

ACRL/RBMS guidelines for interlibrary and exhibition loan of special collections materials

by the ACRL Rare Books and Manuscripts Section Standards Task Force

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I: Introduction

Purpose and Audience

To enhance access, support research, and promote awareness of their collections, special collections repositories may arrange to lend materials from their holdings to other institutions for research use or exhibition. The purpose of these guidelines is to provide a framework for the development of appropriate institutional policies and decision-making criteria to support the interinstitutional loan of special collections materials, to specify the respective responsibilities of borrowing and lending institutions, and to recommend procedures to ensure the security and preservation of loaned materials.

These guidelines are intended for use by libraries, archives, historical societies, and other similar repositories to encourage and facilitate the interinstitutional loan of special collections materials, including rare books, manuscripts, archival documents, photographs, maps, prints, artworks, artifacts, ephemera, and other materials in special formats that are normally consulted under secure, supervised conditions. Although these guidelines are written primarily from the perspective of single institutions, they are also meant to serve the needs of consortial groups in developing policies and procedures for facilitating research and exhibition loans among their members. These guidelines may also provide guidance to other types of institutions, such as museums, that may engage in loan arrangements with special collections repositories.

These guidelines adhere to and complement the ALA Interlibrary Loan Code for the United States, ACRL/Society of American Archivists (SAA) Joint Statement on Access to Research Materials in Archives and Special Collections Libraries, the Code of Ethics of the ALA, and the ACRL Code of Ethics for Special Collections Librarians (see Appendix D).

The present guidelines are the result of the merger and revision of two earlier guidelines that were developed and approved by “ACRL: Guidelines for the Interlibrary Loan of Rare and Unique Materials” (1994, rev. 2004) and “Guidelines for Borrowing and Lending Special Collections Materials for Exhibition” (2005). The ACRL taskforce responsible for this revision was composed of the following members of ACRL’s Rare Books and Manuscripts Section (RBMS): Hjordis Halvorson (chair), Christian Dupont, Jeffrey Marshall, Laila Miletic-Vejzovic, Heather Smedberg, Shannon Supple, and Cherry Williams.

The present guidelines consist of the statement of purpose and audience, general principles and guidelines pertaining to the practice of borrowing and lending special collections materials, and a series of more specific guidelines pertaining to the borrowing and lending of special collections materials for research use or exhibition.

Principles

The following general principles apply to both research and exhibition loans of special collections materials:

1. To support the needs of researchers and to benefit the public, special collections repositories are strongly encouraged to develop appropriate policies and practices to support the borrowing and lending of special collections materials.

2. Borrowing and lending institutions share interrelated responsibilities regarding the care, handling, and storage of loaned materials and the management of their use, whether for research or for exhibition. Lending institutions have an ethical responsibility to safeguard their collections for future use, including any materials they may lend to other institutions. Likewise, borrowing institutions must ensure that borrowed materials are appropriately safeguarded and handled.

3. Borrowing and lending institutions should approach loan requests in a spirit of collaboration with a willingness to provide access through the most suitable means.

II: General guidelines

The general guidelines below apply to both borrowing and lending institutions, and the additional guidelines that follow pertain to the exercise of the respective roles of borrowing and lending.

The general guidelines, and all that follow, emphasize the high degree of collaboration and communication that is necessary for effective and efficient fulfillment of loan requests. These partnerships are critical to the development of policies and procedures, as well as to decision-making and implementation. To establish effective policies and practice, staff with responsibilities for special collections, interlibrary loan, exhibitions, conservation, public service and reference, and administration—both within and between institutions—must work closely together. Especially because approaches may vary among institutions, borrowing and lending institutions should take extra care in crafting and communicating their policies and procedures.

The guidelines recognize the wide variety of materials that are held in special collections and that may be requested for research or exhibition loan. An effective lending program

may use a tiered approach for decision-making, documentation, and implementation based on such factors as material type, rarity, value, fragility, or nature of the collection. For instance, certain types of materials may require extensive documentation and preparation, while others may require less. Some may require case-by-case decision-making at the item level, while others may allow more routine decision-making at the collection level. Archival and manuscript collections and other aggregate collections may be best served with different protocols than those applied to requests for individual published materials.

The guidelines also recognize that often there may be other more desirable and suitable alternatives to borrowing and lending original special collections materials. Although not addressed within the scope of these guidelines, services such as scan-on-demand and digitization programs are encouraged as alternative means of providing access, especially insofar as they may safeguard the original materials more effectively and be delivered more efficiently.

General guidelines for borrowing and lending institutions

1. Develop and maintain written policies and procedures for handling loans of special collections materials that adequately address the requirements of research and exhibition loans, such as those specified in these guidelines.

a. Such policies should be made publicly available through institutional Web sites and other appropriate means or, at a minimum, shared upon request with potential borrowers to aid them in determining whether their requests will meet requirements of the lending institution.

b. It is recommended that such policies indicate their conformance to these or other similar guidelines.

c. Institutions should periodically review their loan policies and practices in light of evolving professional standards and their own experience in fulfilling loan requests.

