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COLLECTIONS MANAGEMENT POLICY

Oregon Historical Society

Collections Management Policy

for the Oregon Historical Society



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Introduction

The Oregon Historical Society's (OHS's) mission is to "preserve our state's history and make it accessible to everyone in ways that advance knowledge and inspire curiosity about all the people, places, and events that have shaped Oregon."¹ To further that mission, OHS's research library and museum staff collect, preserve, and exhibit cultural and historical resources and make them accessible in ways that encourage the study and understanding of the history of Oregon and the surrounding region, within the broader context of U.S. and international history.

OHS is committed to documenting, preserving, and sharing our state's history from all perspectives and in all its complexities to build a more inclusive historical record. At present, OHS collects materials for its research library and museum collections from the area included in the present-day state of Oregon, with some focus on the broader Oregon Territory and Oregon Country when they are deemed relevant.

Collection History

At its inception in 1898, OHS drew on the legacy of the Oregon Pioneer Association (founded in 1873) and embarked on collecting a wide range of materials documenting the history of the Pacific Northwest. OHS's collecting practices have followed the Euro-American concept of documenting history over time, from the Oregon Country to the Oregon Territory to Oregon as a state.

The regions represented in the collections include geographic areas that encompass the current boundaries of Oregon, Washington, Idaho, Montana, Wyoming, Alaska, northern California, and Hawaii as well as the Canadian province of British Columbia. These are the ancestral lands of Indigenous people, who have occupied them from time immemorial.

¹ OHS Mission and Vision, <https://www.ohs.org/about-us/mission-and-vision.cfm> (accessed 2/15/2023).

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Purpose

The OHS Collections Management Policy (CMP) delineates the professional, legal, and ethical frameworks that guide the management, maintenance, and development of OHS’s research library and museum collections. This version supersedes previous versions of the OHS Collection Policy. This policy addresses all issues related to the research library and museum collections as well as items loaned temporarily. The CMP guides staff, volunteers, interns, trustees, and contractors in carrying out collection-related duties.

The CMP reflects OHS’s institutional mission and the values outlined in its Strategic Plan: *integrity, invitation, equity and inclusion, cultural humility, accessibility, and learning*. By weaving these values into core collection policies, OHS strives to provide “inclusive perspectives of the past that uphold historical truths”² while preserving tangible historical resources for the future. The CMP ensures that the collections are managed in accordance with all associated legal requirements; OHS’s mission, vision, and strategic plan objectives; current library and museum professional best practices; and the utmost attention to ethical guidelines.

Responsibility and Authority

OHS is a registered 501(c)(3), nonprofit, charitable organization incorporated in the state of Oregon and overseen by a board of trustees elected by the membership. As such, it exists in trust for Oregon constituents and for the broader public benefit. OHS holds legal title to the research library and museum collections, unless they are held by mutual agreement such as loans, have been repatriated under the Native American Graves Protection and Repatriation Act (NAGPRA, see Legal and Ethical Considerations), or are otherwise documented.

Professional staff, interns, volunteers, contractors and other external professionals engage in day-to-day, hands-on collections tasks, including acquiring, cataloging and

² OHS Mission and Vision

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describing, storing, and handling the collections. OHS's library director and museum director manage respective collections staff and report to OHS's executive director.

A Collections Management and Research Committee (hereafter Collections Committee) composed of members of the OHS Board of Trustees, senior staff, collections experts, and designated community stakeholders, provides oversight of major acquisitions and deaccessions of permanent collections, champions innovative approaches to enhance accessibility of collections, promotes the value of the collections to the people of the state of Oregon, advocates for collection development and funding for collections care, and ensures that collection acquisition, care, and access systems are assessed for quality, reach, and impact, in alignment with OHS's mission.³

Designated collections staff members are responsible for regular reports of activities and acquisitions to the Collections Committee and seeking approval for changes to the CMP, deaccessioning, and major expenditures to acquire collection items, as defined in Scope of Collections.

Scope of Collections

OHS collects objects through its museum and archival materials through its research library for the purpose of study, research, education, outreach, and interpretation. OHS shares these materials through the creation of educational programs and websites; onsite, online, and traveling exhibits; research and publications; and other forms of community engagement.

OHS holds both permanent and non-permanent collections that are stewarded by museum and research library staff:

- › **Permanent Collections** are formally accessioned, with the intent of preserving them in perpetuity.

³ OHS Restated Bylaws, Section 9.5

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- › **Semi-Permanent Collections** may or may not be accessioned and may be periodically reviewed for retention based on their relevance to OHS's mission and historical or historiographical application.
- › **Temporary Collections** are items not owned by OHS and are on loan for a specified period. Policies that govern temporary collections and their care is described in Loans.

Other materials that do not fall under the strict guidelines of this policy include OHS's administrative files, internal reference files and publications, materials produced or used for exhibitions (reproductions, exhibit panels, etc.), digital surrogates and other reproductions, educational materials, and institutional archives. According to professional best practices, materials may be identified as superfluous during collections processing or subsequent reappraisal and are handled following internal guidelines and procedures.

Research Library Collections

OHS's research library collections include works that interpret, describe, or provide an understanding of life in or history of Oregon and the surrounding region during any period of time. Research library staff may also acquire other works that support research related to specific aspects of life in Oregon or OHS's collections. The research library's current collecting priorities and strategies guide any additions to the collection.

Research library materials include both unpublished and published items and fall into permanent or semi-permanent categories.

PERMANENT COLLECTIONS

- › **Manuscripts:** original documents including correspondence; diaries, journals, and logs; personal papers; scrapbooks; business and organizational records; and architecture, design, and engineering drawings
- › **Photographs:** all formats, including photographic prints, negatives, and digital files
- › **Moving images:** all formats, including film-based moving images, videotape, and digital files

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- › **Sound:** all formats, including disc, tape, and digital files
- › **Posters and other ephemera:** transitory printed materials, including posters, broadsides, and other ephemera such as pamphlets, programs, postcards, menus, timetables, and tickets
- › **Rare books:** Scarce or valuable books and monographs, including first editions, signed copies, and uncommon printings, and occasional rare periodicals and government documents
- › **Maps:** published and unpublished maps of all types, and atlases
- › **Electronic records (Born Digital):** documents, images, sound, video, and design files that do not have a physical counterpart

SEMI-PERMANENT COLLECTIONS

- › **Books:** books and other monographs
- › **Periodicals:** published journals, magazines, yearbooks, newsletters, and newspapers, in print and on microfilm
- › **Government documents:** produced by city, county, regional, state, and federal entities. (Please note that OHS does not serve as an official depository, and this is no longer an active area of collecting.)
- › **Reproductions:** photocopies, photo reproductions, microfilm, digital surrogates, and other reproductions of original items that are included in the existing library collection. These items are no longer sought and are subject to review for retention.

Museum Collections

OHS's museum collections are composed of three-dimensional objects and are currently organized into five sub-collections, listed below. All objects acquired for the museum

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collections enter the permanent collection, except in extraordinary circumstances, noted on the deed of gift. The museum staff strive to only acquire objects that OHS intends to steward as part of the permanent collection in perpetuity (but reserves the right to deaccession as needed).

