

Nebraska State Historical Society

Collections Policy

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1. Introductory Statement

This Collections Policy defines the role of collections in the character and function of the Nebraska State Historical Society (hereinafter "Society"), and clarifies the Society's guiding principles that relate to the acquisition, management, use, and disposition of its holdings. This document is compliant with the Society's broader formative documents (mission statement, vision statement, institutional values, by-laws, enabling legislation and code of ethics; see Appendices) and, correspondingly, it serves as a basis for specific collections management policies and procedures (such as collecting plans and divisional procedures).

2. History of Nebraska State Historical Society Collections and Collecting

Founded in 1878, the Society's organizational structure, collections policies, and collecting activities have changed through the years. This history will summarize some of the major policies, events, and legislation affecting the Society's collections.

Organizational Structure

Currently there are three collecting divisions of the Society: Archeology, Library/Archives, and the Museum, but they have not always been divided in this way. Originally, the Secretary of the Society, who was also the chief administrative officer, was in charge of all collections. An Assistant Secretary and Librarian was added in 1893, and in the early 1900s the museum and library separated. The Society employed its first State Archeologist in 1901, who also served as curator of the museum. In 1963, the State Archives was established, separating the functions of the Archives and Library, which also included the photograph collections. They remained separate divisions until 1987. The Museum and Archeology functions were managed together until they split into two divisions in 1995.

Acquisitions

The 1879 Society Constitution and Bylaws addressed the types of collections that the founders intended to cultivate. These included books and publications, antiquities and relics, manuscripts, documents, papers, and tracts of historical value. The Society also sought to encourage investigations of Native Americans and survey their movements in Nebraska.

The first collecting policy was published as a pamphlet in 1879. It defined the collections scope as Nebraska and western history, and stated that the Society desired to collect "everything that, by the most liberal construction, can illustrate the history of Nebraska- its early settlement, its progress or present condition- which will be of value or interest to succeeding generations."

Library and Archival Materials

In the Society's early years, collecting focused on the library, which had a national scope. Most acquisitions were acquired through trading with other institutions. In 1893, a law authorized the Society to receive 50 copies of each State of Nebraska publication. These were used for exchange with other states and the federal government. Although the Society was interested in collecting manuscripts such as letters, journals, political addresses, and original papers on early history and settlement, few were collected in the early years. Most manuscripts collected were reminiscences and eyewitness accounts. In 1893, the Society began a systematic approach to collecting all Nebraska newspapers by requesting that publishers send copies of each issue to the Society.

By the turn of the twentieth century, the library was still the Society's focus. In 1905 the legislature designated the Society as the official custodian of historical records, requiring agencies to notify us when they had materials 25 years old or older that were no longer in active use. Nevertheless, state and local records were only acquired sporadically through the mid 20th century.

Under the leadership of Addison E. Sheldon (1917-1943), the Society became more interested in the daily lives of Nebraskans and collecting information about the recent history of the state before the

participants were gone. As a result collections like Solomon Butcher's glass plate negatives and the Eli S. Ricker manuscript collection were acquired.

The 1960s brought major change to the Society's archival program. Funds were provided for a Records Management Division under the Office of the Secretary of State in 1969. The Society was recognized as the official state archives and the Society archivist was given authority to designate public records and those having permanent historical value and authority to petition the Records Board for transfer of public records that are in danger of deterioration or destruction. In 1970, the Society began offering security storage for microfilm records filmed by counties and for state records filmed by Records Management. The scope of the public records expanded further when a 1973 law allowed for the transfer of county and municipal board minutes and certain records of the legislature to the Society.

Museum Collections

In the Society's early years, three-dimensional objects were collected less readily than library materials although the earliest collecting policy shows that the Society sought to collect "curiosities" like coins, medals, paintings, and war relics. Additionally, there was an interest in Native American history including books, sketches, weapons, costumes, curiosities, implements, pottery, and relics. Museum collections began to grow at the turn of the century under the direction of Elmer E. Blackman.

Under the leadership of Addison Sheldon, the museum acquired more contemporary artifacts. Sheldon visited the battlefields in France, collecting objects from Nebraskans serving there.

Starting in the 1960s, the museum's efforts were greatly extended as more historic sites were acquired. From 1963 to 1984, NSHS went from managing one branch museum (Fort Robinson) to being responsible for 27 structures including the Dredge Meriwether Lewis and the William H. Ferguson house. The need to furnish many different buildings played a role in the museum acquiring huge collections that were acquired as "props" rather than acquisitions with strong ties to Nebraska history

By the mid 1980s, several of the branch museums were closed or were given to other organizations to operate and the museum began to further define its collecting focus. The 1985 Museum Collections Policy Statement: "Museum objects which relate to the pre-historic and historic occupations of Nebraska and those people associated with them shall be collected by the Nebraska State Historical Society and maintained by the Museum Collections Department. The Nebraska State Historical Society seeks quality artifacts that are documented or documentable as to provenience, date, age, location, etc. The quality and historical relevance of the museum collections is stressed over the quantity of collections." Around the same time, a separate "Use Collection" was created for materials that were to be used as props or in hands-on activities. This designation was used only sporadically. New Education and Use Collection procedures were established by the Museum in 2001 further defining the differences between props/teaching tools and well-documented objects.

Archeological Collections

Society archeological investigations began around the turn of the century with the hiring of amateur archeologist Elmer E. Blackman, but were greatly expanded during the 1930s and 1940s under the direction of A. T. Hill. Cultural units investigated included Upper Republican, Nebraska Phase, Woodland, Lower Loup (Protohistoric Pawnee), Historic Pawnee, Dismal River, and Oneota.

Extensive archeological research continued through the next decades. By the late 1940s, following a hiatus in archeological research resulting from World War II, the focus shifted to reservoir salvage archeology, because of the planned construction of numerous dams on the Missouri River and other streams in the region. Society archeologists worked both in the state and in South Dakota.

By the mid-1950s, the Society began expanding its archeological research interests to include historical archeology, primarily associated with military forts including Fort Atkinson, Fort Kearny, and Fort Robinson. Historical archeology investigations continue today. Another focus, primarily from 1957 to 1963, was the investigation of the Logan Creek Site, a stratified, deeply buried Early Archaic campsite located in Burt County, in northeastern Nebraska.

In the 1960s, with the establishment of the Federal Aid Highway Act, some of the emphasis of the Society's archeological research program shifted to highway salvage, which greatly expanded throughout the ensuing period.

Deaccessioning

Deaccessioning has been an ongoing process at the Society since the 1930s. The first statute concerning deaccessioning was passed in 1949 (Statute 82-108.1). This authorized the Society to “sell, exchange, destroy, or otherwise dispose of any surplus, damaged, defective, or duplicate books, or material in its collections.” The Library first began a "weeding" project in 1946 under Superintendent Dr. James C. Olson. An estimated 7,000 titles were weeded between 1946 and 1975 (mainly in the 1950s). The first large-scale deaccessioning project was initiated in the mid 1980s when the Library deaccessioned 20,000 titles. Director James A. Hanson devised the deaccessioning plan for the library. The current library collecting criteria was refined to collecting the history of Nebraska and the Midwest as a result of this deaccessioning project. In 1988 the Museum Collections Department began to review the museum and archeological collections for potential deaccessioning. More than 28,000 objects were set aside for deaccessioning and moved to offsite storage.

When the Society became a state agency in 1994, the enabling legislation acknowledged the Society's ability to deaccession collections and established the Collections Trust Fund for money acquired through the sale of deaccessioned collections, which can be used “exclusively for the acquisition, preservation, or restoration of the society collections.” In 1996, the Society Board approved a Deaccession Policy.

Native American Graves Protection Repatriation Act

The Unmarked Human Burial Sites and Skeletal Remains Protection Act, LB340, was passed by the Nebraska Legislature in 1989. The Act required the Society to inventory human remains and grave goods and return material to the tribes. This law was a precursor to a national act, the Native American Graves Protection Repatriation Act, passed in 1990. This required federally funded museums across the country to do the same. As a result of this legislation, more than 500 sets of human remains and several thousand funerary artifacts have been returned to tribes.

Preservation and Use of Collections

Society collections have been used through the years for research, exhibition, and public programming. As early as the 1890s the Society was open several hours daily to make collections accessible. Early exhibits were basically open storage. During the 1950s, objects began to be viewed not just as curiosities, but also as ways to illustrate a concept. As a result, exhibits became interpretive, affecting the types of objects collected.

Attitudes toward balancing access and preservation have changed over time as standards evolved and museums strived for more control over conditions in storage and exhibit environments. Preservation efforts were undertaken by collections staff based on the practices of the time and the resources available. In the mid 1970s, the Society hired its first paper conservator who worked with the Archives division. Paper conservators continued to work within the Archives into the 1990s. In 1995, the Gerald R. Ford Conservation Center opened in Omaha, where paper and objects conservators began providing conservation services to the Society and the general public.

Balancing access to collections documentation while maintaining donors' privacy and protecting historic and archeological sites is a concern for the Society. The Lancaster County Court ruled in May 1991 that NSHS was subject to the Open Records Act. State Statute 84-712.05, however, allows public bodies to withhold donor names and addresses and withhold records that reveal the “location, character, or ownership of any known archeological, historical, or paleontological site in Nebraska when necessary to protect the site.”

