

General Institution

1 **AP 3590 COMMITTEE ON ART IN PUBLIC SPACES (CAPS)**

2 **Reference:**

3 None

4 **Statement of Purpose**

5 Cerritos College is committed to educating and enriching the lives of its students, faculty,  
6 staff, alumni and visitors to the campus while enhancing the local communities it serves.  
7 The Committee on Art in Public Spaces (CAPS) supports this commitment by exhibiting  
8 art in public spaces on the campus representing the diverse values of the college's  
9 communities and highest levels of artistic achievement.

10 **Scope of Committee**

11 CAPS will review all artwork(s) proposed for installation in public spaces on campus, as  
12 defined below, prior to its official purchase, commission or donation. The review process  
13 may culminate in recommendations regarding the selection of artists and/or artworks, the  
14 identification of possible funding streams to support artist payment and/or acquisition of  
15 the artwork, and the site placement of the artwork in accordance with the current Cerritos  
16 College Facilities Master Plan.

17 **Definitions**

18 **Public spaces** shall refer to all sites exterior to campus buildings and unenclosed interior  
19 spaces within college boundaries to which the public has general access.

20 **Artwork(s)** shall refer to any works of art created or considered for permanent, semi-  
21 permanent and/or temporary installation in public spaces, so long as they are not  
22 associated with the standard permanent collections acquisition activities of the Cerritos  
23 College Art Gallery. Additionally, artworks included in temporary exhibits that are located  
24 in spaces controlled and maintained by the Cerritos College Art Gallery or other  
25 academic-based exhibiting units of Cerritos College, regardless of public access, are not  
26 subject to this policy. The term artwork does not herein apply to the regular beautification  
27 of landscape, equipment, signage, design features, or facility construction or  
28 modernization that would normally be carried out by the College's Physical Plant and  
29 Construction Services Department, though CAPS advice should be sought when these  
30 maintenance and upgrade activities might physically and/or visually encroach upon, or  
31 interfere with, existing artworks and/or proposed sites for future artwork installation.

32 **Permanent:** CAPS considers proposals from individuals or entities who support Cerritos  
33 College for the installation of artworks for periods beyond three (3) years. Permanent  
34 artworks, whether provided via donation, acquisition, or commission, become the sole  
35 property of Cerritos College and will be governed by CAPS regulations on maintenance,  
36 security, relocation and removal. In some cases, permanent artworks will be intended as

37 site-specific installations and, in such cases, CAPS will make every effort to ensure that  
38 the artwork remains in its intended location in perpetuity.

39 **Semi-Permanent:** CAPS considers proposals from individuals or entities who support  
40 Cerritos College for the installation of artworks for an extended period (e.g., usually three  
41 (3) months to three (3) years), but not meant for permanent installation. These may  
42 include artworks provided by an individual or entity or artworks requested as a loan from  
43 the permanent collections holdings of the Cerritos College Art Gallery.

44 **Temporary:** CAPS considers proposals from individuals or entities who support Cerritos  
45 College for the installation of artworks for a brief period (e.g., durations ranging from one  
46 (1) day to three (3) months). CAPS does NOT oversee established spaces for the  
47 installation of art, such as the Cerritos College Art Gallery or the display cases within the  
48 Dr. Wilford Michael Library and Learning Resource Center, nor does CAPS oversee  
49 displays unintended as public art (e.g., Associated Students of Cerritos College [ASCC]  
50 events or the temporary installation of objects used for personal and/or collective  
51 political protest).

## 52 **Membership**

53 CAPS will operate as both a shared governance committee with permanent membership  
54 when recommending college policy and procedures regarding public display, as well as  
55 an as needed sub-committee, with additional ad-hoc members, when reviewing specific  
56 artwork for display in public spaces.