2. Maintain staff with specific responsibilities for providing special collections, interlibrary loan, preservation/conservation, and exhibit

preparation services, and ensure that they are appropriately trained and experienced in the care and handling of special collections materials.

3. Follow clear and consistent communication and decision-making with regard to loan requests.

a. Although the configuration of staffing responsibilities may vary among institutions, all borrowing and lending institutions should establish clear delineations of responsibility, lines of communication, and decision-making protocols.

b. Borrowing and lending institutions must determine which staff members are authorized to decide whether materials will be lent and to negotiate the terms of loan agreements. Institutions then must ensure that only authorized representatives make loan decisions and sign loan agreements.

c. Borrowing and lending institutions should ensure that loan decisions are communicated in a timely manner and that the rationale for denying any loan request is provided whenever possible to help the borrowing institution determine alternative courses of action.

4. Ensure that all loan transactions are carefully, consistently, and thoroughly documented.

a. All loan arrangements should be specified in a written loan agreement that is accepted and authorized by appropriate representatives of both the borrowing and lending institutions.

i. Loan agreement terms may be implicitly stated in the policies governing an institution's interlibrary loan practices or may be explicitly stated in a research or exhibition loan agreement form.

ii. Before adopting or substantially adapting any loan agreement policy or form, an institution should have it reviewed by its legal counsel, risk management office, and/or insurer to ensure that it adequately protects the institution's legal interests as well as those of any donors, depositors, subjects/named persons, or copyright holders.

b. Borrowing and lending institutions should use appropriate means to safeguard loan documents and information contained therein, such as confidential user information

and facility reports, which may include details concerning institutional security equipment and practices and other sensitive information. Loan documentation should be maintained according to institutional policies governing user privacy and retention.

c. The condition of the materials should be documented at all appropriate stages of the loan process, especially prior to the shipment/delivery and return of materials.

5. Follow organized and efficient workflows for managing the loaned materials through every stage of the loan process.

6. Ensure that loaned materials are kept secure and are handled and maintained under appropriate environmental conditions during all stages of the loan process and term (see Appendix I for citations to security and environmental guidelines).

7. Promote access to special collections materials through the most suitable means, whether this be a loan of original materials, onsite use, support for travel to collections, microfilm or digital surrogates, other more readily accessible copies or editions, reference consultation, or other available options.

Additional guidelines for borrowing institutions

In general, borrowing institutions assume responsibility for the security and care of loaned materials from the time they leave the lending institution until they are returned to and received by the lending institution.

1. Exercise at least the same level of care toward loaned materials as the institution exercises toward its own special collections materials.

2. Document the receipt of loaned materials and immediately inform the borrowing institution of any irregularities or damage.

3. Follow carefully all instructions stipulated by the lending institution in the loan agreement.

a. Such instructions may pertain to care and handling, research use or display, rights and reproductions, citations, publications, legal responsibilities, and other relevant matters.

b. The borrowing institution should not allow any photocopying or other reproduction of loaned materials without the explicit permis-

sion of the lending institution, except as needed for internal documentation, as, for example, in the case of creating condition reports or exhibit mounting specifications.

c. The borrowing institution should not alter, clean, or repair materials without explicit permission from the lending institution.

4. Do not affix any labels or other markings directly upon the loaned materials. Identifying information should instead be applied to protective containers or sleeves or included on removable slips; materials used for such enclosures and slips should meet relevant conservation standards (see Appendix I).

5. Return the loaned materials by the date requested.

a. Staff should communicate in writing any requests to extend the term of the loan in accordance with the terms of the loan policy or agreement.

6. Return the loaned materials in the same condition as received, and use the same or equivalent packaging materials and shipping methods.

a. Staff responsible for the packing, unpacking, and shipment of the materials should be instructed in the proper handling and packing of special collections materials.

b. Prior to packing, staff should inspect and verify that the loaned materials have not suffered any damage during the term of the loan period and document the results of the inspection in a condition report and/or in the loan record or agreement.

i. Any damage suffered during the time the loaned materials are in transit or held by the borrowing institution must be reported to the lending institution as soon as the damage is discovered. Damaged materials should not be packed for return without the lending institution's knowledge and authorization.

ii. The borrowing institution must also cooperate in reporting and investigation by any insuring agency and otherwise meet its responsibilities with regard to costs for repair, replacement, or appropriate compensation, in accordance with the terms of the loan agreement and the preferences of the lending institution.

Additional guidelines for lending institutions

Lending institutions bear the dual responsibility of making their holdings as accessible as possible while setting conditions and methods for lending materials that minimize the risks to the materials. In balancing these responsibilities, lending institutions generally should give priority to the safeguarding and long-term preservation of the materials requested for loan. In determining whether materials should be loaned and for how long, lending institutions may also consider the needs of users who may expect to have ready access to materials locally.

Final authority regarding whether to lend the requested materials, to provide or allow reproductions, or to accept any specific loan arrangement or terms rests with the lending institution in keeping with its ultimate responsibility as the owner or legal custodian of the materials.

