

The **Filson**
Historical
Society

Collections Management Policy

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I. Mission

The Filson's mission is to collect, preserve, and tell the significant stories of Kentucky and Ohio Valley history and culture.

II. Purpose

The Department of Collections and Research performs the core work of the Filson's mission. Doing so with intellectual and professional responsibility entails ongoing critical, self-reflexive engagement with the terms of that mission, placing the components of the mission in constant dialogue with historical and library, museum, and archival methods. What the institution collects and preserves and how it interprets that material is not static and has changed over time. It will continue to change. To define our purpose in collecting, we must understand previous approaches to the Filson's mission.

Significance

Significance is determined by cultural attitudes, tastes, and organizational emphases. In its early decades, the Filson found significance in collecting and forging a triumphal record of the Anglo-American conquest of the first American West. Later, the Filson became the recorder of Kentucky's national economic and cultural prominence in the late 19th and early 20th centuries, generally through the perspective of the influential families residing in the streetcar suburbs of what is now Old Louisville. As later twentieth-century historical approaches shifted emphasis away from "great men" and onto public, popular, and peoples' histories, the Filson too began facilitating innovative research that read these foundational collections against themselves to find hidden stories of lives at the margins of our collections and of past societies.

Now, in the 21st century, we understand a significant collection to be one reflecting the vibrance and diversity of life in Kentucky and the Ohio Valley at the intersections of race, religion, ethnicity, gender, sexuality, class, and culture—a collection that allows a full range of Kentuckians, specifically the local Louisville community, to see their histories represented and engaged.

Collecting

The Filson collects through donations and purchases. Like every collecting institution, the Filson must collect and preserve in accordance with limitations on resources, specifically space. Responsible collecting necessarily entails tough curatorial decisions and cost/benefit analyses. Donations of collections materials are not free to the Filson; they come with preservation and ongoing storage costs as well as the costs of staff time to process incoming collections for research use. The Filson often receives donation offers that replicate existing areas of collections strength. These materials may indeed have monetary and historical value and even be significant in some sense, but would divert space, time, and conservation resources from areas of emerging collections interest. For instance, the Filson museum

collections boast extensive holdings in local military uniforms and wedding dresses, garments privileged for their significance by previous collecting emphases and attitudes. Lacking from the collections are the contemporary garment counterparts essential to everyday life for wide swaths of Kentuckians, specifically work uniforms for trades and occupations. Recognizing the significance of work in the lives of middle- and lower-class residents of the Ohio Valley necessarily entails a shift in collecting emphasis to prioritize gap-filling over redundancy.

As the Filson commits to ensuring that donations advance our current priorities of increasing and diversifying representation in its collections, its purchasing strategy follows suit. Diversity in the ongoing purchasing record of the Filson should be a metric that demonstrates the organization's commitment to seeking out, making commitments to, and raising the profile of historical voices, formerly disempowered or overlooked in and around the city, state, and region.

Preserving

The Filson preserves historical materials through the management of our storage spaces, by providing a safe and stable environment through environmental monitoring, and by securing funds to support the long-term care of materials we acquire. Increasingly, this must move beyond the restoration of artwork and the stabilization of paper and photographic materials to also include management of born-digital collections. In addition, we must continue to evaluate the research value of our collections to meet the needs of our users. Deaccessioning materials that do not meet the Filson's collecting mission, are duplicate examples, or are in such condition that ongoing preservation costs are unsustainable, is another vital part of the Filson's collections management strategy.

Telling

In some cases, telling is done directly by Filson staff through exhibits, public presentations, and articles. The expertise of our curatorial staff in publicly articulating the value of the past through the collections we hold is a significant institutional asset—one of the things treasured by our members and valued by our colleagues nationwide. More frequently, however, this telling is done indirectly, by researchers using the collections that the Filson's staff has accessioned, arranged, catalogued, and in some cases digitized or publicized. Those research products include academic books and articles; student research papers; family genealogy projects; public art, television, film, and radio; in conjunction with our collections being loaned and displayed by our peer organizations. When making acquisition decisions, the ability of a collection to tell compelling stories must be taken into consideration. This goes beyond collection provenance and content to include an honest assessment of the short- and long-term demands on staff to allow a potential acquisition to tell such a story. At times, the Filson must pass on potential acquisitions, recognizing that some collections will require too much time from our staff to provide reasonable access.

The Ohio Valley

As historian Andrew Cayton has observed, the Ohio River is both an artery and a border, both linking and dividing the surrounding areas. A regional emphasis allows the Filson to collect, preserve, and tell significant stories in compelling ways that explore the tensions and interdependence of people and place. The physical and mental landscape that is the Ohio Valley has also changed and will continue to change over time. The Filson's earliest historical materials date from the 18th century, when this area was a western frontier in the White settler colonial imagination. These materials document settler-colonialist expansion and conflict with indigenous groups spanning from the Alleghenies to St. Louis and from the Great Lakes to the Gulf of Mexico. Over the following centuries, the geographical scope of the Ohio Valley constricted. The Filson's nineteenth-century collections document life along both sides of the Ohio River as it runs through the states bordering Kentucky (Virginia, West Virginia, Ohio, Indiana, Illinois, Missouri, Tennessee) but also follow Kentuckians as they conduct commerce, settlement, and business across North America and beyond. The Filson's 20th century collections shift to a narrower scope of Kentucky and the Ohio River with an emphasis on Louisville and nearby communities in southern Indiana and Ohio.

In the 21st century, the Filson's collections will strive to continue documenting the culturally negotiated and temporally defined geography of the Ohio Valley. In doing so, we collect, preserve, and tell stories of our immediate area that also speak to themes that resonate throughout United States history: conflicts over land ownership and usage, transportation and movement of people, goods, and ideas, gradations of free and enslaved labor, the emergence, contestation and evolution of politics and culture, the rise, fall, and retooling of agriculture and industries, immigration, demographic shifts and more. The Filson embraces the nature and history of its region as complex, conflicted, polyvocal, and in flux, and positions the Ohio Valley as a model for studying and appreciating history on local and national registers.