Documentation of Collections

Documentation of the Society's collections has evolved from handwritten ledgers to complex computerized databases. Classification of the Library according to the Dewey decimal system began shortly after the first Assistant Secretary and Librarian was hired in 1893. The first museum catalog was published in 1907, listing some of the more important objects in the museum's collections. Early acquisitions had very little description, but became more descriptive as standards changed.

Computerization has greatly changed the way in which collections are documented and managed. The museum began to use computers on a large scale around 1986 as part of a comprehensive inventory of the collections. The database originally served primarily as a location register. Over time, the Museum's collections management software has evolved to include detailed catalog records and digital photographs.

In the early 1980s, the Archives' first large computer project involved the catalog records of the Union Pacific Railroad. The Library began to computerize catalog records in the fall of 1984 and continued to create catalog cards for the manual card catalog for the next ten years as well. Since then, ongoing efforts in the Library/Archives division have included the continued computerization of collections management records, catalogs, and finding aids.

3. Responsible Staff

The development and preservation of the Society's collection is a primary function of the Society. Because of this certain staff members are specifically responsible for collections management, development, and care. See Appendix 8 for a list and descriptions of these positions. Additional staff members undertake activities that relate to the collections. These activities include, but are not limited to, preservation related tasks, providing public access to collections, duplication of collection items, space maintenance, fiscal oversight of collection activities, and security. See appendix 9 for a list of which staff engage in which collection related activities.

4. Acquisition Policy

4a. Statement of Purpose

The Society's collections are central to its mission. Selectively acquiring new materials is essential to build and strengthen these collections and collection objects are acquired for research, exhibition, educational and comparative use.

4b. Definitions

Acquisition is the discovery, preliminary evaluation, negotiation for, receiving permission to copy (in the case of documentary materials) and taking custody of material(s) for addition to the collections of the Society.

Accessioning is the formal process used to transfer ownership and record material(s) into the *Permanent* collections of the Society. Materials acquired for the Education and Use and Comparative Collections are not accessioned

4c. Scope of Collections

The collecting divisions of the Nebraska State Historical Society: the Museum, Library/Archives, and Archeological Divisions, collect items that document the human history of the geographical area that is now called Nebraska. Although each division's collecting efforts are guided by the basic principle outlined above, the types of items collected vary greatly.

The Library/Archives Division collects resources that contain content of evidential or informational value, whether in holographic, printed, visual, auditory or electronic form. This includes (but is not necessarily limited to) published items, government records, business and association records, individual and family papers, photographs, moving images, and sound recordings.

The Museum Division collects three-dimensional objects and artwork in all formats. The Museum Division may collect objects identical to those collected by the Library/Archives division for artifactual, rather than informational or evidential, value.

The Archeology Division collects archeological materials and associated records from Nebraska, and lithic and faunal specimens for comparative purposes.

Items are acquired for inclusion into one of three collections: the Society's Permanent Collection, Education & Use Collection, or Comparative Collection.

Permanent Collection items are those that are highly relevant to the mission of the Society and are to be retained for an indefinite period.

Education & Use Collection items, managed by the Museum Collections Department, may be duplicate to items in the Permanent Collection or be of little relevance to the Society's mission, but are needed as props for programming or historic site activities. Due to the nature of their use, it is not expected that these items will be retained permanently and they may be destroyed.

The Comparative Collections are in the Archeology Division Laboratory and consist mainly of skeletal animal remains and stone samples. The archeological staff uses these collections in identifying archeologically recovered bones and stone debris or tools.

4d. Acquisition Criteria

The following conditions must be met before materials are acquired by the Society.

1. The material must have clear title.
2. If material is for sale, funding must be available.
3. The Society must have the resources to properly care for the proposed acquisition.
4. The historical significance of the materials (for permanent collections) must be relevant to the Society's mission.
5. Provenance of the materials (for the permanent collection) should be documented.
6. Material for public records must meet the retention schedule.
7. All legal, and ethical implications of the acquisition must have been considered and any issues resolved.
8. Acquisition should occur without donor restrictions. Restrictions or conditions may be considered when in the best interest of the Society's fulfillment of its mission. The Board of Trustees must approve permanent restrictions. Use and disposition will be at the discretion of the Society unless otherwise specified.
9. Copyright will be transferred to the Society when possible.

4e. Means of Acquisition

Materials and objects may be acquired by abandonment, bequest, copy with permission of the owner, excavation, exchange, field collection, donation, purchase, transfer from a governmental body, or any other method which transfers title to the Society from any individual, corporate body, or group.

4f. Acquisition Stipulations

- All acquisitions to the Society collections must be approved by the appropriate division staff.
- No staff or board member may obligate the Society to the acceptance of any materials not consistent with the intent or spirit of the acquisition policy.
- A record will be maintained on all Society acquisitions. Records will include signed legal documents and documents of transfer, and may include appropriate inventories and historical information.
- The Society does not guarantee to store donated material together as a unit. Artifacts, manuscripts, books, photographs and moving images will be curated by the appropriate division. The association of dispersed materials will be documented.
- Acquisition of materials does not guarantee that materials will be exhibited or used for any other specific society project or program.
- Materials in the Permanent Collection will be retained so long as they continue to be relevant and useful to the mission and purpose of the Society, and if they can be properly stored, preserved, and used. Deaccessioning (permanent disposal) of materials may be considered when one or more of the Deaccessioning criteria apply (see Deaccession Policy).
- Gifts to the Nebraska State Historical Society are deductible from taxable income in accordance with the provisions of the federal income tax law. Society staff and board members cannot make appraisals of the monetary value of materials. (Donors are encouraged to make copies of an appraisal available to the Society, to be filed with the donation forms.)
- No materials shall be considered as a possible addition to the Permanent Collections for the sole purpose of selling the materials or exchanging for something else.
- The Nebraska State Historical Society is under no obligation to accept materials bequeathed or offered to it except when mandated by Nebraska statute.
- In certain circumstances the Society may require financial support to accompany an acquisition.
- The collecting divisions of the Nebraska State Historical Society do not accept historic structures or real estate. Please see appendix 7, the *Policy and Procedures for Evaluating and Making Decisions Concerning the Acquisition of Historic Properties*.
- Archeological materials will not be purchased as mandated by the Antiquities Act of 1906, the National Historic Preservation Act of 1966, and standards set by the American Association of Museums.

4g. Compliance

The Society complies with legislation affecting the acquisition of collections including, but not limited to, the following:

- The Museum Property Act (Nebraska Legislative Bill 1276)
- The Native American Graves Protection & Repatriation Act (see NAGPRA Compliance Policy in appendix)
- The Antiquities Act of 1906
- The National Historic Preservation Act of 1966
- Nebraska Public Records Legislation, 84-1214.01

5. Deaccession Policy

5a. Statement of Purpose

Just as selectively acquiring new materials is essential to build and strengthen the Society's collections, it is also important to periodically reevaluate the existing holdings and to remove materials from the permanent collections through the deaccessioning process.

5b. Definition

Deaccessioning is the process of removing accessioned material from the permanent collections of the Society. This process should be cautious, deliberate and ethical.

5c. Deaccession Criteria

In all instances of potential deaccessioning, the historical significance of an object shall be considered of primary importance and will override any of the other criteria. Material from the Society's collections to be considered for deaccessioning must meet at least one of the following criteria:

1. The material is outside the scope of, or is irrelevant to the mission of the Nebraska State Historical Society and its acquisition policies.
2. The material lacks physical integrity (it is incomplete, broken, or in poor and unsalvageable condition) or it has deteriorated to the degree that it cannot be used for exhibit or research purposes.
3. The historical evidence that led the Society to accept an object has been proven false.
4. The material has been unaccounted for or stolen and remains lost for at least five years.
5. The material is duplicate in that the Society's collections contain other examples of the same type of material that are sufficient or better-suited to the needs of the Society.
6. The Nebraska State Historical Society is unable to preserve the material properly.
7. The material constitutes a physical hazard or health risk to staff, the public, or other collections.
8. There exists a more appropriate repository for the material.
9. It is discovered that the material has an unethical or illegal provenance.
10. The material must be removed from the collection to comply with national and/or state legislation.

5d. Application of Criteria and Procedure

Curators may recommend deaccessioning of material from the Society's collection if, in their judgment, one or more of the deaccessioning criteria have been met. Deaccessioning recommendations must be reviewed and approved by the deaccessioning committee, the Associate Director of Museums and Historic Sites or the Associate Director of Library/Archives (as appropriate), the Director/CEO, and the NSHS Board of Trustees before any actions are taken. The deaccessioning committee will be composed of appropriate staff and outside experts if needed. Deaccessioning recommendations will be forwarded to the Director/CEO, and then submitted to the NSHS Board of Trustees for its approval.

5e. Restrictions

Before any material from the Society's collections are recommended for deaccessioning, reasonable efforts shall be made to determine whether the Nebraska State Historical Society has the legal authority to do so.