SUB-COLLECTIONS

- › **Military:** objects related to various formal, national militias (including international military branches) such as uniforms, insignias, banners, tools, and accoutrements
- › **Art:** artworks of all forms including paintings, sculptures, handicrafts, and works of art on paper (lithographs and other printed artworks are also collected by OHS's research library)
- › **Clothing and Textiles (formerly "costume"):** all objects that are composed mainly of fabric, such as clothing, apparel, foot and headwear, uniforms (except military which is a separate sub-collection), quilts, blankets, and other bedding
- › **Native North American (formerly "ethnology"):** belongings related to the Indigenous people of North America, including basketry, clothing, stone artworks and tools, and other technologies

This sub-collection was a main focus (along with pioneer objects) of OHS's early collecting strategy, with concentration on Native American objects from the western United States. OHS's museum staff strive to replace the use of "artifact" with "belongings" to describe Native American objects in the museum collection. This term attempts to capture the cultural significance and personal nature of the objects, including their ongoing importance within communities, connections to family, and relationship with and to Native people.

- › **General:** a vast sub-collection that includes all objects not related to the other sub-collections (organized using Chenhall nomenclature), including but not limited to: documentary objects (plaques, awards, etc.); personal symbols (political buttons, patches, etc.); food service technology and equipment (dishes, platters, spoons, etc.); merchandising technology and equipment (shopping bags, coasters, etc.); time keeping technology and equipment (watches, clocks, etc.); toys

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(figurines, stuffed animals, etc.); household accessories (ovens, brooms, etc.); and musical technology and equipment (musical instruments, etc.)

Acquisitions and Accessions

Acquisition of new materials that meet the requirements outlined in the CMP is paramount to OHS's role as a collecting institution that focuses on preservation and access.

"Acquisition" is the process by which materials are physically and legally transferred to OHS. Materials obtained through this process are referred to as "acquisitions."

"Accession" or "accessioning" refers to the administrative process of accepting material into the library or museum collections and formally documenting the transfer. An "accession" may also refer to materials (processed or unprocessed) that have been formally accepted into OHS's collections.

Acquisitions, or transfer of possession, must be accompanied by a temporary receipt, deed of gift, or similar documentation. Once a deed of gift, purchase receipt, or other written statement of transfer of ownership signed by the current owner is obtained, material may be accessioned.

Criteria

For materials to be accessioned into permanent collections they must be consistent with OHS's collecting scope, enhance the collections through uniqueness or exemplary status, and be within the parameters of OHS's research, publication, exhibition, and educational activities.

Potential accessions shall be reviewed for relevance to Oregon or regional history, physical integrity, identity, authenticity, and alignment with OHS's mission. Materials may be declined based on poor or fragile condition, duplication in the existing collections, lack of ownership or custodial history, obsolete formats, or OHS's inability to create meaningful access.

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Means and Sources

Materials are acquired through gifts (donations), bequests, and less commonly, purchase:

- › **Gifts:** legal owners (individuals, families, corporations, organizations, creators, collectors, or other entities) donate materials to OHS
- › **Bequests:** legal owners work with OHS representatives and their family or estate to pre-plan the transfer of material to OHS after their death
- › **Purchases:** OHS may purchase material from legal owners, vendors, or in some cases from legal aggregators or auctions
- › **Transfers:** another museum, library, or collecting institution donates material to OHS through the gift process described above; internal transfers also occur between OHS's research library and museum collections and the original source and form of the acquisition is maintained for records

General Provisions and Guidelines

Typically, materials are only accepted after discussions have taken place between the source and OHS's appropriate collections department, directly or in consultation with those holding decision-making authority for what is accepted into the collections.

General policies related to acquiring and accessioning material include:

- › OHS's research library and museum directors hold the authority to make decisions about accepting acquisitions into the library or museum collections, respectively.
- › OHS reserves the right to accept all or part of, or to refuse, a bequest. Donors are encouraged to communicate with OHS collections staff to discuss bequests during the estate-planning process.
- › Acquisition purchases follow current OHS policies relating to purchase orders and approval processes.

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- › The Collections Committee must approve all purchase acquisitions costing more than \$10,000.
- › Acquisitions with restrictions are discouraged, although may be accepted at the discretion of the appropriate collecting department director.
- › Once accessioned, materials are assigned an accession number and accompanied by official paperwork signed by both parties (both the source and OHS). This paperwork must delineate legal statutes and OHS policies related to the transfer of ownership; this is kept in perpetuity.
- › OHS reserves the right to refuse any offers of material, regardless of whether they meet its mission or collecting scope.
- › Unsolicited donations or materials for which there has been no written indication of acceptance by authorized collections staff are considered a gift pursuant to ORS 98.450.⁴ As such, the material may be accepted as a donation, returned to the donor (if known), disposed of, or destroyed.
- › In general, materials that are still in use by their creators or custodians, or which are unfinished works, are not considered ready for donation to OHS.

Materials accessioned into OHS's collections shall receive intellectual management, storage, protection, and preservation consistent with prevailing professional standards and available resources.

Undocumented Materials

For existing materials in OHS's collections that lack acquisition or accession information but appear to be related to permanent collections ("Found in Collections"), OHS's

⁴ See Oregon State Legislature, ORS 98.450, https://www.oregonlegislature.gov/bills_laws/ors/ors098.html (accessed February 3, 2023).

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research library and museum staff follow professional best practices to determine appropriate courses of action for retention or removal.

RESEARCH LIBRARY COLLECTIONS

For any undocumented collections and materials found among research library holdings, staff will make every reasonable effort to locate source information. If no such records are located, research library staff will determine whether the materials should remain in the permanent collection, based primarily on the materials' fitness when considering collecting scope, uniqueness, rights, and condition. If appropriate to keep, a retroactive accession record will be created. These collections will remain within the permanent collection unless new source information comes to light or substantiated ethical or legal claims suggest it is not in the best interest of OHS to retain the items.

MUSEUM COLLECTIONS

Materials found that appear to be part of the museum's permanent collection but lack accession or source information are documented as Found in Collections (FICs). Every reasonable effort will be made to reunite FICs with their original source information. FICs are assigned accession numbers from the earliest year of their documented existence in the collection. FICs must be formally accessioned to begin OHS's claim of ownership, pursuant to Oregon laws governing the transfer of title of loaned objects.⁵ If the FIC is a candidate for deaccession, OHS must follow the legal statutes described therein before proceeding to deaccession.

Provenance and Disclosure of Source

The principle of provenance indicates that the sources and origins of historical materials have a significant effect on their meaning and interpretation. Where possible, it is important that researchers be aware of the context surrounding historical materials, including the individual(s), family (or families), or organization(s) that created, collected, received, or otherwise held custody of the materials prior to their donation to OHS.

⁵ See Oregon State Legislature, ORS 358.415 to 358.440, https://www.oregonlegislature.gov/bills_laws/ors/ors358.html (accessed February 3, 2023).

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For this reason, it is best practice and OHS's default policy to acknowledge the source of materials in public-facing databases and other similar discovery tools. If a donor wishes to remain anonymous, they may request that the normal donation disclosure procedure be modified.

Title and Rights

As open access to collections supports OHS's educational and research mission, it is preferable that full title and all rights shall be transferred free and clear for all acquisitions, with no restrictions or preconditions prior to or at the time of physical transfer of custody. Physical custody alone does not convey, or guarantee transfer of, intellectual property rights such as copyright. Before an acquisition is accessioned, OHS requires documentation and transfer of copyright and intellectual property rights, if applicable, as noted on a signed deed of gift or other official paperwork.

- › It may be in a donor's or other source's best interest to transfer copyright to OHS when they donate materials. Retaining copyright can be an impediment to public access and may be burdensome to the copyright owner. All researchers with usage requests will be directed to the copyright owner.
- › Some creators, especially artists or their heirs still earning a living from any donated works, may wish to retain the copyrights to their materials. In these circumstances, physical custodianship and open research access rights are conveyed with the physical item, with a written agreement for OHS to assume copyright at a later pre-determined date within a reasonable timeframe.
- › Donor or other sources may not be the copyright holders for the entirety of the materials they seek to transfer and should take care in noting materials they did not create or for which they do not otherwise own copyright.
- › Copyright status may not be known for all materials, a matter that must be addressed and documented during the acquisition process. OHS reserves the right to refuse materials for which there are significant copyright concerns or access restrictions that would severely limit their use.