1. Review requests to borrow special collections materials with due regard for the access, security, and preservation needs of the requested materials.

a. Lending institutions should have a conservator or other appropriately trained personnel evaluate the condition of the requested materials prior to making a commitment to lend them.

b. Individuals who exercise direct curatorial responsibility for the requested materials should be involved in the approval process. In some cases, such as those involving materials with high financial and cultural value, higher levels of institutional authority may be required for final approval.

2. Ensure that the institution has proper ownership or authority to lend the requested materials.

a. This is especially important in cases in which loaned materials are owned by a depositor or third party, or when materials will cross international borders and be subject to customs inspections.

3. Determine the measures needed to safeguard the materials throughout the loan process and term.

a. Such measures may include conservation repair or stabilization, special packaging

and shipment, insurance, specific environmental conditions, and special instructions for handling and display.

b. The measures should be adequately described and documented in the written loan agreement.

4. Inform the borrowing institution in writing of any legal requirements or other restrictions and conditions concerning the use, display, reproduction, or citation of the loaned materials.

5. Respond to all loan requests in a timely and professional manner.

6. Offer to provide appropriate substitutes, such as reproductions or related materials, if the original materials cannot be lent.

III: Interlibrary loans for research use

The following guidelines are specific to inter-institutional borrowing and lending of special collections for research use. They should be understood and applied in concert with the principles and general guidelines stated above.

Borrowing and lending of special collections for research use falls within the larger context of interinstitutional resource-sharing, document delivery, and interlibrary loan operations. In most circumstances, therefore, the process will involve staff with both interlibrary loan and special collections responsibilities, who should jointly develop institutional policies and procedures in support of such lending and borrowing practices, and who should conduct their borrowing and lending procedures with effective communication and collaboration.

These guidelines primarily address situations in which researchers who require use of original source materials managed by a special collections repository cannot travel to the repository to consult the collections onsite, or for whom alternative means of access, such as digital reproductions, photocopies, or microfilms, are not adequate to their needs or cannot be provided.

Guidelines for borrowing institutions

A. Initiating a research loan request

1. Follow best practices for verification as outlined in the ALA Interlibrary Loan Code for the United States (hereafter, ILL Code; see Appendix D).

2. When possible, consult with the researcher to review the need to work with the original source material requested and to present alternatives, such as digital surrogates, other more readily accessible copies or editions, or other options.

a. If the request is mediated by staff at the borrowing institution, and the materials requested are considered special collections by the potential lending institution, the borrowing institution should verify with the researcher whether access to the original materials is required or whether an alternative form or means of access is acceptable.

b. In some situations, an interlibrary loan request may pass directly to a potential lending institution without an opportunity for the borrowing institution to review it (i.e., an unmediated borrowing request). In such cases, the interlibrary loan office at the lending institution may wish to respond conditionally and ask the borrowing institution to contact the researcher to determine whether the access to the specific copy in its original form is required. (In some cases, the researcher may not have been aware that the request was processed for an item held in special collections.)

c. In cases where the researcher directly contacts the special collections department, the department may advise the researcher to resubmit the request as an interlibrary loan request or may choose to fulfill the loan request directly with the special collections or interlibrary loan department at the researcher's institution, if it determines that lending the original materials is the most suitable means of providing access.

3. Encourage researchers who need to work with original source materials to travel to the repository holding the desired materials, unless distance or other factors present significant hardship.

a. Onsite research avoids the risks and costs associated with research loans and ensures that the materials remain available for other researchers locally. It also allows researchers to take more immediate advantage of the expertise of local staff and other related research materials.

4. If such research travel is not feasible, encourage researchers who wish to initiate a

request to borrow special collections materials for consultation at their home institution to contact their institution's interlibrary loan office for advice and assistance rather than directly initiating a request with the special collections department at the owning repository.

a. If the interlibrary loan policies and practices of the borrowing and lending institutions will permit them to collaborate in the loan of special collections materials, it is generally more efficient and cost effective for both researcher and institutions involved.

b. In cases where the borrowing or lending institution does not have an interlibrary loan office, it will be necessary for the special collections department to assume responsibility for managing all of the aspects of a loan request that an interlibrary loan office might otherwise fulfill.

B. Preparing the loan request

1. Follow best practices for preparing interlibrary loan requests as outlined in the ILL Code.

2. Ascertain the lending institution's contact department or staff member for interlibrary lending of special collections materials, and follow the procedures for requesting materials specified in the lending institution's policy.

3. Verify that the borrowing institution's special collections staff are willing to accept the responsibility for holding and supervising the use of the borrowed materials during the period of the loan, in accordance with the general guidelines outlined above, the reading room conditions described in subsection C.6 below, and any additional handling guidelines required by the lending institution.

C. Handling the loaned materials

1. Abide by all loan conditions specified by the lending institution.

2. Ensure that special collections staff take responsibility for the loaned materials as soon as possible after the materials are received.

a. The loaned materials should not be left unsupervised in any unsecure area during receipt and while in transit to special collections.

b. The borrowing institution may specify that the material be delivered directly to its special collections department.

