

ART CENTER BYLAWS, POLICIES, AND PROCEDURES

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For any comments, feedback, or query, please contact: policies@aub.edu.lb.

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Section 1 – Mission

The mission of the art center of the American University of Beirut is to inspire and challenge its students, faculty, and the public through various forms of communicative and artistic expression. Through its permanent collections, exhibitions, performances, and teaching, it serves as a dynamic focal point for creativity, scholarship, appreciation, and outreach.

The center reflects the core liberal arts values of the University by promoting the aesthetic dimension of our humanistic heritage. It aims to challenge and deepen the understanding of human creativity, to promote scholarship and considered judgment in the arts, to strengthen appreciation for cultural and historical values, and to encourage varied modes of expression in the fine and performing arts.

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Section 2 - Goals

1. To acquire, develop, preserve, and interpret a comprehensive and exemplary permanent collection of mostly contemporary art with a regional middle-eastern focus.
2. To increase and maintain the collection by developing strategies for attracting grants, donations, and gifts of art.
3. To collaborate with the University faculties and schools, and to be an integral part of the University's educational offerings, in general, and of the teaching programs for the fine and performing arts, in particular.
4. To maintain an interactive program of exhibitions and cultural activities for the museum's public, heightening awareness and encouraging participation.
5. To protect and preserve its art collection according to international standards.
6. To seek cooperation with regional and extra-regional art centers.
7. To maintain high standards for curation, scholarship, and the center's programs by recruiting qualified personnel.
8. To maintain and enhance the center's facilities.

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Section 3 - Code of Ethics

As an integral part of AUB, the art center is governed by the University's policies and procedures. Its staff and volunteers must act with integrity and objectivity and in accordance with the highest ethical standards, as outlined in the University's [Code of Business Ethics](#) and the [Policy on Conflict of Interest](#).

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Section 4 - The Collection

The University, as represented by the center's staff, is responsible for the care of and accessibility to the collection in keeping with professionally accepted standards, and must know the location and the condition of each object held. Procedures must be maintained for the periodic evaluation of the condition of the collection and for its general and special maintenance.

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Section 5 - Acquisition/De-Accession

In the areas of acquisition and disposal of items in the University's art collection, careful consideration should be given to the interests of the art center, the public for which it holds the collection in trust, the donor's intent, and the interests of the scholarly and cultural community.

Objects from the collection should not be disposed of against the advice of the professional staff. This qualification is subject to the de-accession policy of the center.

When de-accessioning, the center shall not allow objects from its collection to be acquired by any member of the Advisory Council, university staff, volunteers, or their immediate family members.

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Section 6 - Commercial Use

Any commercial or other activity involving the University's art collection, as well as the publicity relating to it, should be relevant to the collection and to the basic educational purposes of the center and must not compromise the quality of the collection.

The center will not violate copyright laws in making replicas, reproductions, or other items based on the collection, or in granting permission to others to do so. If replicas or reproductions of works of art and artifacts are produced, care must be taken to identify such objects for what they are, in a manner that will be permanent, and to ensure the accuracy and high quality of their manufacture.

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Section 7 - Availability

Although the University and the public must have reasonable access to the collection on a nondiscriminatory basis, the center assumes, as a primary responsibility, the safeguarding of the collection and, therefore, may regulate access to it. Objects not on public view, as well as the records associated with them, are made available for study as space permits, by appointment.

The judgment and recommendations of professional staff members regarding the use of the collection must be given utmost consideration. In formulating their recommendations, the staff must let their judgment be guided by two primary objectives; the continued physical integrity and safety of the object of collection, and scholarly or educational purposes.

The center recognizes its responsibility to scholarship and is committed to careful consideration of requests for loans to other institutions. Each loan request is considered on its merit with regard to the scholarly objectives for which the object is requested, its place in AUB academic programs, its commitment elsewhere, and donor restrictions. The physical conditions at the borrowing institution and the demands of transit must also be considered, with a view at all times to the safety of the object.

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Section 8 - Intellectual Responsibility - Freedom of Expression

The Center holds the responsibility to present the best current information about the works displayed. Intellectual honesty and objectivity in the presentation of objects are the duty of every professional.

Exhibitions may address a wide variety of philosophical, cultural, historical, or artistic issues. Issues must be approached objectively and without prejudice.

