

Village of Mukwonago
Notice of Meeting and Grutzmacher Collection Committee Agenda

LIBRARY BOARD OF TRUSTEES MEETING
Thursday, April 6, 2023

Time: **5:00 pm**

Place: **Mukwonago Community Library, 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 February 16, 2023

[Grutzmacher Collection Committee Minutes_unapproved 20230216.pdf](#)

4. Discussion/Action Items

4.a Updates on NAGPRA Compliance

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

4.b 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.c 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.

[DRAFT MCL Collection Management Policy_v2_20230406.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, February 16 , 2023

Time: **6:00 pm**

Place: **via Zoom**

Call to Order

The President H. Pringle called the meeting to order at 6:02.m. via Zoom.

Roll Call and Introduction of Guests

Committee Members Present

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

Also Present

A. Armour, Library Director
H. Hecker, MHMS
J. Coley, MHMS
F. Schnook, Village Administrator
D. Benden, Driftless Pathways

Comments from the Public

None.

Approval of Minutes

D. Magolan/E. Brill motioned to approve the minutes from the Grutzmacher Collection Committee meeting on Monday, January 9, 2023. Unanimously carried.

Discussion/Action Items

Initial Drafts of Grutzmacher Collection Policy and Loan Agreements

Discussion of initial drafts prepared by Driftless Pathways for the recommended policies, loan agreements, and forms to govern the Grutzmacher Collection. Danielle Benden will walk through the proposed drafts and the Committee will ask questions and provide direction for further refining and drafts which will be revisited at the next Grutzmacher JCollection Committee meeting.

H. Pringle noted that D. Benden will be presenting on this topic this evening. D. Benden's presentation consisted of museum and library background, the Grutzmacher Policy, as well as the Loan Agreement. Discussion was held regarding both forms.

Referral Items

Referral to full Library Board to establish a range of meeting dates as well as coordinate a meeting with D. Benden to finalize some details of the policy and loan agreement at the next MCL Board meeting

Confirm Next Meeting Date

To Be Determined

Adjournment

E. Brill/C. Stienstra motioned to adjourn the meeting. Unanimously carried. Meeting was adjourned at 8:17 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]

Last Updated [insert date]

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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, established by the ~~Village of Mukwonago Wisconsin county of Waukesha~~, according to the provisions of Chapter 43 of the Wisconsin Statutes. 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 ~~(currently the Red Brick Museum owned by the Village of Mukwonago and operated by the Mukwonago Historical and Museum Society (MHMS))~~. 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 Museum and Historical Society (MHMS); while some items that are deemed culturally sensitive 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), the federal law that allows Tribes to reclaim ancestral human remains and cultural items from

Commented [DMB1]: I added some background about the library's history in addition to the Grutzmacher Collection specifically.

~~museums and other institutions.~~ In August 2022 a complete inventory of every Native American item in the Collection was completed and a definitive collection catalog was produced. 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 for the Grutzmacher Collection~~

~~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~~ **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 of and appreciation for the human story by making the Collection available for exhibit, research, and education.

Commented [DMB2]: My suggestion is that the Library adopt a formal mission statement particularly for the Grutzmacher Collection. I have drafted one here but we can discuss and fine-tune the language as appropriate.

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 ~~the Native American Graves Protection and Repatriation Act (NAGPRA), the federal law that allows tribes to reclaim ancestral human remains and cultural items from museums and other institutions.~~

Commented [DMB3]: This is a slightly modified version of what is written in your existing policy.

The Library is actively working with Native American ~~T~~tribes to identify and repatriate cultural items covered by NAGPRA. The Library Board of Trustees values open communication and respectful relationships with ~~T~~tribal communities and aims to appropriately preserve Native American cultural items, work with ~~T~~tribes towards repatriation of cultural items 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 ~~control of and~~ responsibility for the preservation and protection of the Collection.

Commented [DMB4]: This section covers governance/roles and responsibilities of the Trustees, Grutzmacher Committee, and Library Director. Language can be modified as necessary.

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 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.
~~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 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.~~

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The Library Board or Trustees has created the Grutzmacher Collection Committee which consists of ~~consisting of [insert number of]~~ current members of the Library Board of Trustees and is administered by the Library Director, ~~and. The Committee is directed to directs it 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:

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.

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 ethics¹ and are encoded the Library Board

¹ Please refer to the American Library Association Code of Ethics: <https://www.ala.org/tools/ethics> ~~[insert relevant institutional documents here]~~, American Alliance of Museums Code of Ethics: <https://www.aam-us.org/programs/ethics-standards-and-professional-practices/code-of-ethics-for-museums/> and American Anthropological Association Code of Ethics: <https://s3.amazonaws.com/rbcm-aaa/files/production/public/FileDownloads/pdfs/issues/policy-advocacy/upload/ethicscode.pdf>
Last Updated [insert date]

Bylaws. The Library Board of Trustees and staff shall uphold and perform their duties in good faith and due diligence. They will with carry out their work with honesty and integrity.