III. Collection Types

Filson collections holdings focus on Kentucky, the Ohio Valley, the Upper South, and Kentuckians' experiences both in the state and elsewhere, spanning the late 18th century to the present day. For administrative purposes, the collection has been organized into six collecting areas: Library, Manuscripts and Archives, Photographs & Prints, Audio/Visual, Museum, and Digital. It is not uncommon for individual, family, and organizational collections to comprise materials in several or all the categories below. Members of the collections staff work together to coordinate the cataloging and preservation of collection components across collection types.

1) Library holdings contain published materials and printed ephemera, including atlases, maps, pamphlets, periodicals, microfilm, and family charts. These holdings consist of both primary and secondary sources. Rare books and original genealogical materials make the Filson a destination for local and national researchers. The collection of secondary sources, focused especially (though not exclusively) on U.S. history and the states of the Ohio Valley, contextualize and help staff and researchers better interpret the Filson's other collections types.

2) Manuscripts and Archives holdings consist of personal and family papers and records of businesses, organizations, and institutions documenting histories and experiences in the Ohio Valley from the 18th through the 21st centuries. The collection also includes architectural plans, scrapbooks, theater and concert programs, and sheet music. Also included are rare nineteenth-century Kentucky newspapers, particularly Louisville papers, and scattered newspapers from eastern states in their original and copied form dating from the 18th and 19th centuries.

3) Photograph & Print holdings include both professional and amateur photography, in addition to prints, posters, and postcards spanning from the early 19th century through present day. The Photograph Collection is compiled of studio portrait photography, family photos, art photography, and documentary photography of both the natural and built environments. The collection holds a wide array of formats such as daguerreotypes, ambrotypes, tintypes, carte de visits, cabinet cards, lantern slides, negatives, prints, photograph albums and select born-digital images. The Print Collection is compiled of portraits, landscapes, birds-eye views, and subject-based imagery. The collection includes but is not limited to woodblocks, engravings, etchings, lithographs, postcards, and posters. Both collections document agriculture, commerce and industry, transportation, politics, family histories, and aspects of social and cultural histories from Kentucky and the Ohio Valley region and abroad.

4) Audio/Visual holdings include both professional and amateur audio and video recordings spanning from the mid-late 20th century through present day. The collection is comprised of family home movies, travelogues, a portion of past Filson lectures, and recordings of local and national events. The collection includes but is not limited to 8- and 16-mm film, reel-to-reel audio tapes in varying sizes, records, cassette tapes, VHS tapes, and Betacam tapes. The materials predominantly document everyday life and leisure in Louisville, Kentucky, and surrounding regions. Significant costs and challenges associated with the storage, preservation, and access of audio and visual materials dictate that the Filson be very selective in accepting new AV materials into its collections. Conditions and considerations for acquisition of such material should include exceptional research value as well as availability of funds to adequately support preservation and access.

5) Museum holdings include works of fine and decorative arts; clothing and textiles; natural history and anthropological artifacts; firearms, edged weapons, and historical artifacts; ephemera and artifacts related to politics, business, and industry; tools of artists, craftspeople and various trades; and material culture. While some historical artifacts are affiliated with significant people, places, and events such as the Civil War, the material culture embodies the everyday experiences of anonymous individuals. Material culture is defined as the everyday objects or goods produced by a society that represent social and cultural values, hierarchies, and consumption. The art collection consists of one of the finest antebellum and portrait collections in the region and a growing collection of landscapes. It includes encyclopedic representation of artists active in the Ohio Valley from the 19th through the 21st centuries, with important intersections occurring among artists and over time.

6) Digital holdings include materials digitized from the Filson's physical collections as well as born-digital materials. Materials are digitized from the Filson's manuscripts, photographs, library materials, art, and artifacts.

Collection Development Initiatives

The Filson actively pursues and develops initiatives that aim to fill gaps in our collections and build relationships with underrepresented communities. The most recent successful initiative has been the Jewish Community Archives (JCA), which began in 2017 following extensive conversations between the Filson and members of the Jewish Community of Louisville.

The Filson takes these initiatives very seriously and undertakes them with careful planning and care to secure support from community partners and the funding necessary to ensure their sustainability and success. As the JCA has shown, long-term investment in and relationship-building with historically marginalized communities is time- and resource-intensive. However, it is also a way to gain deeper and more complete perspectives on communities that are underrepresented in our collections. Such initiatives encourage not just token appearances of historically marginalized groups, but true representation equal to that of Anglo-settler families, which have been the foundation of the Filson's collection and reputation as a research institution.

The planning of future initiatives should be undertaken at the staff level, with identified multi-year staff positions, tentative outreach plans involving institutions and individuals, and a fundraising strategy informed by conversations with the Filson's development team. Future initiatives should be developed by staff and brought before the board for approval so that the full weight of the Filson can be put behind the work. More information on current Filson initiatives is enumerated in further detail in the Filson's Collection Action Plan.

IV. Collection Review Process

The collections review process at the Filson emphasizes collaborative decision-making among the curatorial staff to ensure institutional priorities of increasing representing marginalized groups and addressing known gaps in the Filson's collection. Collaboration also provides greater opportunity for sharing expertise to better understand the content, medium, and potential interpretation of proposed acquisitions, as well as a more equitable allocation of acquisition and conservation funding across collection types and subjects.

As curators are approached about potential donations, become aware of items available for purchase, or want to build a collaborative relationship with an individual or group in the community whose materials are of interest to the Filson, they should make a formal proposal using the Acquisitions Justification Form [See [Appendix Folder](#)]. A Temporary Custody Receipt to hold a donation will be issued before the preparation of the justification form for materials coming to the Filson for further review. These forms are reviewed regularly by the Collections Management Committee [hereinafter CMC] which is made up of senior members of the Collections and Research Department, who hold votes on approving or rejecting a

collection. All members of the Collections and Research Department can attend and are encouraged to participate in discussion when the CMC meets.

If the CMC approves the proposed collection, the presenting curator is free to accept and begin processing the donation or bid on and/or purchase the collection. Expenditures on items requiring the approval of the President/CEO and/or the Board Collections Committee are passed on to them after approval by the Collections Management Committee [See Acquisitions Policy, pg. 9].