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Section 9 - Management Policy

1. Professionalism

The resolution of issues involving professional matters must include the opinions and professional judgments of relevant members of the University. Responsibility for final decisions rests with the center director and shall be respected by professional staff.

2. Personnel Practices

The University's policies and procedures are documented in the relevant personnel manuals for [academic](#) and [non-academic](#) staff at AUB. In all matters related to the center's staffing, as well as membership of the Advisory Council, management practices, volunteer opportunities, collection, usage, and relationships with the public at large, the staff shall abide by the University's [Policy Against Discrimination and Harassment](#).

3. Volunteers

Volunteer participation is encouraged. Paid staff should be supportive of volunteers, receive them as fellow workers, and willingly provide appropriate training and opportunity for their intellectual enrichment.

Access to the center's inner activities is a privilege, and the lack of material compensation for effort expended on behalf of the center in no way frees the volunteer from adherence to the standards that apply to paid staff. Volunteers must work toward the betterment of the institution, and not for personal gain other than the natural gratification and enrichment inherent in participating in the center's activities.

While the center provides its volunteers with special privileges, volunteers should not accept gifts, favors, discounts, loans, and other dispensations or objects of value that accrue to them from other parties in connection with carrying out duties for the institution. Volunteers must hold confidential matters of program function and administration.

4. Fundraising

Any solicitation of gifts must be carried out in close coordination with the vice president for development and in accordance to the [Policy on Fundraising](#). Staff or volunteers involved in raising funds or soliciting other contributions or gifts-in-kind on behalf of the center must do so with due regard to all relevant departments and authorities of the University and with honesty as to the need for such contributions; the center must use donations only for the donor's intended purposes. Solicitations for gifts may not promise any opportunities or advantages that are not offered to all donors. All records related to the center's fund raising activities shall be maintained by the center and the development office.

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Section 10 - Staff

1. Collaboration

As part of a larger institution, the staff, volunteers, and members of the Advisory Council must be sensitive to the needs of other administrative and academic departments of the University. Staff members, volunteers, and members of the Advisory Council should be helpful and cooperative in their dealings with other departments.

2. Conflict of Interest

The center is governed by the University's [Policy on Conflict of Interest](#). With respect to the art center, conflicts of interest can occur in buying or selling works of art, artifacts, or archival material, in accepting gifts, in receiving special treatment by persons with whom the center or the University conducts business, in acting as an outside consultant, or in engaging in outside employment. The staff should be prepared to accept the restrictions that are necessary to maintain public confidence in cultural institutions and in the museum profession. Center staff, volunteers, and members of the Advisory Council will be required to fill out the University's [Conflict of Interest Form](#).

If a staff member lends a work to an exhibition in the center, the loan will be credited on the accompanying label or in any published material as "anonymous loan". The center shall not purchase or exhibit artistic works of persons directly associated with the center.

3. Personal Collecting

Staff members, volunteers, and members of the Advisory Council are not permitted to purchase any objects de-accessioned by the center, or to trade objects in their personal collections for an object from the center's collection.

Staff members, volunteers, and members of the Advisory Council shall not store personal collections at the center. All works brought into the center must be treated in accordance with the incoming loan policy. They should not do research on, or conserve their personal collections or those of family members or friends at the center.

4. Personal Works

Staff members, volunteers, and members of the Advisory Council of the center will not have their work considered for purchase or exhibition while associated with the center.

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Section 11 - Governance

1. Board of Trustees

The Board of Trustees of the American University of Beirut, incorporated in the State of New York, has fiduciary responsibility for the governance of the University, and serves as the policy-making body in a system of shared responsibility with the University administration. The president of the University is a member of the Board of Trustees.

2. Provost

The provost is the chief academic officer of the University and supervises all academic programs including museums. The provost is responsible for implementing university policies with respect to all museums and university collections.

3. Director of the Art Center

The director of the art center reports to the provost and is responsible for setting the strategy for collecting, maintaining, and de-accessioning items in the collection. The director will coordinate with all academic units that use the collection in their teaching and public outreach.