## 57 **Permanent Membership**

58 Permanent membership in CAPS shall include:

- 59 • President/Superintendent, or designee (Chair)
- 60 • Executive Director, Cerritos College Foundation
- 61 • Director, Physical Plant and Construction Services (Appointed by ACCME)
- 62 • Dean of Fine Arts and Communications\* (Appointed by ACCME)
- 63 • Director of the Cerritos College Art Gallery
- 64 • Faculty Representative from Studio Arts\* (Appointed by Faculty Senate)
- 65 • Faculty Representative from Art History\* (Appointed by Faculty Senate)
- 66 • Classified Representative (Appointed by CSEA)
- 67 • Student Representative\* assigned to serve as Commissioner of Convocation and  
68 Fine Arts, or designee (Appointed by ASCC)
- 69 • Confidential Representative (Appointed by confidential employee group)
- 70 • Community Representative (Refer to Shared Governance Document [Appendix E](#))

71 *\*Note: The disciplinary specificity of the faculty, student and administration within the*  
72 *permanent membership is intended to ensure the highest-level of artistic achievement by*  
73 *directly incorporating requisite expertise in the areas of applied art and art history.*  
74 *However, selection of artwork for display in public spaces that directly impact specific*  
75 *divisions/departments will always be based on the advice and consent of appropriate*  
76 *faculty, classified staff and management representatives of those areas through the*  
77 *establishment of temporary ad-hoc members in the relevant Review Sub-Committee.*

78 **Ad-Hoc Membership (Sub-Committee for Review of Artwork)**

79 If the artwork is to be placed within, or in close proximity to, an existing building or one  
80 being newly constructed, the CAPS chair will consult with Faculty Senate, CSEA and  
81 ACCME to temporarily appoint to the sub-committee one or more voting representatives  
82 of the unit(s) occupying the building and/or inhabiting the unit(s) “(the “Ad-Hoc  
83 Members”)”.

84 If the artwork is to be placed within, or in close proximity to, a newly constructed building,  
85 the architectural firm responsible for the design of the building will also be permitted to  
86 appoint one non-voting representative to the committee when it is reviewing artwork  
87 specifically intended for installation at the site.

88 **Terms of Appointment**

89 Faculty, staff and administrators, sitting on the Permanent Membership of the  
90 committee are expected to serve for at least two years, and may be reappointed without  
91 restriction. Student representatives sitting on the Permanent Membership of the  
92 committee are expected to serve one year, which appointment may be extended for one  
93 additional year. Ad-Hoc Members are only active until the artwork under review is  
94 selected and may only participate in committee activities directly connected to that  
95 selection.

96 **Quorum**

97 To conduct any business, a quorum (2/3 majority) of the Permanent Members, and if  
98 applicable, the Ad-Hoc Members, must be present. For any action to pass, a 2/3  
99 affirmative vote or greater is required of the quorum then present. When voting on the  
100 selection and/or commissioning of artwork involving Ad-Hoc Members, the maximum  
101 number of Ad-Hoc Members entitled to vote shall not exceed the number of Permanent  
102 Members then present and voting.

103 **Methods of Selection and/or Acquisition:**

104 The following types of selection and/or acquisition are to be recommended by CAPS:

105 **Donation:** An artwork, intended for public display, is offered as a donation to the College  
106 by an alumni, employee, student, artist, collector, art gallery or member of the local  
107 communities. These gifts can be made with or without restrictions; for example, a  
108 member of the Class of 1982 donates a Noguchi sculpture to the College or a memorial  
109 sculpture is offered in memory of an alumna. Acceptance of donations shall follow the  
110 procedures set forth in Board Policy and Administrative Procedure 3820 Gifts and Fund  
111 Raising.

112 **Direct Selection/Commission:** An individual artist, an art collective, or a design firm is  
113 directly and purposefully chosen by CAPS in order to purchase an existing artwork or  
114 commission a new artwork; for example, a notable painter is commissioned to create a  
115 mural for a new or renovated building.

116 **Open Competition:** CAPS seeks proposals to acquire an artwork for a specific site by  
117 holding a competition for the commissioning of said artwork; for example, a kinetic  
118 sculpture is desired for a building lobby, but a specific artist, art collective or design firm  
119 is not directly pre-selected to complete the project.

120 **Intra-Campus Loan:** On behalf of any administrative unit of the Cerritos College  
121 campus, CAPS may request artworks for temporary or semi-permanent installation within  
122 said units from the Cerritos College Art Gallery's permanent collections. Before any  
123 specific artwork may be considered for loan, the Director of the Cerritos College Art  
124 Gallery will first assess said object, based on the curatorial and archival needs of the Art  
125 Gallery and the levels of safety and security required for the requested artwork in the  
126 intended exhibition location during the loan period.