The CMC also reviews and decides upon loan requests and deaccession recommendations before passing them on to the Board Collections Committee. By considering deaccessions alongside acquisitions in this deliberative space of the CMC, the Filson balances its inherited strengths with its future growth into a place where all residents of Louisville, Kentucky, and the Ohio Valley see themselves reflected in the past.

Collecting Criteria

New acquisitions must present opportunities to reveal or expand on a compelling and significant story or theme of Kentucky and Ohio Valley history. The following criteria will be applied when evaluating materials for potential acquisition to ensure that the Filson develops meaningful and usable collections that will support the institutional mission and best serve our community.

- 1) The collection supports the Filson's mission, scholarship, programs, exhibitions, or community outreach.
- 2) The collection represents key aspects of everyday life that illuminate continuity or change to domestic, social, economic, or religious patterns.
- 3) The collection represents a significant event, person, place, business, or organization relating to Kentucky and the Ohio Valley.
- 4) The collection is in good and stable condition.
- 5) The collection fills a gap in the Filson's current holdings.

The Filson seeks original materials whenever possible; however, derivative materials will be considered for acquisition only when they will support our research collection or the original materials are believed to no longer exist. When derivatives are accepted into the collection the donor(s) will grant permission to the Filson to make derivatives available and accessible to researchers. The Filson adheres to the Native American Graves Protection and Repatriation Act (NAGPRA) guidelines [See NAGPRA and Culturally Sensitive Materials, pg. 26]. In reviewing potential acquisitions, the Filson's staff will weigh the material's historical significance and value to the collection against the resources necessary to acquire, preserve, and provide access to the materials for the benefit of our users and advancement of our holdings. The Filson should only accession materials to which it can reasonably commit resources in order to provide the appropriate level of control, care, and accessibility for the foreseeable future.

V. Acquisitions

The Filson's CMC reviews incoming materials via gift, purchase, transfer, or bequest and determines what materials are accepted into the collection. The CMC may decline to accept gifts, transfers, and bequests if materials are deemed not relevant to our current collecting mission, have questionable provenance, are in poor condition, are too difficult to store and care for, have accessibility concerns (due to size, condition, and/or copyright), or may be better suited at another repository. Acquisitions will be reported to the Board Collections Committee on a quarterly basis.

Collections are acquired by the following methods

- 1) Donations by individuals and organizations, including bequests
 - 2) Field collection by staff
 - 3) Purchase from auction, dealers, vendors, and individuals
 - 4) Transfer from local or state organizations

- 5) Found in the collection and for which the Society will presume ownership after a good-faith effort to locate relevant documentation and follow local and state property laws

- 6) Creation or collection of materials in the development and/or continuation of educational programs, exhibits, publications, and other Society activities including institutional records
 - A) Materials acquired by the Filson must be legally and ethically acquired from persons or organizations with full authority to donate or sell these materials.

 - B) Materials acquired by the Filson are given with clear and unrestricted title, when possible. All items entering the collection will be recorded on a Deed of Gift [See [Appendix Folder](#)] specifying the terms of the donation. While restrictions are discouraged, the CMC will work with donors to arrive at restrictions that are reasonable and appropriate to make the materials accessible in a timely manner.

 - C) Acquisitions must be appropriately documented and thoroughly researched to ensure that materials are authentic—that is, they are what they purport or are purported to be at the time of acquisition.

 - D) Materials will not be accessioned until receipt of a completed Deed of Gift, proof of physical receipt for the materials by a Filson collections staff member, and a written acceptance of the gift are submitted to the donor. Once all three documents are collected, a unique accession number will be assigned by the appropriate collections staff member.

 - E) All acquisitions will be recorded in a permanent register, maintained by the appropriate collections staff member on an ongoing basis in accordance with best practices for libraries, archives, and museums. Each accession record will document how, when, and from whom the material was acquired, along with any donor-imposed restrictions, and possible purchasing fees.

F) Multi-item archival collections may also be processed and evaluated on an item level after accession. Items deemed inappropriate for retention shall be disposed of in accordance with the Filson's Deed of Gift, transfer, or purchase documentation. Examples of inappropriate items include materials that are:

1. Duplicated within our collections.
2. Unrelated to the incoming collection and/or the Filson's current collecting scope.
3. Damaged beyond usefulness.
4. Without enduring historical value.
5. Impractical to store or make accessible.

G) Purchases for the collection are made within the limits of the annual Historical Acquisitions Fund or available through special named funds. The CMC will determine and approve all purchases. All proposed purchases involving the expenditure of more than \$2,000 must first be approved by the President/CEO.

H) Historical Acquisitions Fund exists solely for the purpose of acquiring and conserving materials for the Filson's research collections. The budget for the Historical Acquisitions Fund will be established yearly during the annual budget review and will ordinarily be set at 4.5% of the 12-quarter rolling average of said fund. The CMC, with approval by the President/CEO, may purchase materials valued at \$10,000 or less without approval of the Board Collections Committee, Executive Committee, or Board of Directors. Acquisition requests of materials more than \$10,000 per purchase will require approval from the CMC and Board Collections Committee or the Board Executive Committee. If an acquisition exceeds the annual budgeted amount, the President/CEO will secure approval of the acquisition from the Board Executive Committee or Board of Directors.

I) Under no circumstances will the Filson knowingly purchase or accept materials via a gift/loan/bequest of any kind if there is reason to believe the materials have been stolen or obtained under questionable or unlawful circumstances. The Filson will cooperate with the return of all such materials as appropriate.

J) The Filson will exchange an item(s) in its collection for an item(s) in another institution's collection when the exchanged items are of equal value and the following conditions are met: exchanges are approved by the CMC, a deaccession or memo of disposition document has been approved [See Deaccession Policy, pg. 13], and terms of the exchange are determined in writing and establish the fairness of the exchange by means of appraisal and/or other expert opinions. All written documents and agreements concerning exchanges will become part of the permanent acquisition file.