3. Verify that the loaned materials did not suffer any damage in transit (with reference to a condition report, if supplied).

a. Special collections staff receiving the materials may need to consult with a conservator or other appropriately trained personnel to verify the condition of the materials.

b. If any damage is suspected, staff must follow protocols outlined in the loan agreement to immediately notify their own interlibrary loan staff and the lending institution.

4. Store the loaned materials in a secure, environmentally controlled special collections storage area.

5. Ensure that the materials remain in the secure storage area except for the sole purpose of providing research access for the designated researcher.

6. Provide the researcher who requested the materials access to them in a contained, secure, supervised reading room equipped for the use of special collections materials.

a. The reading room should follow policies and procedures recommended in the "ACRL/RBMS Guidelines Regarding Security and Theft in Special Collections" (see Appendix D).

b. The researcher must agree to and abide by the conditions of use prescribed by the reading room's policies and procedures and must also abide by any additional requirements specified by the lending institution, as stated in the applicable loan agreement or policy.

c. Access to the loaned materials must not be provided to anyone other than the designated researcher without the prior written permission of the lending institution.

d. Materials loaned for research use must not be publicly displayed or exhibited.

7. Follow the lending institution's instructions regarding reproduction of the loaned materials.

a. If reproduction is permitted, it should be performed by or under the supervision of special collections staff at the borrowing institution in compliance with United States or

other applicable copyright law and any other specifications stated in the lending institution's loan policy or loan agreement.

i. The borrowing institution may, however, decline to make reproductions and may instead refer the researcher to the lending institution to negotiate arrangements for reproduction following the return of the loaned materials.

ii. The borrowing institution may permit the researcher to photograph loaned materials for research purposes using a personal digital camera only when the lending institution explicitly specifies that such use is permissible.

D. Returning the loaned materials

1. Adhere to loan periods and renewal request processes as outlined in the ILL Code.

2. Promptly return the loaned materials in accordance with the borrowing institution's local policies and procedures and any other specifications stated in the loan request or agreement.

Guidelines for lending institutions

A. Responding to research loan requests

1. Respond to all requests as quickly as possible while allowing time for those charged with direct curatorial responsibility for the requested materials to adequately review the request.

a. In evaluating whether to lend the requested materials, consider whether the researcher requires access to the original materials or whether an alternative means of access may be suitable, in which case the lending institution may wish to send the borrowing institution a conditional response asking for further information or suggesting alternative means of access (see Guidelines for Borrowing Institutions, section A.2 above).

2. When possible, lend rare and unique materials at a cost equal or comparable to the standard interlibrary loan fee charged for the loan of materials from the institution's circulating collections.

a. If the costs of shipping, insurance, conservation treatment, or loan requirements exceed the normal interlibrary loan fee, the lending institution may require additional pay-

ment. If the amount to be charged exceeds the maximum cost specified by the borrowing institution, the lending institution should notify the borrowing institution of any additional costs and secure agreement to pay applicable fees prior to shipping the requested materials.

b. When it is determined that a request can best be fulfilled with a reproduction, the lending institution should provide reproductions at a cost equal or comparable to the institution's standard rate, when possible.

i. Lending institutions may develop a fee schedule with rates for specialized reproduction and handling of special collections materials (e.g., for special formats and fragile materials). It is advisable to make the fee schedule public.

ii. If requested, a cost estimate should be provided to the borrowing institution before reproductions are made.

iii. The lending institution may require prepayment before processing the reproduction order. In such cases, it may be more practical to handle the request as a routine reproduction order between the researcher and the lending institution's special collections unit and to cancel the initial interlibrary loan request.

iv. Unless reproductions are specifically delivered as loans, neither the borrowing institution nor the researcher should be placed under an obligation to return the reproductions to the lending institution.

3. Indicate any special conditions governing the use of loaned materials, clearly stating in the written loan agreement any restrictions or limitations on research use, citation, reproduction, publication, or other forms of dissemination.

a. Lending institutions may limit the volume of loaned materials and the duration of the loan period.

b. Lending institutions are encouraged to set due dates that allow for at least 30 days' use at the borrowing institution, excluding transit time.

c. Loan requests that are fulfilled through interlibrary loan request systems should specify that the loaned materials are for "reading room use only" or an equivalent designation to ensure their appropriate and proper handling.

d. Lending institutions may require that a reproduction be made for local use while the original materials are on loan. The lending institution may choose to charge the borrowing institution for the creation of the local use copy.

B. Preparing and delivering materials

1. Determine the means that are required to safely pack, ship, and unpack the materials.

a. If special means of transport, such as a fine arts handler or courier service, are required, or if special precautions must be observed in packing or handling the materials, the lending institution should specify those terms in the written loan agreement and ensure that the borrowing institution is willing and able to comply with all such special arrangements and instructions.

b. The lending institution may specify that the material be returned directly to its special collections department.

c. The lending institution may require the borrowing institution to pay for special insurance or provide a certificate of insurance coverage.

2. Prepare and pack the materials appropriately, and require that all the materials be repacked in the same or equivalent manner as when they were sent to the borrowing institution.