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- › Obtaining clear title to items previously accessioned into the collections but not documented may be done through any legal means, such as abandonment or a contractual reversionary clause.

Limitations

Materials accessioned into OHS collections are received as free and unrestricted, subject to conditions contained in the deed of gift or other official documents. Access and use restrictions are undesirable in a research environment and are discouraged. Restrictions that will unnecessarily impede public access or negatively affect OHS's resources in the long term will not be accepted.

- › OHS may refuse acquisitions due to restrictions that may prove burdensome to the organization or are not in keeping with the spirit of its mission. Collections with unreasonable, excessive, perpetual, or unexplained restrictions may not be accepted.
- › All restrictions must be agreed on by the donor and corresponding OHS department director and documented on a deed of gift or other official paperwork. Restrictions must be limited to a specified period of time.
- › OHS may be unable to accept some of the materials offered as part of a group or collection if they do not fit the collecting scope or priorities. In some cases, collections of special significance may be acquired, assessed, and only partially accessioned. OHS strives to not separate materials when the integrity of the collection as a single unit is important to maintain and may decide to retain items that if assessed separately, might be considered out of scope.
- › OHS will not knowingly acquire materials known or suspected to be illegally or unethically collected or distributed. In keeping with professional and ethical standards, such offers will be refused. In the case that previous accessions are found and proven to have been illegally collected or distributed, staff will exercise due diligence and reasonable attempts will be made to return those items, objects, or belongings to their rightful owner.

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- › OHS does not accept or care for materials without transfer of legal title, except as loans used for specific purposes and predetermined periods (see Loans).
- › OHS does not accession or purchase materials intended to be sold or transferred to another entity.
- › OHS must have the resources necessary to acquire and care for donated materials. Storage requirements, staff capacity to process and catalog materials, and other factors may impose limits to maintain responsible collecting practices.
- › The acquisition of some types of research library materials may be limited due to specialized format needs, including oral histories, machine-readable media, photographic negatives, and electronic records, which have specific preservation, storage, access, and legal considerations.

Appraisal and U.S. Tax Code Compliance

Collection donations and bequests to OHS may entitle donors to certain tax benefits.

- › OHS staff does not provide donors with monetary appraisals for materials or recommend appraisers. Appraisals or valuation for tax deduction purposes are the responsibility of the donor and those costs are borne entirely by the donor.
- › OHS will comply with all current Internal Revenue Service (IRS) rules and reporting regulations for charitable contributions.

Deaccessions

Deaccessions are an important collection strategy, which focus staff, financial, and other resources on the preservation of materials that best support the organization's objectives. Deaccessions must be thoughtful, purposeful, and fully vetted, taking into account many factors, including public, scholarly, and cultural interests.

OHS endeavors to collect historical materials for permanent retention; however, materials in OHS's research library and museum collections may require reevaluation to confirm appropriateness in furthering the current mission of the organization. If

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accessioned materials held in the research library or museum permanent collections meets criteria for deaccession, OHS's research library and museum staff will proceed according to established policies and procedures to remove them from the collections. OHS reserves the right to use or deaccession collection materials as it deems most appropriate, unless prohibited by restrictions.

OHS's deaccession policy is in alignment with best practices established by the American Alliance of Museum (AAM), American Association of State and Local History (AASLH), and the Society of American Archivists (SAA), as appropriate. Deaccession recommendations for unique and rare materials and objects will be brought before the Collections Committee for approval.

Criteria

To be considered a candidate for deaccession, material in OHS's research library or museum should be fully and clearly owned by OHS and not have any restrictions on deaccession or disposal, or restrictions have been resolved. Material should also meet one or more of the following criteria:

- › Lacks relation to organizational mission; is not strongly connected to the history of Oregon or the region
- › Is redundant or duplicative of other material represented in the collection
- › Requires excessive resources to maintain, store, or use for research, display, or loan
- › Would be better cared for or used by another, similar organization formed for public benefit or a federally recognized tribal entity
- › Is in a format that the organization cannot support and has not been (or cannot reasonably be) converted to another format
- › Incorrect or incomplete assessment of permanent collections at the time of acquisition, such as provenance, authenticity, adherence to scope

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- › Deterioration beyond the point of usefulness for research, display, or handling
- › Hazardous to health, human safety, or safety of structures and materials
- › Illegal to possess per current local, state, or federal law

In addition, material considered for deaccession should be part of the accessioned collections for a minimum of two years, to alleviate issues relating to IRS tax regulations (see U.S. Tax Reform Act of 1984) on charitable deductions.

Approval

Based on OHS's deaccession criteria, collections staff may refer material to the research library or museum director as candidates for deaccession. To be approved for deaccession, materials either need to be presented to the Collections Committee or to the department director for a formal decision.

Certain types of material only require the approval of the department director to deaccession:

- › Materials that are in a format that the organization cannot support and has not been (or cannot reasonably be) converted to another format;
- › Materials that have deteriorated beyond the point of usefulness for research, display, or handling
- › Materials that are deemed hazardous to health, human safety, collections, or safety of structures
- › Extraneous materials within collections (for example, canceled checks, newspaper clippings) that were incorrectly or incompletely assessed at the time of acquisition
- › Materials that are illegal to possess, such as stolen goods, or items that fall under NAGPRA (see Legal and Ethical Considerations) or other local, state, or federal laws or international conventions

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If the reasons for deaccessioning do not fall into the categories immediately above, the deaccession recommendation must be approved by the department director and executive director, then submitted to the Collections Committee for final approval following OHS Board of Trustees bylaws. Directors will present relevant information in a written document or deaccession form, such as: donor/source, history and provenance, condition, similar material represented in the collection and its provenance and condition, and the material's ability to be used for research, display, and/or loan. Requests for deaccessions by other repositories will be documented, or directors will attempt to identify another repository for transfer if the deaccession is approved. The decision must be recorded in the Collections Committee meeting minutes.

Disposition

Before physical removal from OHS, research library or museum staff will address (strike through) or remove any identifying marks, tags, or numbers, as they deem appropriate. The written record of the deaccession and method of removal from the collection will be retained in permanent collections records (see Records and Responsibilities for deaccession documentation).

Approved methods of disposition include:

- › **Transfer** to other OHS departments for use in exhibit production or other educational purposes
- › **Donate** to a nonprofit, library, museum, school, or similar institution
- › **Sale**, if such disposition is deemed appropriate
- › **Disposal** may be considered for materials that have no value as a transfer, donation, or sale

Documented preferences for disposition of deaccessioned material, recorded in deeds of gift and other paperwork, will be honored when feasible. Deaccessioned collection material may not be given to individuals or groups for personal or private use under any circumstance.

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Sales should be open to the public to ensure transparency, equal access, and that a fair market value is received without conflicts of interests. Sale of accessioned materials to OHS employees, volunteers, members of the OHS Board of Trustees, their family or representatives is prohibited unless the public has an opportunity for equal participation. Per legal precedent and best practices, proceeds from sales of deaccessioned collection items will be used exclusively to benefit the growth (acquisition) and preservation (direct care) of the collection. Proceeds will not be used for the general, day-to-day activities of the organization.

If the accession was received within the last ten years, staff will make good-faith efforts to contact the source of an accession and inform them of the deaccession. Such action shall not be construed as a request for permission to deaccession or as an attempt to return the object.

