Policy and Procedures for Outdoor Art and Art Donations

Executive Summary

The University welcomes and encourages proposals and offers of donations for outdoor art installations on the Berkeley campus.

Proposed installations of outdoor art must be properly reviewed to ensure they are appropriate for the campus, comply with University policies, and are placed in suitable locations. In advance of the review process no promises should be made to donors or money expended with the expectation that an art proposal will be approved.

Prospective donors, or campus departments interested in sponsoring or initiating outdoor art proposals, are strongly encouraged to have an early, informal consultation with the Campus Landscape Architect and Space Assignments and Capital Improvements (SACI) committee, chaired by the Vice Provost – Strategic Academic and Facilities Planning. Early review can help clarify campus policies and expectations, costs of installation, siting issues, and the way in which a formal proposal should be prepared.

The formal review process typically takes 3-4 months and could take longer. Sufficient time should be set aside by the donor to accommodate the review schedule. First, the Subcommittee on Public Art of the campus reviews proposed art. The Subcommittee on Public Art then sends its recommendations to the SACI. The SACI Committee makes its recommendation to the Chancellor, who makes the final decision.

Proposed plaques accompanying art installations must also be reviewed by the Naming Subcommittee of SACI. The campus has specific policies on how plaques should be worded.

The complete policies that follow explain the details of Berkeley campus rules and procedures regarding outdoor art proposals. Please keep them on hand, review them when any art proposal is being considered, and share them with prospective donors and friends of the University as appropriate.

Introduction

The Berkeley Campus has many fine works of art on permanent outdoor display. Many of these works are fondly regarded by students, faculty, staff, alumni, and visitors. The art of the campus includes memorials to individuals, groups, and events important in University history and tradition, and fine art by a number of distinguished sculptors ranging from Douglas Tilden to Alexander Calder. Both traditional and abstract pieces have a place on the campus. Works in stone, metal, mosaic, and other permanent materials are represented. Some works of outdoor art have
been specially designed for settings on the campus, and other pieces have been created and displayed elsewhere, then brought to the campus at a later time.

The preservation, enhancement, increase and diversification of the outdoor art collection of the campus are important to the University. The University welcomes and encourages proposals for gifts of art that will enhance the campus setting and complement its buildings, grounds, and natural features. Appropriate gifts beautify the campus, encourage appreciation of fine art in a variety of media and styles, offer enjoyment to the campus community and general public, and memorialize important aspects of University tradition and campus culture.

Individual donors, campus departments, and organizations are encouraged to consider and bring forward opportunities and suggestions for improving the outdoor art of the campus. Departments planning new buildings or facilities are encouraged to consider the inclusion of outdoor art or suitable sites for art in their building or facility designs. Historically, the campus outdoor art collection has been expanded primarily through the initiative of individuals and groups that care about the physical beauty of the campus and have made generous and often unsolicited offers or donations of art to the University.

The Berkeley campus has policies and procedures for the consideration of art gift proposals. They are necessary to ensure that permanent outdoor art installations complement and respect the campus character, are appropriate to its setting, history, traditions, and mission, and do not impose unexpected or insupportable burdens on the campus (such as a frequent need for maintenance and repair, or high, ongoing security costs).

Art proposals that do not go through these procedures are likely to face delays. Until the review process is complete, donors should not formally commission any work or make any binding commitments, financial or otherwise, that assume acceptance of a work of art by the University or installation at a particular site.

If a work of art is being offered to, or sponsored by, a particular campus department or employee, neither the department nor employee should make any implied or binding commitments on behalf of the University or the Berkeley campus until review is complete. This specifically includes any commitments as to whether the art will be accepted by the University, where a piece of art might be sited, or how accompanying plaques might be worded.

**Review Process**

It is important for prospective donors and sponsoring departments to make a connection with the review process at an early stage. Donors are strongly encouraged to discuss tentative proposals and art ideas with the Campus Landscape Architect and SACI staff prior to formal review. Donors should do this before making any major investment of funds in developing a detailed proposal. Proposals need not be in complete form for this early discussion to take place.
The Art Subcommittee welcomes, and encourages, the opportunity to participate with the potential donor and sponsoring department in helping to define and shape art proposals and conduct design competitions. Informal early consultation provides the opportunity to craft proposals which are most likely to move quickly and smoothly through the formal review process and meet both campus and donor needs and interests.