~~The Library will not knowingly or willfully acquire or accept object items 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.~~

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 item, whether for insurance or fair market value. "Authentications" are those statements made that validate the genuine-ness of a given object item, based on the expertise of that individual making the statement.

Appraisals

1. The Library Board or Trustees and Library staff may not appraise collection items.
2. The Library Board of Trustees and Library staff will not offer legal or tax advice to donors or potential donors regarding the tax or other legal implications of their donations.
3. Appraisals may must be performed by qualified persons for internal use, such as for insurance evaluations or loans.

Commented [DMB5]: I realize that the Grutzmacher Collection will not grow and that the Library is not actively collecting artifacts. But, it might be worthwhile to keep something about not offering legal or tax advice to potential donors in this document.

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 including grounds stones, points, shaped copper, beads, and potsherds originating from all over the contiguous United States; 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 maintains [Insert more details here including material types, cultural traditions, geographic locations of collections] and encourages use of the Collection for exhibition at the Red Brick Museum,

Commented [DMB6]: We should add more details here as necessary, perhaps three to four sentences identifying material types, geographic regions, etc.

public education, and research. These ~~objectitems-items~~ and records are held in the public trust for future generations.

Part IV. **ACQUISITIONS & DEACCESSIONING**

DEFINITION: “Accessioning” is the process of creating a permanent record of an ~~objectitem~~, 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 ~~objectitem~~, assembly, or lot.

Commented [DMB7]: This section of a museum collections management policy outlines what items a museum collects and accession criteria, practice of accessioning, etc. The Library is not planning to actively collect and has no plans to grow the collection. Let's discuss how to revise this section as necessary. I will share ideas with you during our meeting.

The Library acquired the Grutzmacher Collection in 1965 as a singular, static collection. The Library recognizes that at the time it was the logical repository for such a collection and has and will continue to accept the responsibility of maintaining the Collection for the Mukwonago community. However, ~~the~~ Library is not actively collecting and does not plan to acquire additional cultural ~~objectitems-items~~ or documents as it pertains to the Grutzmacher Collection. The Library has and will continue to defer to more appropriate institutions for the acquisition and care of historical items. In the event that the Library does decide to active collect, addition to the Collection must meet the accession criteria listed in this policy. Authority to acquire collections resides with the Library Board of Trustees. The Library Board of Trustees will not knowingly acquire, by gift, bequest, exchange, field expedition or other method any materials known or suspected to have been exported from their countries of origin or materials acquired within the United States that violate state or federal laws pertaining to flora and fauna, the protection of archaeological and historic sites, or cultural property. Title to all material acquired by the Library must be free and clear.

A. Accession Criteria

~~ObjectItems~~ accepted and accessioned into the collections must support the Library mission and be consistent with collecting goals established by the Grutzmacher Collection Committee. The Grutzmacher Collection Committee recommends the accessions of ~~objectitems~~ into the Collection based on accession criteria. This accession criteria are ranked in order of importance, 1 being the most important and 9 being the least:

1. The ~~objectitem~~ or collection comes with clear title and is legal and ethical to acquire, in full compliance with all federal, state, and local laws and regulations.
2. The ~~objectitem~~ or collection is consistent with the mission and scope of collections.
3. The ~~objectitem~~ or collection is unique and significant.
4. The ~~objectitem~~ or collection is regarded as authentic and has a well documented history and provenience.
5. The Library has the space and financial resources to care for and preserve the ~~objectitem~~ or Collection for the foreseeable future.
6. The ~~objectitem~~ or collection condition is stable and does not pose a hazard to health and safety.
7. The ~~objectitem~~ or collection is free of encumbrances or restrictions.
8. The ~~objectitem~~ or collection does not duplicate existing ~~objectitems~~.
9. The ~~objectitem~~ or collection is not better suited for another institution.

B. Responsible Parties

The Grutzmacher Collection Committee recommends accessions to or deaccessions from the Collection, according to the policies established herein. The [insert person] serves as chair. The Committee meets [insert how often the committee meets]. The [insert responsible person here] schedules meetings, formulates and circulates agendas, and compiles all information for consideration at least [insert amount of time] prior to meetings.

The Grutzmacher Collection Committee recommends accessions to and deaccessions from the Collection to the Board of Trustees. A majority vote of the Board of Trustees is required to approve accession or deaccession decisions; final approval must bear the signature of the Board President. A quorum of the Board of Trustees, consisting of [insert number of people here], must be present to vote and approve.

The Grutzmacher Committee and Board of Trustees may consider the opinion of outside experts, either in writing or in person, but only members of the Board of Trustees shall have a vote on the matter.

The [insert person/governing body responsible here] is responsible for creating and maintaining, within a timely manner, complete and written documentation of the process for each acquisition.

C. Accession Procedure

All items accepted into the Collection must be clearly documented in writing that details the transaction such as date of the donation, donor's address and contact information, and specific description of the item(s). The Library shall assign a unique accession number at the time of accession. The Library does not accept objectitem(s) with donor restriction(s) regarding the use, loan, exhibition, storage, or future disposal of the objectitem(s). The donor will transfer title and possession to the Library, documented through the completion of registration forms (e.g., Deed of Gift).