Loans

OHS shares its collections through thought-provoking exhibits and programs, robust digital platforms, and in-person and remote research. At times, the collections may be provided as loans to outside institutions and organizations for use in exhibitions, programs, events, cultural care and practices, and other educational projects. Additionally, OHS exhibitions and programs may be supplemented with incoming loans from outside organizations or individuals.

Professional Best Practices

OHS adheres to best-practice policies relating to incoming and outgoing loans of material, including:

- › OHS does not engage in outgoing loans with individuals, except to procure services such as conservation, framing, or reformatting.
- › OHS does not engage in third-party loans under any circumstances.
- › OHS does not engage in loans that do not have a specific purpose and a defined time period that does not exceed two years (with annual extensions considered). Permanent loans are not permitted.

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- › An OHS loan agreement must be in effect for the duration of the loan; if the borrower or lender requires their own loan agreement, it cannot invalidate or supersede OHS's loan agreement.
- › Loan documentation is kept for all loans.
- › OHS, borrowers, and lenders will abide by all laws and statutes relating to the loan and loaned materials.⁶
- › OHS neither charges nor pays loan fees. Costs associated with packing, shipping, staff time, and conservation costs for incoming loans may be negotiated; borrowers are responsible for these costs for outgoing loans.
- › Only museum or research library department directors are authorized to sign and approve all incoming and outgoing loan agreements.
- › Loaned material is expected to be cared for in a manner consistent with OHS standards of care, set forth by the AAM, at all times.
- › Exceptions to loan policies may be made at the discretion of the research library or museum director for special circumstances involving cultural care and use.
- › OHS reserves the right to refuse loans, regardless of whether the request meets its mission or other objectives.

⁶ see ORS 358.415 through 358.440, https://www.oregonlegislature.gov/bills_laws/ors/ors358.html (accessed February 23, 2023).

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Outgoing Loans

PROCESS

Outgoing loans of OHS's collections are available to institutions that meet the criteria set forth below, with loan agreements in place to delineate contractual obligations by both parties. All outgoing loans are to be used by the borrowing institution to benefit the public through exhibition, education, conservation, or research purposes.

Outgoing loans take staff time and considerable coordination — at least 90 days are needed for the period from the loan request to the outgoing transfer.

To meet the criteria, a borrowing institution should:

- › Be currently accredited by AAM or be a nonprofit, education-based institution organized for public benefit
- › May not discriminate against access to the borrowed material based on race, color, religion, sex (including gender identity, sexual orientation, and pregnancy), national origin, age, disability, or genetic information
- › Provide a current AAM standard report or general facility report or evidence that ensures the borrowing institution meets OHS's minimum requirements for display, security, environmental standards and controls, and handling
- › Be able to provide proof of insurance that meets the OHS requirements for the loan period; and
- › Provide information about the context of use that aligns with OHS's mission, vision, statement on diversity and inclusion, and other policies.

Material requested for loan must be deemed suitable for outgoing loan by OHS collections staff in the corresponding department. Availability must be confirmed, condition assessed, and the object judged safe for transport and display. Outgoing loans may be denied for objects that are considered central to OHS's mission, have restrictions on use, are culturally sensitive, or have format or condition concerns.

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Based on the information provided by the borrowing institution, the department director formally approves or denies the outgoing loan request. For approved loans, an OHS loan agreement is drafted.

Required information includes:

- › Name of the borrowing institution
- › Contact name, address, phone number, and email
- › Name and dates of the proposed use (such as exhibition title and opening and closing dates)
- › Dates of loan including time in transit to and from OHS
- › An itemized list of loaned material with object/collection identifiers
- › Insurance values
- › Preferred attribution for individual object display
- › Method of transportation
- › Special instructions for handling, display, and other considerations.

GENERAL POLICIES

Restrictions or guidelines for loaned material include but are not limited to:

- › OHS objects are not to be functionally used (clothing may not be worn, instruments may not be played, etc.) without express written permission from the appropriate OHS department director.
- › Loaned materials shall be transported in a manner that is agreed on and meets OHS's security requirements.
- › Outgoing loans are generally reviewed for potential renewal on an annual basis, if applicable.
- › Loaned materials shall be safeguarded against unauthorized handling or access using any combination of secure areas, exhibition barriers or secure display cases, or security personnel or systems.

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- › Loaned materials shall be safeguarded against deterioration caused by inadequate environmental safeguards such as large fluctuations in temperature, humidity, or both; direct sunlight; hot or bright lights; smoking; eating or drinking; or close proximity to HVAC infrastructure and equipment.
- › In general, the temperature should be maintained at 68–72 degrees Fahrenheit and the relative humidity maintained at 45 percent +/- 5 percent unless otherwise specified.
- › Lighting on materials should be aligned with recommendations set forth by the Conservation Center for Art and Historic Artifacts.⁷
- › Damage, major changes, or loss of loaned objects must be reported to the appropriate OHS department director within 24 hours.
- › Borrowers will not engage in conservation, repair, restoration, or any type of alteration of an object without express, written permission from the appropriate OHS department director.
- › Flash or professional photography of loaned objects is not permitted without prior approval; non-professional, non-flash photography is permitted.
- › Images or reproductions of loaned material shall not be used for publicity or marketing, fundraising, publication, or income-generating projects without prior approval.
- › OHS may require condition reports for incoming and outgoing loaned objects.
- › OHS will choose the transfer or shipment method based on the distance, route, and duration of the transfer, along with information about the outgoing loan material.

⁷ <https://ccaha.org/resources/light-exposure-artifacts-exhibition> (accessed February 23, 2023).

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- › Borrowing institutions are responsible for all costs associated with the outgoing loan.

Incoming Loans

PROCESS

OHS may request loans of material from individuals or organizations for use in exhibitions and programs. In doing so, OHS provides the same care and attention to incoming loaned material as it provides to its own permanent collections, and abides by the standards of care set forth by AAM. OHS loan agreements delineate contractual obligations by both parties.

Loans for exhibition purposes are normally initiated by the exhibition curator or library director, with coordination provided by collections staff. Entering the loan agreement with OHS, a lender affirms they have the right to lend the material; the material is free from known hazards; and in condition appropriate for handling, transfer, and display.

GENERAL CONSIDERATIONS

- › OHS only accepts loans for which it has an express purpose.
- › OHS will not accept loans to increase the validity of provenance, affirm the insurance value of an object, or for any other purposes of financial benefit to the lender.
- › OHS does not provide valuations for incoming loaned objects, and the loan agreement does not constitute an affirmation of the stated insurance value.
- › OHS insures loaned material for the agreed-on value in the loan agreement once possession has been transferred. If the material's value changes while on loan, it is the responsibility of the lender to inform OHS.
- › A certificate of insurance will be provided upon request.

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- › After an agreement is reached on the transfer method, OHS is responsible for costs associated with packing and shipping of loaned materials to and from the exhibition location.
- › If an incoming loan object requires conservation services, OHS may approve funds for conservation and will only engage in such services with the lender's approval.
- › OHS will comply with the lender's requirements regarding condition reports.

Loaned objects are released directly to the lender listed on the loan agreement, using a return receipt to document the return. In order to release an incoming loan to an individual not recorded on the loan agreement, either written authorization from the lender or evidence of the transfer of ownership must be provided. It is the responsibility of the lender to notify OHS of changes in ownership of loaned material.