4. Advisory Council

The Advisory Council of the art center at the American University of Beirut is an advisory body to the provost, who supervises all University museums and collections, and to the director of the art center. The Advisory Council shall advise on all matters relating to mission, programs, staffing, collections, planning, and solicitation of gifts. The Advisory Council is a principal source of ideas on collections, exhibits, outreach programs, and collaboration with other art centers and institutes.

The Advisory Council acts in an advisory capacity only and has no governing or fiduciary responsibility. It is expected that members will be loyal to the objectives of the center. Its members must be aware that they are not empowered to represent the center officially, or act as its agents, except in ways specifically agreed upon by the director and the provost. Each member should devote time and attention to the affairs of the center and should ensure that their activities do not jeopardize the not-for-profit status of the center and the University, or reflect unfavorably upon it as an institution.

As with all other Advisory Councils and Advisory Committees of the University, nominations for membership in the Advisory Council may be made by anyone within or outside the University, with legitimate and credentialed interests in the objectives of the center. The director, in consultation with the provost, will make recommendations on membership to the current Advisory Council members. They, in turn, will, through the director and the provost, bring their recommendations to the president who will recommend new members of the council to the Board of Trustees. Trustees may serve on the Advisory Council.

Members will normally serve for a period of three years, renewable. The maximum size of the council, including ex-officio members from the University, will be twenty. A

chairperson will be elected by majority vote. The chairperson may not be an ex-officio member. Ex-officio members can vote in the election of the chairperson. The term of the chairperson will normally be for three years. A secretary, responsible for taking minutes, will be elected annually from amongst all members of the Advisory Council.

The ex-officio members from the University are the provost, the director of the art center, the director of the AUB archaeological museum, and the vice president for development and external relations. In addition, three faculty members in the fine and performing arts and art history will be designated by the provost.

The Advisory Council will meet no less than twice a year. The director or the chairperson may call for extraordinary meetings to consider gifts, acquisitions, collaborative agreements, and exhibitions.

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Section 12 - Procedures

The primary role of the center is to provide broad curricular and academic program support and diverse enrichment opportunities for its varied audiences. The permanent collection of works of art is a critical element in promoting and enhancing teaching, artistic creativity, and awareness of aesthetic values among the general public. The center will, therefore, strive continually to enhance the permanent collection and to fill gaps in its holdings through purchases, gifts, bequests, exchanges, and transfers.

1. Acquisition Procedures

The director initiates the purchase of works of art by following the review process laid out in the guidelines for collecting. The director assembles support materials for the Advisory Council and presents the justification for acquisition to the council. If an object is to be acquired at auction, the director will secure the opinion of the Advisory Council via the review process before placing a bid.

The director will obtain from the art dealer or seller a bill of sale or invoice that contains an affirmation of title by the vendor. This document must clearly state what rights, including copyrights, are being transferred with the object by the vendor to the University.

2. Guidelines for Collecting

The center will not purchase works owned by members of the Advisory Council, staff, volunteers, or any other person who may, from time to time, be associated with the art center. Persons who act as consultants on purchases may not take advantage of privileged information to compete with the museum for acquisitions.

- a. All acquisitions, gift, or purchase will be chosen according to the following criteria: quality, condition, ability of the work to enhance or supplement existing collections, usefulness for long-term teaching, and the ability of the center to care for the object.
- b. In acquiring works of art, the center will seek to avoid any guarantee of perpetual exhibition or limits on de-accessioning and disposal. The center will not accept groups of art works with the condition that they be held intact as a body. The director has the power to make an exception to this rule and agree to donor restrictions; such a decision should be defended in writing and kept on file and may be made in conjunction with the Advisory Council and the provost.
- c. The center will not acquire works of uncertain legal title or in violation of the UNESCO convention on illicit trade and intellectual property rights-copyright, patent, trademark, and trade secrets. Reasonable effort will be made by the director and the Office of Development to determine that the owner/vendor has legal title to the work and authority to transfer such title and rights to the University. The center will not, knowingly, acquire any work that has repatriation restrictions, or that has been stolen, removed in contravention of treaties, or illegally imported to Lebanon, or about which there may be any suspicions as to illicit ownership. The dealer or donor may be asked to attest to these facts through customs documents, a warranty of sale, or a deed of gift.

