collection Deaccession Record_v1_for Committee 20230504.pdf](#)

4.c Outgoing Loan Agreement

Discussion and possible action regarding the draft of an Outgoing Loan Agreement as proposed by Danielle Benden of Driftless Pathways.

[Grutzmacher Collection Outgoing Loan MHMS_v3_for Committee 20230504.pdf](#)

5. Referral Items

6. Confirm Next Meeting Date

7. Adjourn

It is possible that a quorum of, members of other governmental bodies of the municipality may be in attendance at the above stated meeting to gather information. No action will be taken by any governmental body at the above stated meeting other than the governmental body specifically referred to above in this notice. Please note, upon reasonable notice, efforts will be made to accommodate the needs of individuals with disabilities through appropriate aids and services. For additional information or to request this service, contact the Municipal Clerk's Office, (262) 363-6420.

Village of Mukwonago

DRAFT MINUTES OF THE GRUTZMACHER COLLECTION COMMITTEE MEETING

Thursday, April 6, 2023

Time: **5:00 pm**

Place: **Mukwonago Community Library, 511 Division St., Mukwonago, WI 53149**

Call to Order

The President H. Pringle called the meeting to order at 5:06 p.m. located in the Mukwonago Community Library Community Room, 511 Division St., Mukwonago, WI 53149

Roll Call and Introduction of Guests

Committee Members Present

E. Brill
E. Pautz
H. Pringle
C. Stienstra

Excused

D. Magolan

Also Present

A. Armour, Library Director
D. Benden, Driftless Pathways via Zoom

Comments from the Public

None.

Approval of Minutes

E. Brill/C. Stienstra motioned to approve the minutes from the Grutzmacher Collection Committee meeting on February 16, 2023. Unanimously carried.

Discussion/Action Items

Updates on NAGPRA Compliance

Discussion on A. Armour's updates on pending Request for Repatriation, recent consultations, and general aspects of NAGPRA compliance.

A. Armour noted that there have been a few additional consultations since our last meeting. The recent Tribal consultations have been for unassociated burial items from California. Bernstein and Associates has been working with MCL regarding these Request for Repatriations and all necessary paperwork. Federal Repatriation Grants were also mentioned because there will be certain ways that items may need to be stored as well as possible travel expenses for Tribal representatives. Grant applications generally call in September and end in May. The National NAGPRA Program is very helpful with the grant

process; they will both aid in the grant application and give feedback prior to final submission.

Publicizing the Grutzmacher Collection

Discussion and possible action on publicizing, marketing, and otherwise sharing information and photos of the Grutzmacher Collection and the Library Board's compliance with NAGPRA.

A. Armour noted that there have been several community members questioning what has been going on in regards to the Grutzmacher Collection. Discussion continued on how to respectfully and appropriately display the items, educate the general public on the collection and NAGPRA, as well as the non-Native American items in the Collection. It was recommended to inform those that the language Prehistoric is out of date and the current terminology Pre-Contact better encompasses the way tribes view their history.

Grutzmacher Collection Management Policy

Discussion and possible action on draft of the Grutzmacher Collection Management Policy as proposed by Driftless Pathways. Discussion will focus on broad collection management decisions such as acquisitions, deaccessioning, loans, and NAGPRA compliance.

A. Armour noted that we will be going through the questions posed by D. Benden regarding the Management Policy. The goal is to properly reflect what MCL is actually doing for and with the Grutzmacher Collection. Further discussion was held regarding each section of the policy.

Referral Items

None.

Confirm Next Meeting Date

To Be Determined

Adjournment

C. Stienstra/E. Brill motioned to adjourn the meeting. Unanimously carried. Meeting was adjourned at 7:54 pm.

Mukwonago Community Library

GRUTZMACHER COLLECTION MANAGEMENT POLICY

[insert date]

Approved By:

[insert name], [insert title] [date]

[insert name], [insert title] [date]

[insert name], [insert title] [date]

Reviewed/Approved by [insert who approved]

Mukwonago Community Library Grutzmacher Collection Management Policy

Part I. INTRODUCTION

A. Purpose

The purpose of the Mukwonago Community Library's (the "Library") Grutzmacher Collection Management Policy is to establish best practices and guidelines for the preservation, care, management, and use of the Grutzmacher Collection ("the Collection") and to delegate authority for implementation. This policy shall not replace any Library policy or regulation, nor local, state, or federal law, statute, or regulation under which the Library is legally or ethically bound to operate.

B. Background

The Mukwonago Community Library is a municipal public library located in Mukwonago, Wisconsin. It was founded in 1883 when interested residents started a "Library and Reading Room" in the Unitarian and Universalist Church. In 1917, the Library moved to the north wing of the McNulty House. In 1921, the Library moved to the Village Hall (present-day Police Department) and, in 1961, to the McKenzie House on Grand Avenue. In 1995, the Library moved to its current location at 511 Division Street in Mukwonago, between Washington and Park Avenues. The Library underwent a major renovation and expansion that opened to the public in 2011.

Upon his death in 1965, local resident Arthur D. Grutzmacher—a decades-long artifact collector and dealer—willed his "Indian relics, arrowheads and show cases" as well as \$25,000 to the Mukwonago Community Library "to be administered as the Library Board sees fit and proper." The Collection as a whole has colloquially often been referred to as the "Grutzmacher Collection" for the decades since the gift to the Library. Since 1970, many of the Native American items have been on display at the Red Brick Museum under the care of the Mukwonago Historical and Museum Society (MHMS). Culturally sensitive items remain in secure storage on the Library premises.

Throughout 2021 and 2022, the Library Board of Trustees focused their efforts on investigating the history, status, and legal considerations of the Grutzmacher Collection. During that time, a formal loan agreement was established with MHMS, appropriate insurance was procured, and Bernstein & Associates NAGPRA Consultants was hired to guide the Library through compliance with the Native American Graves Protection and Repatriation Act ([NAGPRA] Pub. L. 101-601§1, Nov. 16, 1990, 104 Stat. 3048; the NAGPRA Regulations 43 CFR Part 10, Dec. 4, 1995 and all subsequent amendments and regulation updates). NAGPRA is a federal law that establishes the rights of Indian tribes and their lineal descendants to obtain repatriation of certain cultural items including ancestral remains, funerary objects, sacred objects, and objects of cultural patrimony from federal agencies and museums. Under the law, museums are defined as *any institution or State or local government agency (including any institution of higher learning) that receives Federal funds and has possession of, or control over Native American cultural* Grutzmacher Collection Management Policy
For Committee 20230504

items. The Mukwonago Community Library is considered a museum under NAGPRA because it receives federal funds and has control over Native American cultural items. In August 2022, an inventory of every Native American item in the Collection was completed. A definitive collection catalog was produced, and consultation with Native American tribes helped to determine which items in the Grutzmacher Collection fall under NAGPRA. In October 2022, the Library submitted its NAGPRA Summary to all 347 federally recognized Native American Tribes in the contiguous United States as well as to the National NAGPRA Program, in accordance with the Law.

C. Mission, Vision, and Values

The mission of the Mukwonago Community Library is to serve the diverse needs of the community by meeting the unique needs of the individual.

Vision: Inspire Creativity, Embrace Community, and Cultivate Connections.

Values: Innovation, Collaboration, Equity, Inclusion, Integrity.

In 2023, the Mukwonago Community Library Board of Trustees adopted the following mission statement particularly for the Grutzmacher Collection: To preserve and protect the Grutzmacher Collection in accordance with current legal and ethical standards; and to cultivate a better understanding of and appreciation for the human story by making the Collection available for exhibit, research, and education.