5f. Disposition

Material or objects approved for deaccessioning from the Society's collections will be handled or disposed of in one of the following methods:

1. Transferred to the use collections of the Nebraska State Historical Society which are managed by the Museum Collections Department or the Library/Archives, as appropriate.
2. Transferred to another museum, library, archives or public educational institution, with preference to Nebraska institutions.
3. Exchanged with individuals, organizations, institutions or other sources for objects needed in the collections.
4. Donated to a charitable institution (e.g., a thrift store or local theater company) if its intrinsic or monetary value is so low as to make burdensome the effort of finding an institutional home for it or offering it for sale.
5. Sold at public auction or sale. (Archeological materials will not be sold)
6. Destroyed.

5g. Conflict of Interest

Items from the Nebraska State Historical Society collections shall not be given, sold, or otherwise transferred, publicly or privately, to employees past or present or their immediate families or representatives. Items from the Nebraska State Historical Society collections shall not be given, sold, or otherwise transferred, publicly or privately, to sitting or former Society or Foundation trustees or their immediate families or representatives under any terms different from those extended to the general public.

5h. Proceeds

When it is determined that deaccessioned material from the Society's collections will be sold, it will be done so publicly. The Society may contract with a qualified appraiser to assure the best price. All proceeds resulting from the sale of deaccessioned material from the collections of the Nebraska State Historical Society shall be deposited to the credit of the Nebraska State Historical Society Collections Trust Fund to be used solely for the acquisition, conservation, or preservation of the Society's collections.

5i. Documentation of Deaccessioning

A record of all materials and which have been deaccessioned from the collections shall be kept current and may be distributed in response to any responsible inquiry.

5j. Culling Materials from Archival Collections

In some cases, individual archival collections may be **culled** of superfluous materials contained therein as part of the practice of **archival processing**. While the disposition of such culled materials are not subject to the same formal process of deaccessioning as other collection items, the same deaccessioning criteria (see 5c above) and methods of disposition (see 5f above) are employed.

6. Use of Collections

6a. Defining Statement

Use of the collections is a pivotal part of the Society's efforts to open to all the histories we share. The Society shall promote the use of the collections for educational purposes by staff and the general public, while taking into account departmental procedures, privacy issues, and current "best practices" in regards to preservation and security.

6b. Use of Collections

Collections are most readily accessible to all via exhibits, the Library/Archives reference department, public programs, and the Society's website. Access to collections in storage by members of the general public is subject to departmental procedures and the preservation concerns of specific collection items.

6b.i. Outgoing Loans

Collection objects are also made available through outgoing loans to other qualified institutions for the purpose of exhibit, research, and/or other interpretive endeavors. Departmental policies govern the approval, duration and conditions of outgoing loans and outline criteria that need to be met in order to be considered a qualified institution.

6b.ii. Internal Use of Collections

Use of collection items by Society or Foundation staff and trustees is limited to activities that directly support our mission, such as exhibition, research, and public programming. Use of collection items for the sole purpose of personal enjoyment, such as furnishing offices, use as props in theater productions, etc., is prohibited.

7. Preservation of Society Collections

7a. Defining Statement

Preservation consists of those steps taken to assure the physical protection of items in our collections with emphasis on proper storage, handling, conservation and exhibition techniques and the adequate documentation of these activities.

7b. Care of Society Collections

Standards for the care of objects in storage, on exhibit, being used by researchers, undergoing preservation or conservation treatment, and on loan will conform to current best practices in the appropriate field. These standards will apply to climate control, storage and exhibit space, documentation, monitoring, housekeeping, handling, security, and pest management. These activities are governed by departmental procedures.

7c. Access to Society Collections in Storage

Access to the collections in storage is limited to collections staff and is governed by departmental procedures. Access to collection storage areas is limited to select maintenance, security, and administration staff for the purpose of maintenance, security, and emergency issues. See appendices 8 and 9 for specific information.

7d. Risk Management

Risk management shall include the thoughtful review of potential hazards to collections including preparations for mitigating the effects of natural disasters, vandalism, theft, human error, mechanical or operational failure, and deterioration. Each division shall detail mitigation procedures in a disaster recovery plan. NSHS is a state agency and is self-insured but does maintain outside insurance for objects on loan to the Society. The lender determines the insurance replacement value of objects on loan to the Society and insured under the Society's policy. In some instances, it may be necessary to contract with an independent appraiser for valuation of said objects.

7e. Conservation

Conservation is the treatment and/or stabilization of collection items by qualified conservators. Items will be selected for treatment by curatorial and conservation staff.

8. Incoming Loans

The divisions of the Society may borrow objects from other institutions or individuals for the purpose of exhibition, research, and, in some cases, curatorial storage by state statute or for hire. Incoming loans will be recorded with an incoming loan agreement and loaned object shall be stored and handled in the same manner as Society collection objects. Transportation and insurance coverage for loaned objects shall be according to the wishes of the lender.

9. Documentation of Society Collections

The acquisition, management and use of all collection materials are documented according to current professional standards. Such documentation includes, but is not limited to, accession and deaccession records, correspondence relating to acquisitions, research materials, catalog records and other finding aids, loan records, researcher access requests, permission and use records, documentation of conservation treatments, and exhibit files. Documentation may be in paper, microfilm or electronic form, or any combination thereof. All documentation relating to collections is considered permanent record of the Nebraska State Historical Society and is subject to the preservation, privacy and access protections and protocols of other agency permanent records. In the event that any collections documentation should be deemed non-current by curatorial staff, they will be subject to the Nebraska State Historical Society's Records Retention Schedule.

10. Review of the Collections Management Policy

The Collections Management Policy shall be reviewed by January 1st of every even numbered year. Collection management staff shall review the policy. If changes are considered necessary, these changes will be submitted in writing to senior NSHS management. The policy will then be submitted to the Board of Trustees for their approval. Collection managers may propose warranted changes to the policy at any time during the biennial cycle.

Appendix 1

Vision of the Nebraska State Historical Society

The Nebraska State Historical Society seeks to help all Nebraskans appreciate and understand the stories of our state and to provide access to resources that will promote inquiry, dialogue, and diversity of opinion to inform decisions facing us today.

Institutional Values

Nebraska's history is an essential part of the fabric and identity of the state. The Nebraska State Historical Society, the state's leading – and official – historical organization, recognizes these institutional values as it seeks to interpret and preserve that history:

Preservation

Preservation of Nebraska's past is important; it is our legacy. In everything we do we strive to balance preservation of the state's historical resources with the need for public access to them.

Public Service

We exist to serve the people of Nebraska. As stewards of public resources the Society seeks to interpret Nebraska history to enrich and enlighten all. Through public access and a wide range of services we hope to promote inquiry, dialogue, diversity of opinion and support.

Trust

The Society staff and trustees are committed to meeting the highest standards of personal integrity and professional ethics.

Allegiance

The primary professional allegiance of all Society staff members is to the institution. The Society's mission and reputation are held above individual or divisional needs.

Excellence

We recognize and value the talent, expertise, and contributions of all Society staff and trustees, and together we strive to meet the highest professional standards.

Mission of the Nebraska State Historical Society

The Nebraska State Historical Society collects, preserves, and opens to all, the histories we share.

Divisional Mission Statements

The mission of the Museum/Historic Sites Division is to educate people about Nebraska's past through historic artifacts and historic places.

The mission of the Archeology Division is to preserve, enhance, explore, and interpret Nebraska's archeological resources for the benefit of the public and the advancement of science.

The mission of the State Historic Preservation Office is to promote the preservation and enhancement of the cultural resources of the state of Nebraska.

The Library/Archives Division of the Nebraska State Historical Society safeguards the documentary heritage of Nebraska so that it can be used by all researchers.

Bylaws of the Nebraska State Historical Society

I. Name and Object

The name of this association shall be the Nebraska State Historical Society (hereinafter referred to as Society) and, as provided for in Neb. Rev. Stat. §82-101 (Reissue 1943), the Society has consented to be and shall be an agency of the state. Its object shall be to promote the study and understanding of the history of Nebraska as provided in its mission statement and as authorized by law. The Society shall hold, as a trustee for the state, all of the Society's current and future collections of property. The Society shall have all the authority granted to it by law.

II. Membership

Classes of membership of the Society shall be established by the Board of Trustees. Such membership classes shall include a general class that shall be open to all persons interested in the accomplishment of the purposes of the Society. General members shall be eligible to vote in Society elections and shall not be required to pay membership dues. The Board of Trustees shall determine the qualifications for other classes of membership it may create and shall establish a schedule of dues to be paid by each membership class.

The Board of Trustees shall be authorized to designate honorary members who shall be persons distinguished for scientific or literary attainments or for the promotion of historical study.

III. Meetings

Annual meetings of the membership of the Society shall be held at such time and place, not less frequently than once per calendar year, as may be determined by the board of trustees, at least one hundred eighty (180) days prior to the date of the annual meeting. The meeting shall be conducted in such manner as the board of trustees shall designate. Special meetings of the membership of the Society may be called by the president at his or her discretion and shall be called by the secretary on the written request of five (5) members of the board of trustees or of fifty (50) members of the Society. No other business shall be transacted at special meetings than that specified in the call therefore. Notice of all meetings of the membership shall be mailed to all active members at least ten (10) days before the date of such meeting. The right to take part in the proceedings of meetings of the membership shall be confined to active members in good standing. A member shall be considered in good standing, for the purposes of these bylaws, when the member has fulfilled all requirements for membership. Fifty (50) members shall constitute a quorum at a meeting of the membership, but a lesser number may adjourn the meeting to a subsequent date.