### 127 **Artwork Selection/Acquisition Procedures**

128 Public art has a long history of controversy and it is essential that decision-making  
129 remains independent of political pressures, fluctuations in artistic taste, popularity or  
130 public opinion.

131 **Donation:** Potential donors should initially be directed to the Office of the President or  
132 the Cerritos College Foundation, but all artworks intended to be displayed in public, of the  
133 types described above, must be recommended by CAPS prior to official acquisition by  
134 the Board of Trustees.

135 In the event a potential donor contacts a Cerritos College representative with an offer,  
136 that member (of the staff, the faculty or the Board), should immediately direct the potential  
137 donor to contact the Office of the President or the Cerritos College Foundation to discuss  
138 the potential gift. The President/Superintendent or the Executive Director of the  
139 Foundation will then bring the proposal to the full CAPS for review before any agreements  
140 are made with the donor or any artwork is accepted by the College.

141 This review may be based on conversations or a written proposal. For an existing artwork,  
142 documentation supporting ownership and/or provenance will be required to ensure the  
143 acquisition of the artwork by Cerritos College is legal and warranted. If ad-hoc members  
144 are required to participate in the review, the Chair will appoint them at this time. The  
145 review will address the appropriateness of the artwork for the College, including, but not  
146 limited to: artist reputation, content, size, material, condition, site suitability, and  
147 installation and maintenance costs. Any financial and/or labor costs related to shipping,  
148 installation and/or maintenance must have identified funding streams provided and  
149 approved by the appropriate college unit(s) prior to review.

150 At the conclusion of the review process, a quorum of the selection votes will determine  
151 whether to recommend the selection or acquisition, as appropriate, of the particular  
152 artwork. Any reservations or potential issues should be noted as well. An affirmative  
153 vote is a recommendation to the Board of Trustees, who must then make the final  
154 acceptance or rejection of the donation. Acceptance of donations shall follow the

155 procedures set forth in Board Policy and Administrative Procedure 3820 Gifts and Fund  
156 Raising.

157 **Direct Selection/Commission:** Any department of the College may identify a desire to  
158 select/commission an artist to produce an artwork for the area(s) overseen by said  
159 department, but any and all negotiations for the selection and/or commission of artworks  
160 intended to be displayed in public, of the types described above, must originate from  
161 CAPS prior to official selection/commission by the Board of Trustees.

162 Prior to any formal conversations with a potential artist, a representative of said  
163 department must discuss the potential selection and/or commission with the  
164 President/Superintendent of Cerritos College or the Executive Director of the Foundation,  
165 who will then bring the proposal to the full CAPS for review and recommended approval  
166 by the Board of Trustees before any agreements are made with the artist or any artwork  
167 is accepted by the College.

168 This review may be based on conversations or a written proposal. For an existing artwork,  
169 documentation supporting ownership and/or provenance will be required to ensure the  
170 acquisition of the artwork by Cerritos College is legal and warranted. If ad- hoc members  
171 are required to participate in the review, the Chair will appoint them at this time. The  
172 review will address the appropriateness of the artwork for the College, including, but not  
173 limited to: artist reputation, content, size, material, condition, site suitability, and  
174 installation and maintenance costs. Any financial and/or labor costs related to shipping,  
175 installation and/or maintenance must have identified funding streams provided and  
176 approved by the appropriate college unit(s) prior to review.

177 At the conclusion of the review process, a quorum of the selection votes will determine  
178 whether to recommend the selection or acquisition, as appropriate, of the particular  
179 artwork. Any reservations or potential issues should be noted as well. An affirmative vote  
180 is a recommendation to the Board of Trustees, who must then make the final acceptance  
181 or rejection of the selection and/or commission.

182 **Open Competition:** Any department of the College may identify a desire to accept  
183 proposals via an open competition of artists to produce an artwork for the area(s)  
184 overseen by said department, but any and all public announcements of an open  
185 competition, for the selection and/or commission of artwork intended to be displayed in  
186 public, of the types described above, must originate from CAPS prior to official  
187 selection/commission by the Board of Trustees.