K) The Filson is under no obligation to accept materials bequeathed to the society; however, when legally permissible under the terms of the bequest, the Filson's CMC may choose to accept bequeathed materials in part or full, and with the option to sell item(s) or use any part of the bequeathed materials for other non-collection use as long as the Filson's intention is communicated to the executor of the estate.

L) The Filson will not acquire materials under the condition that they will be on permanent display.

M) Board members, volunteers, or staff are not authorized to independently commit the Filson to the acquisition of materials for the Filson's Collections. All incoming materials will be reviewed and approved by the CMC.

N) Donations to the Filson may be tax deductible for the value of the property as determined by an outside appraisal, receipt, or other valid documentation as per current state and federal tax laws. The responsibility of meeting state and federal tax requirements rests with the donor. Because the Internal Revenue Service (IRS) regards the Filson as an interested party, staff members do not make, arrange, or pay for appraisals of donated materials by donors. To avoid appearance of a conflict of interest, the Filson may provide names of two or more appraisers without preference.

VI. Deaccession

Deaccessioning is the process of permanently removing an item(s) from the Filson's collection by transfer of ownership to another institution or individual by sale, exchange, or grant. It can also include physical disposal of an object if its physical condition is so poor that it has no aesthetic or academic value. Deaccessioning is an integral part of collections management practiced by libraries, archives, and museums to refine and enhance the quality, use, and character of an institution's holdings. The Filson is conscious of its responsibilities to donors and the public, and staff will follow rigorous procedures, as well as applicable legal and ethical guidelines in selecting items for deaccessioning.

Items may be candidates for deaccessioning if they meet one of the following conditions:

1. The item is no longer relevant to the mission of the Filson.
2. The item is duplicated in the society's holdings by better or more significant examples.
3. The item is in poor physical condition, whether through damage, deterioration, infestation or inherent vice (the quality of a material or an object to self-destruct or to be unusually difficult to maintain) and is beyond restoration to a level suitable for public display, scholarly use, or other appropriate purpose.
4. The item can be replaced or preserved in another medium (e.g., microfilm, digital format, etc.)
5. The item is a reproduction or copy of material that is located elsewhere.
6. Access to the item is restricted under federal or state law.
7. The authenticity or attribution of the item is determined to be false or fraudulent.
8. Another institution could more appropriately care for, display and provide access to the item, and it is the intention of the Filson to assign ownership of the item to that institution.

The Filson must have clear ownership of items before they are deaccessioned. Abandoned items in the collection may be subject to Kentucky Statues (see Found in Collections).

Items will not be discarded if such disposal will adversely affect the overall value or use of any research collection (e.g., non-Kentucky items reflecting the career of a native Kentuckian working in another jurisdiction).

Methods of disposal include:

1. Transfer or exchange to another cultural or educational institution
2. Return to the donor/heir (when stated in the Deed of Gift)
3. Public auction or under sealed bid
4. Repatriation in accordance with NAGPRA laws
5. Destruction

A) At no time will deaccessioned items be sold or given to members of the staff, Board of Directors, or their family members (unless that person is a former owner of the item).

B) Any proceeds derived from the sale of deaccessioned items will be deposited in the Historical Acquisitions Fund to be used toward future collection acquisitions or conservation.

C) Manuscript collections or individual items acquired by the Filson but unprocessed may be transferred to or exchanged with another institution if deemed appropriate, should no restrictions or other hindrances adhere to them. In such cases the society will foster a policy of “good will,” by notifying a donor of its decision and encouraging the recipient institution to accession the transferred or exchanged item(s) as a gift of the original donor.

D) In general, the Filson will not consider returning to a donor any accessioned or processed material to which good and proper title has been transferred. The institution at times, however, might determine a return to be appropriate and be willing to negotiate the return or transfer of donated material should the Collections Management Committee and President/CEO believe sufficient good cause exists.

Some criteria for such a return to the donor include:

- The Filson does not own the collection and the donor wants it returned.
- The deed of gift or other record stipulates materials be sent back to the donor.
- The donor/creator must retain the series or collection for legal or fiscal reasons.
- The Filson has contacted other institutions that are relevant to the subject(s) of the collection and the institutions do not want to accept the collection or did not respond within a reasonable time.
- Destruction of the collection could result in the reduction of community trust in the Filson as a good steward.
- Auctioning or consigning the material would require a greater investment of Filson resources (staff time, packing supplies, transportation, fees, etc.) than the material would likely return.

Specific Deaccessioning Procedures

Professional staff of the Collections and Research Department are responsible for initiating the deaccessioning of any items under their care from their own observation of problems or needs. Deaccessions are proposed via the Deaccession Form [[See Appendix Folder](#)] and reviewed by the CMC, whose recommendations are forwarded to the Board's Collections Committee for final approval.

A) Any item proposed for deaccessioning will be carefully researched and examined by an appropriate staff member. Such research and examination will consider the terms of the original gift or bequest (including any restrictions agreed to by the parties expressing the donor's long-term desires regarding the gift); assurances of the society's clear title to the item(s); condition of the item(s) and its relationship to its host collection or the society's holdings at large; and the importance of the item(s) to other collection areas of the society as expressed through the solicited opinions of appropriate staff members.

B) When any restriction or legal impediment adheres to an item(s), but the staff is convinced that said item(s) ought to be deaccessioned, the President/CEO shall seek the advice of legal counsel. Staff will consult with the appropriate committee and President/CEO regarding proposed deaccessions and the Director of Collections and Research will report deaccessions to the Board on a quarterly basis.

C) Items to be deaccessioned for sale, transfer, or exchange that might have significant value will require a written appraisal as appropriate before deaccessioning and disposal. The Director of Collections and Research Department will report all staff recommendations for deaccession to the Board Collections Committee and President/CEO on a completed Deaccession Form. The Board Collections Committee shall approve or disapprove of items selected for deaccession, with final approval given by the President/CEO. If a member of the Board Collections Committee has a familial or personal interest in the deaccession of an item for the purpose of its return to the donor, the member must disclose that interest and will not participate in the vote. IRS regulations may require the society to notify the donor and the IRS if gifted property appraised at \$5,000 or more is sold, exchanged, or otherwise transferred within three years of its acquisition.

