Mission

The mission of the Art Committee is to enhance learning and environmental aesthetics through advancing the presence of public art on the Chaffey College campuses. The mission is guided by the principle that public art contributes to the College's educational mission, enlivens and distinguishes the campus environment, and is a source of pleasure and inspiration to students and the community.

For the purposes of the committee's work, public art is defined as installations of art—permanent or temporary—in public spaces of the College, including the exteriors of buildings, outdoor public areas and interior public lobbies.

Goals

The Art Committee's goals include: advancing the presence of public art of both professional and student artists; setting standards and criteria for public art purchased or commissioned by or donated or loaned to the college; overseeing the placement, relocation or removal of public art; reviewing long-term funding models for maintenance of public art; providing opportunities to facilitate community education and appreciation of public art; identifying and cultivating sources of funding for public art; and developing and overseeing campus policy and procedure on public art.

Members

8 Faculty Members appointed by the Faculty Senate
2 Classified Staff appointed by the Classified Senate
3 Managers appointed by the Superintendent/President
  • Executive Director of Foundation/Alumni Affairs
  • Director of Marketing and Public Relations
  • Director of Facilities, Operations and Engineering Services
Acquisition of Public Art

Policy

All public art proposed for installation on Chaffey College campuses in outdoor public spaces, on the exteriors of buildings, or in interior public lobbies are to be presented to the Art Committee for review, evaluation and acceptance or rejection, such recommendation being forwarded to the Superintendent/President for confirmation.

Temporary student exhibitions conducted under the guidance of faculty members as part of a Chaffey College course are exempt from this review process.

The standards by which the Art Committee will evaluate a proposed artwork are:

- The artwork must be by an established, accomplished artist whose work has received general critical acclaim or by an emerging artist of great promise, which may include the exceptional work of a Chaffey College student;
- The artwork must contribute to the educational mission of the College and reflect the quality of the College's strong programs in the arts;
- The artwork must be made from materials appropriate to its proposed location, be able to withstand or accept the wear and tear inherent in public settings, and takes in appropriate concerns for public safety;
- The donor or sponsoring party provides ten percent (10%) of the appraised value of the artwork for its ongoing maintenance.

All meetings of the Art Committee review and evaluation process shall be open to the public and all decisions and recommendations made part of the public record.

Procedure

1. When considering the purchasing or commissioning of an artwork or the acceptance of a donated or loaned artwork the sponsoring party must notify the Art Committee of its intentions and submit for review all available information on the artwork in question, including the artist, the proposed location, a statement describing installation and maintenance requirements and the source of installation and maintenance funding.
2. The Art Committee will convene a meeting to review the proposal.
   - In the event of a commissioned artwork the initial review will be held without the artist present; a subsequent review with the artist will be held should the proposed artwork be of sufficient interest.
   - In the event of a donation, the Chaffey College Foundation will also be notified of the proposal.
3. Upon completion of its review the Art Committee will submit its recommendation to the Superintendent/President.
4. Upon receipt of the President’s response to the recommendation the Art Committee will notify the sponsoring party of the outcome.
5. In the event of acceptance, the Art Committee will work with the artist, donor or lender (where applicable) to complete a detailed transaction agreement and to finalize the location and details of the installation.
6. The review process and outcome shall be thoroughly documented and filed.
7. Upon the commissioning or purchasing of an artwork or the acceptance of a donated or loaned artwork the Art Committee will convene a public forum to provide the college community with information on the artist and the artwork.
Relocation or Removal of Public Art

Policy

Public artworks enhance and enrich public spaces, providing visual interest to the campus. They help reflect Chaffey College’s unique identity, cultural heritage and help foster an understanding of its history. Public artworks often have particular relevance to their original intended location. Chaffey College seeks to retain the integrity of artworks and the relationship to the locations for which they were created, in keeping with the artist’s, donor’s or lender’s original intentions, and consistent with the rights afforded by contractual agreements and copyright legislation.

There is recognition, however, that communities constantly evolve, people and places change, and occasionally, as the College changes and evolves there may be reasons to review the location or retention of a public artwork. To this end Chaffey College needs to be well prepared and have a rigorous and transparent review process in place.

Relocation or removal of public art should be considered only after careful and impartial evaluation of all possible options. It should involve the same degree of careful review as a decision to commission a work of art; informed by professional judgment and the interests of the college community, and should proceed according to carefully developed policies and procedures. Public art has a long history of controversy and it is essential that decision-making remains independent of political pressures, fluctuations in artistic taste, popularity or public opinion.

If warranted, the Art Committee will recommend the relocation or removal of public art to the Superintendent/President for confirmation.