IV. Governance

The governance of the Society and the custody of its property shall be as provided by law. Upon adoption of these bylaws, the board of trustees consists of twelve members elected by the Society membership, and three members appointed by the governor of the state of Nebraska. Four trustees are elected from each Nebraska congressional district, and one trustee is appointed by the governor from each Nebraska congressional district. If congressional district boundaries are altered or the number of congressional districts is increased or decreased, the board of trustees shall be adjusted as provided by law. See Appendix I.A. and I.B. (Attorney General Request and Response related to Board of Trustees Vacancy).

V. Officers of the Board of Trustees

At the last meeting of the board of trustees in each year, the trustees shall elect from their incoming and continuing membership a president, a first vice-president, a second vice-president, and a treasurer

who shall be the officers of the Society and of the board of trustees. The term of office shall be one (1) year, to take effect January 1, and any trustee elected to office may be reelected to office so long as the individual is a member of the board of trustees.

Vacancies in any of the offices may be filled by the board of trustees for the period until the next annual meeting. Officers shall serve until their successors are elected or appointed. The elected and appointed members of the board of trustees shall be regular members of the board of trustees and shall be entitled to vote on all matters presented to the board of trustees.

The duties of the president shall be to preside at meetings of the Society and of the board of trustees, to appoint committees authorized by the board of trustees, and to perform such other duties as may be prescribed by law. In the absence of the president, the first vice-president shall perform the duties of the president. In the absence of the president and the first vice-president, the second vice-president shall perform the duties of the president.

The treasurer shall have such duties as may be prescribed by law or by the board of trustees. The director shall keep a detailed account of receipts and disbursements which shall be open for inspection by members of the board of trustees and report of transactions to the Society at its annual meeting or at such other time as it may require such report or to the board of trustees at any time on its request.

The board of trustees shall elect, by ballot, a director who shall also serve as secretary of the board of trustees. The term of office of the director shall be at the pleasure of the board of trustees. The director shall, with the president, make an annual report to the governor as required by law, keep the minutes of the meetings of the Society and of the board of trustees, conduct correspondence of the Society, collect dues of the Society and pay the same to the Society treasurer in collaboration with the NSHS Foundation, and be in charge of the management and administration of the Society, subject only to the direction of the board of trustees and state law.

Any officer of the board of trustees shall perform such additional or different duties as may from time to time be imposed by the board of trustees or prescribed by the bylaws.

The board of trustees shall fix the salary to be paid to the director. Members of the board of trustees shall not be paid for their services but may be allowed expenses incurred in the performance of their official duties.

VI. Meetings of the Board of Trustees

Meetings of the board of trustees shall be held at least quarterly and at such time or place as may be determined in advance by the board of trustees and in accordance with state statute. Special meetings of the board of trustees may be called by the president or the director of the Society, with approval of the president, or shall be called by the director upon written request by five (5) members of the board of trustees. Eight (8) members shall constitute a quorum for the transaction of business of the board of trustees but a lesser number may be authorized to adjourn the meeting.

If any elected member is absent from three (3) consecutive regular meetings of the board, unless on account of sickness or by consent of the board, the member may be requested to resign his or her position on the board.

If any appointed member of the board is absent from three (3) consecutive regular meetings of the board, unless on account of sickness or by consent of the board, the board may request the Governor to appoint a replacement.

VII. Parliamentary Authority

The rules contained in the current edition of Robert's Rules of Order Newly Revised shall govern the Society in all cases to which they are applicable and in which they are not inconsistent with Nebraska state statutes, the bylaws of the Society, and any special rules of order the Society may adopt.

VIII. Amendments

These bylaws may be amended by the board of trustees at any duly-convened meeting of the Board.

Adopted by the Nebraska State Historical Society Board of Trustees September 9, 1994.

Amended by the Nebraska State Historical Society Board of Trustees, September 26, 2003.

Amended by the Nebraska State Historical Society Board of Trustees, April 2, 2004.

Amended by the Nebraska State Historical Society Board of Trustees, June 4, 2004.

Appendix 4

Nebraska State Historical Society; state agency; board; membership in society; purpose; acceptance of gifts; operation of historical sites and museums.

The Nebraska State Historical Society, operated in the public interest since 1878, is hereby declared to be and does hereby consent to be a state agency on and after July 16, 1994. The society shall hold, in trust for the people of the State of Nebraska, all of the society's present and future collections of property. The agency shall be under the direction of a board of trustees who shall be elected in part by the members of the society and in part appointed by the Governor as provided in section 82-101.01. Membership in the society shall be open to all persons interested in the accomplishment of the purposes of the society. In addition to all other objects and purposes provided by law, the object of the society shall be to promote historical knowledge and research, awaken public interest, and popularize historical study throughout the state in a nonpolitical manner. The society's headquarters and museum in Lincoln shall be used by the society for the preservation, care, research, and exhibition of and research into documents, books, newspapers, weapons, tools, pictures, relics, scientific specimens, farm and factory products, and all other collections pertaining to the history of the world, particularly to that of Nebraska and the West. The society shall have the power to accept gifts and to own, control, and dispose of property, real and personal. It shall, either alone or in cooperation with other agencies, operate historical sites and museums as agreed to with appropriate state agencies or as directed by the Governor and the Legislature.

Source:

Laws 1883, c. 95, § 1, p. 340; Laws 1907, c. 146, § 1, p. 458; R.S.1913, § 7166; C.S.1922, § 6817; C.S.1929, § 82-101; R.S.1943, § 82-101; Laws 1961, c. 438, § 1, p. 1356; Laws 1994, LB 1236, § 1.

82-101.02

Board of trustees; powers and duties; Nebraska State Historical Society Collections Trust Fund; created.

In accordance with applicable law, the powers and duties of the board of trustees shall be as follows:

- (1) To establish a date, time, and location for an annual meeting of the society and promulgate same and to elect annually from among their number a president, a first vice president, a second vice president, and a treasurer;
- (2) To adopt bylaws not inconsistent with state statutes for their own governance and to administer the society in the interests of preserving the rich heritage of this state and its people;
- (3) To select a director or chief executive officer who shall also serve as secretary to the board of trustees, and to prescribe the director's duties and responsibilities;
- (4) To create a general membership class which shall be open to all persons interested in the accomplishment of the purposes of the society, and the active members of such class shall be eligible to vote and shall not be required to pay membership dues;
- (5) To create such other classes of membership in the society as the board deems desirable, to determine the qualifications for such classes of membership, and to set the fees to be paid for such memberships;
- (6) To create such committees as the board deems advisable and delegate to the committees those functions which aid in the efficient administration of the affairs of the society;
- (7) To, according to appropriate museum and archival standards, collect, assemble, preserve, classify, and exhibit, where appropriate, all books, pamphlets, maps, manuscripts, newspapers, photographs, business records, personal papers, diaries, architectural records, works of art, films, videotapes, machine-readable

records, museum, archeological, and ethnographic specimens, and all other objects regardless of physical form that serve to illustrate the history of Nebraska and the Great Plains in particular, or of western America in general;

(8) To ensure that the collections and properties of the society are maintained in good order and repair;

(9) To accept, receive, and administer in the name of the society any gifts, donations, properties, securities, bequests, and legacies that may be made to the society. Notwithstanding any provisions to the contrary, the Nebraska State Historical Society may accept a gift of any property other than real estate without prior permission of any other governmental entity, including the Governor;

(10) To contract and enter into agreements necessary to effectuate the objects and purposes of the society;

(11) To sell, exchange, or otherwise dispose of books, museum objects, or other property in the society's collections that are surplus, duplicate, outside the scope of the society's mission, or which lack research, educational, or exhibit value on account of damage or insufficient documentation. Such sums as are derived from the sale or disposition of property that is surplus, duplicate, outside the scope of the society's mission, or which lacks research, educational, or exhibit value on account of damage or insufficient documentation shall be remitted to the State Treasurer for credit to the Nebraska State Historical Society Collections Trust Fund, which fund is hereby established. The fund shall be administered by the society. The fund shall be used, in accordance with appropriate museum and archival standards, exclusively for the acquisition, preservation, or restoration of the society collections;

(12) To disseminate and interpret the results of the society's research through publications, exhibitions, reports, public programs, and all other appropriate methods which will promote the study, understanding, and appreciation of Nebraska history; and

(13) To adopt and promulgate all policies, rules, and regulations, not inconsistent with law, that are necessary to implement the objects and purposes of the society.

Source:

Laws 1994, LB 1236, § 3.

82-104

Nebraska State Historical Society; public documents, records, relics; custodian.

The Nebraska State Historical Society shall be the custodian of all public records, documents, relics, and other material which the society may consider to be of historic value or interest, and which may be in any of the offices or vaults of the several departments of the state, in any of the institutions which receive appropriations of money from the Legislature of Nebraska, or in any of the county courthouses, city halls, or other public buildings within the State of Nebraska.

Source:

Laws 1905, c. 157, § 1, p. 604; R.S.1913, § 7169; C.S.1922, § 6820; C.S.1929, § 82-104.