D) A full and detailed record of items deaccessioned by the Filson will be maintained in an appropriate accession record file. Such records will include citations to the original accessioning of the items, any supplementary deeds, agreements, or other legal instruments affecting the nature of the gift, purchase, or bequest, and the method and terms of disposal. The Director of Collections and Research will report all plans for deaccessioning sales, transfers, and exchanges to the President/CEO, Board Collections Committee, and to the Board of Directors on a regular basis.

E) The preferred method of disposal of deaccessioned items will be through sale, gift to or exchange with other not-for-profit educational institutions. The society's staff will determine, through research and negotiation, what institutions might be proper repositories for deaccessioned material and will, with the President/CEO's approval, plan for such transfers.

F) When deaccessioned items are to be sold, the society's President/CEO, with recommendations from staff, will determine the method of sale. Significant historical pieces may be sold at public auction by a third party. Other materials may be sold at bid with notice to antiquarian book and manuscript dealers, antique dealers, etc., as appropriate. The society generally will hold no public sales. No member of the society's board, staff, or anyone whose association with the society might give them an advantage in acquiring the item(s), shall be permitted to acquire directly or indirectly deaccessioned items, wholly or in part, or otherwise benefit from their sale or trade (unless that person is a former owner of the item).

VII.Loans

Outgoing Loans

A) Loans to other nonprofit organizations are encouraged to increase access to the Filson's collection and to develop partnerships with other historical and cultural institutions. Loans will strive to be consistent with the needs of the society's education, research, and exhibition programs while serving the needs of long-term collection preservation. The Filson does not make loans to private individuals.

B) All loan requests and loan renewals will be reviewed by the CMC and its recommendations will be forwarded to the Board's Collections Committee for approval.

C) The Filson does not make permanent loans or loans for an indefinite period. Loans will be governed by a written loan agreement with a stipulated end period. Loan periods will generally be set for no more than two years, except when loaning for a longer period presents a compelling public benefit and has been approved by the CMC and the Director of Collections and Research Department.

D) Occasionally the Filson may be asked to take collection items offsite for special community events or programs. If approved by the CMC, the loaned item(s) shall be accompanied by a staff member, who will act as courier, exhibit installer, and monitor.

E) All outgoing loan costs will be paid by the borrower (including but not limited to appraisal, conservation, insurance, packing, shipping, etc.). The Filson reserves the right to charge loan fees in special circumstances to help defray the cost of administering the loan. The borrowing organization must provide a certificate of insurance. In situations where there is a strong benefit to having an item on loan in an underrepresented community or at a small organization that may not be able to bear such cost, approval can be obtained from the CMC and Board Collections Committees to waive some or all the costs.

Incoming Loans

A) Items may be borrowed from other institutions and individuals for exhibitions and for short-term assessment for possible acquisition. The Filson will not borrow or exhibit materials as a favor to individuals or for the purpose of enhancing their market value for the owner's resale purposes.

B) Though the Filson is currently custodian for a small number of long-term, indefinite, and “permanent” loans, and has some materials on long-term loan at other organizations, the Filson will not enter into any new loan agreements without stipulating an end date for the loan period. Long-term loans for a period of two years or more will be approved only when there is a compelling public benefit for doing so and with approval from the CMC and the Director of the Collections and Research Department.

C) Loans will be governed by a written loan agreement. Materials on loan to the Filson will be given the same quality of handling, environmental control, insurance, and security as material in the permanent collection. Special care will be provided to materials when requested by the lender and approved on the loan agreement. The business office will be notified of loan values to ensure adequate insurance coverage for items.

D) In accordance with standard professional practice, incoming loans are typically for the benefit of the Filson. Therefore, the Filson will pay all expenses related to incoming loans. Exceptions may be made in special situations and in partnership with the lender. Expenses for incoming loans must be approved by the CMC.

VIII. Objects in Custody

The Filson is accountable for all items solicited for acquisition, loan, or study at the moment they are received by the Filson or a member of its staff. It is therefore imperative that all such materials be documented, handled, and stored professionally and appropriately from the moment the Filson assumes custody of the materials.

Solicited material left in the custody of the Filson for acquisition consideration or loan must be accompanied by a signed Temporary Custody Receipt, Deed of Gift, or Loan Agreement. The Temporary Custody Receipt documents receipt of the material, the Filson’s responsibilities, and how materials will be handled if the depositor does not retrieve items within a specified period.

As a rule, the Filson does not accept unsolicited material for acquisition, loan, or study purposes. Unless the unsolicited material is determined to be extraordinarily compelling, unsolicited material received by mail or shipper will be returned to the address from which it was sent as soon as possible following the receipt of that material by the Filson. When no return contact information is provided, Filson staff may dispose of the material with approval from the Collections and Research Department Director. Material deemed compelling can be submitted to the Collections Management Committee for possible accession.

Found in Collections Policy

Organizations with a long history of collecting prior to the establishment of current professional best practices have a number of “found in collection” (hereinafter FIC) items for which the legal status and provenance have not been properly recorded.

FIC items material may include the following

1. Items presumed to be part of the collection that cannot be tied to a particular donor or accession number.
2. Items that may have been accessioned and later separated from an accession number or catalog number.
3. Material owned by the Filson, but not recorded or formally accessioned.
4. Material received for acquisition consideration, subsequently rejected, and unclaimed by donor.
5. Unclaimed permanent or indefinite loans.

When FIC material is discovered, it should be assigned an FIC number and recorded in an FIC log or other appropriate cataloging database for tracking purposes. Because there are various ways in which material becomes FIC, material should undergo thorough investigation before any action, such as accessioning, processing, conservation, or disposal takes place.