- d. Ideally, title to the object will include all rights and interests, among them copyright, patent, trademark, and trade name, and must be expressly stated in the deed of gift. Restrictions as to an object's intellectual rights may be acceptable, but nonetheless must be considered and documented fully during the acquisition review process.
- e. No work will be accepted as a gift to the center without the director's positive recommendation.
- f. The search for acquisitions is the responsibility of the director and her/his staff. All works of art may be purchased by the director with the advice of the Advisory Council and the vice president for development and external relations and the prior written approval of the president.
- g. The university comptroller and the Office of Development will keep detailed records of all gifts and acquisitions and will ensure that the terms of gifts are honored.

3. Artistic and Physical Criteria

The Advisory Council is vested with the responsibility of evaluating works of art and making recommendations for acquisition. The decision to purchase a work of art or to accept a gift, bequest, exchange, or transfer will be made in accordance with the following accession criteria:

- a. The object must fit within the scope of the art center's collection and be relevant to the institution's programmatic goals. The work should be suitable for exhibition, research, interpretation, and/or publication.
- b. Based on its aesthetic attributes and cultural significance, the object must be of superior quality – an outstanding example of its kind. It must strengthen the collection rather than dilute its caliber. The object must be authentic. A comparison with the best works in the collection, in other collections, and on the art market should determine quality and authenticity. The director is responsible for addressing any questions of authenticity and documenting scholarly opinion as to an object's attributes.
- c. The Director must examine the original object during the review process, except in cases when circumstances make examination of a proposed gift extremely difficult and the work is well documented and its condition verified. If possible, the Advisory Council should have firsthand knowledge of a work under consideration for purchase.
- d. The object must be in stable, if not excellent, condition and worthy of the center preserving and storing it in accordance with professional standards. If the center lacks the necessary resources to care for, conserve, make accessible, or utilize an object, or if the center ascertains that in the future it will lack these necessary resources, the work should not be added to the collection.

4. Appraisal

The director should be familiar with current government regulations, in Lebanon and the

United States, regarding the treatment of charitable contributions of works of art, especially those relevant to the valuation of donated property. Evaluations are subject to the following conditions:

- a. An appraisal is not necessary for the center to accept an object.
- b. Where government regulations require impartial appraisals of charitable gifts, donors must obtain and pay for their own independent evaluation. The center will cooperate by making the work accessible to appraisers. Rather than suggest just one source, the center should provide a list of several appraisers and require the donor to make the final selection.
- c. Staff and members of the Advisory Council are prohibited from evaluating or appraising a work of art for tax or legal purposes.

5. Other Objects on Campus

Works of art and artifacts may be acquired, held, and used on campus by various departments, yet, these stand apart from the center's collection and are not the center's responsibility. The director and the Advisory Council may, at their own initiative, assess, evaluate, and recommend on exposition and preservation of all works of art owned by the University, but not under the center's direct responsibility.

Works accepted by the art center for the purpose of resale and fundraising will not be accessioned into the center's collection, but the center will maintain records of the receipt and final disposition of such objects.

6. Gifts, Bequests, Exchanges, and Transfers

Donors and estate executors make offers of gifts and bequests to the museum. Transfers and exchanges, usually initiated by the center, are treated in the same manner as gifts and bequests.

- a. The staff member who receives the donor or executor's communication forwards it to the director for review, along with a photographic reproduction, if available. The director sets up a central gift file in coordination with the Office of Development. The director and the Office of Development send a joint letter acknowledging the offer.
- b. The director consults with the Advisory Council as to the merits of the gift, bequest, exchange, or transfer, and the need for the opinion of faculty members or outside experts. The director will coordinate discussion with and review by faculty members and scholars and report these opinions in writing to the Advisory Council.
- c. The director may examine the work itself. In that event, the director arranges for the work to be brought or shipped to the center. Upon arrival, the director issues a receipt, generates a written condition report, and tracks the object via the collections management database. The cost of shipping/moving donated works of art will be borne by donors.

- d. The director and the vice president for development will acknowledge approved gifts, bequests, exchanges, and transfers.
- e. The director and the vice president for development will inform the donor by letter if the object is declined. The director arranges for the return of the object at the donor's expense and consolidates records. All paper records are removed to the Gifts Declined Folder in the central gifts files in the development office, with copies in the art center.