3. Document the condition of the materials before shipment and advise the borrowing institution in writing of any defects for which it should not be held responsible upon return (see Appendix III).

IV: Loans For exhibition

The following guidelines are specific to inter-institutional borrowing and lending of special collections for exhibition. They should be understood and applied in concert with the principles and general guidelines stated above.

Exhibitions of special collections materials enable institutions to promote awareness of their rare and unique collections, to engage new audiences, and to contribute to scholarship and lifelong learning. To convey the essence and excitement of primary sources, exhibition curators typically choose to feature original

materials, even when doing so requires their undertaking the added time and expense of borrowing them from other institutions.

Because the focus of exhibitions is on the public display of materials with high audience impact, practices for borrowing and lending special collections materials for exhibition have been more strongly influenced in their development by museum loan policies and procedures than interlibrary loan standards for research use. Differences in practices and policies also reflect the fact that exhibitions expose special collections materials to different stresses than reading room use and often introduce additional risks and considerations.

Guidelines for borrowing institutions

A. Initiating an exhibition loan request

1. Allow sufficient time for the lending institution to evaluate the loan request, negotiate conditions, obtain approvals, and carry out any required preparation, such as conservation treatments and appraisals.

a. Lending institutions generally require loan requests to be submitted six-to-twelve months in advance of the date the materials are required, sometimes longer in the case of larger institutions and for loans involving numerous items and international loans.

b. Additional time may be required if formal approval of a board or committee is required or if the materials requested require conservation treatment or special preparation.

2. Obtain information from the lending institution to facilitate the preparation of the loan request.

a. Before initiating a formal loan request, exhibition staff from the borrowing institution may make informal inquiries about the exhibition loan process and the materials to be requested.

b. They may also make arrangements to view and study the materials firsthand at the lending institution or request reproductions for local review.

3. Be prepared to assume responsibility for all potential costs associated with the loan.

a. These costs may include transportation fees, insurance, conservation and mounting,

reproductions for documentation or local use, loan fees, appraisals for the purpose of insurance, and other administrative fees.

b. A lending institution may also charge a cancellation fee if the borrowing institution withdraws its request once the loan agreement has been signed. In the event of a cancellation, the borrowing institution may also be required to reimburse the lending institution for any direct preparation of materials and conservation costs incurred up to the time of cancellation.

B. Preparing the request letter and loan agreement

1. Prepare a formal loan request letter describing the exhibition and the specific materials to be borrowed.

a. The letter should provide details on how the borrowing institution wishes to display the materials.

b. The letter should state that the borrower recognizes its responsibility to assume all costs and risks associated with the loan.

c. The letter should state the dates of the exhibition, whether the exhibition involves multiple venues, and other important details.

d. The letter should be signed by the director, department head, or curator of the borrowing institution, as appropriate, and addressed to the appropriate staff member of the lending institution.

2. Be prepared to send, upon request from the lending institution, a document describing the borrowing institution's exhibition program and facilities (i.e., a facility report).

a. The facility report should use or follow the standard form published by the American Association of Museums (see Appendix III).

b. For exhibitions involving multiple venues, a separate facility report should be submitted for each host institution.

3. Be prepared to send, upon request from the lending institution, a certificate or other proof of insurance covering the materials to be borrowed according to the type and amounts of coverage specified by the lending institution.

a. In general, the lending institution will require documented evidence of coverage prior to releasing or shipping the materials to be borrowed.

4. Work out all loan terms and conditions, including transportation and security protocols for moving collections between venues.

5. After establishing mutual agreement on all loan terms and conditions, complete a formal loan agreement and have it signed by authorized representatives from each institution.

a. The lending institution should determine which loan agreement form to use, whether its own or that of the borrowing institution (see Appendix IV).

C. Handling the loaned materials

1. Follow the instructions and requirements of the lending institution for security, care, and handling of the materials during transport, storage, and exhibition.

a. The loaned materials should not be left unsupervised in any unsecure area during preparation for shipment or transit to the shipping point.

2. Upon the lending institution's request, insure the loaned materials at the value specified by the lending institution on an all-risk, wall-to-wall basis.

3. Inspect the loaned materials upon receipt, comparing them with the condition report provided by the lending institution, and record the condition of the materials.

a. Any damage or discrepancies must be reported immediately to the lending institution and other appropriate parties.

b. If no condition report is provided by the lending institution, the borrowing institution should create one for each item upon receipt.

c. This process should be repeated at each venue for traveling exhibitions.

4. Do not alter, clean, or repair the loaned materials in any way unless specific written permission has been obtained in advance from the lending institution.

5. Mount and display the loaned materials in accordance with the terms and instructions specified in the loan agreement. If any modifications to those terms are desired, the borrowing institution must request and obtain written permission in advance of performing the modifications.