In situations where no provenance can be found, or when the owner of the materials cannot be contacted, accessioning, disposal, or conservation of such works may be subject to the following Kentucky statutes (<https://apps.legislature.ky.gov/lrcsearch>):

- *Kentucky Statute 171.836 K-Museum's ability to acquire title to property held by loan or otherwise*
- *Kentucky Statute 171.840 K-Procedure to acquire title under KRS 171.836*
- *Kentucky Statute 171.843 K-Vesting of title in museum when no assertion presented after published notice*
- *Kentucky Statute 171.846 K- Conservation measures for property on loan to museum*

IX. Collections Documentation and Care

The Filson accepts the responsibility of documenting our collection and protecting it from damage, deterioration, theft, or other loss in order to promote the collection's long-term preservation, accessibility, and use.

Collections documentation and care is a collaborative and active process. Though all the Filson staff have a role to play in collections stewardship, the primary responsibility for collections care is vested in the Collections and Research Department.

Collections care comprises a broad range of proactive and responsive activities, from collection-level risk assessment and preventative risk management to item-level conservation. In allocating our resources, the Filson recognizes that preventive care is the most effective and economical means of ensuring the long-term preservation of its collections. Furthermore, the

Filson recognizes that proactive collections stewardship must be an institutional priority to prevent loss or damage to the collections, rather than waiting for damage to occur.

Collections Documentation

Up-to-date, reliable, and comprehensive documentation of the collection is essential to establishing physical, intellectual, administrative, and legal control. The Filson will maintain records on all items accepted into the permanent collections. These records are maintained to establish clear title and provide accountability.

- A) The Filson strives to maintain collections documentation according to current accepted professional practices.
- B) These records may be kept in both electronic and/or paper format.
- C) Each discrete collection—Library, Manuscripts & Archives, Photographs & Prints, Audio/Visual, Museum Collection, and Digital—will use the appropriate electronic format and accepted professional organization guidelines to maintain these records.
- D) Legal and administrative records documenting accessioning, deaccessioning, incoming loans, and outgoing loans will be maintained and retained in perpetuity as part of the Filson’s permanent record.
- E) Legal and administrative records shall be safeguarded. As of January 1, 2021, duplicate copies of critical records shall be maintained in paper format in addition to electronic format.
- F) All known provenance and other relevant historical information related to the materials should be documented by Filson staff at the time of acquisition and kept in the accession file and/or records.
- G) Only trained staff, volunteers, and interns and supervised researchers are permitted to utilize original collection records.
- H) Under no circumstances should original collection records be removed from the building without prior approval of the Collections and Research Department Director.

The following information is considered privileged and will not be shared with third parties unless required under the law or necessary to obtain insurance coverage:

1. Name of donors or lenders who have requested that they remain anonymous.
2. Personal contact information for all donors and lenders unless permission is granted by said donor and/or lender.
3. Appraised or estimated values for collection and loan materials.

4. Collection storage locations.

Care Policy

All Filson staff, boards, and volunteers are responsible for and contribute to the stewardship of collections. Collections staff particularly follow accepted professional practices concerning care, preservation, storage, security, and use of all items in the Filson's collection.

The Filson's collections staff will make all efforts to monitor and protect all items in the Filson's collection from careless handling, vandalism, theft, fire, water, infestations, exposure to environmental hazards (including excessive light, pollution, humidity, etc.) and natural disasters.

A) Storage and Housing. Proper storage and housing are the first steps for proper long-term care and preservation of our collections.

- The Filson shall provide safe and appropriate storage of collection materials (including loans).
- Storage areas must provide adequate space for the orderly arrangement and safe movement of collections.
- The Filson's collections staff will determine storage solutions that minimize physical stress and exposure to harmful environmental conditions.
- Collections housing and storage needs will be re-evaluated as needed by the CMC.
- The Filson's collections staff will identify practical ways to house and store materials to ensure long-term preservation within existing budgetary and space constraints.

B) Environmental Control (Temperature and Relative Humidity). The Filson understands that controlling the air quality, temperature, and humidity levels is challenging, but an essential ongoing activity that ensures long-term preservation of our collections.

- Filson's CMC and collections team Environmental Management Coordinator (hereinafter EMC) will establish target environmental standards for all storage, work areas, and galleries where collections are present (and will identify portions of the collection that require special environmental conditions.)
- Filson board, staff, and volunteers are not permitted to adjust temperature controls within collection storage areas (excluding staff offices and event spaces) without approval from the EMC. If request is denied, the CMC will vote and resolve the dispute.
- Filson collections staff, specifically the EMC, is responsible for monitoring, extracting data, and reporting environmental conditions on a regular basis.
- Filson staff will report any issues to the Technology and Facility Manager and the collections Environmental Management Coordinator in a timely manner to ensure the safety of our collections.
- The Collections and Research Department Director and appropriate Filson staff are responsible for anticipating, identifying, prioritizing, and raising funds for necessary improvements needed to maintain suitable collection environmental conditions in accordance with professional standards.

C) Light Exposure. The collections staff are responsible for setting reasonable limits on light levels and exposure; in doing so, the collections staff will seek a balance between the Filson's responsibility to preserve its collections while making them accessible to Filson staff, researchers, and the public.

- Exhibition lighting including galleries, display cases, or collections pulled for other forms of display or use should adhere to professional standards for light level exposure.
- Collections on display should be regularly monitored and rotated to assist with not overexposing them to light.
- When possible, surrogate copies should be used in place of originals that are vulnerable to light damage including, but not limited to, photographic and print materials.
- Collection storage areas should remain in the dark when no staff is present.

D) Pest Management and Housekeeping. The Filson strives to preserve its collections, in part, through the implementation and periodic review of a proactive, integrated pest management program to protect its collections from infestation and pest-related damage.

- Control and monitor the presence of food, drink, plants, and other materials with the potential to harbor or attract pests.
- Filson collections staff will regularly monitor the collections storage and exhibit galleries for signs of infestations or activities.
- Any sighting of pests should be reported immediately to the Technology and Facilities Manager, the appropriate collections staff member that supervises that collection, and the collections team EMC.
- Storage areas must be routinely cleaned with collection-safe cleaning agents, swept, or vacuumed, and trash disposed of regularly.

E) Handling and Transporting Collections. To ensure the safety of our collections, it is crucial for staff, interns, and volunteers to use caution when handling, moving, and/or transporting collections.