This policy aims to achieve:

a. A clear, transparent and rigorous process for decision-making relating to the relocation or removal of public artworks.
b. Respect for moral rights of the artist and integrity of the public artwork and its location.
c. Compliance with Chaffey College’s contractual obligations relating to the public artwork.
d. Consistent and ongoing good management of Chaffey College’s public art collection.
e. A positive contribution to Chaffey College’s educational mission and the advancement of quality environmental aesthetics.

This policy does not include:

1. Public artworks of a temporary nature.
2. Moveable artworks displayed inside libraries, classrooms, offices or spaces that fall outside the Art Committee’s definition of designated spaces for public art. [Separate collection/asset management processes will manage these artworks owned by or on loan to Chaffey College.]
3. Artworks being displayed by or in the collection of the Wignall Art Museum/Gallery located indoors or outdoors within the Wignall’s land designation.

“What one does in the studio is to pose a series of problems to oneself. I’ve got to look for some deeper meaning, for some reason for this thing to be in the world. There’s enough stuff in the world.” – Anish Kapoor

Jeff Koons
Criteria for Initiating the Review Process

A public artwork may be considered for relocation or removal review if one or more of the following conditions apply. While these criteria may prompt a review process, they are not the criteria upon which a final decision on whether to relocate or remove a public artwork is based.

- Continued display of the public artwork undermines the artist's intention.
- Significant and/or substantial changes in the pattern of use, community, character or design of the environment where the public artwork is located necessitates a re-evaluation of the relationship of the public artwork to the location.
- The public artwork location or part of the location is to be redeveloped or demolished and it is not possible to incorporate the public artwork into the redevelopment without compromising the integrity of the public artwork or incurring excessive costs.
- The public artwork requires a high level of maintenance and/or conservation incurring excessive costs.
- The public artwork possesses serious or dangerous faults in design or workmanship and repair or remedy is impractical, not feasible or will undermine the integrity of the public artwork.
- The public artwork endangers public health and safety and remedy is impractical, not feasible or will undermine the integrity of the public artwork.
- Chaffey College is unable to reasonably guarantee the condition or security of the public artwork in its present location, or the public artwork is irreparably damaged, due to reasons beyond the control of the College.

Procedure

1. Artists, donors, lenders, college employees, students or members of the public may propose a relocation or removal of a public artwork.
2. A relocation or removal proposal must be completed in writing and submitted to the Art Committee, indicating under which one or more of the review criteria the proposal falls, and also including a general statement outlining why the applicant believes the relocation or removal review is necessary.
3. The agreement (if any) entered into by Chaffey College with the artist, donor or lender of the public artwork must be located to ensure that the Art Committee are made aware of all legal obligations owed by Chaffey College in relation to the public artwork.
4. The Superintendent/President will be notified immediately upon receipt of the proposal.
5. If, in the Art Committee’s opinion, it is clear that the relocation or removal proposal does not fall under any of the review criteria stipulated, the Art Committee will make a recommendation to the Superintendent/President that the request be dismissed.
6. If the Superintendent/President accepts the recommendation to dismiss the request, the Art Committee will notify the applicant of the outcome. The Superintendent/President may reject the recommendation and instruct the Art Committee to proceed with the relocation or removal review process.
7. If, in the Art Committee’s opinion, the proposal falls under one or more of the review criteria, the Art Committee will make a recommendation to the Superintendent/President that a relocation or removal review process be initiated. If the recommendation is approved by the Superintendent/President, the following procedure is undertaken:
8. Every reasonable effort shall be made to inform the artist, donor or lender (where applicable), or the designated heir(s) or legally recognized representative(s) of these parties, that a relocation or removal review process is underway, and of their opportunity for involvement, if so warranted.

9. Chaffey College’s Marketing and Public Relations Office representative together with the Art Committee develops a public communication plan. The communication plan should include:
   - Identification of issues, risks and recommended responses
   - Key messages
   - A recommended spokesperson
   - Timing and communication strategies

   Depending on the nature of the proposal a range of communication tools may be used including; memos to relevant parties, media releases, background media papers and fact sheets, website and call center information, display material for the library.

10. The Art Committee will convene a public forum to receive public opinion on the proposed relocation or removal of the artwork in question. While public opinion may be taken into consideration throughout the review and decision-making process, in all cases the final decision will rest with the Art Committee, with confirmation from the Superintendent/President.