OHS will make multiple attempts to return incoming loans to the owner. For loaned material left in OHS's the custody, OHS will abide by Oregon state statutes relating to "property loaned to a museum," ORS 358.420 to 358.440.⁸

Internal Loans

OHS may engage in interdepartmental loans of material between the research library, museum, or other departments. Loans for exhibition or other purposes are normally initiated by the exhibit curator or designated research library staff and will be documented with an internal loan agreement.

GENERAL CONSIDERATIONS

- › Insurance values are not needed, although items with exceptional value shall be noted.

⁸ Oregon State Legislature, ORS 358, https://www.oregonlegislature.gov/bills_laws/ors/ors358.html (accessed February 6, 2023).

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- › Criteria for approval and use of loaned materials are the same as those for incoming and outgoing loans.
- › Borrowers will confirm the appropriate citation and credit with the lender.

Care and Conservation

OHS staff uphold high standards of care for the collections they preserve, which include guidelines and techniques that dictate proper and secure housing and storage, maintenance of optimal environments, conservation treatment, safe transportation, disaster preparedness, and traditional care.

Preservation

All staff contribute to the preservation of OHS's collections. Preventative preservation techniques include housekeeping to maintain clean facilities free of pests and pollution; providing optimal lighting, humidity, and temperature in environments where collections are stored, displayed, and viewed; refraining from eating, drinking, and smoking in these areas; and adhering to the policies outlined within this document.

Collections staff are trained to use specific preservation techniques. Common practices include ensuring proper housing and storage; using archival and acid-free supplies; limiting handling to when necessary, and using best practices when handling is required; and assessing material for additional conservation needs.

Fire Suppression

Smoke detection and fire suppression systems are in use throughout OHS's facilities, including all collection storage and use areas. Wet-pipe fire suppression systems are generally used, and fire extinguishers are present in set locations. Open flames are not allowed in OHS facilities with the exception of required construction and repair work.

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Environment

Areas where OHS collections are stored, used, or displayed require specific environments for optimal preservation. Desired temperature, relative humidity, and lighting levels are determined by collections staff based on standards and best practices for the types of materials present. With this information, facilities and exhibition staff use environmental systems and hardware to maintain set data points.

Conservation

Generally, trained conservators conduct conservation treatment of collection materials. Any conservator providing treatment must use best practices and industry standards and adhere to the American Institute of Conservation (AIC) Code of Ethics.⁹

No staff member, intern, or volunteer may provide conservation treatment unless they have received training by a qualified conservator or authorized staff for specific actions of a limited nature on materials approved by the appropriate department director. Department directors choose and approve collection items for conservation treatment, in consultation with collection staff, using many factors such as the materials' inclusion in a display, exhibition, or loan; poor condition of material of high historical value; and the availability of restricted funds dedicated to conservation for a specific item.

Security

When collections are not in use (outlined in Access and Use), they are stored securely with only designated staff access; some areas may have enhanced or additional security measures. Materials on display must be safeguarded using techniques specifically designed to protect objects from theft, vandalism, or natural events such as earthquakes, which may include security tethering, display in vitrines closed with security screws, and audible alarms, among other measures. OHS security officers, who report to OHS's facilities director, are kept informed of specific security needs. Security cameras and

⁹ American Institute of Conservation, "Our Code of Ethics," <https://www.culturalheritage.org/about-conservation/code-of-ethics> (accessed February 3, 2023).

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alarms are in use throughout OHS facilities and are tested regularly. Cameras may be moved to focus on displays within an exhibition, high-use, or other areas in collaboration with the security team.

Movement

Materials may require transit within and between the OHS facilities, and designated collections staff must approve movement of museum objects or research library collections. Materials are normally transported between the facilities by designated OHS courier or collections staff in OHS-owned or rented vehicles; by moving or shipping contractors in their vehicles; or, in certain circumstances, in personal vehicles with the collecting department director's approval. Methods of movement outside of OHS facilities is determined by the specific purpose, materials in transit and their condition, distance, and other factors.

Preparing material for transit is the responsibility of collections staff or designated volunteers, interns, or professional contractors under staff supervision. Materials may not be left unattended in vehicles or otherwise unsecured.

Insurance

All OHS collections are insured, which includes coverage for all collection materials while they are displayed, stored, and used at OHS facilities as well as when in transit or on loan. Despite being insured while on loan to another institution, borrowers are also expected to insure the material while in their possession to the extent outlined in the loan agreement. (Objects on loan to and in the physical possession of OHS are also insured under the policy.)

Please note that individual objects are not appraised for value unless they are on loan to another organization. In that case, the loan agreement must include a researched fair market value for insurance purposes.

Any damage or loss to collection material must be reported to an OHS collections staff member immediately, who must report to the collecting department director as needed, before any attempt to repair or move the material.

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Disaster Preparedness

OHS maintains a disaster plan for collections, developed by a committee of collections staff appointed by the library and museum directors. The disaster plan is reviewed by the committee every two years and revised as needed. Collections staff are trained in disaster preparedness and are responsible for working with facilities staff members to oversee the recovery of materials in the event of an incident affecting collections. Disaster recovery supplies for collections are maintained in each OHS facility and monitored by collections staff. Collections staff also conduct periodic building surveys of collection areas and work closely with the OHS Health and Safety Committee, security, and facilities staff to identify and mitigate risks.

Traditional Care

OHS recognizes that material in the permanent collections may have special significance to specific communities and cultures and entered OHS's collections in ways that do not align with those communities' cultural values. As such, OHS encourages the use of traditional care when handling sensitive collections. Such care may be outlined by culture bearers, cultural care practitioners, tribal representatives, NAGPRA representatives or Tribal Historic Preservation Officers, or individuals with similar positions. Where possible, OHS adheres to cultural care requests.

Records and Responsibilities

OHS collections staff create and maintain records according to current professional standards. These records document collection provenance and legal transfer of collections and associated rights; allow for tracking of acquisitions as they are processed into (or occasionally removed from) OHS holdings; and provide acknowledgement to donors and record donor preferences for materials not accepted for permanent retention by OHS. Records and forms may include temporary receipts, deeds of gift, receipts and invoices, loan agreements, deaccession forms, legal releases, intake inventories, entries in OHS's collection management systems, and catalog and database records.

Some legal documents such as deeds of gift and legal releases are retained as both paper files and digital surrogates, while others such as collection management, catalog, or other database entries exist only in digital form; digital records are backed up

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electronically. Newly created collections documentation on paper must be backed up with digital surrogates.

Documentation of collection acquisition or accession does not indicate guarantee of perpetual/permanent retention of collections. Documentation of donation and donor agreements shall be retained even beyond the event that a given collection is deaccessioned. Acquisition records are to be made accessible for use by authorized staff and are not generally available to the public, but the default practice in OHS's public catalog and database records is to disclose the source and year of donations (see Acquisition and Accession).

Temporary Receipt

At the time of physical transfer to OHS, a temporary receipt recording the transfer is issued for all items received unless a deed of gift is immediately issued. The temporary receipt shall list each item or describe the collection with sufficient, pertinent identifying information, and shall be signed by the donor, donor's authorized representative, or other source and by the receiving OHS staff member. Once a deed of gift, purchase receipt, or other written statement of transfer of ownership signed by the current owner is obtained, material may be accessioned. Materials listed on the temporary receipt as a gift become the property of OHS following the date of the temporary receipt, regardless of whether a deed of gift is executed.

Deeds of Gift

A deed of gift is a formal and legal agreement between the donating individual or organization that permanently transfers legal ownership of and legal rights to the donated materials. All collection donations should come with a deed of gift that documents the transfer of ownership, which includes a description of what was donated; name of donor or their legal representative (and relationship to donor, if applicable); donor's current address; their legal authority to donate the materials; OHS listed as the recipient repository; date of donation; and any restrictions to access or use along with a clearly stated time limit on such restrictions. Deeds of gift must be signed by both the collection donor or their authorized representative and the appropriate collection director. A copy of the signed deed of gift is provided to the donor or their representative either in paper or digital form for their records.