- Only trained staff, interns, and volunteers can move and/or transport collection items. A collections staff member must supervise any non-collections staff, intern(s) and/or volunteer(s) who assist with the movement or transportation of collections.
- All staff, interns, and volunteers will adhere to current professional standards when handling collections. These standards and code of ethics can be found in procedural documents based on specific collection types.
- Staff will limit handling and moving collections whenever possible, as these activities increase the risk of damage and loss.
- When permanently relocating an item(s), the staff member that manages that collection should be included in the decision-making process and/or notified.
- Oversized or heavy item(s) shall not be moved by a single individual. Two or more people should assist to prevent injury or damage.
- All approved outgoing loans will be packed, shipped, and arranged by the appropriate curatorial staff member.

F) Collections Disaster Plan. The Filson actively promotes a safety culture for both staff and collections. A comprehensive collections disaster plan is maintained and regularly updated to follow current professional standards. Please consult the Filson's Disaster Preparedness Plan for additional information.

G) Collections Preservation and Conservation. Preservation is the protection of cultural and historical materials through activities that minimize chemical and physical deterioration and damage and that prevent loss of information content. The primary goal of preservation is to prolong the existence of cultural and historical materials by providing appropriate housing, environmental controls, and regular monitoring. Conservation is the profession devoted to the preservation of cultural and historical materials for the future. Conservation activities include examination, documentation, treatment, and preventive care, supported by research and education. Each year the Filson designates a portion of funding from the Filson's Historical Acquisitions Fund to be used strictly for preservation and conservation needs.

- Any collections staff can recommend use of conservation funds.
- All conservation fund requests must formally be submitted to the CMC.
- The CMC will review and approve use of conservation funds.
- Conservation funds will to the best of the CMC's abilities be fairly distributed across collection types (Library, Manuscript & Archives, Photograph & Print, Audio/Visual, Museum, and Digital), so that no single collection benefits more than another.

X. Access and Use

As a private non-profit collecting institution, the Filson recognizes its responsibility to provide public access to its collections and related documentation while safeguarding these materials for future generations. As such, the Filson's Collections and Research Department, under the leadership of the Director of Collections and Research and Director of Collections Access, is responsible for establishing procedures to encourage the use of materials while incorporating appropriate measures to ensure preservation and control over the collection. If there is no staff member with the title of Director of Collections and Research/Director of Collections Access, then the President/CEO of the Filson shall designate the individual who shall exercise the duties delegated in this policy.

The Filson makes its collections accessible to the public through on-site and remote research and reference services and reproduction and licensing services. The Filson also provides access via exhibitions, programs, publications, online resources, and loans to other institutions. In all of these endeavors, Filson staff will seek to provide the highest level of service to the public within available resources by eliminating unnecessary barriers to the Filson's offerings; maintaining accessible, well documented, and well organized collections; implementing equitable service and access practices; seeking out and implementing appropriate technology solutions to increase the discoverability and usability of collections; and providing accurate, unbiased, and courteous responses to all requests for information or access to collections. In keeping with professional codes of ethics governing the work of archivists, librarians, museum curators, and public history organizations, the Filson will uphold the principles of intellectual freedom and resist all efforts to censor the organization's

resources. To the extent permitted under the law, the Filson will also protect each researcher's right to privacy and confidentiality with respect to information sought or received and resources consulted.

General Research Guidelines

In making its collections available for use by outside researchers, the Filson's collections staff:

- A) Will always supervise outside researchers while they have access to collection materials and original documentation.
- B) Will establish handling guidelines to ensure the safety and integrity of collection materials, including limiting handling to Filson staff for certain categories of material.
- C) May limit public access to the collections based on the material's condition, fragility, size, storage location, and other reasonable factors.
- D) May limit the time allotted to assist each researcher in order to ensure that staff time and other resources are allocated reasonably and equitably.
- E) Will take appropriate measures to prevent privileged or restricted information from being made accessible to the public.
- F) May implement a reasonable schedule of fees to offset the costs of providing access to collection materials and other research services.

Guidelines for Access to Collections

Most of the Filson's collection is available for on-site use by researchers, and most of the non-image and non-artifact materials are cataloged in online public access catalogs. Apart from fragile, physically compromised, and extremely valuable materials, collections may be accessed through the Filson's Library and Special Collections Reference Desks. The audio/visual and artifact-based portions of the Filson's collection are made available to the public on a more limited basis.

The Library and Special Collections Reference Desks are operated by staff in the Collections and Research Department. The Director of Collections Access, in consultation with the Director of Collections and Research, will be responsible for developing, promulgating, and enforcing rules and regulations governing public access to and use of the research collections to ensure the security and integrity of the materials, restrict access to confidential or restricted information, and protect intellectual property rights of the copyright owners while striving to increase the accessibility and usability of these materials. Collections are cataloged to facilitate discovery and use of these holdings, and Filson staff are actively working to increase the number of online catalog records describing holdings.

**Additional Guidelines regarding Access to Audio-visual Materials:* Audio/visual materials that have not been digitized may not be available for access to researchers depending on the accessibility of playback technology. Digitized audio-visual materials that are not available online will be made available via patron access computers in the Library Reading Room.

*** Additional Guidelines regarding Access to Museum Collections:* Due to the extensive resources required to handle and retrieve the artifact-based category of collections material, on-site, physical access to these holdings will be limited to appointments made in advance for researchers who are able to demonstrate that in-person access is required to support their research needs. Filson staff are actively working on a museum collection inventory which will lead to an increase in the number of online catalog records describing these holdings. As catalog records (and images) for the museum collections continue to be added to the public access catalogs, the Filson also anticipates that electronic records and digital surrogates will become the primary means by which many researchers will access the museum collections.