Donors and sponsors are specifically discouraged from conducting design competitions or other extensive art or site selection or planning processes without first making the Campus Landscape Architect and SACI aware that an art proposal is being considered. Formal outdoor art proposals are presented to the SACI Art Subcommittee. The Art Subcommittee makes a recommendation to the full Committee. SACI presents its recommendation to the Chancellor for final approval and endorsement. If a plaque is proposed to accompany the art, the Naming Subcommittee of SACI is also asked to review the plaque text, which also requires subsequent approval by SACI and the Chancellor.

Occasionally the Design Review Committee may be asked to comment on outdoor art proposals or their siting. The Associate Vice Chancellor – Business and Administrative Services will refer items for DRC review; this is likely to happen only in those cases when a proposed piece of art will have a major effect on an important building or landscape space on the campus. DRC review will be preceded by review of the art proposal by the Art Subcommittee.

It is only after this several-stage process is complete that art will be formally accepted. Modifications to proposals may be requested at any stage.

Step-By-Step Review Procedures and Issues

STEP 1

Prospective donors and/or sponsoring campus departments are first asked to contact the Campus Landscape Architect (located in the Vice Chancellor – Real Estate division of the Berkeley campus). The Landscape Architect and Art Subcommittee staff will advise on the schedule and procedures of the Art Subcommittee and other review bodies, help identify any preliminary issues about the proposal that may be of concern, and help the donor prepare a presentation for the Art Subcommittee.

The donor and/or sponsoring department should be prepared to present the following:

1. Information about work(s) of art, including materials, concept and purpose, artist biography, date of creation of the piece, and history. Why was it commissioned/created? Has it been previously located in installations elsewhere? Has
it won awards or critical notice? Are there previous owners of significance? What place and significance does the art have in the overall portfolio of the artist? If the artist has a portfolio, brochures, or samples of similar work, it is useful for the Art Subcommittee to see this material in order to evaluate and understand the style and technique of the artist and the proposed work of art;

2. Information about the donor(s), their background and any association with the University, and why the particular piece of art is being offered to the campus;

3. Proposed site(s) on campus and justification for the site(s); name of donor(s), and draft wording for any proposed plaque accompanying the piece. A specific site need not be proposed.

(See the last section of these procedures, "Other Special Issues to Consider," for more details on plaque wording);

4. Any technical issues related to materials, care, and installation needs such as hanging arrangements, bases, pedestals, or footings needed or environmental conditions (excessive shade, sunlight, or moisture) that might affect the art or recommendations on its siting;

5. Clear photographs of the art or, if it is a proposed piece not yet fabricated, an illustration. If the piece is a sculpture meant to be viewed in the round, photographs or illustrations from more than one perspective are desirable. Illustrations should accurately depict the dimensions and proposed appearance of the work of art. Illustrations should realistically depict permanent landscape surroundings of the art (particularly mature trees) if the art is proposed for a newly constructed or re-landscaped facility or location.

In some cases the Art Subcommittee may request creation of a scale model of the art for further review, but this is not necessary for the initial review and not necessary for every project.

While a proposed work of art may be modified during the approval process or may not be fully conceived at the beginning of the process, it is extremely important that campus review bodies be provided with complete descriptive materials so they can make informed decisions. A final judgment is difficult if illustrations do not show accurate details of the context or the work of art itself. Illustrations and models are difficult to evaluate if they depict features, such as finishes, which are no longer proposed for the final piece of art.

If the work of art already exists and is located near Berkeley, the Art Subcommittee or its representatives may wish to view the actual piece.

**STEP 2**

A presentation is made (likely electronically) to the Art Subcommittee which is composed of faculty members from a range of disciplines. The Art Subcommittee comments on the quality of the piece, its relationship to proposed campus locations and its desirability for the campus, and assesses technical and aesthetic issues such as installation and site design and context. The advice of the Campus Landscape Architect is sought in evaluating these issues, particularly in regard to siting, installation, and maintenance.
The following are taken into account when reviewing an art proposal:

1. Does the proposed piece of art have aesthetic value and appeal? Will it be a valued addition to the permanent outdoor art collection of the campus? The Art Subcommittee membership typically includes faculty with professional expertise in art, art history, landscape design, architecture, and/or planning who are experienced in making reasoned aesthetic critiques of art proposals.

2. Is the proposal appropriate for the campus? High quality art that will have an enduring impact and works of art that highlight the traditions, character, and landscape of the campus are particularly sought and encouraged. The Art Subcommittee does not wish to discourage any particular style of art. The campus is a spacious place where a variety of styles can fit in, and each proposed donation will be evaluated on its own merits.

3. Is the art durable and sturdy? The campus does not have regular funds to repair extensive weather damage, deterioration, or vandalism to outdoor art pieces. If a proposed art gift seems especially susceptible to any of these conditions it may be declined, or the Art Subcommittee may recommend that the gift be placed in an area with restricted access, or given to a facility such as the UC Berkeley Art Museum, where it can be housed securely. Works of art with moving parts must be carefully evaluated for their potential for breakage and future needs for repair.