In the case of a bequest, a copy of the appropriate portion of the will or similar document must accompany the bequest by the estate's attorney or representative. The Library reserves the right not to accept a bequest if the above acquisition criteria cannot be met.

Along with a deed of gift, all documentation, including any letters or forms of communication that may establish title and possession will be kept in [insert location] and maintained by [insert responsible person here]. All objectitem-files should be stored in a fire-resistant cabinet and/or a complete set of copies of all forms should be stored off-site. Electronic copies of forms should also be kept. The [insert responsible person here] is responsible for overseeing that all necessary documentation has been obtained and recorded, and for maintaining such records.

Commented [AA8]: Based on the comments of previous Committee meetings, I removed this section as it seemed the Library Board was uninterested in adding to the Collection.

Part V. DEACCESSIONS

DEFINITIONS: "Deaccessioning" is the process used to remove permanently an objectitem 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 the Grutzmacher Collection Committee~~ and is based on the ethical codes of professional museum organizations.

Only ~~objectitem-items~~ accessioned and with clear title held by the Library can be deaccessioned. Collection ~~objectitem-items~~ may be deaccessioned from the Collection unless there are specific restrictions to the contrary.

A. Deaccessioning Criteria

No ~~objectitem-item~~ in the Collection shall be deaccessioned unless it meets at least one (1) of the following criteria. Deaccession criteria are ranked in order of importance, 1 being the most important and 7 being the least:

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

B. Deaccession due to Repatriation

An ~~objectitem~~ may be deaccessioned from the Library through repatriation if it is of Native American origin and is claimed by a Native American ~~T~~ribe 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). Section ~~¶~~ of this policy establishes procedures regarding review and response to repatriation requests. Once a repatriation request has been formally approved by the ~~[insert responsible governing body here]~~Library Board and the ~~[insert responsible person here]~~, and the ~~T~~ribe or requesting party has been notified, the Library will initiate formal deaccession procedures prior to transfer and removal.

Commented [DMB9]: Section information will be added once this policy is finalized.

C. Responsible Parties

The ~~[insert responsible person or governing body here]~~Library Board has the authority to deaccession ~~objectitems~~. The ~~[insert responsible person or governing body here]~~ The Grutzmacher Collection Committee meets on an as-needed basis to consider deaccession needs and provides a recommendation to the Library Board on how to proceed based on their examination of the situation and possible consultation with experts. The Library Board votes on the recommendation at the next Library Board meeting and

Commented [DMB10]: We will discuss during our meeting and I will offer suggestions.

tasks the Library Director with administering the outcome of the vote in accordance with this policy and any applicable laws. ~~must approve a deaccession with a majority vote. Method(s) of disposal must be agreed upon by [insert responsible person or governing body here] prior to disposal of accessioned items.~~ A record of deaccessioning must be kept, identifying the reason for and method of disposal.

D. Disposal Methods

Any ~~objectitem~~ that has been selected and approved by ~~[insert responsible person/governing body here]~~ the Library Board 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 ~~objectitem~~ item in educational institutions in the region.
2. ~~Exchange or~~ Donation. Museums or educational institutions should be contacted regarding the suitability of the items for ~~exchange or~~ donation depending on the nature of the items. The ~~Library may donate items to another institution, within the limits of Wis. Stat. § 43, whose mission better serves to care for the~~ ~~objectitem~~.
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 ~~objectitem~~ cannot be disposed of in any of the methods described above, it shall be destroyed. Destruction is defined as the obliteration of an ~~objectitem~~ or specimen by physical or mechanical means. The Library Board of Trustees, staff, or affiliated parties may not retain any portion of the ~~objectitem~~. Prior to destruction, the ~~objectitem~~ will be evaluated to ascertain whether it contains any hazardous materials. If any hazardous materials exist, the ~~objectitem~~ 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 ~~objectitem~~s will not be given, exchanged, or sold privately to employees, members of the governing authorities or their representatives, members of support groups or volunteers.

E. Deaccession and Disposal Procedures

The ~~[insert responsible person or governing body]~~ Library Director, based on recommendations from experts or Library staff, will identify an ~~objectitem~~ for deaccession/disposal based on the criteria above and recommend deaccessioning to the Grutzmacher Collection Committee for consideration. The Grutzmacher Collection Committee will make a recommendation to the Library Board who will vote on matter. If the Library Board approves deaccessioning the item, the Library Director is responsible for ensuring the following procedures are followed in accordance with all legal and ethical considerations: and ensure all legal and ethical considerations of deaccessioning are considered. The Library must hold free and clear title to the object. There must also be no restrictions placed on the use of the object (e.g., copyright, donor imposed restriction, etc.) As a courtesy, reasonable efforts will be made to contact donors or their heirs prior to deaccessioning objects from the Collection. The ~~[insert responsible person]~~ will:

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

Commented [DMB11]: I will provide more context here during our meeting.