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- › Multiple donations from the same donor transferred on separate dates typically generate separate deeds of gift for each donation. Mixed donations, in which a portion of the donation goes to the research library while another portion goes to the museum, may receive separate deeds of gift from each department.
- › During processing of donated materials, OHS staff frequently separate out materials that are duplicative or considered out of OHS's collecting scope, retaining only materials that have substantive and enduring historic value. A deed of gift or temporary receipt should include preferences about what to do with any donated materials not selected for permanent retention.
- › Transfer of ownership of physical or digital materials generally includes transfer of intellectual property rights such as copyright, trademarks, or patents, unless otherwise specified or not applicable. Copyright generally belongs to the creator of original material. When held by the donor or other source, they are encouraged to transfer all rights to OHS to support the research, cultural, and educational use of their collections — the core of OHS's mission. Intellectual property rights may sometimes be retained after physical ownership is transferred, but documentation should specify a future date when full rights transfer to the repository.
- › Regardless of copyright status, Section 108 of U.S. Copyright Law dictates that libraries may create copies for preservation or scholarly research.¹⁰ In addition, the fair use exception often allows scholars, students, and researchers to publish portions of an item that is under copyright, although permission to publish or quote extensively should be obtained from the copyright holder.¹¹

¹⁰ For Section 108 of U.S. Copyright law, see <https://www.copyright.gov/title17/92chap1.html#108> (accessed February 3, 2023).

¹¹ For information on fair use, see <https://www.copyright.gov/fair-use/more-info.html> (accessed February 3, 2023).



Legal Releases

A legal release is a document signed by all parties (interviewers and interviewees) who contribute to the creation of an oral history and is required for acquisition of oral histories by OHS. This document serves as a clear statement of consent and copyright and ensures that oral histories are accessible for research as a valuable part of the historical record. This is best achieved when both the interviewer and interviewee grant perpetual rights to OHS. As OHS's standard practice, interviewees are granted a non-exclusive license to their oral history during their lifetime. Any restrictions to the public release of oral histories must include a reasonable and specific end date.

Purchase Receipts

Purchases of items or collections are infrequent but are documented through appropriate OHS accounting records. Records may include purchase order forms, sales invoices, or receipts. Purchases are recorded in accession records and otherwise treated similarly to donations except they do not require a deed of gift.

Accession Records

Accession records are internal records that consist of data gathered from a deed of gift and other acquisition paperwork as well as communications with donors or their representatives. Accession records contain concise details about an acquisition such as its creator(s) and source, documentation of legal and physical transfer, and supporting descriptions of what was donated such as an intake inventory.

- › Accession records are kept separately by the research library and museum collections. During the accessioning process, a unique identifying number specific to the research library or museum collection is assigned to each donation.
- › When an acquisition contains both research library and museum components, each department will retain records for their portion of the acquisition and will cross-reference accession numbers for the other department's component in their collection management systems and catalog records; this retains the contextual and intellectual integrity of acquisitions and aids custodial care.

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- › Accession records in both the research library and museum are logged in collection management systems, electronic filing systems standard in each profession that record donor information and link accessions to processed materials. New accessions are also logged in other collection management tools, such as spreadsheets that are used to track processing status, condition, and priority across all holdings. Paper files for deeds of gift and accession files compliment digital accession records created in collection management systems.

Intake Inventories

On initial receipt of a donation, staff, or occasionally donors or their representatives, may create an intake inventory that documents the nature, form, and content of the materials or objects donated.

- › Intake inventories are especially necessary for large collections that do not fit into a single container or collections that cover a wide range of dates and topics. Smaller or single-item donations generally do not require inventories.
- › Intake inventories are mainly for internal use during arrangement and description of collections but may occasionally be shared with researchers to aid in reference retrieval when an accession is still unprocessed.

Catalog and Database Records

RESEARCH LIBRARY

- › The research library differentiates between unprocessed accessions, which usually require staff to conduct significant arrangement and description work, and processed collections that are considered ready for public use. Depending on a variety of factors, such as institutional priorities and available labor and resources, some accessions are processed and cataloged quickly after acquisition, while others require more time.
- › Accessions may be categorized based on their dominant format (such as manuscripts, photographs, or sound) and are assigned a collection number, a unique identifying number within the research library's holdings. Provenance

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dictates how accessions are dispersed into new or existing collections and is documented in collection files and accession records.

- › Every addition to the research library's holdings is described in a public-facing, local, online catalog record as well as the WorldCat international library catalog, making it widely discoverable, understandable, and requestable for local and remote researchers. Some collections also receive additional detailed descriptions in collection guides made available through regional archives databases.
- › Research library catalog records and records in other databases are created with strict adherence to national metadata standards so that collections may be discovered in a wide variety of contexts. Catalog records generally include a simple statement of provenance, recording the source of the acquisition and date, and detailed information about the collection, its contents, context, creators, and the historical events, trends, or communities it documents.

MUSEUM

On formal accession, all individual objects within an accession group are cataloged separately, with physical description, dimensions, dates, condition, object photograph(s), and known provenance.

- › Catalog information may be captured electronically in the museum's collection database system or on a hardcopy catalog form; regardless, a paper copy must be made and maintained in the accession files.
- › After cataloging, most electronic records are included on the public-facing Museum Collection Portal.

Deaccession Documentation

All deaccessions will be documented in the collecting department's files, which include a completed and signed deaccession recommendation form, the approved Collections

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Committee meeting minutes during which the deaccession was discussed, and any accompanying documentation.

Accession records for deaccessioned materials will be retained after the deaccession is executed.

Deaccessions will additionally be noted in internal collections management databases and noted or removed from external catalogs.

Loan Agreements

An OHS loan agreement must be in effect for the duration of all loans (incoming and outgoing, including internal loans). (See Loans for required loan information.) Loan documentation is permanently retained by the lending department.

Access and Use

OHS is committed to providing public access to the collections it cares for through exhibitions, research and reference services, education and outreach programs, publications, and online resources. Access to collections refers to both the ability to research OHS collections through local and cooperative online catalogs and the ability to request, read, and otherwise view collections in person and sometimes through digital surrogates. When deemed warranted, staff may note the presence of potentially offensive or otherwise harmful content within our collections.

Access

OHS collections do not circulate, that is, they cannot be borrowed to be used offsite or outside of designated areas. Research access to physical objects and analog library materials, as well as some digital items, is available onsite in OHS's research library reading room and OHS's offsite storage facility and is supervised by authorized collections staff.

OHS's museum and research library staff manage procedures and rules outlining public access to collections. These procedures and policies encourage appropriate use of

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historical materials and maintain a standard of care that will allow both current and future generations to access them.

Access to collections is contingent on approval by authorized OHS museum or research library staff. Staff have the responsibility to limit access to collections if, in their judgment, there is the potential for harm to collections. Public access to collections is limited to exhibitions and special events, where measures are taken to protect collections, and to research conducted onsite, which is subject to established use guidelines aimed at collection preservation.

Only authorized OHS staff have access to collection storage areas. All others must be escorted by an authorized OHS staff member to enter these areas. Special considerations may be made for Native American cultural practitioners to provide cultural care in private settings. Occasionally, pre-approved tours may be arranged in collections storage areas and may include viewings of selected items, which are also subject to established collection care policies and guidelines.

