

Art Acquisition Fund Grant Guidelines

About the Art Acquisition Fund

The purpose of the Art Acquisition Fund is to encourage museums¹ in Alaska to collect the work of accomplished Alaska artists for their collections, and support living, practicing Alaska artists through these acquisitions.

The Fund is supported through a grant established by Rasmuson Foundation and is administered by Museums Alaska on behalf of the Foundation. All inquiries must be directed to the Fund Administrator at Museums Alaska.

The first deadline for applications is June 14, 2021. Applications thereafter will be administered on a rolling basis until the funds are depleted or until the final deadline of October 11, 2021, whichever occurs first.

Throughout the period before the June 14, 2021 deadline, applications are held and reviewed, but final distribution decisions are not made until after that deadline.

After the first round of awards announced on July 5, the Art Acquisition application will open again, this time on a rolling basis. As applications are received, they will be reviewed and a decision will be made within two weeks of the application submission.

No more than \$35,000 will be allocated to a single museum in the program year. The amount of artwork to be purchased will be guided by (1) the adopted collection policy, (2) the exhibitions/programs plan, and (3) capacity for maintaining and using collections in keeping with accepted museum standards.

About Museums Alaska

Museums Alaska supports museums and cultural centers in Alaska and enhances public understanding of their value. Museums Alaska maintains a central office to receive and disburse information about museums, cultural centers and their activities, and to collect and share professional opportunities. Museums Alaska organizes an annual conference to focus on the needs of Alaska museum professionals, volunteers, and their institutions. Museums Alaska currently administers two grant programs funded by the Rasmuson

¹ For the purposes of this application and the Art Acquisition program in general, the term *museum* includes cultural centers that meet conditions of eligibility stated in these guidelines.

Foundation: the Art Acquisition program and the Collections Management program. Details on these programs and other resources available to museums can be found on the Museums Alaska website at www.museumsalaska.org.

Eligibility & Criteria

1. Applications are accepted from qualified nonprofit, government, tribal entities or equivalent organizations that hold collections in the public trust, such as a museum or cultural center. An institution's qualified auxiliary or support group may act as the agent for purchasing if it is impossible for the museum to do so directly.¹
2. A museum must be qualified under Section 501(c)(3) of the IRS Code of 1986, and classified as (1) a public charity under Section 509(a) of the IRS Code or, (2) as a unit of government, in selected cases.
3. A museum must have a history or tradition of collecting or exhibiting art, and be able to store and care for all works purchased.
4. To be eligible, a museum must submit a plan for publicly sharing the works purchased through this program. This plan should indicate when and how works will be displayed, shown online, incorporated into educational programming, museum publications, etc. The plan must also indicate how the museum will incorporate these works into its overall collections (e.g., as part of a permanent exhibition, educational programs, community exhibitions, etc.). **Note:** Rasmuson Foundation, members of the Museums Alaska board of directors, or the Project Administer may have opportunities to visit and see the artwork.
5. The Art Acquisition Program does not fund overhead or indirect costs, including insurance, security, transportation, travel, shipping, installation, conservation, or staff time expenses.

Other Rasmuson Foundation Grants

An institution currently utilizing a grant from Rasmuson Foundation (either Tier 1 or Tier 2, for example) may also apply for support through the Art Acquisition Program. An institution that has not completed the requirements for an outstanding grant from Rasmuson Foundation, however, will not be eligible for the Art Acquisition Program until all outstanding obligations to the Foundation have been satisfied.

Selection Criteria

These are stipulations in addition to whatever selection criteria and process the individual museum uses in its normal acquisition process.

1. Artwork must meet the general mission and specific goals and criteria stipulated in the applicant's formally adopted collections policy. The

- program strongly encourages applicants to tie their purchasing goals very closely to the institution's exhibitions/program plan.
2. Artwork must be by a living, "established" Alaska artist currently residing in Alaska.² The artwork must represent current work of the artist.³ In exceptional cases, artwork by a deceased artist (within 1 year of death) may be considered. If the artist is deceased, please contact the program director for advice in advance of submitting your application.
 3. On a limited basis, awards may be considered for commissioned artwork. Applicants pursuing commissioned artwork must contact the Program Administrator in advance of submitting an application in order to be eligible. Additional documentation will be required.
 4. Only visual art will be considered.
 5. Artwork may be in any medium.
 6. Artwork may include outdoor installations.
 7. Replicas of artifacts or copies of original works will not be funded.
 8. All purchases must comply with the Indian Arts and Crafts Act of 1990 (PL 101-644), which makes it unlawful to display for sale or to sell any product in a manner that falsely suggests it is Indian produced, an Indian product of a particular Indian tribe or Indian arts and craft organization. The law further provides that the term "Indian" means any individual who is a member of a federally or state recognized Indian Tribe or is certified as an Indian artisan by an Indian Tribe. The law does not restrict non-Indians from producing or selling such objects, but if must be disclosed to the public/consumer that the piece was made by a non-Indian. See <http://www.iacb.doi.gov/act.html> for full details.
 9. The museum may not purchase artwork for its collections from members of its current board of directors or staff members, or from the immediate family members of board or staff members; or from artists who serve on

²For the purposes of the Fund, an "established" artist is one whose work has been shown or is currently being shown in (1) a juried exhibition, (2) an exhibition sponsored by a museum, a non-profit or for-profit gallery, or the Alaska State Council on the Arts (ASCA), (3) in a professional publication, or (4) is in a museum, library collection, or the ASCA "Art Bank," (5) has been awarded a "1% For Art" commission, (6) has had work accepted for sale by a gallery, or (6) has been purchased by a corporation/business for its public spaces. In cases of traditional native artists, whose work does not appear in these forums, please contact the Project Administrator.