Commented [DMB12]: Let's discuss. The Library may have already decided this is not the case.

- ~~approval a majority vote of [insert responsible governing body here].~~
3. Determine the method of disposal, taking into account the reason for deaccessioning.
 4. Update records to reflect deaccession without removing record of existence for future reference and NAGPRA compliance. Modify records as appropriate, including, but not limited to:
 - a. Inventory catalog to reflect the change in status of the item
 - b. Any accession records
 - c. Any applicable database entries; accession files and database entries to reflect the change in status of the object and the change in monetary value (for insurance purposes), if any, for the collection. The records will not be deleted or removed but maintained intact for future reference.
 - d. Monetary values for insurance purposes
 - ~~4.5. Notify any custodians of the items and update any existing loan agreements if the item is not in the direct custodial care of the Library~~

Part VI. LOANS

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

The Library facilitates ~~outgoing and incoming~~ loans for scholarly research, educational or community outreach, and exhibition. 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 loans must have accompanying paperwork that details the intended purpose of the loan and specific beginning and end dates. All loan requests, ~~both incoming and outgoing~~, must be approved by ~~[insert responsible person/governing here]~~ the Library Board.

Commented [DMB13]: Let's discuss if you will consider incoming loans. If not, we will modify this language.

Incoming Loans

A. Responsible Parties

All incoming loan transactions will originate by and be the responsibility of the ~~[insert responsible person/governing body here]~~. ~~[Insert responsible person here]~~ will prepare and maintain all associated loan paperwork. If a lender places unusual restriction on a proposed loan, ~~[insert responsible person here]~~, in consultation with ~~[insert responsible person/governing body here]~~, will approve or negotiate these conditions, and is responsible for ensuring compliance.

B. Criteria for Incoming Loans

Objects may be borrowed from educational or non-profit institutions, or from individuals. Incoming loan items shall be accepted when objects are needed for use in a special exhibit, educational program, or research project and shall only be kept for the duration of the exhibition, program, or research project, and specified dates listed on the loan paperwork unless an extension is negotiated. All loans must be accompanied by a written Incoming Loan Agreement indicating all rights and responsibilities. These agreements may originate or be accompanied by documents from the lending institution. However, if the terms and conditions of the incoming loan agreement places a greater burden of risk on Library than the standard Incoming Loan Agreement, the ~~[insert responsible person/governing body here]~~ will consult

with the Library Board of Trustees prior to accepting the agreement.

The Library will not knowingly accept incoming loans of objects acquired or collected illegally or not in compliance with all applicable international, national, state, and local laws and regulations. All borrowed objects shall be reviewed by the lending institution for physical condition prior to shipping to the Library. The Library shall be provided with a written approval from the lending institution for packing, travel, handling, and climate change.

C. Incoming Loans Procedures

[Insert responsible person/governing body here] will contact the lending institution/individual and agree upon conditions of the loan, including the duration of the loan. Once the incoming loan is approved by [insert responsible person/governing body here], [insert responsible person here] shall draw up an incoming loan agreement. Alternatively, the Library may use the lending institution's loan form if appropriate. The incoming loan agreement should include the precise time period of the loan and a detailed inventory and description of the loaned item(s), with special attention paid to the physical condition. Incoming loan paperwork must be signed by both the lending party/institution and [insert responsible person here]. Electronic and paper copies of the signed paperwork will be maintained on file.

The Library agrees to pay for the transportation of any items on loan until it reaches its place of origin. As required by lending institutions, the Library will provide insurance on incoming loans once the loan has left the possession of the lending institution (wall to wall coverage). The Library will not accept any new object under loan conditions that might put the Library at substantial future risk of creating "indefinite" loan status for the object.

Upon receiving the loan, [insert responsible person here] will inventory, inspect, assign temporary loan numbers (where appropriate), process accordingly, photograph, and make written notations of the findings. Any inconsistencies in the loan inventory or any change in condition of the borrowed objects during the loan period will be immediately reported to the lending party, and when appropriate, a full condition report will be prepared. Loans will be returned by the date agreed upon, and to the lending party identified on the loan agreement at the stated address, unless an authorized agent of the lender has given notice of change of ownership or location. All borrowed objects will be subject to the same level of care, security, and handling as objects in the Library's Collection. Library personnel will not transfer possession or alter in any way objects it has received on loan without the express written approval of the lending institution.

Commented [AA14]: Based on the last Committee meeting, I removed this section as it seemed the Library Board was uninterested in accepting incoming loans and is seeking solely to govern the Grutzmacher Collection.

Outgoing Loans

A. Responsible Parties

The authority to approve outgoing loans resets with the Library Board. The Grutzmacher Collection Committee meets as needed to consider loan requests and passes on their recommendation to the Library Board. If the loan requested is approved, administration is tasked to the Library Director to ensure this policy and all applicable laws are followed in carrying out the loan. The Library Director oversees the requisite paperwork, coordination, communication, and monitoring of the transaction in preparation of

and during the loan. The authority to approve an outgoing loan rests with [insert responsible person/governing body here]. [Insert responsible person here], in consultation with [insert responsible person/governing body here], is responsible for 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 [insert responsible person here]. If unusual restrictions are required for an outgoing loan, [insert responsible person here], in consultation with [insert responsible person/governing body here], will approve or negotiate and enforce these conditions.

