

UNIVERSITY POLICY FOR GENERAL ADMINISTRATION

Policy No. UPGA-7

PUBLIC ART POLICY

1 General Information.

- 1.1 Scope: This policy establishes a consistent evaluation process for acquiring, owning, displaying and deaccessioning public works of art.
- 1.2 Authority: W. Va. Code §18B-1-6
- 1.3 Passage Date: June 29, 2016
- 1.4 Effective Date: August 4, 2016

2 Purpose

- 2.1 The display of public art enhances the overall quality of life by beautifying public spaces and is consistent with Marshall University's (University) mission of providing a richly diverse learning environment that promotes exploration, discovery and the dissemination of new knowledge. It is the University's intent to display interesting and stimulating high-quality works of art to broaden the educational experience for students, faculty and staff.
- 2.2 This Policy does not apply to the University art galleries, student art competition displays, activities related to curricular pursuits such as exhibitions, installations, and performances in the School of Art and Design, the School of Music, and the School of Theatre, or private art work gifted to individuals or departments that may be on display in department offices; however, such gifts may be subject to other statutes and/or University policies related to accepting gifts, limitations on value, conflict of interest, or other concerns. In addition, if it is subsequently desired to transfer such individual-accepted or department-accepted art to university ownership or display, the request must be processed as governed by this Public Art Policy.

3 Definitions

- 3.1 Public Art – Works of art to be placed in public areas within University buildings or grounds for permanent or long-term display. Public art includes art that is acquisitioned, commissioned, donated, purchased, accepted, solicited, and/or gifted to the University.
- 3.2 Public Art Asset Inventory- Inventory used to track the public art displayed on the University.
- 3.3 Loaned Art– Public art on loan to the University, generally for a specified time period, without ownership transferred to the University.
- 3.4 Deaccessioning– The decision and process to remove a work of art from the collection of public art and dispose of it. Disposal may include sale of the art piece to procure funding for other public art.
- 3.5 Public Art on Campus Committee (PAC) - A standing committee of the University established to review specific proposals for public art and to make recommendations to the President or his/her designee (President). Permanent committee membership should include the Vice President for Operations, the Dean of the College of Arts and Media, the Director of the School of Art and Design, the Director of Physical Plant, and the President of the Marshall University student body or designee. Additional members will be appointed on an as needed basis depending on specific circumstances. The University President has final approval of PAC recommendations and makes the final decision on all public art proposals.

4 Policy

- 4.1 All Public Art and proposals to acquire and display public art, as defined above, must be evaluated by the PAC and recommended to the President and approved by the President prior to acceptance by any University entity.
- 4.2 The display of “loaned” artwork (or artwork for which the University does not retain unfettered ownership) in unsecured public places presents significant liability issues related to security, indemnification for damage to the artwork itself (either intentional or accidental) and/or damage to persons caused by or related to the artwork; therefore, it is the University’s intent to generally prohibit the display of loaned artwork in unsecured public spaces (both interior and exterior) and to retain ownership of all Public Art displayed on campus. Requests for exception to display any works of art intended to be loaned to the University, must be vetted through the process and treated on a case-by-case, singular basis for possible exception. Conditions and stipulations must be customized to address specific concerns related to any proposed exception.
- 4.3 Marshall University Archives maintains the Public Art Asset Inventory that identifies each piece of public art by the receipt date, artist, piece title, general description, construction material, and its location. Monetary value, insurance value, and tax liability of public art is not part of this list; however, such information may be tracked by Safety & Risk Management.
- 4.4 PAC as part of the Marshall University Public Art Master Plan (Master Plan), will develop, manage and periodically update the processes and procedures to receive, review, evaluate and make recommendations to the President regarding proposals for Public Art on campus. The processes and procedures address evaluating parameters such as the type of art; the proposed location and duration of the display; potential costs to the university for procurement, installation and long-term maintenance; safety; ownership; a deaccessioning process; and any desired soliciting/commissioning process.