82-105

Nebraska State Historical Society; public documents, records, relics; obtaining possession; procedure.

The Nebraska State Historical Society shall obtain possession of the historical material mentioned in section 82-104 whenever it is not in active use in any department, institution or building, or whenever it is liable to damage and destruction because of a lack of proper means to care for, or safe and adequate place to preserve

it. The officer or board having the care and management of the department, institution or building shall consent in writing to the custody of the documents, records and materials by the society. The society shall prepare invoices and receipts in triplicate for the material turned over to the society, and shall deliver one copy to the Secretary of State, one copy to the officer or board turning over the material, and one copy shall be retained by the secretary of the society.

Source:

Laws 1905, c. 157, § 2, p. 604; R.S.1913, § 7170; C.S.1922, § 6821; C.S.1929, § 82-105; R.S.1943, § 82-105; Laws 1969, c. 810, § 1, p. 3047.

82-106

Nebraska State Historical Society; public documents, records, relics; notice to be given.

Every officer or board having control or management of any state department, institution or building shall notify the secretary of the Nebraska State Historical Society whenever any of the historical material mentioned in sections 82-104 and 82-105 shall be in his or their care.

Source:

Laws 1905, c. 157, § 3, p. 605; R.S.1913, § 7171; C.S.1922, § 6822; C.S.1929, § 82-106.

82-107

Nebraska State Historical Society; public documents, records, relics; procedure after notice.

Whenever the secretary of the Nebraska State Historical Society has received notice as provided for in section 82-106, the society shall, by its officers or employees, examine the material and remove and receipt for whatever material the society may deem to be of historic value. The society shall transport the material at its own cost to its museum, and shall catalog, arrange and display the material for the free use of the public.

Source:

Laws 1905, c. 157, § 4, p. 605; R.S.1913, § 7172; C.S.1922, § 6823; C.S.1929, § 82-107.

82-108

Nebraska State Historical Society; documents and records; certified copies; fees.

The secretary or curator of the Nebraska State Historical Society shall prepare certified copies of any record, document or other material, of which the society is the custodian, whenever application shall be made to the society. Such certified copies shall be received in courts and elsewhere as being of the same legal validity as similar copies prepared by the original custodian of the record, document or other material. The secretary or curator of the society shall be entitled to the same fees for making certified copies as the original custodian would be.

Source:

Laws 1905, c. 157, § 5, p. 605; R.S.1913, § 7173; C.S.1922, § 6824; C.S.1929, § 82-108.

82-108.02

Historical Society Fund; created; use; investment.

All funds received by the Nebraska State Historical Society for services rendered shall be remitted to the State Treasurer for credit to the Historical Society Fund which is hereby established. Funds to the credit of the fund shall only be expended, as and when appropriated by the Legislature, by the Nebraska State Historical Society for the general purposes of such society. Any money in the fund available for investment shall be invested by the state investment officer pursuant to the Nebraska Capital Expansion Act and the Nebraska State Funds Investment Act.

Source:

Laws 1961, c. 439, § 1, p. 1357; Laws 1969, c. 584, § 110, p. 2416;
Laws 1995, LB 7, § 138.

Cross References:

Nebraska Capital Expansion Act, see section 72-1269.
Nebraska State Funds Investment Act, see section 72-1260.

82-109

Nebraska State Historical Society; documents relating to General Land Office; agreement with United States Land Office.

The Nebraska State Historical Society is authorized to enter into an agreement with the General Land Office at Washington, D.C., for the reception, preservation, organization and arrangement for public use of all documents relating to the former United States Land Offices in Nebraska that may be transferred from the custody of the General Land Office at Washington, D.C., to the custody of the society.

Source:

Laws 1937, c. 196, § 1, p. 818; C.S.Supp., 1941, § 82-114.

82-110

Documents relating to General Land Office; preservation and maintenance; federal authorities; free access.

All documents obtained from the General Land Office at Washington, D.C., shall be preserved and maintained as a part of the public records of Nebraska by the Nebraska State Historical Society, and by all other persons in such manner as shall secure the chief objects of their use and preservation, their care, custody and service, under proper library regulations. The authorities of the United States shall have free access to such documents.

Source:

Laws 1937, c. 196, § 2, p. 819; C.S.Supp., 1941, § 82-115.

82-114

Kennard home; Nebraska Statehood Memorial; designated.

The Thomas P. Kennard home, located at 1627 H Street in Lincoln, including lot 3, Block 153, of the original plat of Lincoln, is hereby designated as the Nebraska Statehood Memorial.

Source:

Laws 1965, c. 556, § 1, p. 1839.

82-115

Nebraska Statehood Memorial; Nebraska State Historical Society; restoration.

The Nebraska State Historical Society shall be responsible for the restoration of the Nebraska Statehood Memorial. The exterior shall be restored as nearly as may be to its appearance in 1870. The interior shall be restored as nearly as may be to its original appearance and arrangement, and shall be refurnished with authentic period furniture and other materials which relate to the establishment and development of Nebraska state government.

Source:

Laws 1965, c. 556, § 2, p. 1839.

82-117

Nebraska Statehood Memorial; Nebraska State Historical Society; administration; maintenance; gifts, grants, bequests; accept.

The Nebraska State Historical Society shall be responsible for the administration and continued maintenance of the Nebraska Statehood Memorial and may accept gifts, grants, and bequests for such purposes.

Source:

Laws 1965, c. 556, § 4, p. 1839.

Records which may be withheld from the public; enumerated.

The following records, unless publicly disclosed in an open court, open administrative proceeding, or open meeting or disclosed by a public entity pursuant to its duties, may be withheld from the public by the lawful custodian of the records:

- (1) Personal information in records regarding a student, prospective student, or former student of any educational institution or exempt school that has effectuated an election not to meet state approval or accreditation requirements pursuant to section 79-1601 when such records are maintained by and in the possession of a public entity, other than routine directory information specified and made public consistent with 20 U.S.C. 1232g, as such section existed on January 1, 2003;
- (2) Medical records, other than records of births and deaths and except as provided in subdivision (5) of this section, in any form concerning any person; records of elections filed under section 44-2821; and patient safety work product under the Patient Safety Improvement Act;
- (3) Trade secrets, academic and scientific research work which is in progress and unpublished, and other proprietary or commercial information which if released would give advantage to business competitors and serve no public purpose;
- (4) Records which represent the work product of an attorney and the public body involved which are related to preparation for litigation, labor negotiations, or claims made by or against the public body or which are confidential communications as defined in section 27-503;
- (5) Records developed or received by law enforcement agencies and other public bodies charged with duties of investigation or examination of persons, institutions, or businesses, when the records constitute a part of the examination, investigation, intelligence information, citizen complaints or inquiries, informant identification, or strategic or tactical information used in law enforcement training, except that this subdivision shall not apply to records so developed or received relating to the presence of and amount or concentration of alcohol or drugs in any body fluid of any person;
- (6) Appraisals or appraisal information and negotiation records concerning the purchase or sale, by a public body, of any interest in real or personal property, prior to completion of the purchase or sale;
- (7) Personal information in records regarding personnel of public bodies other than salaries and routine directory information;
- (8) Information solely pertaining to protection of the security of public property and persons on or within public property, such as specific, unique vulnerability assessments or specific, unique response plans, either of which is intended to prevent or mitigate criminal acts the public disclosure of which would create a substantial likelihood of endangering public safety or property; computer or communications network schema, passwords, and user identification names; guard schedules; or lock combinations;
- (9) The security standards, procedures, policies, plans, specifications, diagrams, access lists, and other security-related records of the Lottery Division of the Department of Revenue and those persons or entities with which the division has entered into contractual relationships. Nothing in this subdivision shall allow the division to withhold from the public any information relating to amounts paid persons or entities with which the division has entered into contractual relationships, amounts of prizes paid, the name of the prize winner, and the city, village, or county where the prize winner resides;

(10) With respect to public utilities and except as provided in sections 43-512.06 and 70-101, personally identified private citizen account payment information, credit information on others supplied in confidence, and customer lists;

(11) Records or portions of records kept by a publicly funded library which, when examined with or without other records, reveal the identity of any library patron using the library's materials or services;

(12) Correspondence, memoranda, and records of telephone calls related to the performance of duties by a member of the Legislature in whatever form. The lawful custodian of the correspondence, memoranda, and records of telephone calls, upon approval of the Executive Board of the Legislative Council, shall release the correspondence, memoranda, and records of telephone calls which are not designated as sensitive or confidential in nature to any person performing an audit of the Legislature. A member's correspondence, memoranda, and records of confidential telephone calls related to the performance of his or her legislative duties shall only be released to any other person with the explicit approval of the member;

(13) Records or portions of records kept by public bodies which would reveal the location, character, or ownership of any known archaeological, historical, or paleontological site in Nebraska when necessary to protect the site from a reasonably held fear of theft, vandalism, or trespass. This section shall not apply to the release of information for the purpose of scholarly research, examination by other public bodies for the protection of the resource or by recognized tribes, the Unmarked Human Burial Sites and Skeletal Remains Protection Act, or the federal Native American Graves Protection and Repatriation Act;

(14) Records or portions of records kept by public bodies which maintain collections of archaeological, historical, or paleontological significance which reveal the names and addresses of donors of such articles of archaeological, historical, or paleontological significance unless the donor approves disclosure, except as the records or portions thereof may be needed to carry out the purposes of the Unmarked Human Burial Sites and Skeletal Remains Protection Act or the federal Native American Graves Protection and Repatriation Act;

(15) Job application materials submitted by applicants, other than finalists, who have applied for employment by any public body as defined in section 84-1409. For purposes of this subdivision, job application materials means employment applications, resumes, reference letters, and school transcripts, and finalist means any applicant who is offered and who accepts an interview by a public body or its agents, representatives, or consultants for any public employment position; and

(16) Social security numbers; credit card, charge card, or debit card numbers and expiration dates; and financial account numbers supplied to state and local governments by citizens.