7. Accessioning Procedures

- a. The director assigns a unique accession number to the object, chronological according to the year of acquisition and the sequence within the year.
- b. The director examines and records physical information, i.e., medium, dimensions, signature, markings, condition, and description into the collection database.
- c. The director will, then, expand on the catalog information in the computer database and request new photography of the object, as needed.

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Section 13 – Records

1. Acquisitions by AUB or by the Art Center

The director will ensure that the accession files include all original memoranda, correspondence, invoices, purchase records, transfer of rights documents, deeds of gift, appraisals, condition and conservation reports, photographs, and other records vital to an object's history. The accession file is considered the permanent record of an object. In general, the director is responsible for maintaining timely and accurate records on all objects coming into the collection.

2. Gifts of Art

The Development Office will keep all written records referring to donations of art to AUB or the art center. The Development Office will also keep all records of gifts of art that are declined by the art center. Copies of all such records will also be kept in the accession or declined files in the art center. The director of the art center and the director of development will develop procedures to ensure clear communication and accurate record keeping between the two offices.

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Section 14 - Copyright

When the center acquires a work that is still protected by copyright anywhere in the world, it attempts to obtain from the copyright owner those rights necessary for the center to exercise the copyright in that work in a way that advances the educational and scholarly mission of the center.

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Section 15 - De-Accession

To de-accession is to remove works from the collection after a careful study of and compliance with set criteria. As with acquisition, the goal of de-accession is to refine the collection. De-accessioning is a serious transaction and a proper function of the management of collections. Since this action involves questions of property and may impact donor relations, the removal of objects will be infrequent, carefully considered, and subject to the conditions outlined below. Our policy should never discourage gifts, nor lessen the public's confidence in the art center.

1. Authority

The director will review and make recommendations on all objects slated for de-accession. The Advisory Council and the director will recommend de-accession to the provost and the president.

2. De-Accessioning Criteria

De-accessioning an object from the permanent collection is subject to a deliberate review process. A piece may be considered for removal when any of the following conditions is met:

- a. The de-accessioning of a work will be undertaken only to refine and strengthen the collection, not because of financial exigencies.
- b. The object, in the context of the collection, has become redundant, duplicative, of inferior quality, its physical integrity, identity or authenticity has become questionable, or it no longer holds teaching value. Such finding must be fully documented and accompany the work during the sale or exchange process.
- c. The object needs conservation or care that the institution cannot properly provide.

The de-accessioning process must abide by the following guidelines:

- d. The Director will ascertain that the center has reasonable documentation to substantiate that it holds unrestricted title to the object and that removal does not violate any conditions made by the original donor(s), as stated in correspondence, deed of gift, or the donor's will, and is legally free to dispose of the piece. Mandatory restrictions will be observed rigorously, unless a court of competent jurisdiction authorizes deviation from their terms.
- e. The director and the vice president for development will make every reasonable effort to notify the donor, heir, or living artist, in writing, of the proposed de-accession, its merits, and the planned use of funds, unless the work was given with the express understanding that it be sold or exchanged.
- f. The director will present a vetted list of work to the Advisory Council. The list will include full catalogue and donor information, a summary of condition, an evaluation, the proposed disposal process, and citation of faculty and outside scholar opinion, and it will be accompanied by a photograph or image of each object.

- g. The director will keep a complete written record of the justification and circumstances under which an object was de-accessioned and disposed. Such records will be retained as part of the permanent collection records.
- h. The monies received from the sale of any de-accessioned work of art will be used to acquire, preserve, protect, or care for the collection. Whenever possible, the name of the original donor or purchase fund will be incorporated into the credit line for the new acquisition.
- i. The Advisory Council will recommend the method of disposal to be used. Every effort will be made to avoid conflicts of interest. A list of objects removed will be included in the museum's annual report.

An object must never be given or sold privately by the center, to AUB employees, trustees, members of the Advisory Council, volunteers, or to a third party acting on their behalf. However, these individuals may compete for the object at public auction.

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Section 16 - Internal Audit

The director of the art center shall inform the Office of Internal Audit in writing of any acquisitions or gifts of art to AUB or the art center, and of any objects that are to be de-accessioned. The director shall justify exceptions to the established procedures for accession and de-accession, in writing.