LIMITS TO ACCESS

Situations that limit public research access to collections include the following:

- › Culturally sensitive collections: Some communities have cultural and religious connections to and concerns about access to museum or library materials. OHS will make efforts to collaborate with appropriate community leadership to approve access according to legal and ethical guidelines.
- › Donor requests: Although discouraged, temporary restrictions requested by a donor and agreed to by OHS (usually for privacy or legal reasons) may keep some collections or portions thereof closed to public access for a specified period of time.
- › Collection documentation: Access to collection acquisition documentation is normally limited to OHS staff due to privacy and confidentiality concerns.

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- › Condition: OHS may restrict access to materials that are especially fragile or in a condition or format that prevents their safe handling. Whenever feasible, a surrogate will be provided through a reproduction copy.

RESEARCH AND REFERENCE INQUIRIES

Access to collections for research is a major objective of OHS's mission. The research library and museum encourage researchers to engage with OHS's collections for their personal and professional research needs. Research library and museum staff field reference inquiries in person at OHS's sites of operation and remotely through various modes of communication, connecting researchers and other interested parties with relevant collection materials, answering questions about materials and their historical context, guiding researchers through the research process, and helping them use research tools and resources effectively.

A selection of museum collection object records is available for viewing online on the Museum Collection Portal. Research library collections can be searched in the online Library Catalog, WorldCat, and on Archives West. OHS Digital Collections features thousands of digitized research library collections, many of which are also discoverable via Northwest Digital Heritage and the Digital Public Library of America. Other discovery tools, such as OHS's digital history projects, highlight OHS collections and provide authoritative information about Oregon history.

Potential researchers should contact the research library or museum to request access to collections, for general research assistance, or to request a research appointment, if necessary.

- › Researchers seeking access to collections may make a reference inquiry by email or phone, or, in person during the research library's public hours for research library collections. Many materials are stored off-site and must be requested in advance. Barring legitimate access restrictions, staff will locate materials for researchers to view on-site in an appropriate location under guidance and supervision of authorized OHS library and museum staff.

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- › Staff reserve the right to refuse or withdraw access for individuals who do not comply with request procedures, established security methods, or appropriate collection handling as outlined in this policy.
- › Research access to research library and museum collections is free of charge but dependent on staff and collection availability. Complicated reference inquiries and research assistance requiring more than minimal staff time may incur fees, or researchers may be advised to seek a research consultant unaffiliated with OHS.

PHOTOGRAPHY AND FILMING

Researchers may photograph non-sensitive materials for non-publication purposes, primarily for personal reference uses, following OHS's current policies. Researchers may not scan or photocopy items; reproductions are available through the research library's reference or photo services. Filming of collections or collection storage spaces requires prior approval.

Use and Rights

RIGHTS CONSIDERATIONS

OHS policies for reproduction and publication of items held in its research library and museum are set in accordance with U.S. Copyright Law and other applicable statutes. Users should confer with an attorney for specific guidance.

COPYRIGHT STATUS

OHS aims to be transparent about copyright ownership by clearly indicating copyright status in its public-facing records, according to professional best practices.

- › When copyright status for a collection is known, or when OHS owns the copyright for a collection, OHS will communicate through its public-facing records copyright information that is accurate to the best of OHS's understanding at the time of evaluation. It is the responsibility of researchers or potential publishers to confirm the accuracy of all copyright information.

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- › For collections with unknown, unclear, or complicated copyright status, OHS will share all available copyright information but cannot make copyright determinations for those who seek to publish from collections.
- › When copyright to part or all of a donated collection has been retained by an individual donor, or by an organization such as a newspaper, OHS can neither grant permission to publish nor manage these requests; OHS will refer requests regarding rights to the donor for copyright determination.
- › Copyright is often complicated, ambiguous, or multi-layered. Donors should note, for example, that a single collection may contain individual works with different copyright holders, such as collections containing letters written by multiple correspondents (the letter author holds copyright, not the receiver or collection donor), or works for hire for which copyright is usually held by the hiring organization and not the individual creator.
- › While encouraging broad usage of our collections, in accordance with U.S. Copyright Law, OHS reserves the right to charge usage, license, or publication fees for use of collection materials for which it explicitly owns copyright, especially for commercial purposes. Use or licensing fees are separate from OHS's reproduction fees, which are described in the Reproduction Services section.

FAIR USE EXCEPTION

U.S. Copyright Law includes stipulations to allow for certain “fair uses” even when materials fall under copyright, most frequently for educational purposes. Section 107 of U.S. Copyright Law expressly permits the use and duplication of copyrighted works without permission of the copyright holder “for purposes such as criticism, comment, news reporting, teaching, scholarship or research.” OHS encourages fair use of our materials whenever possible and appropriate. While OHS cannot make fair use

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determinations, we urge researchers to keep records of their own fair use determinations.¹²

PUBLIC DOMAIN

Some collections not covered by copyright protections or for which copyright protections have expired fall under the category of public domain. OHS's collection materials confirmed to be in the public domain may be freely used without permission from OHS or any other entity. In instances where public domain status is clear and known to OHS, OHS will readily disclose that status to researchers, potential users, and those who wish to publish.¹³

MUSEUM COLLECTIONS

The objects stewarded in OHS's museum collection are the property of OHS and, as such, may be used for exhibition, research, loan, among other uses, as described in this section (see also Section 109(a) of the Copyright Act). OHS does not grant researchers or users a license to any people, places, property, or subject matter depicted in an image, which may be subject to copyright, trademarks, rights of publicity, moral rights, property rights, or other rights belonging to third parties. Users bear sole responsibility in determining whether their use of any image requires the consent of any third party or the license of any additional rights, and users should not rely exclusively on the information provided by OHS. Users are responsible for consulting with legal counsel if they are unsure whether additional rights are needed for their proposed use of images of museum collection objects.

¹² U.S. Copyright Law Section 107, "Limitations on exclusive rights: Fair Use," <https://www.copyright.gov/title17/92chap1.html#107> (accessed February 23, 2023).

¹³ For a general guide to determining copyright status and public domain in the United States, see the Cornell University's "Copyright Term and the Public Domain," <https://copyright.cornell.edu/publicdomain> (accessed February 3, 2023).

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RESEARCH LIBRARY COLLECTIONS

While OHS provides research access to all its library holdings, the majority of library collections, both published and unpublished, fall under copyright protections that may limit their use or publication. While these collections may be freely accessed for research purposes, researchers must determine copyright status and whether permission is required to publish or otherwise use those materials.

REPRODUCTION SERVICES

In addition to allowing researchers to photograph or obtain reference copies of collection materials for their personal or educational use, OHS offers fee-based professional reproduction services. These services are provided under the following conditions:

- › The materials requested are in adequate physical condition or are feasible to reproduce.
- › The requested materials do not have a known legal, copyright, or other restriction preventing reproduction.

