



6.4 *Policy for the Display of Faculty and Student Works of Art in Public Spaces at USD*

Policy

As an academic institution of higher education, the University of San Diego is committed to creating and maintaining an environment that supports the works of art of its faculty and students. Through this creative work, the University and its faculty and students seek to educate and enrich the lives of students, faculty, staff, alumni, visitors, and the external community. Faculty and student works of art also serve as a means to give visual and physical form to USD's commitment to advancing academic excellence, promoting knowledge and inquiry, and respecting academic freedom (see the University's Policy on Academic Freedom).

Scope

This policy governs the temporary display in on-campus public spaces of works of art that arise from student and/or faculty research, creative work activity, or coursework.

This policy does not apply to the following:

- Exhibitions organized or overseen by University Galleries.
- Exhibitions in any of the venues established on campus for the exhibition of artwork, including but not limited to the Student Life Pavilion Exhibit Hall, the Fine Arts Galleries at the KIPJ, the Hoehn Family Galleries, the David May Gallery, the Humanities Center Gallery, or the Visual Arts Center Gallery.
- The permanent or semi-permanent installation of commissioned, donated, or loaned works.
- Displays by student organizations or other campus groups or individuals to celebrate, raise awareness, or protest.
- Displays in spaces that are shared by employees or students (e.g. office reception areas, student organization lounges, shared space in residence halls) but are not spaces open to the general public.
- Displays in private working or living spaces on campus.
- Displays on, at, or within The Immaculata Church or Founders Chapel.

Requests for displays in spaces that are not covered by this policy should be directed to the department responsible for the space or to the Director of University Design.

Public Art Committee

At or near the start of each academic year, the University will establish a Public Art Committee for the purpose of performing responsibilities under this policy.

The Public Art Committee is made up of the following members: a member of the full-time tenured faculty appointed by the University Senate; a student representative appointed by the Associated Students student art organization The Basement Society (or its successor); the Chair of the Art Department (or the Chair's designee); a representative of the Provost's Office, appointed by the Provost; the Director of University Galleries; and the Director of University Design. In the case of the first four members named, the appointing authority also will name an alternate to sit temporarily on the Public Art Committee in the event that the person initially named is unable to meet at the appointed time. The chair of the Public Art Committee will be a tenured faculty member.

Submission, Review and Approval of Proposals

Proposal Submissions

A student or faculty member who wishes to exhibit a work of art (the "artist") will submit a written proposal to the Director of University Design¹. The written proposal must be submitted in the form approved by the Public Art Committee. The written proposal shall include the artist's name and contact information, the faculty sponsor's (if any) name and contact information, the artist's academic department affiliation(s), the exhibit's title, the medium and materials used for the exhibit, a brief description of the exhibit, the proposed location of the exhibit, the proposed exhibition date(s), any proposed signage, and any other information as required in the proposal form. Proposals should be submitted with as much advance notice as possible, and preferably at least fifteen (15) calendar days in advance of the first date of the proposed exhibit.

Displays must be scheduled to take place at a location and time that will not interfere with instruction, research, administration, or other scheduled events at the university. The artist may propose as a location for the exhibit any space on campus that is open to the general public.

A proposal typically should contemplate an exhibit for a time period of one week or less. However, proposals for a period of time that exceed one week may be considered if an extended display timeframe is essential to the form or meaning of the exhibit.

Visible signage or labels identifying the artist and the work of art must be included with any approved exhibit. Where a visible sign or label is contrary to the artistic purpose of the work, alternative methods of identification will be considered as part of the proposal and approval process.

¹ The president may identify a designee to carry out the responsibilities of the Director of University Design under this policy. Any such designee shall be identified in a written notification to the Chair of the Public Art Committee.

Review and Approval of Proposals

The Director of University Design will share all submitted proposals with the Chair of the Public Art Committee. The Director of University Design also will notify other university departments (e.g. Risk Management, Facilities Management) as appropriate in order to evaluate the proposal. At his or her discretion, the Director of University Design may convene the Public Art Committee to discuss and evaluate a proposal. Proposals will be considered on a content-neutral basis.

The Director of University Design is responsible for approving or denying the proposal, and may approve the proposal in part and deny the proposal in part. If a proposal will be denied in whole or in part, the Director of University Design will consult in advance with the Chair of the Public Art Committee, and before a final decision is made, the Director of University Design will communicate, in writing, with the artist about possible modifications to the proposal that could be agreed upon to facilitate the approval. The final decision on the proposal will be made in a timely fashion and in writing to the artist. If the proposal is denied, a written explanation with the reason for the denial will be provided to the artist.

The approval of an exhibit does not include the ability to engage in unlawful activity or activity that violates University policy; the destruction of property; activity that endangers the safety or well-being of any person; activity that impedes the ability of others to participate in an event (such as a lecture, ceremony, or performance); or activity that interferes with instruction, research, administration, or other scheduled events at the university. A previously-approved exhibit may be denied or deinstalled at an earlier date if any such conditions arise.

Approval of a proposal under this policy does not constitute the expressed or implied endorsement by the University of the views expressed in the exhibit.

Deinstallation

The artist is responsible for ensuring that all elements of the exhibit are deinstalled by the agreed upon removal date and that the site is restored to its original condition. An exhibit that is not removed by the artist by the agreed upon deadline may be removed by the University. The artist may be responsible for any actual costs of time, labor and/or materials to remove the exhibit and/or restore the site to its original condition. If the University deinstalls the exhibit, the artist must collect the artwork within 10 business days of notice of the deinstallation; otherwise, the University may dispose of the artwork at its discretion. By submitting a proposal under this policy, the artist consents to the University's disposal of the artwork pursuant to the terms of this policy.

Appeals

If a proposal is denied in whole or in part by the Director of University Design, the decision may be appealed by the artist to the Public Art Committee. The appeal must be made in writing within 10 calendar days of the decision. The Public Art Committee will review the appeal. The appeal will not include a formal hearing, although the Public Art Committee, in its discretion, may gather information in writing or through in-person

meetings with the parties involved. Following its review, the Public Art Committee will recommend to the Provost whether to grant the appeal, deny the appeal, or implement other modifications to the proposed exhibit. The Provost's decision on the appeal will be final and will be communicated in writing to the artist and to the Public Art Committee.

Enforcement

A violation of this policy may result in disciplinary action, in accordance with the policies and procedures applicable to the individual(s) involved.

(October 23, 2018)