Commented [DMB1]: Abby suggested omitting the Library mission/vision/values and modifying the Grutzmacher Collection statement to read: "To control and care for the Grutzmacher Collection in accordance with current legal and ethical standards in order to preserve local history, and to cultivate a better understanding...."
Let's discuss at our meeting on May 4th.

D. Statement of Respect

The Mukwonago Community Library Board of Trustees recognizes the sovereignty of all federally recognized Indian tribes. As caretaker of Native American items in the Grutzmacher Collection, the Library Board of Trustees is committed to the legal and ethical principles of NAGPRA.

The Library is actively working with Native American tribes to identify and repatriate cultural items covered by NAGPRA. The Library Board of Trustees values open communication and respectful relationships with tribal communities and aims to appropriately preserve Native American cultural items, work with tribes towards repatriation under NAGPRA and promote public education about Indigenous groups.

The Library Board of Trustees understands that there is no single Native American culture and that every tribe has the right to be called by their specific tribal name. The Library and its representatives will make every effort to refer to an Indian tribe as they would like to be addressed on an individual basis.

Though the languages of NAGPRA, insurance, and other legal necessities require the use of terms such as "culturally affiliated" and "cultural items," the Library Board of Trustees recognizes and respects the people to whom such terms refer are the ancestors of many with whom we are working on these issues. The Library intends no disrespect from the necessary use of legal language.

E. Governance

The Mukwonago Community Library is governed by the Library Board of Trustees through Wis. Stat. § 43.58 and has **ultimate responsibility** for the preservation and protection of the Collection. Subject to state and federal law, the Board has the power and duty to determine rules and regulations governing the Library's operations and services. The Mukwonago Community Library Board of Trustees consists of eleven members per Wisconsin Statutes Chapter 43.54(1)(a). The President is responsible for appointing committees, promptly after the July meeting and shall make recommendations to the Board of Trustees.

Commented [DMB2]: Abby suggests adding "control of and responsibility" here.

The Library Board of Trustees created the Grutzmacher Collection Committee, consisting of current members of the Library Board of Trustees **and the Library Director**. The role of the Committee is to ensure overall care and management of the Collection and advise on specific matters related to the Collection. All recommendations will be presented to the full Library Board of Trustees for final approval. The Committee is tasked with:

Commented [DMB3]: Abby suggests adding "... is administered by the Library Director."

Can you clarify if the Director is an actual voting member of the Grutzmacher Collection Committee?

1. Annual review of compliance with NAGPRA and any other applicable laws and regulations.
2. Annual review of any contracted services, tools, personnel, or other considerations regarding NAGPRA compliance.
3. Annual review of any existing loan agreements and as-needed review of any new loan requests.
4. Annual review of insurance coverage and investigations into any necessary changes or updates.
5. Annual review of collection catalog, appraisals, and other museum standards for proper collection maintenance.
6. Annual review of the physical storage and location of all items in the Collection and recommendations for needed changes or updates.
7. Annual review of any collaborations or contracts with other individuals or organizations regarding the care and custody of the Collection.
8. Review of this policy at least every five years.
9. As-needed review and investigations in response to or in anticipation of fiscal, legal, or other considerations that might impact the Collection including deaccessions.

Working with the Grutzmacher Collection Committee and the Board of Trustees, the Library Director recognizes and accepts the responsibility to ensure the proper care, management, preservation, and use of the Collection. The Library Director **reports to the Mukwonago Community Library Board of Trustees** and has the authority to appoint staff to assist with day-to-day management of the Collection.

Part II. STANDARDS OF CONDUCT AND ETHICS

The Library is committed to upholding the highest standards of professional conduct regarding management of the Collection. The standards of conduct and ethics upheld by the Library are based on established **institutional documents and codes of professional ethics**¹. The Library Board of Trustees and staff shall uphold and perform their duties in good faith and due diligence. They will carry out their work with honesty and integrity.

Commented [DMB4]: I would add a link to your bylaws in the footnote as I've done below.

¹ Please refer to the Mukwonago Community Library Bylaws: <https://www.mukwonagolibrary.org/wp-content/uploads/2019/08/MCL-Board-Bylaws-approved-20190620.pdf>; the American Alliance of Museums Code of Ethics: <https://www.aam-us.org/programs/ethics-standards-and-professional-practices/code-of-ethics-for-museums/>; and the American Anthropological Association Code of Ethics: <https://s3.amazonaws.com/rdcms-aaa/files/production/public/FileDownloads/pdfs/issues/policy-advocacy/upload/ethicscode.pdf>
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~~The Library will not knowingly or willfully acquire or accept objects whose ownership is believed to be improperly represented as to legality, authenticity, condition, or value until such time as the original claim has been substantiated by a competent, independent authority or until the attribution or value has been changed to reflect the true character of the items.~~

Commented [DMB5]: This becomes a moot point since you have decided to not accept any new collections, so I recommend omitting.

A. Personal Gain

The Library Board of Trustees, staff, and volunteers must refrain from personal collecting of Native American items similar in scope to or in competition with those held in the Collection. Care must be taken to assure that no conflict, or appearance of conflict, arises with regard to the Collection. The Board of Trustees, staff, and volunteers must not use their Library affiliation to promote their personal collecting activities. The Collection is not available to any individual for personal use, either on or off the premises, or for any other purpose contrary to the Library and Collection's mission and purpose.

B. Appraisals and Authentications

DEFINITION: "Appraisals" are those assessments made regarding the financial value of an object, whether for insurance or fair market value. "Authentications" are those statements made that validate the genuine-ness of a given object, based on the expertise of that individual making the statement.

Appraisals

1. The Library Board or Trustees and Library staff may not appraise the Collection.
2. The Library Board of Trustees and Library staff will not offer legal or tax advice for its Collection.
3. Appraisals must be performed by qualified persons for internal use, such as for insurance evaluations or loans.

Commented [DMB6]: Abby suggests changing the word "object" to "item" in several places throughout this document. I suspect she considered this because the language of NAGPRA uses the word "item" as in "cultural items." However, museum legislation often uses the word "object" and nearly all museum collections management policies mostly use the word "object." Let's discuss on May 4th.

Commented [DMB7]: Abby suggests adding the word "Library" here and in the next sentence for clarity.

Authentications

1. The identification, authentication, and assessment of the scientific and/or aesthetic quality and conditions of specimens, artifacts, and works of art must be completed by a qualified person.

Part III. SCOPE OF COLLECTIONS

The Grutzmacher Collection, under the Library's care and custody, consists of approximately 12,450 Native American items originating from across the contiguous United States and includes chipped stone artifacts such as finished projectile points, knives, scrapers, drills, and flaking debris; ground stone objects such as bird stones, discoids, chisels/gouges, grinding stones (metates), gorgets, grooved and ungrooved axes or celts, hammerstones, pendants, pestles, plummets; clay, copper, and glass beads; earthen (clay) pottery vessels and pottery sherds; clay pipes and pendants; and bone and copper implements and adornments. The Collection also consists of 69 Americana items including Civil War era money and medals, family trees, and photographs; and an archive containing Grutzmacher's own catalogs and drawings.

The Library supports the use of the Collection for exhibition at the Red Brick Museum, public education, and research. These objects and records are held in the public trust for future generations.

Part IV. ACQUISITIONS & ACCESSIONING

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DEFINITION: *"Accessioning" is the process of creating a permanent record of an object, assemblage, or lot received from one source at one time for which the Library has custody, right, or title, and assigning a unique control number to the object, assembly, or lot.*

The Library acquired the Grutzmacher Collection in 1965 as a singular collection, at a time when the Library was the only local repository. The Library remains committed to caring for and preserving the Grutzmacher Collection. The Library will not acquire additional objects that pertain to the Grutzmacher Collection nor will it acquire other museum collections. If, in the future, the Library decides to actively collect museum objects, the Library Board of Trustees will establish accession criteria, as well as procedures for carrying out accessioning activities, including identifying responsible parties. This policy would be updated accordingly.