6. Follow the instructions of the lending institution regarding acknowledgements, per-

missions, and reproductions. The borrowing institution should give credit to the lending institution in interpretive materials and publicity concerning the exhibition, such as exhibit labels, catalogs, associated online exhibitions, brochures, Web sites, and announcements.

a. The borrowing institution should properly describe the materials and follow the citation forms specified by the lending institution.

b. The borrowing institution may need to obtain advance written permission from the lending institution before any loaned materials are reproduced or published. It may need to secure additional permission from persons, corporations, or other legal entities that may own or claim rights.

c. The borrowing institution may also provide the lending institution with a complimentary copy of any printed catalogs or brochures that include descriptions or reproductions of the loaned materials.

D. Returning the loaned materials

1. Promptly dismount, document the condition of the loaned materials, pack, and return the loaned materials in accordance with local policies and procedures and any specifications stated in the loan agreement.

Guidelines for lending institutions

A. Determining loan conditions

1. Be prepared to give the borrowing institution a reasonable estimate of all potential costs prior to or upon approval of the loan.

2. Determine whether the requested materials can be safely and appropriately lent for exhibition.

a. Any number of factors may be considered, such as fragility or physical condition, the lending institution's simultaneous need for the requested materials, prior lending history, etc. Staff members with curatorial and conservation responsibilities should consult with one another to determine whether any factors might prevent the loan or require special handling.

b. Other institutional staff, such as senior administrators and the institution's governing board, may also need to be involved in ap-

proving exhibition loan requests involving materials with particularly high monetary, cultural, or historical value.

3. Determine whether the borrowing institution's exhibition facilities meet the lending institution's standards for environmental controls and security protocols.

a. Lending institutions may request borrowing institutions to supply a standard facilities report (see Appendix II).

4. Determine whether any conservation, mounting, or other preparatory treatments must be performed before the materials can be lent.

a. In general, the cost for any such treatments is passed along to the borrowing institution.

5. Specify in the written loan agreement all of the conditions required to ensure the appropriate security, care, and handling of the materials during transport, storage, and exhibition.

a. The lending institution will normally request that the borrowing institution make appropriate transportation arrangements. Full details of transportation, including arrangements required for moving materials between venues in traveling exhibitions, should be determined and agreed upon in advance and documented in the loan agreement. The lending institution may allow the materials to be sent by a standard or overnight carrier or it may require that a qualified fine arts shipping agency be used.

b. The lending institution may also require that a designated courier, such as a staff member from the lending institution, accompany the materials and/or be present for the unpacking, mounting, installation, removal, and repacking of the loaned materials.

c. The lending institution should specify the environmental conditions under which each item may be displayed (including lighting, temperature, and relative humidity requirements) and the length of time the materials may remain on exhibit (see Appendix I).

6. Specify in the loan agreement the requirements for acknowledgements, permissions, and reproduction, such as:

a. how to cite the lending institution and the donors of any loaned materials, if appropriate;

b. whether the loaned materials may be reproduced in an exhibition catalog or brochure, in conjunction with any publicity, or for any other purpose, and, if so, under what conditions; or

c. whether the lending institution owns or controls copyright for the loaned materials.

7. Specify any additional requirements, such as:

a. whether the borrowing institution may make the loaned materials available for consultation by scholars prior to or following their display in the exhibition, and under what conditions;

b. whether the borrowing institution must pay for reproductions to be made for local use at the lending institution while the original materials are on loan;

c. whether the lending institution reserves the right to recall an item before the agreed-upon return date and under what circumstances it may do so; or

d. whether the borrowing institution should be required to provide information pertaining to its accreditation status and governance and its policies concerning public access to exhibitions, including compliance with the Americans with Disabilities Act.

B. Preparing and delivering materials

1. Document the condition of the requested materials before packing them for shipment.

a. Prepare a condition report for individual items and include the reports with the loan agreement and any other loan documentation.

b. The condition reports should describe the overall condition of each item, with a detailed description of the portion of the item that will be on view. A current photograph or series of photographs should be attached to the condition report (See Appendix III).

2. Assign a confidential valuation to each loaned item for insurance purposes.

a. The lending institution may assign its own valuation to each item based upon its records or estimates of its current market value. In some cases, particularly for high-

value materials, the lending institution may require that a qualified third-party appraiser perform the valuation. In such cases, the costs for the appraisal are generally passed along to the borrowing institution.

3. Receive a certificate of insurance from the borrowing institution's insurer before shipping or releasing the item.

a. The certificate must specify the coverage amount and the beginning and ending dates of coverage, which must correspond with the terms specified in the loan agreement.

b. Coverage should be for full replacement value and should extend to any damage or loss incurred during shipping.

c. Any coverage exclusion must be clearly stated.

APPENDIX I: Works cited and additional resources

Works cited

American Library Association. "Code of Ethics of the American Library Association." Accessed January 17, 2012. <http://www.ala.org/ala/issuesadvocacy/proethics/codeofethics/codeethics.cfm>.

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Additional resources

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APPENDIX II: AAM General Facility Report

Standard facility report

The American Association of Museums (AAM) has adopted a General Facility Report (formerly, Standard Facility Report) that borrowing institutions are encouraged to use or adapt. The current edition includes a PDF ver-

sion of the report on CD-ROM and is available for purchase from the AAM Web site (<http://www.aam-us.org>).