11. The Art Committee in cooperation with other relevant Chaffey College Offices will prepare background information for the relocation or removal review. This should include where deemed possible and appropriate (but is not limited to) the following information:
   - Written description and images of the public artwork.
   - Original acquisition method / selection process.
   - Artist’s, donor’s or lender’s agreement or comparable legally binding document with Chaffey College, or where no written agreement exists, a summary of the facts and circumstances surrounding the acquisition of the artwork by Chaffey College from the artist, donor or lender.
   - Legal restrictions / requirements or conditions of acquisition, a legal opinion if necessary.
   - Artist’s statement.
   - Donor’s statement.
   - Lender’s statement.
   - A statement from any other bodies that had significant involvement in the original acquisition process may be included.
   - An opinion from an external expert (either an individual or body) with known expertise in the relevant area commenting on the significance of the public artwork.
   - An independent, professional assessment of the value of the work.
   - Community feedback on the public artwork (to the extent and in the manner identified in the consultation plan).
   - Information on the current condition of the public artwork including a detailed budget for all aspects of conservation, maintenance, repair, installation, operation, insurance, storage and any other costs.
   - Viable alternative options to removal including options for relocating the public artwork.
   - Any restrictions as noted in the College’s master plan.
   - Estimated cost of removal including any apparent issues or restrictions relating to removal.
   - Estimated cost of storage.

12. A summary report is written, which includes the Art Committee’s recommendations.

13. The report is presented to the Superintendent/President.

14. The artist (or artist’s representative) will be invited to present in person to the Superintendent/President during the Art Committee’s presentation of the summary report to the Superintendent/President.

15. Based on the information provided in the Art Committee’s summary report and with regard for the objectives for public art as outlined in the Art Committee’s Mission and Goals statements, the President will recommend that the relocation or removal request is either dismissed, or that the public artwork is:
Retained in the College’s public art collection and:
  a. Relocated to another public location;
  b. Removed and put into storage;
  c. Lent to another organization; or

Removed from the College’s public art collection and:
  d. Offered back to the donor;
  e. Offered back to the lender;
  f. Gifted to another organization;
  g. Sold; or
  h. Destroyed.

Both the Art Committee and President’s recommendation will take into account first and foremost any legal obligations owed by Chaffey College to the artist, donor or lender (where applicable). Where the public artwork is owned by Chaffey College, a written agreement with the artist may oblige Chaffey College to first offer the public artwork to the artist to purchase in the event of a removal.

16. To implement any of the options a) to h) the following guidelines should be observed:

a) Relocate public artwork
   • The artist is invited to participate in the relocation decision-making process, and in particular, the artist’s opinion as to the suitability of the new location will be obtained. If the artist considers that the new location will result in a derogatory treatment of the public artwork, the Art Committee will consider an alternative location or option.
   • Where the public artwork is on loan to Chaffey College, the lender’s prior written consent to the relocation must be obtained.
   • Where the public artwork has been donated to Chaffey College, the Art Committee may, if reasonably possible, ask the donor for its opinion as to the suitability of the new location.
   • The new location shall be selected through the Art Committee’s standard procedure for identifying and prioritizing potential areas for public artworks.
   • Standard procedures undertaken when installing a new public artwork must be undertaken in the relocating process, including consultation with the college community (School, Offices, Departments) where the public artwork is to be relocated.
   • The Superintendent/President has final approval of the location.
   • Where at all possible, a new location should be identified prior to the public artwork being removed from the original location.
   • When the public artwork has been relocated the artist may be invited to provide a new statement of intent for the artwork file, outlining the relationship of the public artwork to the new location.

b) Store public artwork
   • If there is a strong desire to retain the public artwork but no appropriate location is identified or immediately available the committee may consider short-term storage of the public artwork. Storage of public artworks is generally to be discouraged as it is not in keeping with the Mission or Goals of the Art Committee.
   • Where the public artwork is on loan to Chaffey College, the lender’s prior written consent to storage of the work must be obtained.
   • The public artwork must be stored in a manner consistent with recognized museum standards appropriate for the nature of the artwork.
   • Public artworks in storage for three years or more should be reviewed.
c) Lend public artwork to another organization
(only applies to public artwork owned by Chaffey College, does not apply to public artwork on loan to Chaffey College)

- The long-term loan of a public artwork is not generally considered to be a satisfactory option. However if a particular opportunity arises to place the public artwork in a public facility that is able to appropriately care for the work and enable it to be enjoyed by a wider public then the Art Committee may consider it.
- The artist is invited to participate in the relocation decision-making process, and in particular, the artist’s opinion as to the suitability of the new location will be obtained. If the artist considers that the new location will result in a derogatory treatment of the public artwork, the Art Committee will consider an alternative location or option.

d) Offer public artwork to donor(s)
(only applies to public artwork owned by Chaffey College and donated by a donor)