³ For the purposes of the Fund, "current" is understood to be recent work, generally no older than 4 or 5 years and preference is given to works no older than 3 or 4 years. Because the program focuses on **contemporary art**, it is necessary for the rationale for collecting these items address their importance as works of "contemporary art" and specifically how these pieces fit into the museum's collecting plan for "contemporary Alaska art." While it is difficult to define the concept precisely, the usual characteristics of "contemporary art" envisioned by this program are that a work of art not only is recent, but demonstrates innovation, a distinctive style, a fresh artistic statement, something that explores the use of media (new or traditional), or exemplifies a new, creative idea, is the artwork "of the moment". Many Alaska Native artists use traditional materials and are inspired by traditional forms, motifs, and concepts, so it is necessary to explain how these works are not replicas.

the board of directors of Museums Alaska or their immediate family members.

Applicant must give assurance that the artwork to be purchased conforms to current federal and state laws regulating the collection, use, and sale of protected species, archaeological materials, and/or paleontological materials (please check the appropriate box on the application form). For more information, see:

<http://www.nps.gov/akso/akarc/> and

<http://www.fs.fed.us/geology/PaleoResourcePres.pdf> or the Alaska State Council on the Arts website:

www.eed.state.ak.us/aksca/pdf/customs_guide_to_ak_native_arts.pdf

Purchasing the artwork

1. Artwork must be purchased directly from the artist whenever possible.
2. Artwork may be purchased through the gallery or museum where the artwork is currently shown.⁴
3. Pricing of artwork must be consistent with fair market value. Applicants should discuss and justify the pricing of the works they seek to purchase.
4. You may apply for the full price of the artwork. If the full price of the artwork exceeds the allotted amount (\$35,000 per institution per year), you must provide a detailed fundraising plan and demonstrate that additional funds are secured or in reserves.
5. Once the applicant museum has received a letter of approval for the purchase of a work of art and a payment for this work from Museums Alaska, the museum may proceed with the purchase. Upon completion of the purchase, the museum will become the sole owner of the artwork and will accession the piece in accordance with its approved procedures. Loans and use of images of the artwork (in any format) will be in accordance with the museum's established policies.

Application Review/Evaluation

Applications will be evaluated by a five-member committee of volunteers from Museums Alaska's membership. Volunteers will be selected by the program administrator from a list of candidates generated at the Museums Alaska annual meeting and through membership forms. To the extent possible, reviewers will not come from institutions that have submitted an application in a given grant cycle, or will recuse themselves when unavoidable. Reviewers may serve up to three years. Two reviewers will rotate off the committee each year and be replaced by two new reviewers. After a one-year hiatus, a former reviewer may volunteer to serve on the committee again. Alternate reviewers may be appointed by the Project Administrator if needed to complete a grant review.

⁴ It is the artist's responsibility to meet whatever contractual or ethical requirements may exist with galleries or other venues that might receive a commission on works sold.

Applications will be forwarded to the review committee by the Project Administrator only if they are:

1. From an organization eligible to apply for funding.
2. Complete - all required information and attachments are present. An incomplete application from an eligible organization will be returned to the applicant.
3. The artworks requested for purchase meets the program guidelines outlined herein.

Applications will be reviewed by the committee based on the extent to which:

1. The narrative clearly states how the proposed purchase conforms to the mission of the institution;
2. The narrative clearly states how proposed purchase meets collection and exhibition goals of the institution;
3. The narrative clearly explains the artistic merit of the artwork;
4. The narrative clearly explains how the artwork will be shared with the public through display, publication, promotion, etc.; and
5. The narrative clearly explains how the price of the artwork was determined.

Requirements & Reporting

Artworks must be purchased within 6 months of award, unless the work is commissioned, in which case the applicant will follow its submitted timeline. Any changed to commission timelines must be reported immediately to the Project Administrator. Museums must submit to the Project Administrator within 30 days of purchase a report that contains the following:

1. Particulars of the sale (date of purchase, price, name of artist, title of artwork).
2. Copy of the bill of sale.
3. Copy of registrar's entry into the collection or copy of display label, indicating size, medium, etc.
4. Copies of publicity about the purchase (news releases, newsletter stories, etc.).
5. A digital image of the item must accompany the application. In order to be used in the online gallery, a signed copy of the "Image Use Authorization Form" must be submitted (see below).