Legal and Ethical Considerations

OHS abides by all federal, state, and local laws and statutes, including but not limited to those specifically outlined in this section. OHS also acts in accordance with relevant codes of ethics, including the AAM Code of Ethics for Museums, Code of Ethics and Professional Practices for Collections Professionals by the Association of Registrars and Collections Specialists (ARCS), SAA Core Values Statement and Code of Ethics, American Library Association's (ALA) Code of Ethics, and Association of College and Research Libraries (ACRL) Code of Ethics for Special Collections Librarians. OHS employees are

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expected to act with the legal standard as the minimum standard of care, employ the highest ethical principles, and be objective in their work and actions.¹⁴

- › OHS does not knowingly collect materials that have been illegally removed from their place or culture of origin, in accordance with laws such as, but not limited to:
 - Endangered Species Act of 1973 (ESA). ESA prohibits “the import, export, or taking of fish and wildlife and plants that are listed as threatened or endangered species.”¹⁵
 - Archaeological Resources Protection Act of 1979 (ARPA) “prohibits excavation without a permit on federal and Indian lands as well as trafficking in archaeological resources that have been illegally removed.”¹⁶
- › The Native American Graves Protection and Repatriation Act of 1990 (NAGPRA) requires repatriation of human remains and objects of cultural patrimony to federally recognized Native American tribes or Native Hawaiian organizations, from any agency that receives federal funds.¹⁷

¹⁴ American Alliance of Museums, “AAM Code of Ethics for Museums,” <https://www.aam-us.org/programs/ethics-standards-and-professional-practices/code-of-ethics-for-museums/> (accessed February 3, 2023); Association of Registrars and Collections Specialists, “Code of Ethics and Professional Practices for Collections Professionals,” https://www.aam-us.org/wp-content/uploads/2021/03/Code_Ethics_Collections_Professionals_2021_02_24.pdf (accessed February 3, 2023); Society of American Archivists, “SAA Core Values Statement and Code of Ethics,” <https://www2.archivists.org/statements/saa-core-values-statement-and-code-of-ethics> (accessed February 3, 2023); American Library Association, “Professional Ethics,” <https://www.ala.org/tools/ethics> (accessed February 3, 2023) and Association of College and Research Libraries Code of Ethics for Special Collections Librarians, https://rbms.info/standards/code_of_ethics/ (accessed February 15, 2023).

¹⁵ <https://www.fws.gov/media/endangered-species-act> (accessed February 15, 2023).

¹⁶ <https://www.govinfo.gov/content/pkg/COMPS-1707/pdf/COMPS-1707.pdf> (accessed February 15, 2023).

¹⁷ <https://uscode.house.gov/view.xhtml?path=/prelim@title25/chapter32&edition=prelim> (accessed February 15, 2023).

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- › OHS abides by legal and ethical standards of stewardship regarding confidentiality and privacy-privileged information in materials, regardless of their specific applicability to museums and libraries, including but not limited to:
 - Legal confidentiality: Certain privileged communications, such as between an attorney and client, may be protected by law.
 - The Health Insurance Portability and Accountability Act of 1996 (HIPAA) is a federal law that protects sensitive health information from being disclosed without the patient’s consent or knowledge.¹⁸
 - The Family Educational Rights and Privacy Act (FERPA) is a “federal law that affords parents the right to have access to their children’s education records, the right to seek to have the records amended, and the right to have some control over the disclosure of personally identifiable information from the education records.”¹⁹
 - Right to Privacy: Individuals may be protected from an invasion of their privacy including their personal information, image, etc. with special attention to the use of a child’s information and likeness.
- › OHS adheres to legal requirements relating to content-related rights such as:
 - Right to Publicity: The interests of people to benefit from use of their persona (such as name and likeness) may be protected.

¹⁸ <https://www.govinfo.gov/content/pkg/PLAW-104publ191/pdf/PLAW-104publ191.pdf> (accessed February 16, 2023).

¹⁹ U.S. Department of Education, “Protecting Student Privacy,” <https://studentprivacy.ed.gov/faq/what-ferpa> (accessed February 3, 2023).

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- Visual Rights Act of 1990 (VARA), which attempts to prevent misuse of original works of visual art made after 1990 that would affect the integrity of the artist or intentional disfiguration or destruction of the work of art.²⁰
- › Public records: OHS is not a public body and therefore is not directly subject to public records requests.²¹
- › OHS staff makes reasonable efforts to incorporate traditional or cultural care for materials they steward. Such care may include specialized cataloging, description, handling, storage, access, or display and may differ from traditional museum or research library practices. Traditional or cultural care requires consultation with origin communities.
- › Board, staff, and volunteers are expected to not engage in conflicts of interest with OHS. For specific information related to employee business ethics and conflicts of interest, see the *OHS Employee Handbook*. See also the Code of Ethics section in OHS's *Volunteer and Intern Handbook* and OHS Restated Bylaws, Section 3: Procedures.²²
- › According to professional best practices, OHS staff do not provide monetary appraisals for collection materials under any circumstances, nor do OHS staff make recommendations for appraisers or conservators.

²⁰ <https://www.congress.gov/bill/101st-congress/house-bill/2690> (accessed February 16, 2023).

²¹ See Attorney General's Public Records and Meetings Manual, June 2019, <https://www.doj.state.or.us/oregon-department-of-justice/public-records/attorney-generals-public-records-and-meetings-manual/> (accessed February 3, 2023).

²² Oregon Historical Society, *Volunteer and Intern Handbook*, <https://www.ohs.org/about-us/staff/upload/Volunteer-Handbook-2019-v2.pdf> (accessed February 3, 2023).

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Policy Creation, Review, and Revision

This CMP was developed and drafted by OHS staff (Library Deputy Director for Collections Dana Miller, Library Director Shawna Gandy, and Deputy Museum Director Nicole Yasuhara), reviewed by collections department staff, and approved by the Executive Director and Collections Committee of the OHS Board of Trustees.

This policy will be reviewed every five years by a committee of research library and museum collections staff assigned by the library and museum directors. Revisions will be submitted to the Collections Committee for approval. Once approved, this policy will be provided to the OHS Board of Trustees and relevant OHS staff. Additional reviews may be conducted when the research library and museum directors or Collections Committee deem it necessary or when there is an organizational change that necessitates a review.

The CMP will be made public by posting on OHS's public website, ohs.org. Collections staff will also provide a copy to the public when requested.



Glossary

Accession: the administrative process of accepting material for the library or museum collection and formally documenting the transfer. An “accession” may also refer to materials (processed or unprocessed) that have been formally accepted and documented in this manner.

Acquisition: process by which materials are physically and legally transferred to OHS. Materials obtained through this process are referred to as “acquisitions.” Some acquisitions or portions thereof are formally accepted to become accessions.

Born digital: materials that are originally created and expressed in digital form, as opposed to being converted from an analog format.

Deaccession: the process of formal and permanent removal of material that has been accessioned by a library, archives, or museum.

Deed of gift: formal document delineating the terms of a legal and physical donation of ownership of material, in whole or part. A deed of gift must include the names of the parties involved and be signed and dated by both parties to be in effect under its terms.

Digital surrogate: a digital copy of material that was originally created in an analog format.

Facilities report: a document that reports accurate, up-to-date information on the specifications and practices of the reporting facility. A Facilities report should include information about the architecture and construction materials present in the facility, protection and safety systems, environment (temperature, humidity, lighting), insurance, access policies, and emergency preparedness.

Legal release: a document that legally binds and delineates relationships or expectations between two or more parties.

Provenance: context surrounding historical materials, including the individual(s), family (or families), or organization(s) that created, collected, received, or otherwise held custody of the materials.



Other Sources Consulted

ACRL/RBMS-SAA Guidelines on Access to Research Materials in Archives and Special Collections Libraries, 2020 January, <https://www2.archivists.org/standards/ACRL-RBMS-SAA-Guidelines-on-Access-to-Research-Materials-in-Archives-and-Special-Collections-Libraries-2020>.

Center for Conservation of Art and Historic Artifacts, Collections Management Policy Toolkit, 2022, <https://caha.org/initiatives/collections-management-policy-toolkit>.

Protocols for Native American Archival Materials, <https://www2.nau.edu/libnap-p/>.

Society of American Archivists, Dictionary of Archives Terminology, <https://dictionary.archivists.org/>.

Society of American Archivists, Guidelines for Reappraisal and Deaccessioning, 2017, <https://www2.archivists.org/node/16060>.