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 ~~object~~items to individuals. All requests for loans must be approved by the Library Board in advance of the loan commencing. All requests for outgoing loans shall be brought before and approved by [insert responsible person/governing body here]. 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, the~~ agreement may contain other case-specific terms agreed to by the Library and the Borrower.

~~Object~~Items to be loaned 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, ~~object~~item(s) 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 ~~object~~item(s) 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 ~~[insert responsible person/governing body here]~~ the Library Director within 24 hours of the occurrence. The Borrowing Institution will not transfer possession, repair, clean, alter, or restore ~~object~~item(s) it has received on loan without express written approval of the Library Board ~~[insert responsible person/governing body here]~~. The Borrowing Institution will assume full responsibility for any loss of or damage to the ~~object~~item(s).

Commented [DMB15]: Let's discuss your current insurance practices and modify this as appropriate.

The Borrower is permitted to photograph and otherwise reproduce graphically, loaned ~~object~~item(s) for publicity, record-keeping, education and other noncommercial purposes subject to copyright law. All publicity, displays, and publications must credit the Mukwonago Community Library with the statement "Items 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.

Commented [DMB16]: Or specify as you wish to be credited here.

C. Outgoing Loan Procedures

The Borrowing Institution requesting the loan must contact ~~[insert responsible person/governing body here]~~ the Library Director in writing. The formal written request must indicate:

1. the nature of the ~~object~~items 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 ~~[insert responsible person/governing body here]~~ Library Director will pass the request on to the Grutzmacher Collection Committee who 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 on whether to approve the request. If the loan requested is approved, administration is tasked to the Library Director to ensure this policy and all applicable laws are followed in carrying out the loan. The borrowing institution must agree and adhere to the conditions of the loan, established by the Library Board of Trustees. The ~~[insert responsible person]~~ Library Director will oversee the preparation of all paperwork and the packing and transportation of the items in accordance with the agreement between the Library and the Borrower. ~~prepare all loan paperwork. Objects will be packed by [insert responsible person]; the shipping or transportation mode must be agreed upon by both the Library and the Borrower, to the physical location indicated on the loan agreement.~~

If the loan has not been returned by the date indicated on the loan agreement, ~~[insert responsible person]~~ the Library Director or their designee will contact the Borrowing Institution to initiate return. Upon the return of borrowed material, the ~~[insert responsible person]~~ Library Director will over the unpacking and inventorying of the items before authorizing reintegration into the Collection and updates to the inventory catalog. The Library Director will communicate to the Library Board the successful return of the loan and with engage the Library Board President to sign the closeout of the loan agreement. ~~will unpack, inventory, assess condition, and safely reintegrate the objects into the collections. [Insert responsible person] will close out the loan agreement upon the return of all objects.~~

~~Copies of loan agreements are to be signed by both the lender and [insert responsible person or governing body here].~~ Copies of loan agreements are to be signed by the Library Board President following a vote of approval from the Library Board as well as a responsible representative member of the Borrowing Institution. Electronic and paper copies of the signed loan paperwork will be filed accordingly.

Part VII. OBJECTS OF UNCLEAR TITLE & TEMPORARY CUSTODY

~~DEFINITION: Objects of unclear title may include unclaimed loans or objects found in the collection. These are items in the Library's physical possession or custody that are unsupported by any documentation and/or lack sufficient evidence to prove ownership.~~

A. Unclaimed Loans

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1. An “unclaimed loan” is material that originated as an incoming loan from either another institution or an individual, has been in the possession of the Library for at least seven (7) years past the loan expiration date, and to which return delivery has not been possible and/or the material has not been retrieved by its owner in a timely fashion.
2. Wisconsin Statute 171.30 Unclaimed Property in Possession of a Museum or Archives outlines the process all repositories must go through in order to acquire title to loaned material that has been abandoned. The Library will follow all required processes.

B. Objects Found in the Collection (FIC)

1. An “object found in the collection” or an “undocumented object” is defined as material in the Library’s physical possession or control that is unsupported by any documentation and/or lacks sufficient evidence to prove ownership.
2. Wisconsin Statute 171.30 outlines the process all repositories must go through in order to acquire title to objects found in the collection. The Library will follow all legally required procedures.
3. [Insert responsible person/governing body here] will assess the status of the undocumented object and [insert responsible person here] will prepare the required paperwork to obtain title.

C. Objects Left in the Temporary Custody of the Library

Objects that are or will be left in the temporary custody of the Library include objects given to the Library for identification, examination for donation, and similar circumstances. The owner of these objects must sign a temporary custody receipt acknowledging temporary custody. These objects are given to the Library with the understanding that they will be returned once assessments are made.