Source:

Laws 1979, LB 86, § 5
Laws 1983, LB 108, § 1
Laws 1983, LB 565, § 1
Laws 1993, LB 579, § 6
Laws 1993, LB 590, § 6
Laws 1993, LB 719, § 2
Laws 1994, LB 1061, § 7
Laws 1994, LB 1224, § 88
Laws 1995, LB 343, § 7
Laws 1995, LB 509, § 6
Laws 1999, LB 137, § 1
Laws 2002, LB 276, § 7
Laws 2004, LB 236, § 1

Laws 2004, LB 868, § 3
Laws 2005, LB 361, § 37
Effective date April 28, 2005.

Cross References:

Patient Safety Improvement Act, see section 71-8701.

Unmarked Human Burial Sites and Skeletal Remains Protection Act, see section 12-1201.

Annotations:

Court upheld Attorney General's refusal to disclose requested documents pursuant to subsections (4) and (5) of this section. *State ex rel. Sileven v. Spire*, 243 Neb. 451, 500 N.W.2d 179 (1993).

~ Revised Statutes Supplement 200

NEBRASKA STATE HISTORICAL SOCIETY **INSTITUTIONAL VALUES AND CODE OF ETHICS**

VALUES

Nebraska's history is an essential part of the fabric and identity of the state. The Nebraska State Historical Society (NSHS), the state's leading—and official—historical organization's mission recognizes and adheres to these institutional values as it seeks to interpret and preserve that history:

Preservation

Preservation of Nebraska's past is important; it is our legacy. In everything we do we strive to balance preservation of the state's historical resources with the need for public access to them.

Public Service

We exist to serve the people of Nebraska. As stewards of public resources the NSHS seeks to interpret Nebraska history to enrich and enlighten all. Through public access and a wide range of services we hope to promote inquiry, dialogue, diversity of opinion and support.

Trust

The NSHS staff and trustees are committed to meeting the highest standards of personal integrity and professional ethics.

Excellence

We recognize and value the talent, expertise and contributions of all NSHS staff and trustees, and together we strive to meet the highest professional standards.

CONDUCT

The Nebraska State Historical Society's reputation for integrity is its most valuable asset. The trustees, staff, and volunteers of the NSHS recognize that their first duty to the institution is to act in all things in a manner that merits public trust and confidence.

Trustees, staff, and volunteers of NSHS shall observe the highest standards of honesty and good faith in all transactions touching their duties to the NSHS. They shall not use their positions with the NSHS, directly or indirectly, for private gain, or to obtain favors or benefits for themselves, members of their families, or any other persons.

The following statements are meant to define the relationship between the NSHS and its trustees, staff, and volunteers.

1. NSHS trustees, staff, and volunteers have both the right and the obligation to present information related to Nebraska history and culture, regardless of format.
2. NSHS trustees, staff, and volunteers have the right to use their own time to any legitimate purpose they choose.
3. The NSHS has the right to expect its trustees, staff, and volunteers to conduct themselves in a manner that supports the mission of the institution and protects its public reputation and credibility.
4. NSHS trustees, staff, and volunteers are obligated to insure that their personal publications, speeches, or other activities are not construed to be the policies or opinions of the NSHS.

DISCLOSURE

Disclosure is fundamental to understanding and dealing with potential conflicts of interest. Disclosure provides an opportunity to examine a proposed activity to determine whether an actual or potential conflict of interest may exist and if so, to resolve it in a manner that is mutually satisfactory to both the NSHS and to the individual.

Each trustee shall disclose to the board any personal, business, or organizational interests and affiliations that could be construed as a conflict of interest. This disclosure shall be made at the time any conflict or potential conflict of interest becomes apparent. Trustees shall abstain from voting on any issue where a conflict of interest may exist.

NSHS staff must disclose personal professional activities, outside employment or consulting, and private collecting to their division head. Disclosure must occur prior to concluding agreements or contracts, or beginning actual participation in such activities. In the case of personal collecting, disclosure shall occur at the time of employment, or at other times as designated by the director. If actual or potential conflicts of interest cannot be resolved, the matter shall be brought to the NSHS director. If the issue remains unresolved to the satisfaction of all involved parties, the advice and counsel of the Nebraska Accountability and Disclosure Commission shall be sought.

CONFLICT OF INTEREST

Conflict of interest, either real or apparent, may exist whenever proposed activities of NSHS staff fall within the mission of the Nebraska State Historical Society. Broadly stated, the mission of the NSHS is "to collect, preserve, research, and interpret the history of Nebraska."

Conflict of interest for trustees, staff, and volunteers may include (but is not limited to) these considerations:

1. Converting NSHS property to private purposes or using NSHS personnel, equipment, or supplies in private endeavors.
2. Using their positions or confidential NSHS information for financial or other personal gain, or in any way contrary to the best interests of the NSHS. (Holding office in, or being recognized by, professional organizations with which the NSHS has a supporting or cooperating relationship shall not be construed as using NSHS employment for personal gain.)
3. Soliciting or proselytizing for charitable, religious, public service, or other organizations during duty hours (for staff) or using in anyway the name of the NSHS for the benefit of such organizations.
4. Competing with or impeding the NSHS's mission.
5. Participating in the solicitation of bids or in the awarding of contracts that may result in financial or personal gain to the trustee, employee, or volunteer: to members of their family, or to a business with which they may be associated. For staff, advertising or soliciting for private consulting or outside employment of any type wherein the advertisement or solicitation refers to their employment with the NSHS.
6. Accepting any economic opportunity under circumstances in which there is a significant possibility the opportunity is being provided to influence the individual's conduct in the performance of official NSHS duties.
7. Advertising or endorsing, whether or not compensation is received, any product or service in which the advertisement or endorsement refers to an individual's association with the NSHS.

OBLIGATIONS

Trustees

Trustees, while serving on the board, shall be prudent in the acquisition, retention, and/or disposition of their personal collections, and shall not engage in collecting activities or in the investing or selling of artifacts and historical objects to their own advantage if such advantage is gained through the exploitation of their positions at the NSHS. Items from the NSHS collections, including deaccessioned items, shall not be given, sold, or otherwise transferred, publicly or privately, to trustees, or their immediate families or representatives.

Each trustee is obligated to maintain a concerned and committed involvement in its governance. Each trustee must be willing to stay informed on NSHS matters, faithfully attend meetings, participate in committee activities, and support measures as may be requested by the President and/or the full board.

Staff

Staff members are obligated to conduct themselves in a manner that supports the mission of the institution and protects its public reputation and credibility. Additional guidelines and standards for staff conduct are itemized in the State of Nebraska Personnel Rules and Regulations.

A. Appraising

- NSHS staff may not appraise, either for a fee or as a service, objects or property of the type collected by or associated with the operation of any department of the NSHS. Reporting or otherwise making available prices or values reflected in published lists, catalogs, or auction reports does not constitute appraisal.

B. Collecting

- Dealing or brokering in items and materials represented in the NSHS's collections is prohibited for NSHS staff. NSHS staff may not compete with the NSHS in any personal collecting activity involving items that the NSHS (if given the opportunity) might choose to acquire under its mission statement and/or formal acquisition policies. Excepted are books or periodicals generally available for purchase by the public.
- Collecting by staff of items or materials generically similar to those within the NSHS's collections should be done with care to maintain the necessary distinction between staff' official and private activities. The utmost discretion must be exercised to insure that no real or apparent conflict of interest arises between an employee collecting for him/herself and the NSHS.
- NSHS staff shall inform the appropriate division of personal acquisitions in which the NSHS might have an interest based on its mission statement and/or formal acquisition policies. The NSHS reserves the option, for a period of ninety days after being informed of such acquisition by an employee, to purchase the item(s) at the same price paid by the employee, including reimbursement of associated costs such as admissions and transportation.
- NSHS staff or members of their immediate families (spouse, children, parents, or others bearing the same relation to a spouse) may not acquire any item or materials from the collections of the NSHS even if they have been formally deaccessioned.
- NSHS staff may not have in their homes any item or materials from the NSHS's collections or otherwise owned by the NSHS except during the performance of official NSHS business.