Outline for facility report

As an alternative to the AAM report, borrowing institutions may prefer to create their own facility report. If so, the report should include the following information, which can be organized under eight basic headings:

1. The Borrower. State full name of institution, address, fax, and telephone numbers. Briefly describe the nature of institution. Indicate the size of the staff and name(s) of staff member(s) in charge of the exhibition.

2. The Building. Indicate the date and type of building construction, size of the exhibition space, and its location within the building.

3. Fire Protection. Describe in detail the fire detection and fire extinguishing/suppression system.

4. Security. Describe how items on exhibition will be properly safeguarded against theft or damage. Describe the exhibition cases and locks and the method by which framed items are mounted on the wall. Describe the intrusion detection system in the exhibition area. If security staff is employed, give the number of security staff employed and the number on duty at any time. Indicate the days and hours that the exhibition will be regularly open. Indicate whether the space may be rented to outside organizations, and if any other use is made of the space other than for exhibition viewing.

5. Environment. Indicate the range of temperature and relative humidity in the exhibition areas and the areas for packing and storage. Indicate the maximum variation percentage within a 24-hour period for temperature and relative humidity in those areas and how the readings were measured. Describe any environmental monitoring equipment. Describe the lighting in the exhibition area. Identify the types of lighting fixtures in the exhibition and work areas and provide the exact light levels in foot-candles, lux, or other standard measure, indicating how these readings were taken. Explain how items on exhibition will

be protected from ultraviolet radiation deriving from natural or artificial sources in the exhibition and work areas.

Indicate whether food and drink are ever permitted in the exhibition area for receptions or other functions.

6. Handling the loaned materials. Indicate that the institution will use proper, accepted, professional standards at all stages of the exhibition process, including meeting the lender's requirements concerning such matters as matting, framing, or the fabrication of custom cradles.

7. Insurance. Describe the borrowing institution's insurance coverage and give the name of the insurer and broker. Offer to provide a copy of the policy if requested.

8. References and loan history. Include a list of other institutions that have lent items to the borrowing institution for recent exhibitions. The list should include appropriate contact information for each institution.

Work cited

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APPENDIX III: Condition reports

Outline for a Condition Report Form

A. Administrative information

1. Borrowing institution
2. Exhibition title
3. Title and call/accession number of item to be lent
4. Preparer's name, date prepared

B. Description of condition before loan

1. Considerations for published materials
 - a. Condition of book (spine, cover, corners, edges, etc.)
 - b. Condition of pages to be exhibited
2. Considerations for manuscript, archival, or visual materials
 - a. Medium
 - b. Condition
3. Additional considerations for framed materials

- a. Size of stretcher/panel, image, sheet, frame/mat
- b. Location of signature, date, marks, labels
- c. Condition of frame and any auxiliary supports
- 4. Additional remarks on condition
- 5. Image(s) of item
- C. Packing/travel housing requirements
- D. Special exhibition requirements (e.g., maximum number of days item may be exhibited or other special considerations)
- E. Report of condition upon return to lending institution
- F. Signature and date by preparer/examiner

APPENDIX IV: Exhibition Loan Agreements

Exhibition Loan Agreements used by Special Collections Libraries vary in length from brief (two or three pages) to the very detailed (12 or more pages). The following is a sample only. Institutions should consult with legal counsel before adapting this or any other exhibition loan agreement for their use.

Outline for Sample Exhibition Loan Agreement Form

This form should be on letterhead—or give borrower's name, address, phone, fax, e-mail address in a heading—and provide ample space for pertinent information, including:

Borrower Information:

- 1. Institution Name (may wish to include space for a specific department, too)
- 2. Address
- 3. Web site
- 4. Contact person (with telephone, fax, e-mail address)

Date of Request (while this will be at the end with the signatures, it may be useful for all parties if this is also prominently placed near the top/beginning of the document).

Exhibition:

Specify title of exhibition, location(s), and inclusive dates of loan.

Lender:

- 1. Institution Name
- 2. Address
- 3. Web site
- 4. Contact person (with telephone, fax, e-mail address)
- 5. Credit (exact form of lender's name for catalog, labels, and publicity)

Description of Item(s) to be Lent:

- 1. Author/artist (with dates, if known)
- 2. Title or description (as appropriate)
- 3. Imprint and date(s) (as appropriate)
- 4. Lender's call number or accession number
- 5. For art work, location of date (if any)
- 6. For art work, form and location of signature (if any)
- 7. Medium/material and support
- 8. Specify how you wish to exhibit the item
- 9. Specify desired page opening for bound material
- 10. Dimensions of item alone (height, width, depth, weight)
- 11. Dimensions of item with mat, frame, base or required cradle, if any (height, width, depth, weight)
- 12. Condition, noting existing breaks, tears, scratches, abrasions, paint losses, other insecurities or defects in the work (if necessary, a separate sheet of paper can be attached to the form)
- 13. Does the lender own copyright to the work? If not, who does?
- 14. Value

Special instructions:

- 1. For art work, may the borrower reframe or remat?
- 2. Substitute Plexiglas for glass?
- 3. Date by which loans are to reach the borrower (borrower will be in contact with the lender regarding shipping arrangements)
- 4. Other instructions for packing, transport, and installation
- 5. Borrower will provide copies of the exhibition catalog, or other materials bearing descriptions or images of the items to the lender as a courtesy

Insurance:

Also see Terms and Conditions, stated below.