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Section 17 - Loan policy

1. Outgoing Loans

The art center lends works of art to provide broader public access to works owned by it. All loans must be consistent with the long-term conservation of the works of art and the center's collection, exhibition, and education objectives. It is understood by the center, however, that lending works always poses some risks.

Qualified institutional borrowers are:

- a. A recognized museum, cultural, or educational facility. In special circumstances, the center may find it beneficial to lend to other recognized institutions.
- b. Borrowing institutions must meet minimum handling, security, and insurance requirements.

The following factors shall be considered by the director and the Advisory Council in reviewing loan requests:

- i. The loan is of scholarly significance and/or is important in supporting the mission of the art center.
- ii. Precedence is given to organized exhibitions, educational programs or other commitments, and previously approved loan agreements over new loan agreements.
- iii. There is a report indicating an acceptable facility, staff, and procedures for the borrowing institution.
- iv. It is anticipated that the borrowing institution(s) will be able to reciprocate the loan in the future.
- v. The loan has been requested far enough in advance, preferably four months prior to the opening date of the exhibition, to allow adequate time for loan preparation.
- vi. The works of art have not been lent too frequently, are stable enough to withstand the rigors of travel, and insurance provisions will meet the standards required by the center.
- vii. The borrowing institution permits the center to determine the terms and conditions of shipment and applies all the conditions imposed by the original terms of gift on the object as applicable.
- viii. Works of art will not be loaned to individuals for personal use. Long-term loans will be made to other institutions only for display. Long-term loans will be made only on an annually renewable basis. The borrowing institution must annually submit a letter of request to the director.

- ix. The borrowing institution is responsible for all the costs of the loan, which may include, but are not limited to, packing, crating, shipping, couriers, special de-installation procedures, and special preparation or framing, any or all of which will be performed by the center. In addition, a loan fee will be charged, with the exceptions noted in the following paragraph, to offset a portion of the costs incurred in administering the loan.

A loan fee is generally not charged to AUB units, although they are expected to pay for any actual expenses.

The cost of conservation treatment determined by the center or treatment required by the borrowing institution should be charged to the borrowing institution.

- x. The borrowing institution(s) will generally be required to provide proof of insurance at the terms specified by the center and for the duration of the loan. Foreign government indemnity coverage will be considered when applicable. In certain instances, however, the center may elect to maintain its own insurance and bill the borrowing institution(s) for the premiums.

2. Process for Loaning Works of Art

- a. Loan requests must be made in writing by an official of the borrowing institution to the director.
- b. Loans to unspecified venues will not be approved. The borrowing institution must submit a written request to the director when the venue(s) has been selected. If there are any further itinerary changes, including schedule changes, the borrower must submit a written request to the Director for approval.
- c. The work(s) of art must be photographed prior to outgoing shipment if there is no photography on file. The photograph(s) will serve as documentation for insurance purpose.

3. Incoming Loans

Incoming loans are works of art accepted for special exhibition, display, research, or gift, or purchase approval. Short-term loans are works on the center premises between twenty four hours and one year. Long-term loans are works on the premises for one year and longer.

- a. The center will carry out a thorough investigation of the condition, storage, and installation need of the work, before proposing that the work be accepted as an incoming loan.
- b. The director shall approve all incoming loans in writing.
- c. All incoming loans shall be for a specified duration.

- d. Long-term loans shall be accepted from other institutions, dealers, and individuals for display purposes. Long-term loans will not be accepted for storage. Long-term loans shall be reviewed annually at the end of the calendar year.
- e. Incoming loans are not automatically insured by the center. It is the responsibility of the center to discuss the placement of the insurance liability with the lender. It is the responsibility of the lender to provide an insurance value for center-insured loans, subject to review by the center. In the event that a lender is unable to provide a value, the center may provide, in writing, one that is acceptable to both parties and that reflects fair market value.
- f. It is the responsibility of the lender to pay the costs of packing and shipping and insurance for unsolicited loans.
- g. The vendor generally pays the cost of incoming packing, shipping, and insurance for loans for purchase approval, although this may vary by vendor. If the work is not purchased, the center may pay for the outgoing shipping costs and provide transit insurance coverage.
- h. The responsibility for paying incoming costs for loans pending gift approval will be determined on a case-by-case basis. The costs for returning refused offers of gift will generally be the responsibility of the center.

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