4. Can the donor and/or the sponsoring University department pay all the costs of fabrication, delivery, and installation of the art? This is an important consideration since the campus does not have funding set aside to purchase art or subsidize outdoor art installation. Art gift proposals are sometimes structured as partnerships between the donor, who contributes the art, and the sponsoring department, which covers installation costs.

   Lack of funding to pay all installation costs should not prevent potential donors from presenting a proposal or idea, particularly in an informal manner. It is possible in special circumstances that funds might be found to supplement a special proposed gift. However, donors should be aware of the financial challenges confronting the campus.

   Under State law and University policy, the campus must follow certain bidding, contracting, and operational procedures for any construction work on the campus, including site preparation for, or installation of, a work of art. The Campus Landscape Architect can help assess these requirements and estimate installation costs.

   Costs of relocating or repairing utility lines, light fixtures, paving, or landscaping that are affected by an art installation are usually considered part of the cost of the installation. In some cases, it may be possible to combine a proposed art project with other campus landscape or building improvements with different funding sources, to upgrade an entire area in a coordinated manner. The Campus Landscape Architect can advise on these opportunities.

   Is the proposed site appropriate? In making recommendations, the Art Subcommittee considers the surrounding buildings and landscaping, their current and traditional character and uses, and the nature of the work of art.

   The University generally prefers to site new works of art in locations that are accessible to viewing by the general campus population, visitors, and those with physical disabilities, so they can be fully appreciated and enjoyed.

   Outdoor art pieces must also be carefully sited to minimize safety concerns and avoid conflicts with underground utility lines and vehicle, pedestrian, and wheelchair circulation. The Campus Landscape Architect can review these issues with the donor in advance of the presentation...

   Fountains, other water features, special night-lighting and large amounts of decorative paving or special new landscaping around an art installation are discouraged because of the cost of maintenance, but might be considered if the donor can justify special circumstances or if additional funds are available for upkeep.
5. Will the gift of art enhance the campus? The Berkeley campus welcomes more outdoor art, especially works that can make a new and special contribution to previously overlooked portions of the campus landscape. The Art Subcommittee encourages consideration of sites where other art pieces are not found nearby.

Although donors may initially prefer a site in one of the more historic, well-known, or most heavily used parts of the campus, an open-minded and flexible consideration of sites throughout the campus should be completed.

The Campus Landscape Architect can advise on locations where art would be appropriate but may not have been considered by the donors.

**STEP 3**

The Art Subcommittee sends a written recommendation to the Space Assignments and Capital Improvements Committee. SACI reviews the recommendation at one of its regular meetings and may approve, disapprove, modify a recommended approval, or return the matter to the Art Subcommittee with specific questions or requests for modification. The subcommittee review may also be concurrent with SACI’s review, depending upon schedules. If a plaque is involved, SACI will also review plaque text.

**STEP 4**

After SACI review is complete and any differences between recommendations of the Art Subcommittee, the Naming of Buildings Subcommittee, and SACI have been reconciled or clarified, SACI forwards its recommendation to the Chancellor. If the Chancellor approves, the donors and sponsoring department will receive permission to proceed.

**Other Issues To Consider**

1. **TIMING**

   Each committee involved in the review process has its own schedule. Donors and sponsoring departments should carefully coordinate with committee staff to make sure that there is sufficient time allowed for the review process.

   Because the committees are largely made up of faculty members who volunteer their time and have busy schedules, enough lead time must be allowed to schedule meetings and distribute background material for review to committee members.

   Typically, it will take at least three to four months during the academic year to take an art proposal through the full committee review process and make a recommendation to the Chancellor. Proposals that are made during the summer months may be deferred until the Fall semester because the committees generally do not meet during the summer. Actual installation will take longer to plan and schedule, and must be arranged to avoid conflicts with other campus construction projects and campus events.

2. **PLAQUES**

   Most art pieces are accompanied by a permanent plaque. Plaques typically include the name or title of the art, the date of its creation, the date of its installation on the campus, and the name of the artist.
Wording is expected to be both descriptive and concise. Some plaques include brief memorial inscriptions, a line of poetry or quotation, or other wording appropriate to the art, donor, and setting. Permanent plaques should be modest in size. The plaque should be complementary to the work of art, rather than competing with it for attention.

The name of the donor may be considered for inclusion on the plaque. The name of an individual donor is considered for inclusion only if that individual was responsible for all or the majority of the donation. The name of a donating group will also be considered. The campus does not include names of several donors on plaques or names of donors who have not made a majority contribution to the project.