Part V. DEACCESSIONS

DEFINITIONS: *"Deaccessioning" is the process used to remove permanently an object from the collection or to document the reasons for an involuntary removal (one required by law or due to circumstances not controlled by the museum). "Disposal" is the official mode of transferal.*

Deaccessioning, when carried out in an appropriate manner and with thoughtful consideration, is an integral part of responsible collections management. This view is endorsed by the Library Board of Trustees and is based on the ethical codes of professional museum organizations.

A. Deaccessioning Criteria

Only objects accessioned and with clear title held by the Library can be deaccessioned. No object in the Collection shall be deaccessioned unless it meets at least one of the following criteria. Deaccession criteria are ranked in order of importance, 1 being the most important and 7 being the least:

1. The object has been approved for repatriation under the Native American Graves Protection and Repatriation Act (NAGPRA).
2. The Library is instructed to deaccession the object by the owner (e.g., a federal agency that owns archaeological collections from land it manages).
3. Condition renders the object valueless for purposes of research, teaching, and exhibition or presents hazardous conditions that may threaten the stability of the Collection, Library staff and visitors, or others who may come in contact with the object.
4. The object lacks authenticity or proper documentation, rendering it valueless for purposes of research, teaching, and exhibition.
5. The object is a duplicate or of inferior quality to another identical or similar objects in the Collection.
6. The object cannot be adequately stored or cared for.
7. The retention of the object would be inconsistent with the Library's current mission and scope of collections.

B. Deaccession due to Repatriation

An object may be deaccessioned from the Library through repatriation if it is of Native American origin and is claimed by a Native American tribe with standing under NAGPRA (Pub. L. 101-601§1, Nov. 16, 1990, 104 Stat. 3048; the NAGPRA Regulations 43 CFR Part 10, Dec. 4, 1995 and all subsequent amendments and regulation updates); or other relevant laws (e.g., Wisconsin's Burial Sites Law, Wis.

Stats. 157.70). Appendix A establishes NAGPRA procedures. Once a repatriation request has been formally approved by the Library Board of Trustees and the tribe or requesting party has been notified, the Library Director will initiate formal deaccession procedures prior to transfer and removal.

C. Responsible Parties

The **Grutzmacher Collection Committee** provides deaccessioning recommendations to the Library Board of Trustees. The Library Board of Trustees has the authority to deaccession objects and must approve a deaccession with a majority vote. Method(s) of disposal must be agreed upon by Library Board of Trustees prior to disposal of accessioned items. The Library Director will administer the outcome of the vote in accordance with this policy and applicable laws. A record of deaccessioning must be kept, identifying the reason for and method of disposal.

D. Disposal Methods

Any object that has been selected and approved by the Library Board of Trustees for deaccessioning for reason other than repatriation should be disposed of using the following priority order, with 1 being the most desired and 4 being the least:

1. Transfer to another appropriate institution. Consideration will be given to placing the object in educational institutions in the region.
2. Donation. Museums or educational institutions should be contacted regarding the suitability of the items for donation depending on the nature of the items. The Library may donate items to another institution, whose mission better serves to care for the object.
3. Sale. An item may be sold privately or at a public sale or auction. Proceeds of the sale must be used for the direct care of the collections or future acquisitions.
4. Destruction. If the object cannot be disposed of in any of the methods described above, it shall be destroyed. Destruction is defined as the obliteration of an object or specimen by physical or mechanical means. The Library Board of Trustees, staff, or affiliated parties may not retain any portion of the object. Prior to destruction, the object will be evaluated to ascertain whether it contains any hazardous materials. If any hazardous materials exist, the object will be destroyed in accordance with all federal or state laws and/or environmental health and safety procedures. This disposal method must be both documented and witnessed.

Deaccessioned objects will not be given or sold privately to employees, members of the governing authorities or their representatives, members of support groups or volunteers.

E. Deaccession and Disposal Procedures

In consultation with the Grutzmacher Collection Committee, the Library Director will identify an object for deaccession and disposal based on the criteria above and ensure all legal and ethical considerations of deaccessioning are considered. The Grutzmacher Collection Committee will make deaccessioning recommendations to the Library Board of Trustees who will vote on the matter. If the proposed deaccession is approved by majority vote of the Library Board of Trustees, the Library Director will:

1. Prepare all required paperwork and clearly document the deaccessioning process and disposal method.
2. Approve and obtain signatory authorization from the Library Board President following approval of the deaccession.

3. Document the method of disposal, taking into account the reason for deaccessioning.
4. Update records to reflect the deaccession as appropriate. This includes modifying the inventory/catalog, any accession records, applicable database entries, loan agreements, and monetary values for insurance purposes. Records will not be deleted or removed but maintained intact for future reference (e.g., to document NAGPRA compliance).

Part VI. LOANS

DEFINITION: *Loans are temporary transfers of objects from one institution to another in which there is no transfer of ownership. The Library lends loans for the purposes of exhibition, research, or education.*

The Library facilitates outgoing loans for scholarly research, educational or community outreach, and exhibition. The Library does not accept incoming museum collection loans. Loans broaden public access to the Collection and are generally made only to recognized museums or educational, cultural, or scientific institutions and not to individuals. They are not made for commercial or for-profit purposes. All outgoing loans must have associated paperwork that specifies the intended purpose of the loan and beginning and end dates. All outgoing loan requests must be approved by the Library Board of Trustees.

Outgoing Loans

A. Responsible Parties

The Library Director, in consultation with the Grutzmacher Collection Committee, will make outgoing loan recommendations to the Library Board of Trustees. The authority to approve an outgoing loan rests with the Library Board of Trustees. If an outgoing loan request is approved, the Library Director is responsible for administering the loan, including communicating with the requesting organization, preparing and maintaining all loan paperwork, as well as monitoring the transaction over the loan period. The authority to recall the loan prior to the noted end date rests with Library Board of Trustees.

B. Criteria for Outgoing Loans

The Library only loans Collection items to public or non-profit cultural, historical, or educational institutions. The Library does not loan objects to individuals. All requests for outgoing loans shall be brought before and approved by the Library Board of Trustees. The Library must have clear title to all items being considered for loan. No item shall be loaned unless the borrower guarantees its security during travel and exhibition.

All loans must be for a specified period of time, agreed upon by both parties. The item(s) may be renewed for another specified period if agreed upon by both parties. An outgoing loan agreement shall accompany each loan. In addition to containing a description of the item(s), including its physical condition, the period of the loan, the insured value, and the method of transportation, the agreement may contain other case-specific terms agreed to by the Library and the borrower.

Loaned objects must be stable enough to withstand travel, shipping and handling, and environmental change. All transportation charges and fees for loan items will be paid for by the borrower unless otherwise agreed upon. Unless otherwise specified, objects will be returned to the Library using the same packing materials provided and using, where practical, the same mode of transportation.

The borrower will insure all loaned objects at the value stated by the Library against risk of physical loss and/or damage from any external cause whatsoever, whether in transit or upon Borrower's premises. Damage to loaned items, whether in transit or upon borrower's premises, will be reported to the Library Director within 24 hours of the occurrence. The borrowing institution will not transfer possession, repair, clean, alter, or restore objects it has received on loan without express written approval of the Library Board of Trustees. The borrowing institution will assume full responsibility for any loss of or damage to the objects.