C. Consulting/Outside Employment

- Consulting in any area of Nebraska history for individuals, organizations, or agencies within the state is part of the NSHS's mission. NSHS staff are expected to provide such services as part of their regular duties as time and resources allow.
- Private consulting within the state on any topic relating to Nebraska history may be a conflict of interest. Private consulting done out of state that uses the name of the NSHS or the title of any NSHS employee may also be a conflict of interest. Private consulting within or outside the state may be undertaken only with permission of the employee's division head and the NSHS director.
- Projects falling within the NSHS's mission that the NSHS chooses not to perform may be undertaken by a NSHS employee, subject to a case-by-case approval by the NSHS director.
- As time and resources allow, NSHS staff may engage in professional consulting under the auspices of organizations or institutions with which the NSHS has a supporting or cooperating relationship including, but not limited to AAM, AASLH, or SAA. When such professional consulting is undertaken on the employee's own time, the employee may accept reasonable honoraria and reimbursement of travel and other expenses.
- NSHS staff may undertake outside employment as permitted in the State of Nebraska Personnel Rules and Regulations. Care must be taken, however, to prevent conflicts with regular duty hours, public service, any applicable union contracts, and other interests of the NSHS. The employee's supervisor and the NSHS director shall be informed of the employee's intent to accept such employment.
- Outside employment or teaching that uses the name of the NSHS or the title of the employee or that otherwise draws upon NSHS resources may constitute a conflict of interest. Outside employment for which the employee is qualified by reason of his/her affiliation with the NSHS may constitute a conflict of interest. Such employment may be undertaken only with permission of the employee's supervisor and the NSHS director.

D. Gifts

- The acceptance of gifts by NSHS staff from sources outside the NSHS shall be governed by the rules and guidelines established by the Nebraska Accountability and Disclosure Commission.

E. Referrals of Vendors

- NSHS staff shall be circumspect in referring the public to commercial vendors of goods and services such as appraisers, restorers, or dealers. Whenever possible, the names of more than a single source should be provided so that no appearance of personal favoritism is created, along with a verbal or written disclaimer that providing such a list does not constitute an endorsement. To the extent possible the NSHS will keep standard lists of providers of goods and services.

F. Speaking

- Public speaking to groups, organizations, or agencies on topics of Nebraska history is part of the NSHS's mission. NSHS staff are expected, as part of their duties, to provide such services as time and resources allow. When speaking is undertaken as part of an employee's regular work schedule or assignment and supported by the expenditure of NSHS funds or the use of NSHS resources, the employee may not accept personal payment or reimbursement of travel and other expenses.
- When public speaking engagements are prepared for and undertaken outside an employee's regular work schedule and assignment, and travel and other expenses are not provided by the NSHS, the employee may accept reasonable honoraria and/or reimbursement for travel and other expenses. In such cases the employee's division head and the NSHS director shall be notified.

G. Writing and Publishing

- The publication and other dissemination of information about Nebraska history is an important part of the NSHS's mission. NSHS staff are encouraged and expected as part of their duties to engage in writing and publishing as time and resources permit.

- NSHS staff may accept payment for articles, books, or other publications written outside of regular work schedules or assignments and utilizing material or data gathered as part of their duties with the NSHS, subject to the following limitations:
 - The employee's activities at the NSHS must not be conducted so as to benefit personal research. Regular work assignments must be given priority.
 - The employee's supervisor and the NSHS director must be notified of all such outside research, writing, or publication projects, including those for which no payment is received (excluding book reviews for scholarly journals), if the project is in any way related to the employee's NSHS affiliation.

Volunteers and Emeritus Trustees

Volunteers are obligated to conduct themselves in a manner that supports the mission of the institution and protects its public reputation and credibility.

Appendix 7

Nebraska State Historical Society

Policy and Procedures for Evaluating and Making Decisions Concerning the Acquisition of Historic Properties*

This policy was formally adopted by the NSHS Board of Trustees on June 9, 2006.

Preface: As Nebraska's designated historical agency, the Nebraska State Historical Society (NSHS) is approached periodically about accepting gifts of or purchasing historic properties. These may be properties with archaeological, historical or architectural significance in and of themselves. They may also be unimproved or improved properties that support a property of significance by providing for buffer zones, for preservation of sight lines, for parking, etc. An easement acquired by the State is a third type of interest that is addressed in this policy.

The NSHS's Board of Trustees has adopted the policy and procedures as contained in this document for the purpose of guiding the NSHS as it considers initiating action through which the State of Nebraska would acquire historic properties of significance to the people of Nebraska as defined below. It is intended that this policy be consistent with all applicable state laws, policies, and procedures.

Definition of Eligible Properties. For the purpose of these guidelines, an eligible property is one that has archaeological or historical significance for the people of Nebraska and possibly for the American people as a whole. In particular, a property considered for acquisition by the State of Nebraska, will in one or more significant and demonstrable ways, illustrate and reflect important aspects of the history of Nebraska, and its people as determined from time to time by the Board of Trustees of the NSHS.

Further Guidelines for Eligibility. When the State acquires a property with historic or archaeological significance it is considered to be of value in perpetuity. The cost of long-term operation and maintenance of these significant properties is clearly a matter of concern. In that regard, the NSHS expects that properties to be acquired have either considerable local support, that may range from financial assistance, to promotion and publicity, to a duly organized not-for-profit organization that could be considered for operating the property on a contract with the NSHS. A second means of support is the establishment of an endowment to support maintenance and operations in perpetuity.

Accessibility. The property, if it is considered for acquisition for a public interpretive or museum purpose, will have reasonable public access and sufficient parking for automobiles and buses. It will meet ADA access requirements or be capable of meeting those requirements for first floor entry at a minimum.

National Register of Historic Places: The property may very well be listed on or eligible for the National Register of Historic Places, but such a listing, or potential listing, does not in itself qualify a property for acquisition under these guidelines

Identification of Eligible Properties: The director of the NSHS serves as the State Historic Preservation Officer and the NSHS Historic Preservation staff researches and maintains records on historic and archaeological properties throughout Nebraska. The staff is therefore trained and ready to provide a variety of information to the NSHS Board of Trustees and officials of the State of Nebraska. as to the relative historical or archaeological value of properties under consideration for acquisition.

Initiation of Action to Acquire: Action may be initiated by the NSHS, or it may be initiated by an owner of a property, or by the agent of such owner of a property in approaching the NSHS.

Steps in the Course of Acquiring an Eligible Property:

- Prioritization: The Board of Trustees of the NSHS is responsible for determining whether any property under consideration of acquisition by the NSHS is of sufficient value so as to be given priority over other properties in terms of theme, condition, location, etc.
- Implications of Acquisition. Prior to proceeding to the review step, the NSHS Board of Trustees shall consider the implications, including operating costs, should the State acquire the property.
- Examination of the Property. The NSHS's review of the property will include examining its title, ownership, easements, environmental issues, physical condition, architectural significance, presence of archaeological resources, location, access, surrounding property, etc. There shall be thorough analysis and review undertaken by

the NSHS staff assisted by appropriate professional staff from outside of the NSHS if necessary. This shall be done in a timely manner with a six-week time frame as the goal for a report.

- Operating considerations. The NSHS's Director and staff shall prepare a conservative projected annual operating budget for the property beginning with the basic care of the property including insurance, fencing, staffing, etc. as well as the cost for exhibitions, educational programming, and the care of artifacts that would be acquired with the property. The plan shall include any income that the property could generate.
- Review by the Board of Trustees. The NSHS Board of Trustees shall review the report and make a determination as to whether the NSHS should proceed to the next step.
- Acquiring the Property. If directed by the NSHS Board, the Director/CEO of the Society shall proceed to discuss the possibility of acquiring the eligible property with state officials including the office of the Governor, the members of the Unicameral beginning with the senator in whose district the property lies, and appropriate divisions of the Nebraska Department of Administrative Services (DAS) including the Building Division and the 309 Task Force for Building Renewal. The 309 Task Force will be asked to investigate the condition of the property in accordance with the Policies & Procedures of the 309 Task Force for Building Renewal.
- Preparation and Introduction of Legislation: Following the reviews noted here, the Society would consult with, at a minimum, the senator in whose district it lies in regard introducing a legislative bill for acquisition, and in consultation with the senator should proceed to prepare legislation to authorize acquisition of the property.
- Negotiation and Acquisition: The process would vary by site, form of funding, and interest in selling on the part of the owner.
- Acquisition of Supporting Properties and Easements (for properties not in themselves historical)
 - Supporting properties. Eligible properties for the purposes of this policy shall also include properties, improved or unimproved, that will provide support for an NSHS museum or archaeological site. That support could include, but would not be limited to, providing enhanced protection from encroachment and from visual, noise and other modern intrusions on properties now owned by or defined as priorities by the NSHS. It could also include off-street parking, space for a visitors center or other supporting feature for the historical property. In the case of these properties, these guidelines are not applicable in so far as they define an eligible property, but the acquisition process would follow these guidelines.
 - The acquisition of easements. An easement held by the NSHS to protect the exterior of an historic building, the special character of its setting and surroundings, its archeological resources, does represent an interest in a piece of property.

A Role for the Nebraska State Historical Society Foundation: The NSHS Foundation is a private not for profit organization which has as its mission, raising financial resources from private sources that will support the NSHS mission of collecting, preserving and opening to all, the history of Nebraska and Nebraskans. It is empowered to take, hold and manage improved and unimproved real estate of value to the work of the NSHS.

*Note: This document presents a policy for going forward and is not meant to reflect an in-place system for evaluating potential properties.