The Library’s policy for objects left in the temporary custody is as follows:

1. The assessment of these objects is for the benefit of the owner, not the Library, and the Library will therefore only be responsible for gross negligence and will not provide insurance.
2. The Library will carry out the desired assessments as quickly as possible to reduce potential complications in returning the item(s) to the owner with the requested information. This return will be made in a timely manner and should not exceed 90 days of the first custody exchange.
3. Appointments must be made by the owner of the objects with [insert responsible person] to discuss possible temporary custody arrangements, to check on the progress of the assessment, and to pick up the object and discuss the findings once the assessment is concluded.
4. The Library will not treat, restore, or alter in any way the objects left in their temporary custody unless written permission is granted by the owner.
5. A temporary custody receipt must be completed by [insert responsible person here] before the object is left in the care of the Library, specifying the conditions of the agreement and the assessment to be conducted.
6. If, after reasonable attempts have been made to contact the owner of the object, the object has not been picked up within 60 days of the assessment completion, the object will be understood as an unrestricted gift and the Library becomes the rightful owner.

Commented [DMB17]: Let’s discuss if you wish to keep this section. I will offer suggestions during our meeting.

Commented [AA18]: As it seems the Committee was uninterested in accepting incoming loans, this section is not needed.

Part VIII. CARE OF COLLECTIONS

Long-term preservation of the Collection is of upmost importance to the Library Board of Trustees. The purpose of collections care is to preserve individual [object/items](#) and associated records for the long-term.

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The goal is to slow the process of deterioration. The [\[insert responsible person/governing body here\]](#) 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. High standards of collections care depend upon a Library Board of Trustees and [Library](#) staff who remain committed to the care and financial commitment of the Collection.

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 [\[insert responsible person here\]](#) Collection custodian(s) implements preventive care by providing and maintaining proper storage facilities and materials, inventorying and surveying the condition of the Collection, [implementing integrated pest management and emergency preparedness plans, and security procedures to protect against theft.](#)

Commented [DMB19]: I will further elaborate on these items during our meeting.

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 [collectionsundisplayable items from the Collection](#). 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 management of the Collection.

3. Integrated Pest Management

Pest management is an integral part of collections care. 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, and incoming collections shall be inspected and quarantined to detect and mitigate infestation. [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. [\[Insert details here about the Library's current emergency preparedness plans and how that relates to the Collection\]. Refer to the Emergency Preparedness Policy.](#) The Library maintains an emergency preparedness kit in collections storage in the event of an electrical failure, flood, or HVAC system malfunction.

Commented [DMB20]: Again, we will discuss.

5. Security

Security of the Collection is an important aspect of preventive care. The Library Board is ultimately responsible for the security of the Collection and tasks the Library Director to carry out any and all security procedures needed to ensure the Collection is safe. The Library Board requires any Borrowing Institution to provide appropriate security and may deny use of the Collection if security expectations are not met. [insert responsible person/governing body here] is responsible for security and will establish specific access procedures for the Collection.

~~[Insert person responsible]~~ The Library Director is responsible for monitoring storage areas, authorizing and overseeing access to the Collection, and ensuring communication and publicity of the Collection does not compromise the security of the Collection. ~~is responsible for monitoring storage areas, overseeing collections access and use. Key access to storage areas is restricted to [insert appropriate person(s) here]. [Students, volunteers, and interns are not provided key access to the Collection. [insert more details about your security policies here].~~

Commented [DMB21]: We will discuss details of security.

Visiting researchers are allowed access to collections storage areas upon advanced agreement with [insert responsible person/governing body here]. ~~the Library Director~~ Researchers will be supervised during their visit.

B. Conservation

Conservation is the profession devoted to the preservation of cultural property and the technology of preservation. 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

~~[Insert persons here]~~ The Library Director, their designee(s), and others authorized to interact ~~interacting~~ with the Collection agree to abide by the Collection Care and Handling Policies outlined in Appendix ~~*~~.

Commented [DMB22]: Once we finalize, we will add the Appendix Name.

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 ~~[insert responsible person here]~~ 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 ~~[insert responsible person here]~~ the Library Director.

Part IX. 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 an appointed staff member will document the location of every [objectitem](#) within the Collection. Wall-to-wall inventories shall be conducted every ten (10) years and spot-check inventories shall be carried out every three (3) to five (5) years. ~~[insert responsible person here].~~ [The Grutzmacher Collection Committee](#) is responsible for establishing a schedule for inventories.

C. Missing [ObjectItems](#)

While conducting a spot-check or a comprehensive inventory, if an [objectitem](#) is not found, ~~[insert responsible person]~~ [the authorized Library staff member conducting the audit](#) will record this information in all paper and digital registration files and notify [the Library Director immediately](#) ~~[insert responsible person or governing authority]~~. A thorough search for the [objectitem](#) will take place. [If the item is not found with one \(1\) month, the Library Director will notify the Grutzmacher Collection Committee immediately.](#)

D. Records

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

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 [objectitem](#) that correlates with a particular document is still in the Library's custody.

Part X. 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 or chemical integrity of the Collection and will follow handling guidelines articulated in this policy.