The borrower is permitted to photograph and otherwise reproduce graphically, loaned objects for publicity, record-keeping, education, and other noncommercial purposes subject to copyright law. All publicity and publications that include loaned objects must credit the Mukwonago Community Library with the statement "on loan from the Mukwonago Community Library's Grutzmacher Collection". The borrower will provide the Library with a complimentary copy of all publicity announcements and catalogs.

C. Outgoing Loan Procedures

The borrowing institution requesting the loan must contact the Library Director in writing. The formal written request must indicate:

1. the nature of the object(s) requested (catalog numbers, specimen types, etc.).
2. the purpose of the loan.
3. the proposed start date of the loan.
4. any special conditions of the requested use.
5. the location of the proposed activity.

The Library Director, in consultation with the Grutzmacher Collection Committee, will review the loan request, determining potential legal, ethical, or professional reasons why it should or should not be approved. The Committee will make a recommendation to the Library Board of Trustees who will vote on the matter. The Library Director will administer approved outgoing loans. The borrowing institution must agree and adhere to the conditions of the loan, established by the Library Board of Trustees.

Copies of loan agreements are to be signed by the Library Board President following a majority vote of approval from the Library Board of Trustees as well as the designated representative from the borrowing institution. Electronic and paper copies of the signed loan paperwork will be filed accordingly.

If the loan has not been returned by the date indicated on the loan agreement, the Library Director or their designee will contact the borrowing institution to initiate return. Upon the return of borrowed material, the Library Director will unpack, inventory, assess condition, and safely reintegrate the objects into the collections and update records accordingly. Upon the successful return of all objects, the Library Board President will sign the paperwork to close out the loan agreement.

Part VII. CARE OF COLLECTIONS

The purpose of collections care is to preserve individual objects and associated records for the long-term. The goal is to slow the process of deterioration. The Library Director is directly responsible for the day-

to-day care of the Collection, but the Library Board of Trustees recognize that collections care is a shared responsibility.

A. Preventive Care

The Library Board of Trustees subscribes to a policy of preventive care for the Collection. Preventive care is a facet of conservation that functions to mitigate deterioration and damage of cultural property through the formulation and implementation of holistic policies and procedures. The Library Board of Trustees and staff implements preventive care as best they can by providing and maintaining storage facilities and materials, inventorying and surveying the condition of the Collection, and implementing emergency preparedness plans and security procedures to protect against theft.

Commented [DMB8]: We will discuss the individual numbered items under this section on May 4th.

1. Environment

[Add details here about temperature and relative humidity controls, HVAC systems within collections storage, if and how temperature and relative humidity are monitored and by whom, who keeps track of environmental records; identify where records are kept, etc.].

2. Storage Facilities and Materials

The Library maintains permanent facilities for the long-term storage of collections. Museum quality storage hardware and materials for housing are essential for the long-term preservation of collection items. When possible, the Library strives to replace non-museum quality furniture and utilize inert, archival materials for manage of the Collection.

3. Integrated Pest Management

Integrated pest management is a method of pest control that does not rely on the use of pesticides, but rather works to reduce access and remove the factors that pests require for survival. All museum storage areas shall be monitored for pest activity. [Insert responsible person here] is responsible for recording all pest management activity.

4. Emergency Preparedness

An emergency preparedness plan prepares for and mitigates damage from catastrophic events that endanger people and collections. [Insert details here about the Library's current emergency preparedness plans and how that relates to the Collection].

5. Security

Security of the Collection is an important aspect of preventive care. The Library Board of Trustees is ultimately responsible for security of the Collection and tasks the Library Director with carrying out any and all security procedures to ensure the Collection is safe.

The Library Director is responsible for monitoring storage areas, authorizing and overseeing collections access and use, and ensuring communication and publicity of the Collection does not compromise the security of the Collection. Key access to storage areas is restricted to [insert appropriate person(s) here].

Visiting researchers are allowed access to collections storage areas upon advanced agreement

with the Library Director. Researchers will be supervised during their visit.

B. Conservation

Conservation is the profession devoted to the preservation of cultural property for future generations. Collection items may be treated by professional conservators if damage threatens the physical, biological, or chemical integrity of the item. Conservation treatment and restoration shall be undertaken only by professional conservators.

C. Care and Handling

The Library Director, their designee, and others authorized to interact with the Collection agree to abide by the Collection Care and Handling Policies outlined in Appendix B

The Library has consulted with Native American tribal representatives about care and handling policies of culturally sensitive collection holdings. Section * details the care and handling of culturally sensitive items, which was created with their input.

It is the responsibility of the Library Director that no Collection item is moved from its appropriate storage space without properly documenting first. In transit, items should be packaged safely and securely as deemed so by Library Director.

Part VIII. INVENTORIES & RECORDS

DEFINITION: An inventory is defined as a complete list of items in the Grutzmacher Collection, legally controlled by the Library.

A. Purpose

A current, reconciled inventory of the Collection is the primary tool for maintaining accountability and providing access to the Collection. Regular, periodic comparisons between inventory records and the physical collections is necessary for prudent collections management.

B. Types of Inventories

The Library conducts random spot-check and complete (wall-to-wall) inventories of the Collection. During random spot-check inventories, a number of things are verified, including but not limited to the item's location, description, condition, and completeness of its catalog records. During complete inventories, the Library Director or their designee will document the location of every object within the Collection. Wall-to-wall inventories shall be conducted every ten years and spot-check inventories shall be carried out every three to five years. The Library Director, in consultation with the Grutzmacher Collection Committee, is responsible for establishing a schedule for inventories.

C. Missing Objects

While conducting a spot-check or a comprehensive inventory, if an object is not found, the authorized Library staff member conducting the inventory will record this information in all paper and digital registration files and notify the Library Director immediately. A thorough search for the object will take place. The Grutzmacher Collection Committee will be informed at its next meeting and will report this information to the Board of Trustees as appropriate.

D. Records

Documentation and records are essential for contextualizing objects within the Collection. Records help establish the Library's right to legally retain objects within the Collection. Record keeping allows the Library to easily retrieve an object from its location, and documents its condition, history, and legal status, as well as a means to classify and catalog individual objects.

The Library maintains Collection records and agrees to create them in a timely fashion, house them in secure locations, create duplicate copies for safeguarding (including electronic and paper derivations), and ensures that records are kept regardless if the object that correlates with a particular document is still in the Library's custody.

Part IX. USE OF & ACCESS TO COLLECTIONS

The Library encourages the use of the Collection for exhibition, research, and educational programming through loans and on-site visits. Collection items are available for study based upon reasonable requests. However, the Library must balance access to the Collection with long-term preservation, personnel availability, and compliance with all federal, state, and local regulations. Use must not compromise the physical integrity of the Collection and will follow handling guidelines articulated in this policy.

The Library Director is responsible for facilitating and documenting access to and utilization of the Collection in accordance with this policy and all applicable laws.

A. Access to the Collection

Access to the Collection and associated data is available for scholarly and educational purposes. All earnest requests will be considered by the Library Director, and access will be either granted or denied at Library Director's discretion.

Access to the Collection is by appointment only, provided access requirements are met and restrictions honored. Requests for access to collections are facilitated by the Library Director. Requests should be made in writing at least six (6) weeks in advance (letter, email, or fax), and addressed to Library Director. A written request should include a summary of the requestor's background, research interest or proposed use of the Collection, a list of items s/he wishes to access, and dates s/he is available for a collection visit. Availability of the Collection and associated documentation is subject to the condition of the material, applicable state and federal laws (including copyright), and cultural restrictions.