Art donation sponsors must not promise individual donors that their names or particular text wording will be included on a plaque. This can only be determined through the review process involving SACI.

3. A WORD ABOUT BEARS

The California Golden Bear is the mascot/symbol of the University Bears are depicted on campus in a variety of art forms and styles, and several of the bear statues have become well-known and beloved parts of the campus landscape.

The campus does not discourage donation of art or sculptural representations of bears, but is also actively interested in art of all types.

Good examples of alternative pieces that have fit well on the campus include Douglas Tilden's "Football Players" statue, A. Stirling Calder's "The Last Dryad" in Faculty Glade, Alexander Calder's "A Hawk for Peace" outside the UC Berkeley Art Museum, the mosaics by the Bruton sisters depicting artistic muses on the exterior of the old Art Gallery, the marble Chinese "Dog Lions" by Durant Hall, and the pelican statue in front of Anthony Hall.

4. INDIVIDUAL MEMORIALS/STATUES

Works of sculpture or decorative art that are given in honor of an individual must, under all circumstances, also have intrinsic artistic merit and stand on their own.

Statues or portrait busts that memorialize individuals are carefully reviewed. Generally, an individual must have had a significant association with the campus if a commemorative piece of art depicting him or her is to be considered for outdoor display. Portrait plaques, busts or paintings of individual faculty members, administrators, alumni and donors are often included in buildings or rooms named in their honor. A larger piece of portrait art, particularly one situated outside, would require more scrutiny and a higher level of justification.

5. CEQA REVIEW

If an art piece could have a significant effect on the environment (for example, altering a historic landscape or building, being prominently visible from a view corridor, or being located on or near a creek, or in a way that affects campus vegetation, or could interrupt the flow of traffic), it may be subject to review under the California Environmental Quality Act (CEQA). Campus planning staff can advise whether such review will be necessary.
6. **PERMANENCE**

The University cannot provide an absolute guarantee that a work of art will remain in a single location or remain permanently on the campus. The campus landscape is an evolving, active environment and it is not possible to predict every future need for building sites or landscape alterations.

Once it accepts a work of art for an outdoor site, the campus will endeavor to keep the art in an appropriate setting and condition and seek to contact surviving donors/artists for consultation if a major alteration is necessary. There are a number of pieces of art that have been successfully relocated on campus and have assumed "traditional" roles in new locations.

In most cases, appropriately planned relocations are successful and can even enhance a work of art. Examples include the Mitchell Memorial Fountain (now in the center of the Campanile Esplanade, but originally located further to the west, before the Campanile was built), A. Stirling Calder's "The Last Dryad," which was originally sited in a courtyard of the Hearst Gymnasium but is now on the edge of Faculty Glade, and the Chinese "Dog Lions" next to Durant Hall, which were originally located in front of the old Art Gallery facing Anthony Hall. All of these pieces have come to be admired in their "new" locations.

As the campus changes and develops, relocation of permanent outdoor works of art such as those described in the previous paragraph may be considered, especially if the art would be adversely affected by nearby development. However, outdoor art installations often take on historic and traditional significance by virtue of an extended stay in a particular location.

The campus prefers to leave works of outdoor art in place, whenever possible, rather than frequently adjusting and relocating them. Those proposing relocation of art should be prepared to present compelling reasons for the request.

7. **OWNERSHIP / RELOCATION**

Unless a special condition is expressly requested by the donor and/or sponsoring department and accepted through the review process, all permanent outdoor art installations on the campus are the property of the Berkeley campus.

Individual works of art may become associated by time and tradition with a particular department, unit, or activity on the campus. On occasion, relocation of departments or programs results in requests for relocation of related art. However, no individual department or unit may unilaterally alter or relocate works of outdoor art without review by the campus. The consultative and review processes outlined in this document must be followed by any department or unit interested in the relocation of any of the permanent outdoor art on the campus.

When evaluating requests for relocation of works of art, SACI will take into consideration the preferences of individual departments, as well as the interests of the University, in the overall improvement and enhancement of campus landscape and facilities.

8. **MAINTENANCE ENDOWMENT**

It is difficult to justify funds in the University's annual budget for maintenance of permanent outdoor art installations, particularly those that require regular service, such as recoating or reapplying exterior finishes or protective
coverings. For this reason the campus typically expects that donors contribute funds to be added to a permanent campus endowment pool for maintenance and upkeep of outdoor art. The donor should consult with the Campus Landscape Architect to determine an appropriate amount of funds for this purpose.