Commissioned Works Requirements

In addition to meeting all other eligibility criteria outlined in the Art Acquisition Fund Guidelines, applicants wishing to purchase commissioned work must do the following:

1. Contact the Program Administrator to discuss your application.

2. Attach the following additional documentation to your online application:
 - a. A timeline for completion of the work.
 - b. A payment schedule.
 - c. A justification for the need to purchase the work on commission, rather than as a completed work.
 - d. An explanation and/or certification of additional secured funding, if the artwork purchase price exceeds the amount being applied for.

Loans

The museum lends the artwork in accordance with its normal lending policies.

A special condition of the Art Acquisition program requires the recipient institution to work with Rasmuson Foundation to lend its purchased artwork for display in Foundation offices. The Foundation normally requests loan periods for 12-18 months. This loan agreement must be made between the institution and Rasmuson Foundation. The Foundation recognizes the need for the greatest flexibility in negotiating loans (regarding timing, security, exhibit conditions, etc.).

The Foundation is responsible for the normal expenses associated with borrowing artwork from a permanent collection, in accordance with the lending policies of the museum (e.g., crating, shipping to and from the lending institution, insurance, installation expenses, and insurance).

The Foundation reserves the right to choose not to borrow any artwork purchased through the Program.

Image Use Authorization (use your own or sample provided)

This is requested by Rasmuson Foundation to provide explicit authorization by the artist and Museum for the utilization of representative images of art work purchased through this program. Rasmuson Foundation seeks permission to use such images to promote the artist, participating museums; to raise awareness of the Foundation's work and funds available for grants; and to highlight the depth of creative talent that exists in Alaska.

Images or artwork may include digital documentation such as photos, videos, audio files, etc.

Artist attribution will be supplied in all uses of the Work.

Images may be featured in press releases, on the Foundation's website, in Foundation social media sites, or in Foundation publications. Granting permission to use images for promotional purposes is not a requirement for receiving a grant from Rasmuson Foundation. No remuneration will be provided for this promotional use.

The authorization form shall affirmatively represent that the images of representative work is your organization's legal property to distribute and you are granting Rasmuson Foundation permission to use these images for publicity use only.

Acknowledgements

The museum that purchases a work of art through the Art Acquisition Initiative must acknowledge the support of Rasmuson Foundation (1) in its records, (2) on a label accompanying the artwork when displayed, (3) in any printed or electronic information materials (catalogs, flyers, websites, etc.) produced to record or promote the purchase, and (4) in any press releases to the museum's local news media announcing the purchase. **Note:** it is not necessary to issue a press release every time a work is purchased.

Public acknowledgement of the support of Rasmuson Foundation should be expressed in the following standard format: "Purchased with the support of the Rasmuson Foundation." **Note:** the assistance of Museums Alaska in the purchase of artwork must be acknowledged in press releases.

Ownership & Copyright

Once the purchase is completed, the museum owns the artwork in accordance with its normal accessions policy. The ownership of copyright to works of art may be a separate issue for artists. Should a museum wish to own the copyright to the purchased artwork, the institution should make the appropriate agreements with the artist. The cost of copyright may be included in the overall price of the artwork.

Copyright as it Relates to the Art Acquisition Fund

Museums Alaska requires a photograph of artwork in the application process. This photo is used to help the review panel better understand the application. Museums Alaska does not at this time ask for permission to use these photos in any other way.

Rasmuson Foundation requests that museums ask artists to fill out and sign their Image Use Authorization Form (found at <https://museumsalaska.org/Art-Acquisition-Fund>). The intention of this document is to allow Rasmuson Foundation to share and reproduce images of works that have been purchased through the program and to promote the grant program, and does not turn over copyright to the Foundation. Artists are encouraged to read the document in full, and are not required to sign the document. Signing the

document does not impact the ability for a museum to receive grant funding to purchase artwork.

Other Helpful Information for Museums and Artists on Copyright

Some museums may wish to draft a purchase agreement with the artist, to outline the transfer of the artwork to the museum and any rights that go along with that transaction. Museums Alaska recommends that museums discuss with the artist what they would like to have the legal right to do with the artwork. Museums Alaska encourages both museums and artists to become knowledgeable about copyright. Typically, copyright for any and all reproduction of purchased artwork remains with the artist, but it is customary for museums to ask artists for permission through a non-exclusive license to make reproductions of their work for non-commercial, educational, and interpretive purposes. Permission to reproduce the work in any other form, for any commercial use, may be sought in the future and negotiated with the artist on a case-by-case basis.

Sample Purchase Agreement Language

“The Artist unconditionally and in perpetuity shares non-exclusive license of the aforementioned work to the Museum. The Artist allows the Museum world-wide, royalty-free right to reproduce images of the works for non-commercial, educational, and interpretive purposes.”

Further Guidance

Please note that Museums Alaska cannot give legal advice. Museums should contact an intellectual property attorney if they have any further questions or concerns.

Proposals

The link to the online application form is located on Museums Alaska’s website: www.museumsalaska.org. **Applications must be filled out and submitted electronically.**

Questions?

Examples of successful applications can be found on our website at www.museumsalaska.org. Please direct all inquiries to:

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