B. Analytical Sampling

To fully utilize the research potential of the Collection, it may be appropriate to subject samples of original material for scientific analysis. Because sampling is generally destructive and may permanently alter the integrity of the sample, it is strictly regulated. Sampling requests must be made in writing and are reviewed and approved or denied by [insert responsible person/governing body here]. Records will document all sampling procedures, denoting the location from which the sample was taken, and information obtained.

Requests for sampling must fulfill the following criteria:

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Commented [DMB9]: We can discuss if this is something the Library wishes to consider or we can omit.

1. There is a justifiable need to remove a sample for analysis and the needed information cannot be obtained through non-destructive means.
2. The technique of sampling, the amount of material to be removed, and location sampled on the specimen must produce as little damage as possible.
3. The information obtained from the analysis should be disseminated in ways that benefit the research community at large.

C. Rights and Reproduction

The Library may provide images of its Collection for research, exhibit, publication, programming, and publicity. When used appropriately, such images serve to share the Collection with a wider audience. The Library offers researchers the right to take original photography of objects that are not deemed culturally sensitive. Availability of images and the option of original photography is subject to the condition of the material, applicable state and federal laws (including copyright), and cultural restrictions.

Images (whether taken by the Library, an outside researcher, or a professional photographer) may not be reproduced without specific written permission from the Library. An application form must be completed and approved prior to use of any image. Rights and reproduction decisions are facilitated by and should be addressed to the Library Director.

Text and image files, audio and video clips, and other content on the Library's website or other virtual publications, are the property of the Library and may be protected by copyright and other restrictions. Copyrights and other proprietary rights in the content and design of the website may also be owned by individuals and entities other than, and in addition to, the Library. The Library expressly prohibits the copying of any protected materials on its website, except for the purposes of fair use as defined in copyright law.

Part X. INSURANCE & RISK MANAGEMENT

Insurance coverage for the Library is provided and managed by R&R Insurance, provided through the Village of Mukwonago. The insurance provider requires an up-to-date inventory of all collections.

The Library takes responsibility for the safety of its visitors and personnel. The Library will do the following:

1. Consider all safety risks to collections both on site and prior to an outgoing loan.
2. Deaccession items in the collections that may pose a potential safety risk.
3. Design exhibits to facilitate the safest possible display of the items.
4. Provide safety equipment such as nitrile or cotton gloves and surgical masks, to staff and researchers who work with any potentially hazardous collections items.
5. Safely dispose of any materials found to be exceedingly hazardous to human health, if such objects are found.
6. Properly house and maintain all items within the Collection.
7. Regularly monitor the Collection.
8. Appropriately label and maintain hazardous materials and train designated staff members in handling hazardous materials within the collections, if such a situation arises.
9. Adhere to all local requirements for standards of safety and health concerns.

Part XI. IMPLEMENTATION AND REVISION

The implementation of this Collection Management Policy is essential to its success. Members of the Library Board of Trustees and the Library Director will be expected to read, understand, and abide by this policy. A copy of this policy will be placed in [insert location]. An electronic copy will be maintained [insert location here].

The Grutzmacher Collection Management Policy should be reviewed and updated for accuracy at least every five (5) years. The Grutzmacher Collection Committee will conduct a first review, with the Library Board of Trustees having final approval.

Mukwonago Community Library Grutzmacher Collection Management Policy

APPENDIX A: NAGPRA POLICY

I. Introduction

- A. Purpose
- B. Governance and Authority

II. NAGPRA

- A. Definition of Terms
- B. NAGPRA Summaries
- C. NAGPRA Inventories
- D. NAGPRA Consultation Process

III. Repatriation

- A. Repatriation Requests
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- D. Exceptions to Repatriation
- E. Competing Claims
- F. Contamination of Repatriated Items

IV. Collaborative Relationships: Memoranda of Agreement or Understanding

V. Policy on Culturally Sensitive Materials

VI. Legal Counsel

VII. Board of Trustees Approval

I. Introduction

The Mukwonago Community Library (“Library”) is committed to respecting the values and beliefs of the Indian tribes with ancestral ties to its Grutzmacher Collection, and to developing mutually beneficial partnerships and open dialogue with Indigenous groups.

A. Purpose

The purpose of this Policy is to provide guidelines and information to Indian tribes, Native American lineal descendants, Library Board of Trustees and staff, and the general public about the Library’s compliance with the Native American Graves Protection and Repatriation Act (NAGPRA) and management of culturally sensitive items. By establishing guidelines and providing information about how the Library handles repatriation requests, the Library aims to promote mutually productive, cooperative consultations and to consider all repatriation requests equally and impartially.

B. Governance and Authority

The Mukwonago Community Library is governed by the Library Board of Trustees. The The Grutzmacher Collection Committee, consisting of current members of the Library Board of Trustees and the Library Director report to the Board of Trustees. In consultation with the Grutzmacher Collection Committee, the Library Director makes repatriation recommendations to the Board of Trustees. The President has final authority to approve repatriations on behalf of the Library.

II. NAGPRA

The Native American Graves Protection and Repatriation Act (NAGPRA), Public Law 101-601, 25 U.S.C. §§3001-3013, 104 Stat. 3048-3058, became law on November 16, 1990. NAGPRA requires Federal agencies and museums that receive federal funds and have possession of, or control over, Native American cultural items, to repatriate, if formally requested by lineal descendants, federally recognized Indian tribes, and Native Hawaiian organizations cultural items defined as human remains, funerary objects, objects of cultural patrimony, and sacred objects. NAGPRA also requires agencies and museums to consult with Native American tribes, organizations, and lineal descendants about collections that are or may be culturally affiliated with the tribes. Implementing regulations, 43 CFR Part 10, were published on December 4, 1995, and have been updated periodically.

A. Definitions of Terms

The following definitions derive from NAGPRA rules and regulations (43 CFR Part 10).

Lineal descendant means an individual tracing his or her ancestry directly and without interruption by means of the traditional kinship system of the appropriate Indian tribe or Native Hawaiian organization or by the common law system of descentance to a known Native American individual whose remains, funerary objects, or sacred objects are being claimed (§ 10.2 b(1)).

Indian tribe means any tribe, band, nation or other organized Indian group or community of Indians, including any Alaska Native village or corporation, which is recognized as eligible for the

special programs and services provided by the United States to Indians because of their status as Indians (§ 10.2 (2)).

Native Hawaiian organization means any organization that serves and represents the interests of Native Hawaiians, has a primary and stated purpose the provision of services to Native Hawaiians, and has expertise in Native Hawaiian affairs (§ 10.2 (3)(i)).

Human remains means the physical remains of the body of a person of Native American ancestry. The term does not include remains or portions of remains that may reasonably be determined to have been freely given or naturally shed (§ 10.2 (1)).

Funerary objects means items that, as part of the death rite or ceremony of a culture, are reasonably believed to have been placed intentionally at the time of death or later with or near individual human remains (§ 10.2 (2)).

Associated funerary objects means those funerary objects for which the human remains with which they were placed intentionally are also in the possession or control of a museum or Federal agency (§ 10.2 (2)(i)).

Unassociated funerary objects means those funerary objects for which the human remains with which they were placed intentionally are not in the possession or control of a museum or Federal agency (§ 10.2 (2)(ii)).

Objects of cultural patrimony means items having ongoing historical, traditional, or cultural importance central to the Indian tribe or Native Hawaiian organization itself, rather than property owned by an individual tribal or organization member. These objects are of such central importance that they may not be alienated, appropriated, or conveyed by any individual tribal or organization member. Such objects must have been considered inalienable by the culturally affiliated Indian tribe or Native Hawaiian organization at the time the object was separated from the group (§ 10.2 (4)).