188 Prior to any formal announcement of an open competition, a representative of said  
189 department must discuss the potential request first with the Director of the Purchasing  
190 Department followed by either the President/Superintendent or the Executive Director of  
191 the Foundation, who will then bring the proposed competition for review before the full  
192 CAPS before any announcements are made. Once the need for an open competition is  
193 established and potential funding streams for purchase, commission, shipping,  
194 installation, and maintenance are identified and approved by the appropriate College

195 unit(s), the Purchasing Department shall administer in coordination with CAPS the  
196 preparation and distribution of a Request for Qualifications/Proposals (RFQ/RFP) on  
197 behalf of said department and/or the College at large. Criteria regarding the potential  
198 selection of the artwork shall be listed in the RFQ/RFP, with a definitive deadline for  
199 submission and timeline for project completion/installation included.

200 Once the deadline for submission has closed, the Purchasing Department in coordination  
201 with CAPS will review all submitted proposals. For an existing artwork, documentation  
202 supporting ownership and/or provenance will be required to ensure the acquisition of the  
203 artwork by the College is legal and warranted. If Ad-Hoc Members are required to  
204 participate in the review, the Chair will appoint them at this time. The review will address  
205 the appropriateness of any artwork for the College, including, but not limited to: artist  
206 reputation, content, size, material, condition, site suitability, and acquisition costs,  
207 including installation and maintenance costs.

208 At the conclusion of the review process, a quorum of the Permanent Members, and if  
209 applicable, the Ad-Hoc Members, will vote to determine whether to recommend the  
210 selection or a shortlist of acceptable proposals for further consideration prior to final  
211 selection. Any reservations or potential issues should be noted for each selected  
212 artist/proposal. This vote is a recommendation to the Board of Trustees, who must make  
213 the final acceptance or rejection.

214 **Loan:** Any department/unit of the College may identify a desire to select an artwork from  
215 the permanent collections holdings of the Cerritos College Art Gallery for display in the  
216 area(s) overseen by said department/unit.

217 Prior to consideration by CAPS, the Director of the Cerritos College Art Gallery will meet  
218 with a representative of the department/unit and identify available artworks within the  
219 permanent collections that would be appropriate for display in said department/unit. Any  
220 artworks loaned for display would need to be secure (to avoid theft) and safely displayed  
221 (to avoid damage). All departments/units need to be aware that some artworks within the  
222 permanent collections may never be available for loan, due to their sensitivity and/or  
223 value.

224 Once a desired artwork has been identified by the department/unit and assessed for  
225 public display within the desired location by the Director of the Cerritos College Art  
226 Gallery, CAPS will then confirm (or deny) the transaction. If confirmed, CAPS will  
227 acknowledge the existence, as well as the limits of the loan (temporary to semi-  
228 permanent). The Art Gallery staff will then professionally install the artwork for display  
229 following best practices set by the American Alliance of Museums and inform the  
230 department/unit of their responsibility to care for, and protect, the artwork throughout the  
231 term of the loan.

232 **Maintenance, Security, and Safety**

233 **Maintenance:** Every effort will be made to ensure that artwork is properly maintained  
234 and retains the integrity of the artwork per the artist's original intent. In some cases,  
235 upkeep due to natural weathering may require alteration in order to preserve the artwork  
236 for posterity. If this becomes necessary, CAPS will work with the artist(s) or, as  
237 applicable, the artist(s) and/or heir(s) and/or representative(s) to ensure proper  
238 conservation procedures are observed.

239 **Security:** Every effort will be made—through installation strategies and, if necessary,  
240 surveillance—to prevent vandalism, desecration and/or theft of the artwork. In the case  
241 it becomes necessary to repair an artwork because of intentional damaging, every effort  
242 will be made to retain the integrity of the artwork per the artist's original intent. If this  
243 becomes necessary, CAPS will work with the artist(s), or, as applicable, the artist(s)  
244 and/or heir(s) and/or representative(s) to ensure alterations are minimal and that proper  
245 conservation procedures are observed.

246 **Safety:** Every effort will be made to ensure that the installation of any artwork is  
247 appropriate and secure for audiences to experience safely (traffics flows, etc.).

248 **Relocation or Removal of Public Art**

249 Public artworks often have particular relevance to their original intended location. Cerritos  
250 College seeks to retain the integrity of artworks and the relationship to the locations for  
251 which they were created, in keeping with the artist's, donor's or lender's original  
252 intentions, and consistent with the rights afforded by contractual agreements and  
253 copyright legislation. However, college campuses are often in a state of evolution as  
254 academic and facilities necessities change over time, and occasionally, as the College  
255 changes and evolves there may be reasons to review the location or retention of a public  
256 artwork.