~~The [insert responsible person here]~~ [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](#)~~[insert responsible person/governing body here]~~, and access will be either granted or denied at [the Library Director's](#)~~[insert responsible person/governing body here]~~ 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 or their designee\(s\)](#)~~[insert responsible person here]~~. Requests should be made in writing at least six (6) weeks in advance (letter, email, or fax), and addressed to [the Library Director](#)~~[insert responsible person here]~~. A written request should include a summary of the requestor's background, research interest or proposed use of Collection items, a list of items ~~s/he~~[they](#) wishes to access, and dates ~~s/he is~~[they are](#) 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 ~~as specified in the Library's Policy on Repatriation and Management of Culturally Sensitive Materials.~~

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:~~

- ~~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 ~~object~~[items](#) 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 ~~as specified in the Library's Policy on Repatriation and Management of Culturally Sensitive Materials.~~

Images (whether taken by the Library [staff](#), an outside researcher, or a professional photographer) may not be reproduced without specific written permission from the Library [Director](#). An application form

Commented [DMB23]: We can discuss if this is something the Library wishes to consider.

Commented [AA24]: This seems beyond the purview of this controlling entity and unlikely to be relevant based on the items in the Collection.

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](#) ~~[insert responsible party here]~~.

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 XI. INSURANCE & RISK MANAGEMENT

Insurance coverage for the Library is provided and managed by ~~[insert details about that policy here]~~ [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 before ~~accepting donations, accessioning items into the Collection, or~~ borrowing items for research or display.
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 [Library](#) 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 ~~object~~ items 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 [Library](#) 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 XII. LEGAL COMPLIANCE

DEFINITION: The Library is subject to compliance with many federal, state, and local laws. This section describes a number of pertinent laws and the Library's statement of compliance.

A. Archaeological Materials

Archaeological materials will not be purchased by the Library, as mandated by the:

1. *Antiquities Act*, 16 U.S.C. §§ 432 et seq. (1906).
2. *Archaeological Resources Protection Act*, 16 U.S.C. §470aa et. seq. (1979), 93 Stat. 721.
3. *National Historic Preservation Act*, 16 U.S.C §§ 470 et seq. (1966) and subsequent amendments.
4. Standards set by the American Alliance of Museums (AAM).

B. NAGPRA

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The Library will comply with the Native American Graves Protection and Repatriation Act (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. The Library is committed to maintaining relationships and open communication with the Native American communities.

NAGPRA 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](#), [objectitems](#) of cultural patrimony, and sacred [objectitems](#). 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.

Commented [DMB25]: Typically, museums will have an entirely separate NAGPRA policy that identifies definitions of the terms in the law, governing authority, repatriation requests, procedures, etc. We can discuss how to incorporate the NAGPRA language into this document; or into an appendix to this document. There is certainly more that should be included here, some of which appears in your existing policy. Let's discuss further.

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 [objectitems](#), or sacred [objectitems](#) 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 [objectitems](#) 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 [objectitems](#) means those funerary [objectitems](#) 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 ~~object~~items means those funerary ~~object~~items 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)).

~~Object~~Items 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 ~~object~~items are of such central importance that they may not be alienated, appropriated, or conveyed by any individual tribal or organization member. Such ~~object~~items must have been considered inalienable by the culturally affiliated Indian tribe or Native Hawaiian organization at the time the ~~object~~item was separated from the group (§ 10.2 (4)).

Sacred ~~object~~items means items that are specific ceremonial ~~object~~items 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. [25 USC 3001 (8)]

Responsible Parties for NAGPRA Compliance

The Grutzmacher Collection Committee makes repatriation recommendations to the Board of Trustees. Final authority to approve repatriations rests with the [Library](#) Board of Trustees.

The Library Board of Trustees puts the utmost emphasis on complying with NAGPRA and building respectful relationships with Indian Tribes. To that end, the Library Board has delegated authority to ensure timely communication and action.

A. Communication with Indian Tribes – All communication from the Library, and on behalf of the Library, relating to NAGPRA must be made through the Library Director or under their direction. The Library Board may engage an outside consultant and/or the Library Director may direct other Library staff to assist, but the Library Director is ultimately responsible for ensuring the privacy and security of all communication and documentation.

i. For the purposes of record keeping, emails must go through or be duplicated in the legacy email

ii. For the purposes of record keeping, all contact with Indian Tribes must be documented in the Library's secure data management system

iii. For the purposes of record keeping and to ensure privacy of sensitive information, all digital photographs and information documenting the Native American items in the Collection must be stored on a secure, cloud-based site, such as DropBox

B. NAGPRA Summary – If additional NAGPRA-eligible items or information concerning NAGPRA-eligible items are discovered at any point, the Library will report any required updates to the National NAGPRA Office in accordance with federal regulations. The Library Board of Trustees may

engage a consultant to guide compliance and will empower the Library Board President and the Library Director together to ensure completion of all necessary work needed.