Sacred objects means items that are specific ceremonial objects needed by traditional Native American religious leaders for the practice of traditional Native American religions by their present-day adherents (§ 10.2 (3)).

Museum means any institution or State or local government agency (including any institution of higher learning) that receives Federal funds and has possession of, or control over, Native American cultural items. Such term does not include the Smithsonian Institution or any other Federal agency (§ 10.2 (8)).

B. NAGPRA Collections Summaries

NAGPRA requires museums and federal agencies to have completed summaries of Native American sacred objects, objects of cultural patrimony, and unassociated funerary objects by November 16, 1993. As a matter of transparency, the Library created a complete inventory of all

Native American items in the Grutzmacher Collection. The Library submitted this inventory and the NAGPRA summary of potential sacred objects, objects of cultural patrimony, and unassociated funerary objects in October of 2022 to all 347 federally recognized Indian tribes in the contiguous United States as well as to the National NAGPRA Program.

C. NAGPRA Collections Inventories

NAGPRA requires museums and federal agencies to have completed inventories of culturally affiliated Native American human remains and associated funerary objects and culturally unidentifiable human remains and associated funerary objects by November 16, 1995. The Library does not have ancestral human remains or associated funerary objects in its custody or control and has therefore never submitted a NAGPRA collection inventory.

D. NAGPRA Consultation Process

Communication and collaboration with Native American tribes is essential to the repatriation process. The Library's NAGPRA summary letters notified federally recognized Indian tribes that the Library curates cultural items that may be affiliated with their tribal group and provided the Library's contact information. The Library, working with Bernstein and Associates NAGPRA Consultants, formally documented consultations. The Library Director organizes and manages NAGPRA files and related documentation. The Library Board of Trustees and Director worked with Bernstein and Associates to assist in the identification of consultation contacts.

The Library encourages and welcomes consultation and will supply the summary and itemized catalog records when requested. Continuing consultation, which may include tribal access to museum records and reports, photography of specific items if requested by the tribe, and on-site visits to view and examine collections—provide tribal representatives with information necessary to make decisions about potential repatriations, to prepare formal repatriation requests, and to share information about the collections with the Library when appropriate. The Library supports tribal efforts to secure National Park Service consultation grants and may supply letters of support to accompany tribal grant applications.

With advance notice, tribal representatives are welcome to visit and examine collections associated with their tribe or region. Tribal visitors are welcome to photograph or videotape collections, if they feel it is appropriate, to allow wider distribution of information among tribal members. An application form is required only if images will be published or commercially distributed as specified in the [Library's Rights and Reproduction form](#).

Commented [DMB1]: We will discuss on May 4th.

III. Repatriation

A. Repatriation Requests

Formal requests for repatriation can be made by lineal descendants and federally recognized Native American tribes, with delegated authority from a tribal chairperson or a tribal council resolution to conduct repatriation negotiations.

Lineal descendants may request unassociated funerary objects from the graves of known individuals, and sacred objects personally owned by lineal ancestors. Requests from lineal descendants need not come from delegated tribal authorities or from federally recognized tribes. Tribes may request unassociated funerary objects from graves of unknown individuals, objects of cultural patrimony, and sacred objects not linked to known individuals.

Formal repatriation requests should be addressed to the Library Director. Formal repatriation requests must include a list of **catalog** numbers of objects being requested. Blanket requests for categories of objects will not be recognized as formal requests. Formal repatriation requests must demonstrate the following:

Commented [DMB2]: Your inventory calls them "tracking" numbers.

1. Claimant has standing to make a claim. Claimant is either a lineal descendant or has authority delegated from a tribal chairperson or tribal council resolution to make repatriation claims. A copy of this authorization must be included in the repatriation request.
2. Assignment of listed objects to one or more statutory categories under NAGPRA. Definitions of statutory categories should be considered carefully and addressed fully in the repatriation request.
3. Evidence of cultural affiliation. Cultural affiliation must be established for each item requested. For requests from lineal descendants, information on appropriate genealogical links should be included.
4. For sacred objects, objects of cultural patrimony, and unassociated funerary objects the Library must lack right of possession for each item requested. "Right of possession" means possession obtained with the voluntary consent of an individual or group that had authority of alienation. The original acquisition of a Native American unassociated funerary object, sacred object or object of cultural patrimony from an Indian tribe or Native Hawaiian organization with the voluntary consent of an individual or group with authority to alienate such object is deemed to give right of possession of that object (§ 10.10 (2)).

Information used to support any of the above requirements of a formal repatriation request to the Library may include oral traditions, histories, linguistic evidence, archaeological evidence, and other evidence. The Library may request additional information during the review process to clarify points made in the request. At any point during the consultation process, Indian tribes may request additional information from the Library. The responsibility to provide evidence supporting repatriation claims rests with the tribes and lineal descendants.

B. Repatriation Request Review Process

The Library Director will acknowledge receipt of a complete formal repatriation request. If the request is incomplete, the Library Director will return the request with a statement explaining which necessary information is lacking. The Library has 90 days from the date the formal completed repatriation request is received to make a repatriation decision.

Repatriation requests will be reviewed by the Grutzmacher Committee to determine if the cultural Grutzmacher Collection Management Policy – Appendix A
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objects meet the NAGPRA definition of the statutory category to which they were assigned, if the claimant is a lineal descendant or the Indian tribe has established cultural affiliation, whether the Library has right of possession, and whether the request is supported by a preponderance of evidence. The Director will consult published and archival works, other Library staff and Board members, and other people as necessary to evaluate the claim. The Library will carefully evaluate all repatriation requests expeditiously and use due diligence to ensure that they are acted upon in an informed and timely manner. The Library recognizes that NAGPRA does not prohibit repatriation of objects for which the Library has right of possession (43 CFR Part 10.10 (c)(3)). The Library Director will report the findings to the Grutzmacher Collection Committee and make a recommendation to the Library Board of Trustees regarding the repatriation request. The Board of Trustees will make the and the President will sign on behalf of the Board. The Library Director will implement the decision.

If the Library agrees with the repatriation claim, the Library will submit a Notice of Intent to Repatriate to the National NAGPRA office. The Indian tribe or lineal descendant may take control of the item(s) 31 days from the date of publication in the Federal Register of the Notice. The Library will draft a letter of transfer of control and transfer control and possession to the Indian tribe or lineal descendant.

C. Repatriation Procedures

Once a repatriation request has been formally approved and the lineal descendant, Indian tribe, or requesting party notified, the Library will begin the formal process of deaccession. The Library Director will document the items to be repatriated. Documentation includes a physical examination and description of the items and drawings and/or photographs in order to preserve a record of the object as it existed in the Library's Grutzmacher Collection.

Unless otherwise agreed upon, repatriated material will be returned in the condition in which the Library has stored and cared for it, and no conservation treatments, repairs, or cleaning will be conducted unless mutually agreed upon by the Library and the tribe or lineal descendant.

Unless otherwise agreed upon, the physical repatriation should occur within one calendar year after the publication of the Notice in the Federal Register. Repatriated objects can be received by authorized tribal representatives or lineal descendants. All arrangements for the actual transfer of items will be coordinated by the Library Director. The Library strives to work with tribes to ensure that appropriate arrangements to physically move or ship repatriated material are made in consultation with the tribe or lineal descendant. As requested, the Library will provide copies of documentation resulting from repatriation at no expense to requesting tribes, but the Library reserves the right to assess costs for any documentation or records requested by the repatriating party. The Library supports tribal efforts to secure National Park Service NAGPRA grants to offset the cost of Physical repatriation and may supply letters of support to accompany tribal grant applications.