Does the lender prefer to maintain insurance? If yes, state the estimated premium to be charged to the borrower. If no, state the insurance value (fair market value) in U.S. currency.

Photographs and reproductions:

Unless permission is declined here, it is understood that this item may be photographed, digitized, videotaped, telecast, and reproduced for publicity purposes connected with this exhibition and for illustrations in a catalog or other publication, printed or electronic, and that reproductions of it may be made and distributed for educational use.

Except for loan-related publicity and condition documentation purposes, the borrower may not photograph or otherwise reproduce the items without written permission from the lender.

May the borrower reproduce the item in a catalog or brochure, a Web site, or for publicity or educational purposes?

Are reproductions available from the lender? If so, in what format?

Does the lender hold exclusive copyright? If not, whom might the borrower contact to acquire reproduction rights?

Environment:

In addition to having a Facility Report on file, institutions may want to include a statement about environmental conditions of the exhibition space within the loan agreement form.

Terms and conditions governing the exhibition loan agreement:

1. The conditions set forth in this form apply to all objects lent to [Insert name of borrowing institution] (the "Borrower") and cannot be altered, changed, waived, or otherwise amended, except as agreed upon in writing.

2. The Borrower will exercise the same care with respect to the item (the "work") referred to as it does in the safekeeping of comparable property of its own.

3. The work shall remain in the possession of the Borrower and/or the other institutions participating in the exhibition (the "participating institutions") for which it has been borrowed for the time specified, but may be withdrawn from

such exhibition at any time by the Borrower and/or any of the participating institutions.

4. The work will be returned only to the Lender at the address stated unless the Borrower is notified by the Lender in writing to the contrary. If the legal ownership of the work shall change during the duration of the loan, whether by reason of death, sale, insolvency, gift or otherwise, the new owner or agent may, prior to its return, be required to establish this legal right to receive the item by proof satisfactory to the Borrower. It is incumbent upon the Lender to notify the Borrower of any change of address.

5. Unless otherwise indicated, the cost of transportation and packing will be borne by the Borrower. The method of shipment shall be agreed upon by both parties. The Lender certifies that the property is in such condition as to withstand the ordinary strains of packing, transportation, and handling. The Lender shall assure the property is adequately and securely packed for the type of shipment agreed upon, including transmitting to the Borrower any special instructions for unpacking and repacking.

6. Unless the Lender chooses to maintain insurance, the Borrower will insure the work on a wall-to-wall basis under a fine arts exhibition policy for the amount specified above by the Lender against all risk of physical loss or damage from any external cause while in transit and on location during the period of this loan. Note that the Borrower's fine arts policy may contain the usual exclusions for loss and damage to the work due to wear and tear, gradual deterioration, insects, vermin, inherent vice, damage resulting from any repairing, restoration, or retouching process, nuclear reaction, radiation or radioactive contamination, and risks of war and that, in the event of loss or damage, recovery may be limited to such amount, if any, as may be paid by the insurer, hereby releasing the Borrower, each of the participating institutions, and the Trustee officers' agents and employees of the Borrower and of each of the participating institutions from liability for any and all claims arising out of such loss or damage.

7. If the Lender chooses to maintain insurance coverage, then, prior to the shipment of

the work, the Borrower must be supplied with a certificate of insurance naming the Borrower and each of the participating institutions as an additional insured party or waiving subrogation against the Borrower and each of the participating institutions. If the Lender shall fail to supply the Borrower with such a certificate, this loan agreement shall constitute a release of the Borrower and of each of the participating institutions from any liability in connection with the work. The Borrower cannot accept responsibility for any error or deficiency of information furnished to the Lender's insurer or for any lapses in coverage.

8. It is understood that the Borrower will not unframe, clean, restore, repair, rehouse, or otherwise alter the work without the express consent of the Lender. Evidence of damage to works in transit or while in the Borrower's custody will be reported immediately to the Lender.

9. Unless the Borrower is notified in writing to the contrary, it is understood that the objects lent may be photographed by the general public.

10. The Borrower's right to return the work shall accrue absolutely at the termination of the loan. If the Borrower, after making all reasonable efforts and through no fault of its own, shall be unable to return the work within 60 days after such termination, then the Borrower shall have the absolute right to place the work in storage, to charge regular storage fees and the cost of the insurance therefore, and to have and enforce a lien for such fees and cost. If, after five years, the work shall not have been reclaimed, then, and in consideration for its storage, insurance, and safeguarding during such period, the work shall be deemed an unrestricted gift to the Borrower.

11. The Borrower accepts this agreement on the understanding that the Lender has full authority to enter into such an agreement as the legal owner of the work or authorized agent of the owner.

The conditions of this loan, as stated above, are accepted:

[To be signed and dated by representatives for the Lender and the Borrower.] *zz*

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