- Where a public artwork (or funding for a specific purchase) has been donated to Chaffey College by more than one donor, Chaffey College will offer the public artwork to all donors (provided that Chaffey College has contact information for each donor) and will allow all donors a reasonable time period to respond to Chaffey College’s offer. Where only one donor responds affirmatively within the specified time limit, Chaffey College will return the public artwork to that donor. Where more than one donor responds to Chaffey College within the specified time limit, Chaffey College will enter into discussions with these donors to find an appropriate outcome. If none can be reached, the Superintendent/President will make a final decision.

e) Return public artwork to lender
(only applies to public artwork on loan to Chaffey College)

- The lender (who may or may not have elected to be involved in the review process) is advised of the Superintendent/President’s recommendation and the lender’s consent to returning the public artwork back to the lender, and termination of any prior contractual agreement, is obtained.

f) Gift public artwork
(only applies to public artwork owned by Chaffey College, does not apply to public artwork on loan to Chaffey College)

- The artwork may be offered to another organization or facility that operates for public benefit, preferably for public display. Chaffey College requires the recipient to invite the artist to be involved in the process of relocating the public artwork including obtaining the opinion of the artist as to the suitability of the new location.
- A deed of gift will be signed by Chaffey College and the recipient to formalize transfer of ownership and record any mutually agreed conditions. These may include obligations to ensure consistency with the terms of the original acquisition.
- In limited circumstances the public artwork may be offered as a gift back to the artist (or their designated heir(s). This will occur at the discretion of the Superintendent/President.

g) Sell public artwork
(only applies to public artwork owned by Chaffey College, does not apply to public artwork on loan to Chaffey College)

- Chaffey College will, in its discretion, decide who the relevant source of the public artwork is. That relevant source shall be offered the right of first refusal to purchase the public artwork for fair market value. In some instances, this may be determined by the terms or circumstances of the original acquisition.
- Every effort must be made to ensure the sale is fair and open, sale by public tender or auction is preferred.
- Chaffey College employees, representatives, Board members and immediate family members may not purchase or benefit from the sale of the public artwork.
- Any proceeds from the sale will be returned to the Chaffey College Art Committee budget for future commissions.
- If the work is sold to someone other than the artist, the Superintendent/President will decide in his or her discretion whether to distribute a percentage of any profits made from the sale of the public artwork, to the artist provided the artist can be contacted by reasonable means).
h) Destroy public artwork
(only applies to public artwork owned by Chaffey College, does not apply to public artwork on loan to Chaffey College)

- Destruction of the work is only sanctioned when all other options have been thoroughly evaluated and there are no other viable options.

In all options a) to h) Chaffey College is responsible for dismantling the public artwork and packaging it in a state ready for removal. Dismantling, packaging and moving the public artwork must be undertaken with the active involvement of qualified visual arts professionals. Where custody is to be transferred to another party through sale, gifting, lending or return to source, the recipient will be responsible for transporting the dismantled and packaged public artwork from its location unless agreed otherwise.

17. If a relocation or removal is deemed to necessitate special consideration due to timeliness or other circumstances, an expedited review process may be undertaken. Nothing in these guidelines shall limit Chaffey College’s ability to take appropriate action to protect public health and safety in the event of an emergency.

18. Following the Superintendent/President’s decision, the applicant, the artist, donor or lender (where applicable), and any other bodies involved in the review process, shall be informed in writing of the outcome.

19. The Art Committee will ensure that the Superintendent/President’s decision is implemented and that appropriate staff oversee the process, if necessary coordinating the physical removal of the public artwork and any interpretative signage, and the subsequent relocation, gift, loan, sale or destruction of the public artwork. It is essential that appropriate protocol is observed for any one of these outcomes and that the artist, donor or lender is invited to be involved in any associated ceremonies.

20. Upon practical completion of the disposal the public artwork shall be noted as removed from the College’s art collection by the Art Committee, terminating Chaffey College’s ownership of, and responsibility for the public artwork.

21. The entire relocation and/or removal review process and outcome shall be thoroughly documented and filed in Chaffey College’s appropriate filing system.

Disclaimer
This document is provided for the use and convenience of conducting the business of the Chaffey College Art Committee. The contents of this document are not intended to be final or binding upon the governing board or the administration of the district. This document is not intended to be an official publication of the policies, procedures or statements included herein, or of any official policy, procedure or regulation of the district.

The district reserves the right to amend its policies, procedures, and regulations at any time. The contents of this document do not supersede the official policies, procedures, or regulations of the district, nor do the contents supersede the laws of the state of California or the regulations promulgated by the state chancellor’s office of the California community colleges.

Chaffey College
5885 Haven Avenue
Rancho Cucamonga, CA 91737-3002

Updated:
April 23, 2007