II. NAGPRA Compliance

Authorized Tribal Representatives or lineal descendants may contact the Library to request further information on items listed in the Summary. This will begin with initial levels of interest and may result in repatriation. Consequently, the levels of direct Library Board involvement increase as the process intensifies.

A. Request for Information – The Library Director is ultimately responsible for replying to all requests from Indian Tribes for further information, but they may direct staff or contracted consultants to assist. All requests must be documented appropriately (see section V. NAGPRA Authority).

i. Information – The Library Director or their designee(s) may share additional information about items in the Collection via email, in person, over the phone, or via electronic video conferencing

ii. Photographs – To protect the sensitivity and privacy of Native American items, the Library Director or their designee(s) may share photographs only of items requested and only in a secure manner.

B. Consultation – The Library is engaging in consultation with the goal of establishing which items in the Grutzmacher Collection may be sacred objects, objects of cultural patrimony, or unassociated funerary objects and should be repatriated. Under NAGPRA, consultation may be initiated with a letter but should be followed up with a phone call or face-to-face dialogue. 43 CFR 10.8(d)(3) describes the types of information that Indian Tribes may request from the Library during consultation. They include catalog records and other relevant data for the limited purpose of determining the geographic origin, cultural affiliation, and basic facts surrounding acquisition and accession of objects covered by the summary. Access to this information may be requested at any time. During consultation, it is likely that Indian Tribes will ask questions regarding the types of information identified above. They may also share information about their areas of interest, the types of cultural items that are sacred, items of cultural patrimony, or unassociated funerary items.

i. Any consultation, whether conducted in person or via electronic conferencing, must be, at minimum, attended by the Library Director and their designated staff member. If no staff member is designated, a member of the Grutzmacher Committee must be present. If no Committee member is available, a Library Board member must be present.

ii. Contracted consultants may guide and advise on the consultation.

iii. Indian Tribes are encouraged to provide recommendations on the care and display of items, even if they will not go on to submit a claim.

C. Submission of Claim – Item(s) meeting the definitions of cultural items under NAGPRA can be formally claimed by an Authorized Tribal Representative, lineal descendent, or culturally affiliated Indian Tribe at any time.

i. A formal written Request for Repatriation is required prior to any transfer. Request for Repatriation letters should be addressed to the Library Director and fulfill the criteria for a request as

outlined in 43 CFR 10.10(a)(1). It is helpful to include the item(s) tracking number(s) as listed in the Collection catalog for clear identification.

ii. Upon the receipt of a Request for Repatriation letter, if the item in question is on loan or otherwise not in the custody of the Library Board of Trustees, the item will be immediately repossessed and relocated to secure storage onsite at the Library. The item will be stored with and in the manner of other sensitive items.

D. Request for Repatriation Review – The Grutzmacher Committee will convene within two (2) weeks of receipt of a written claim and will make every effort to meet before the next regularly scheduled Library Board meeting. They may request the attendance of any contracted consultants or Library staff knowledgeable of the topic. Repatriation must take place within 90 days of a valid request.

i. If a claim needs more information, the Committee will direct the Library Director to contact the claimant to obtain what information is needed to continue.

ii. If a claim is in conflict with another claim, the Committee will gather as much information as possible and present the situation to the full Library Board at their next meeting or, if necessary, at an emergency Library Board meeting. The Library Board's decision is final.

iii. If a claim is considered valid, the Committee will provide a recommendation for repatriation to the full Library Board at their next meeting or, if necessary, at an emergency Library Board meeting. The Library Board's decision is final. The Library Board will empower the Library Director and one member of the Grutzmacher Committee to together carry out the Repatriation process, both of whom need to be present at each of the final steps.

E. Notice to Federal Register - Upon approval from the full Library Board, the Library Director and designated Grutzmacher Committee member will submit a Notice of Intent to Repatriate to the National NAGPRA Program for review and publication in the Federal Register. A Federal Register notice must be published at least 30 days prior to Repatriation.

F. Repatriation - Upon successful completion of NAGPRA requirements and within the timeline outlined in law, the Library Director and designated Grutzmacher Committee member will coordinate with the claimant Indian Tribe or Tribes to arrange transfer of control and physical transfer.

i. At their discretion, the Library Director and Grutzmacher Committee member together may engage the services of a consultant to ensure a respectful and legal fulfillment of this post-NAGPRA action.

ii. The Library Board acknowledges that arranging reburial can be a difficult task requiring appropriate timing and coordination. The Library will consider and strive to accommodate requests from claimants for the Library to continue to house items until a physical transfer can be made.

iii. National NAGPRA Grants are available to help fund repatriations. The Library may engage a consultant to help pursue NAGPRA Grant funding.

Part XIII. IMPLEMENTATION AND REVISION

The implementation of this Collection Management Policy is essential to its success. All

[insert all responsible persons/governing bodies here] 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 [insert responsible parties/governing bodies here] having final approval.

Commented [AA26]: This section is directly copied from the existing "Grutzmacher Collection Policy" approved on November 10, 2022. It is included here so that all responsibilities of controlling the Grutzmacher Collection are contained in one document.

DRAFT