D. Exceptions to Repatriation

Requirements for repatriation do not apply in the following situations (43 CFR Part 10.10(c)):

1. Where the cultural items are indispensable to the completion of a specific scientific study, the outcome of which is of major benefit to the United States.

2. Where there are multiple requests for repatriation and the Library cannot determine by a preponderance of the evidence which is the most appropriate claimant.
3. Where a court of competent jurisdiction had determined that the repatriation would result in a taking of property without just compensation within the meaning of the Fifth Amendment of the Constitution.

E. Competing Claims

If the Library receives a counterclaim repatriation request from a tribe or lineal descendant other than the one who submitted the original claim, the Grutzmacher Collection Committee will undertake a review of the competing claims. If the competing claim identifies the object under the same statutory category, the competing claims will be referred to the NAGPRA Review Committee¹ for a decision. If the competing claims are essentially different, the Library will make a decision based on the information provided in the formal requests. The Library Board of Trustees will review competing claims expeditiously and with due diligence.

If one or more of the competing claims are to be repatriated, the Library will notify both parties and ask them to discuss the matter and try to determine whether one party will withdraw its claim or whether the parties can develop a joint-ownership arrangement between themselves or the Library. If the matter cannot be resolved, the Library will refer the claims to the NAGPRA Review Committee.

F. Contamination of Repatriated Items

Effective since January 3, 1996, museums and Federal agencies are required to inform recipients of repatriated items of any known treatment with pesticide, preservatives, or other substances that represent a potential hazard to the object or person handling the object (43 CFR Part 10.10 (e)). The Library has no knowledge that any potentially harmful substances were used to prevent deterioration of objects while in its care. However, if the Library receives a request from a lineal descendants or Indian tribes to perform a test on an object(s) that it has agreed to repatriate to ascertain if any substances were used, the Library may engage the services of a consultant to identify substances and the risk to the repatriating lineal descendant or Indian tribe.

IV. Collaborative Relationships: Memoranda of Agreement or Understanding

As an alternative to the physical return of repatriated objects, the Library may develop other relationships including memoranda of agreement or understanding and loans which assure tribes and the Library mutual access to collections. Memoranda of understanding or agreement and loans can be beneficial to both parties and serve the long-term collections care needs of the objects concerned.

Memoranda of agreement or understanding can be developed on a case-by-case basis to facilitate access to an object or set of objects which a tribe believes may ultimately be repatriated, but for which they cannot yet accept full responsibility. Under these circumstances, objects may be

¹ The Review Committee will advise Congress and the Secretary on matters relating to the regulations and the Act, including, but not limited to, monitoring the performance of museums and Federal agencies in carrying out their responsibilities, facilitating and making recommendations on the resolution of disputes, and compiling a record of culturally unidentifiable human remains and recommending actions for their disposition (43 CFR Part 10.16 (a)).
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physically held in trust by the Library and covered under Library insurance while the tribe maintains ongoing rights and interests in the items. Under such situations, tribes can limit particular types of research, exhibition loans, or the publication of photographs of the agreed-upon set of items.

V. Policy on Culturally Sensitive Materials

The Library recognizes that it may hold cultural items that are significant to Native American communities and other originating communities and cultures to which it may not hold rightful ownership or rightful access to intellectual property rights, which may have been unrightfully removed from its place of origin, or which may be needed by religious leaders for the performance of present-day, ongoing religious ceremonies. Financial and staff resources permitting, the Library will:

1. Enter into discussions with Native American communities and other originating communities and cultures as to the proper care, display, access to, and storage of sensitive materials.
2. Within the constraints of financial resources and adherence to its mission, implement restrictions about the proper care, display, access to, and storage of sensitive materials.
3. Refrain from releasing photographs or allow new images to be made of any object for publication purposes that is the subject of a repatriation request under consideration at that time without the permission of the lineal descendant or Indian tribe concerned.
4. Not allow research or loan of any object that is the subject of a repatriation request or an item that has been approved for repatriation without the permission of the lineal descendant or Indian tribe concerned.

VI. Legal Counsel

The Library reserves the right to seek and obtain legal counsel regarding repatriation or culturally sensitive material.

VII. Board of Trustees Approval

The Library Board of Trustees endorsed this Policy on Repatriation and Management of Culturally Sensitive Materials on [insert date]. It replaces and supersedes any and all previous statements of policy with which it is inconsistent and will be updated and revised as necessary by the Grutzmacher Collection Committee and submitted to the Library Board of Trustees for formal endorsement and approval.

DEACCESSION RECORD

Deaccession request initiated by: _____ Date: _____

The object(s)/archive(s) listed below are recommended for deaccession (attach separate sheet as necessary):

Accession #	Catalog #	Object Description	Date of Acquisition
_____	_____	_____	_____
_____	_____	_____	_____

☐ Check here if separate sheet with additional object(s)/archive(s) is attached.

Method of Acquisition (check all that apply):

☐ Gift/Donation ☐ Exchange ☐ Excavation ☐ Other: _____

Does the Library hold clear title to the object(s)/archive(s) proposed for deaccession? ☐ Yes ☐ No

How is ownership documented? ☐ Deed of Gift ☐ Other: _____

Donor(s) of object(s)/archive(s): _____

Has the donor or donor's heirs been contacted about the proposed deaccession? ☐ Yes ☐ No

If yes, describe the interaction. If no, why not? _____

Is the object(s)/archive(s) proposed for deaccession free of restrictions that would prohibit deaccessioning?

☐ Yes ☐ No If no, explain: _____

Reason for Proposed Deaccession:

<input type="checkbox"/> Approved for repatriation	<input type="checkbox"/> Return to Rightful Owner	<input type="checkbox"/> Deteriorated/Health Hazard
<input type="checkbox"/> Missing/Incomplete documentation	<input type="checkbox"/> Duplicate/Inferior object	<input type="checkbox"/> Cannot be adequately cared for
<input type="checkbox"/> Inconsistent with mission	<input type="checkbox"/> Other (specify): _____	

Attach a detailed narrative that further justifies the reason for the proposed deaccession. Include additional documentation that clearly supports the proposed deaccession (e.g., repatriation request, consultation documentation, notice of inventory completion, other NAGPRA paperwork).

Proposed Method(s) of Disposition:

☐ Transfer to another institution/organization ☐ Exchange/Donation ☐ Sale ☐ Destruction

Attach a detailed narrative that further details and justifies the disposition method. Include additional paperwork that clearly documents disposition (e.g., transfer of control/custody agreements for repatriation).

Authorized Signatures

Library Representative Name

Library Representative Name

Library Representative Title

Library Representative Name

Library Representative Title

Library Representative Title

OUTGOING LOAN FORM

Outgoing Loan #: _____

The Mukwonago Community Library Board of Trustees (MCL) hereby agrees to lend to the Mukwonago Historical and Museum Society (MHMS) the object(s)/archive(s) from its Grutzmacher Collection described herein for the purposes described below, and subject to the terms and conditions set forth on the reverse and in the attached paperwork. The signatories below acknowledge that they are the authorized agents for their institutions.

Lender Institution: The Mukwonago Historical and Museum Society (MHMS) at the Red Brick Museum

Contact Person: _____

Address: 103 Main St. Mukwonago, WI 53149

Telephone: (262) 363-6413

Email: president@mukwonagohistoricalsociety.org

Evaluation for Insurance Purposes: \$ _____ Insured By: _____

Briefly Describe the Purpose of the Loan: _____

Duration of the Loan (dates): From _____ To _____
Year/Month/Day Year/Month/Day

Items are released.