257 To this end, CAPS will consider relocation or removal of public art as needed. However,  
258 this process will only occur after careful and impartial evaluation of all possible options.  
259 It will necessarily involve the same degree of careful review as a decision to commission  
260 an artwork; informed by professional judgment and the best interests of the college  
261 community. Public art has a long history of controversy and it is essential that decision-  
262 making remains independent of political pressures, fluctuations in artistic taste, popularity,  
263 or public opinion.

264 If warranted, CAPS will recommend the relocation or removal of an artwork to the Board  
265 of Trustees for confirmation.

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

- 270
- Continued display of the public artwork undermines the artist's intention.

- 271 • Significant and/or substantial changes in the pattern of use, community, character  
272 or design of the environment where the public artwork is located necessitates a re-  
273 evaluation of the relationship of the public artwork to the location.
- 274 • The public artwork location or part of the location is to be redeveloped or  
275 demolished and it is not possible to incorporate the public artwork into the  
276 redevelopment without compromising the integrity of the public artwork or incurring  
277 excessive costs.
- 278 • The public artwork requires a high level of maintenance and/or conservation  
279 incurring excessive costs.
- 280 • The public artwork possesses serious or dangerous faults in design or  
281 workmanship and repair or remedy is impractical, not feasible or will undermine  
282 the integrity of the public artwork.
- 283 • The public artwork endangers public health and safety and remedy is impractical,  
284 not feasible or will undermine the integrity of the public artwork.
- 285 • Cerritos College is unable to reasonably guarantee the condition or security of the  
286 public artwork in its present location, or the public artwork is irreparably damaged,  
287 due to reasons beyond the control of the College.

288 Every reasonable effort shall be made to inform the artist(s) or donor(s) (where  
289 applicable), or the designated heir(s) or legally recognized representative(s) of these  
290 parties, that a relocation or removal review process is underway, and of their opportunity  
291 for involvement, if so warranted.

292 If relocation is not feasible and removal is identified as the only foreseeable option, the  
293 donor(s), artist(s), designated heir(s) or legally recognized representative(s) will be given  
294 'right of first refusal' to claim or purchase the artwork (as established by CAPS policy on  
295 sale, gifting, and destruction listed herein).

296 At the completion of the review process, CAPS may decide to:

297 **Retain the artwork in the College's public art collection and either:**

- 298 • Relocate to another public location;
- 299 • Remove and put into storage;
- 300 • Lend to another organization; or

301 **Remove from the College's public art collection and either:**

- 302 • Offer back to the donor;
- 303 • Offer back to the artist;
- 304 • Gift to another organization;
- 305 • Sell; or
- 306 • Destroy.



307 CAPS recommendation will take into account first and foremost any legal obligations  
308 owed by Cerritos College to the artist(s) or donor(s) (where applicable). Where the public  
309 artwork is owned by Cerritos College, a written agreement with the artist may still oblige  
310 Cerritos College to first offer the public artwork to the artist to purchase in the event of a  
311 removal (first right of refusal).

312 In the event a sale of the artwork is deemed the only available option, the following  
313 guidelines will govern the sale:

- 314 • All proceeds from the sale of the artwork will be allocated to CAPS for the  
315 commissioning of alternative artworks more suited for the campus' needs. Note:  
316 A percentage of the sale may be required to go to the artist, based on state and  
317 federal statutes and/or contractual obligations entered into by the College at the  
318 time of commission or acquisition.

### 319 **Disclaimer**

320 This document is provided for the use and convenience of conducting the business of the  
321 Cerritos College Committee on Art in Public Spaces. The contents of this document are  
322 not intended to be final or binding upon the governing board or the administration of the  
323 District. This document is not intended to be an official publication of the policies,  
324 procedures or statements included herein, or of any official policy, procedure or regulation  
325 of the District.

326 The District reserves the right to amend its policies, procedures and regulations at any  
327 time. The contents of this document do not supersede the official policies, procedures or  
328 regulations of the District, nor do the contents supersede the laws of the state of California  
329 or the regulations promulgated by the California Community Colleges Chancellor's Office.

330 Office of Primary Responsibility: Vice President, Academic Affairs  
331 Vice President, Business Services

332 Also see BP/AP 3820 Gifts and Fund Raising

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