Reproductions

Intellectual Property, Educational Fair Use, and Library Copying

A) The Filson respects the intellectual property of others (including but not limited to copyright, personality rights, publicity rights, and trademark) and will take reasonable precautions to identify and document these rights so that they are not infringed. The Filson follows all federal copyright laws and guidelines. The collections of the Filson contain materials for which we do not possess copyright. These items include, but are not limited to, books, pamphlets, films, oral histories, manuscripts, photographs, works of art, and various digital media. These items are provided for educational and research purposes as provided for under the fair use section of the United States copyright law. [The educational fair use guidelines apply to material used in educational institutions and for educational purposes. Libraries, museums, and other nonprofit institutions are considered educational institutions under most educational fair use guidelines when they engage in nonprofit instructional, research, or scholarly activities for educational purposes. Quoted from <https://fairuse.stanford.edu/overview/academic-and-educational-permissions/non-coursepack/>.] Filson staff will provide information regarding the status of its collections; however, it is the responsibility of researchers/users to determine the copyright status of materials and to comply with all copyright laws.

B) The Filson protects its own intellectual property as a valuable resource with the potential to be leveraged in support of ongoing collections care and other organizational activities. The Filson will, however, seek to strike a balance between protectionism and freedom of access and use by waiving or reducing licensing fees for usages related to the institutional mission (e.g. for non-profit or educational use). The Filson will exercise due diligence in informing researchers and licensees of use restrictions on copied materials and in providing appropriate citation and credit information for such material, but final determination of copyright always falls upon the user, not the Filson.

C) The Filson maintains and publishes electronic databases which contain digital collections content and collections metadata. Use of these materials must be consistent with the policies and procedures of the Filson. The Society also licenses the non-commercial use of proprietary, electronic databases for the use of staff and researchers for educational and research purposes only. Anyone wanting to publish, copy, redistribute, sell, or alter the information contained within these databases should contact the appropriate vendor or publisher.

D) Filson staff shall inform and educate applicable staff and patrons concerning the guidelines of Fair Use and Library Photocopying so as not to unduly restrict the use of materials while also protecting the rights of copyright holders.

The Copyright Act at 17 U.S.C. § 108 provides a set of rules regarding library reproductions. In general, a library or archive open to the public (or whose collection is available to specialized researchers other than those affiliated with the institution) will not be liable for copyright infringement based upon a library patron's unsupervised use of reproducing equipment located on its premises, provided that the copying equipment displays a notice that the making of a copy may be subject to the copyright law. When patrons ask the library to copy text works the library may make only one copy of such works per patron. Copying a complete work from the library collection is prohibited unless the work is not available at a "fair price." This is generally the case when the work is out of print and used copies are not available at a reasonable price. The copying, whether performed by the library or whether unsupervised by the library patron, cannot be for a commercial advantage. If a library or educational institution makes a copy of a work for a patron, it must include the actual copyright notice from the material being copied, for example, "© 1953, Grove Press." Under 17 U.S.C. § 108(a), if the material contains no copyright notice, the material should be stamped with the notice, "This material may be protected by copyright law (Title 17 U.S. Code)." Quoted from: <https://fairuse.stanford.edu/overview/academic-and-educational-permissions/library-photocopying/>.

Use of Reproductions

The Filson reserves the right to limit use, reproduction, or publication of all materials regardless of copyright status.

1. Researchers may be charged a fee for the reproduction of collections. Fee schedules will be made available by Collections staff. All reproductions must be fully credited when used. Reproduced materials may be subject to copyright.
2. Collections staff will not reproduce an item if it could be damaged in the process.
3. This section does not cover the physical reproduction of three-dimensional artifacts. Anyone wishing to reproduce an artifact should contact the appropriate staff for more information.

4. Artwork in the collection may be reproduced. However, it is the responsibility of the patron to research and receive permission from any artists that may still have the divisible rights of reproduction for their artwork under the copyright law and the Visual Artists Rights Act.

XI. Digital Collections

Please see the Filson's Digital Collections Policy in the [Appendix Folder](#) for additional information.

XII. NAGPRA and Culturally and Medically Sensitive Materials

The Native American Graves Protection and Repatriation Act (Public Law 601-101) was passed by Congress in 1990. It requires institutions that receive federal funding to inventory their Native American collections, consult with federally recognized Native American tribes, and repatriate human remains or cultural items that meet certain criteria. The Filson acknowledges the importance of the Native American Graves Protection and Repatriation Act (NAGPRA) and commits to complying with all provisions of the act. As a recipient of federal funding, in 1993 and 1995 the Filson submitted written summaries of human remains, unassociated funerary objects, sacred objects, or objects of cultural patrimony that may be culturally associated in the collection.

The museum collection includes Native American artifacts, including human remains that were predominately donated to the society between 1913 and 1951. Most artifacts originate from Kentucky and Indiana; however, there are also artifacts from Illinois, Tennessee, Virginia, North Carolina, and South Dakota. The Filson is undergoing a comprehensive inventory of its museum collection. The Filson may discover objects meeting NAGPRA qualifications in existing collections not found during previous inventories. The Filson will report any required updates in accordance with federal regulations. Continued adherence to NAGPRA is important not only as a stipulation to receiving future federal funding but also out of respect for Native American communities, their cultural and spiritual beliefs, and the spirit of NAGPRA.

The Filson will not acquire new donations qualifying under NAGPRA for its collection. The Filson manages Native American objects in its collection with sensitivity and according to professional standards. The Filson recognizes that some artifacts are of a highly sensitive nature; handling and access to NAGPRA objects for the purpose of research, photography, publication, exhibition, and educational programs may be restricted. The Filson's Native American Collections are complicated by the fact that Kentucky has a very weak and underdeveloped appreciation of the Native history within the state, presenting challenges to research, study, and repatriation.

The Filson collects materials documenting the history of medicine and health in the Ohio Valley. In doing so, the institution recognizes the importance of the 1996 Health Insurance Portability and Accountability Act (HIPAA) and the 2013 HIPAA Privacy Rule, which

established standards and safeguards to protect the privacy of personal health information. All materials of a potentially medically sensitive nature being considered for addition to the Filson Collections will be evaluated with HIPAA compliance in mind, using best practices established by the Society of American Archivists (SAA) to balance reasonable access to historical documentation and necessary protections of individual privacy.

XIII. Appendix

[Virtual Folder with policy documents, accessible here](#)