1. The items described herein are loaned by the MCL to the MHMS. This loan has been authorized by:

MCL Representative Name MCL Representative Title MCL Representative Signature Date

Items are received.

2. The items in the attached paperwork have been received in the condition described, and the terms of the loan are hereby accepted by the MHMS representative and the Village of Mukwonago, owner of the Red Brick Museum:

MHMS Representative Name MHMS Representative Title MHMS Representative Signature Date

Village Representative Name Village Representative Title Village Representative Signature Date

Items are returned.

3. The items listed in the attached inventory have been returned to the MCL.

MCL Representative Name MCL Representative Title MCL Representative Signature Date

MHMS Representative Name MHMS Representative Title MHMS Representative Signature Date

Village Representative Name Village Representative Title Village Representative Signature Date

Items are received and the loan is terminated.

4. The items listed in the attached inventory have been received in the condition described, thus terminating the loan agreement between the MCL and the MHMS. This termination is authorized by:

MCL Representative Name MCL Representative Title MCL Representative Signature Date

Associated Documentation

☐ Loan Inventory ☐ Condition Report ☐ Other (specify): _____

CONDITIONS GOVERNING THE LOAN
MUKWONAGO PUBLIC LIBRARY'S (MCL, Lender) GRUTZMACHER COLLECTION LOANED TO
THE MUKWONAGO HISTORICAL AND MUSEUM SOCIETY (MHMS, Borrower)

Care, Preservation and Exhibition

1. Except as otherwise provided in this agreement, it is understood that the Mukwonago Community Library (hereafter MCL) retains all other rights with respect to the loaned items. Mukwonago Historical and Museum Society (hereafter MHMS) shall take no other action with respect to the items without the prior written consent of the Lender, unless otherwise authorized by this agreement.
2. MHMS will give borrowed items the same care as it does comparable property of its own. MHMS shall take reasonable precautions to protect items from fire, theft, loss, mishandling, dirt, insect, and extremes of light, temperature, and humidity while in MHMS possession.
3. It is understood by the MCL and MHMS that all tangible objects are subject to gradual inherent deterioration for which neither party is responsible.
4. Items covered by this loan agreement shall remain in the condition described in the attached paperwork. They shall not be cleaned, retouched, repaired, or otherwise altered without written permission from MCL Director.
5. Any damage to loaned items, whether received in transit or on the premises of the MHMS Red Brick Museum, shall be reported immediately and in writing to the MCL Director.
6. The MCL Board of Trustees or its delegate may request to view the items cover by this loan agreement provided they give the MHMS ten (10) days' written notice and the MHMS can arrange for a volunteer to assist.
7. The MHMS personnel may photograph or scan the loaned items for education, research, catalog, or recording purposes, but such photographs or scans may not be reproduced in any publication for sale, except in an exhibit catalog, without written permission of MCL Director. The public may take photographs using non-flash photography and video for non-commercial purposes.
8. Loaned items shall be properly identified, catalogued, and credited as belonging to the MCL when on exhibition, reproduced in publications, or used for publicity using the following credit line: "Item(s) on loan from the Mukwonago Community Library's Grutzmacher Collection."
9. The cost of special storage containers or mountings for exhibition, security, and/or any other incidental costs created by the loan shall be paid by MHMS.
10. The parties acknowledge that the items covered by this loan agreement have been in the possession of the MHMS at the Red Brick Museum, a building owned by the Village of Mukwonago, prior to the date of this agreement. As such, the parties agree that the attached inventory and condition assessment accurately reflects the condition of the items at the effective date of this agreement.
11. It is understood that the loaned items will remain on the premises of the MHSM Red Brick Museum, owned by the

Village of Mukwonago, for the duration of the loan and cannot be removed from the premises without the written permission of the **MCL Director**.

12. The MCL and MHMS are of the opinion that all cultural items that fall under the Native American Graves Protection and Repatriation Act ([NAGPRA] Pub. L. 101-601§1, Nov. 16, 1990, 104 Stat. 3048; the NAGPRA Regulations 43 CFR Part 10, Dec. 4, 1995 and all subsequent amendments and regulation updates have been removed from exhibit and are in the custody and control of the MCL. In the event that an object(s) under this loan agreement is ever identified as a cultural item under NAGPRA, the object(s) will be promptly returned to the MCL and the loan inventory will be updated to reflect this change.

Packing and Transportation

1. Packing and transportation shall be by safe methods approved in advance by the MCL. Since the loaned objects have been in the possession of the MHMS prior to this agreement, the MCL Director will coordinate with the MHMS personnel 30 days' prior to the return of the loan to establish an agreed upon plan for repacking and transport back to the MCL.
2. The cost of packing and transporting of the loaned items shall be the responsibility of **the Lender**.

Insurance

1. Lender (Mukwonago Community Library Board of Trustees) shall obtain applicable insurance coverage for the loaned items in the amount determined by an appraisal of the loaned items. An appraisal of the material must be conducted by a qualified appraiser in order to determine the fair market value of the loaned items. The appraisal shall be attached to this agreement and fully incorporated herein. In order to maintain adequate insurance coverage, any appraisal incorporated in this agreement must have been completed within ten (10) years of the date of this agreement.
2. During the loan term, MHMS will ensure the applicable property, risk and liability insurance are secured and maintained related to any premises where the loaned items are stored or displayed. MHMS may work with the Village of Mukwonago to obtain the proper insurance at levels and coverages consistent with commercially prevalent standards.
3. Each party shall procure and provide a certificate of insurance, evidencing the policies and coverages required by this section, and provide the certificate of insurance to the other party. Each party agrees to require that the insurer list the other party as an Additional Insured and to provide adequate evidence of said status through the liability insurance endorsement.

Return/Extension/Cancellation

1. Loan objects must be returned to the MCL in satisfactory condition by the stated termination date. Unless otherwise agreed in writing, the loan terminates on the date specified on the first page of this agreement.
2. Loan extensions must be clearly documented with a Loan Renewal Form and agreed to by both parties.
3. At the end of the loan period specified on the first page of this agreement, all loaned items will be returned to the Lender of record at the address of record. Upon receipt, the Lender shall review the condition of the returned items and acknowledge that the items have been received in the condition described, thus terminating the loan agreement between the MCL and the MHMS. A copy of the completed loan paperwork will be provided to the MHMS.
4. If the Lender finds that the returned items are not in satisfactory condition, the MCL must provide MHMS written notice of damage to the returned items.

5. The MCL or its agent shall notify the MHMS in writing if there is any change of ownership of the items specified in this loan agreement or if there is a change in the MCL's identity or address. MHMS reserves the right to require proof of title if there is a change in ownership of items. The Lender is responsible for paying the increased cost of delivery due to an address change.
6. If the efforts of the MHMS to return borrowed items to the MCL within a reasonable period following termination of the loan are unsuccessful, MHMS maintains the right to charge storage fees or to dispose of said items in any manner it may elect as allowed by applicable law. After seven years, said items are considered abandoned property under WI Stat § 171.32 and become the property of the MHMS provided the MHMS follows the procedures in 171.32 to obtain title.
7. Copies of basic object/archive inventories, reports, publications, or other documents that are a product of researching the loaned objects should be provided by MHMS upon termination of this agreement.
8. Either party may cancel this agreement before expiration of the agreed-upon loan period and shall give thirty (30) days' written notice to the other party.

Danielle's Note:

Commented [DMB1]: Your existing policy states 90 days' notice. It is acceptable to use "reasonable notice," but I would suggest identifying a specified period.

Commented [DMB2]: At the May 4 meeting, let's discuss item 2, 7 and 8 in your current loan agreement, under Preservation, Conservation, Care and Exhibition and Item 3 under Return of Loan.