Nebraska State Statutes referenced: LB 81-173, LB309 Task Force for Building Renewal Act and NSHS 82-101-136.

Appendix 8

NAGPRA Compliance Policy

The Nebraska State Historical Society acknowledges the importance of the Native American Graves Protection and Repatriation Act (NAGPRA) and agrees to comply with all aspects of the act and to work cooperatively with all tribes to determine which artifacts fall within the scope of the NAGPRA. NAGPRA was enacted on November 16, 1990 to formally affirm the rights of lineal descendants, Indian tribes, and Native Hawaiian organizations to custody of Native American human remains, funerary objects, sacred objects, and objects of cultural patrimony that are in the control of federal agencies and museums. The Nebraska State Historical Society also acknowledges that it is a federal offense to sell, purchase, or use for profit Native American human remains, funerary objects, sacred objects, and objects of cultural patrimony (in certain situations), and will not participate in, encourage, or endorse said activities. Additionally, if such activities come to the attention of Nebraska State Historical Society employees these activities will be reported to the appropriate authorities.

HUMAN REMAINS: The physical remains of a person of Native American ancestry.

FUNERARY OBJECTS: Items that, as part of the death rite or ceremony of a culture, are reasonably believed to have been placed intentionally (at the time of death or later) with, or near, individual human remains.

SACRED OBJECTS: Specific ceremonial objects needed by traditional Native American religious leaders for the practice of traditional Native American religions or their present-day adherents.

OBJECTS OF CULTURAL PATRIMONY: Items having ongoing historical, traditional, or cultural importance to the Indian tribe or Native Hawaiian organization itself, rather than property owned by an individual tribal member. These objects are of such central importance that they may not be alienated, appropriated, or conveyed by an individual tribal member.

Appendix 9

Curator of Anthropology, Archeology

Oversees the Archeological Collections of the Archeology Division. Responsibilities include all physical and intellectual activities relating to management of archeological materials and associated records belonging to or being stored by the Archeology Division. Receives archeological materials recovered by NSHS archeologists and supervises appropriate processing. Supervises and trains archeological laboratory staff, work-study, interns, and volunteers in appropriate methods of processing soil samples, as well as, cleaning, sorting, identifying, and cataloging archeological specimens. Maintains archeological sites database. Performs site searches upon request from archeological contractors and researchers. Coordinates all loans of archeological materials. Contributes to development of agency-wide collections policies and plans, serves on curator's committee and other agency-wide committees as needed. Promotes NSHS archeological collections and other collection resources to outside groups through tours and presentations as requested. Assists researchers as required. Coordinates maintenance, environmental monitoring, and IPM program for all spaced leased on third floor of the Lincoln Children's Museum, the archeological collections storage area, and the archeological equipment storage area.

Curator, Library

Oversees the Library of the Library/Archives Division. Responsibilities include all duties relating to library technical services, library collection development and acquisition of library materials; pre-cataloging, preservation, storage, and reappraisal/deaccessioning of all library materials as well as management of the library automation system (cataloging and OPAC). Identifies library materials needing conservation work and consults with the Paper Conservator as needed as well as overseeing holdings maintenance and binding of library materials. Monitors acquisition budget for Library/Archives Division. Supervises section staff, volunteers, work-study students, and interns. Contributes to development of agency-wide collections plan, serves on curator's committee and other agency-wide committees as needed (including, but not limited to, search committees, exhibits committees, disaster preparedness/planning committee, etc.), and assists with space planning as needed. Promotes NSHS library collections and other collection resources to outside groups through tours and presentations as requested. Assists researchers in the NSHS Reference Room as required with emphasis on library research materials for historians and genealogists. As of 2006, job duties also include being statewide cemetery registry coordinator.

Curator, Manuscripts

Oversees the Manuscript section of the Library/Archives Division. Responsibilities include all duties relating to private manuscript collection development, acquisition, arrangement, description, preservation, storage, and reappraisal/deaccessioning as well as management of the associated collection records and supervision of collection data management system. Identifies manuscript materials needing conservation work and consults with the Paper Conservator as needed. Supervises section staff, volunteers, work-study students, and interns. Contributes to development of agency-wide collections plan, serves on curator's committee and other agency-wide committees as needed (including, but not limited to, search committees, exhibits committees, disaster preparedness/planning committee, etc.), and assists with space planning as needed. Promotes NSHS manuscript collections and other collection resources to outside groups through tours and presentations as requested. Assists researchers in the NSHS Reference Room as required.

Curator, Public Records

Oversees the Public Records section of the Library/Archives Division. Responsibilities include all duties relating to public records collection development, acquisition, arrangement, description, preservation, storage, and reappraisal/deaccessioning as well as management of the associated collection records and supervision of collection data management system. Identifies public record materials needing conservation work and consults with the Paper Conservator as needed. Supervises section staff, volunteers, work-study students, and interns. Contributes to development of agency-wide collections plan, serves on State Historical Records Advisory Board and other agency-wide and outside committees as needed. Assists the State Archivist with space planning as needed. Promotes NSHS public record collections and other collection resources to outside groups (including, but not limited to, County, State and local Township officials) through seminars and presentations as requested. Assists researchers in the NSHS Reference Room as required.

Curator, Visual and Audio Collections

Oversees the Visual and Audio Collections section of the Library/Archives Division. Responsibilities include all duties relating to collection development, acquisition, arrangement, description, preservation, storage, and reappraisal/deaccessioning of still photographs, moving images and sound recordings, as well as management of the associated collection records. Conducts preservation tasks and reformats visual and audio materials for use. Maintains AV Lab. Supervises section staff, volunteers, work-study students, and interns. Contributes to development of agency-wide collections plan, serves on curator's committee and other agency-wide committees as needed (including, but not limited to, search committees, exhibits committees, disaster preparedness/planning committee, etc.), and assists with space planning as needed. Promotes NSHS visual and audio collections and other collection resources to outside groups through tours

and presentations. Provides reference services for moving images and sound recordings. Assists researchers in the NSHS Reference Room as required.

Senior Museum Curator

Oversees the physical care of the museum collections and management of the collection records including monitoring of the environmental conditions, supervision of computer data management system, contribution to development of agency-wide collections plan, serve on curator's committee, oversight of MNH and Site IPM plans, continuing planning for improving our collection storage methods, grant writing to meet long-range collection preservation goals, pursuit of new ways to make our collections, and collection information, available to the public. Supervision of department staff, volunteers, work-study students, and interns. Continues to implement repatriation legislation as needed. Serves on museum exhibits team and supervises the identification and preparation of artifacts for exhibit. Supervise the museum accession/deaccession processes. Participates in museum division management team.

Museum Registrar

Accessions donated material into collection, which includes corresponding with donor, cataloging objects, numbering objects, and entering information into the computer. Maintains the museum collection database and provides reports from such as necessary. Maintains, updates, and monitors departmental loans and accompanying paperwork. Assists with development of departmental policies and procedures and with duties associated with exhibit installation and collections preservation. Supervises volunteers, interns & work-study students. Responds to inquiries about the museum collection from the public and staff. Serves on curator's committee and other divisional or agency-wide committees as requested.

Appendix 10: NSHS Staff with Collection Responsibilities

	<i>Fiscal</i>	<i>Policy</i>	<i>Documentation</i>	<i>Acquisition</i>	<i>Deaccession/ Disposal</i>	<i>Access to Collection Storage</i>	<i>Artifact Handling</i>	<i>Preservation</i>	<i>Loans/Temp Custody</i>	<i>Maintenan /Securit</i>
Board of Trustees	✓	✓								
Director/CEO	✓	✓		✓	✓					
Deputy Director of Operations	✓									✓
Security personnel						✓				✓
Maintenance personnel						✓				✓
Associate Director, Museum and Historic Sites Division	✓	✓		✓	✓	✓	✓			
Curator II	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓
Curator I		✓	✓	✓	✓	✓	✓	✓		

Museum Registrar		✓	✓	✓	✓	✓	✓		✓	
Museum Registrar/Secretary						✓	✓			
Artist I							✓			
Curator II, Fort Robinson						✓	✓			✓
Curator, Kennard House							✓			✓
Tourism Facility Operator, Chimney Rock V.C.							✓			✓
Tourism Facility Operator, Norris House							✓			✓
Tourism Facility Operator, Neligh Mills							✓			✓
Associate Director, Library/Archives Division	✓	✓		✓	✓	✓	✓	✓		
Curator, Visual & Audio Collections	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓
Curator, Library	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓
Curator, Public Records	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓
Curator, Manuscripts	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓
Curator, Reference	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓
Asst. Curators, Collections			✓	✓	✓	✓	✓	✓	✓	✓
Asst. Curators, Reference			✓			✓	✓	✓		✓
Registrar			✓			✓	✓	✓		
Printing Technician			✓			✓	✓	✓		
Microfilm Clerk			✓			✓	✓	✓		
Associate Director, Archeology Division	✓	✓		✓	✓	✓				
Curator Arch./Supervisor	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓
Arch. Tech.			✓			✓	✓	✓		✓
Associate Director, Conservation Division							✓	✓		
Objects Conservator			✓				✓	✓		
Paper Conservator			✓				✓	✓		