

ACQUIRING TEMPORARY AND PERMANENT WORKS OF ART POLICY AND GUIDELINES FOR THE CESAR CHAVEZ STUDENT CENTER

BACKGROUND AND PURPOSE.....	1
POLICY STATEMENT.....	2
APPLICABILITY OF THE POLICY.....	2
DEFINITIONS.....	2
GUIDELINES AND PRINCIPLES FOR ACQUIRING WORKS OF ART.....	3
CRITERIA AND MEANS OF REVIEWING PROPOSALS AND ART ACQUISITION.....	3
RESPONSIBILITY OF ALL APPROVAL ENTITIES ASSOCIATED.....	5
Associated Students Board of Directors.....	6
Students Facilities and Services Council.....	6
Associated Students Ad-Hoc Committee.....	6
Associated Students Staff.....	6
Responsibilities of the Associated Students Board of Directors and the University President.....	7
Allocation of Funding.....	7
Supplemental Funding for Acquiring Works of Art.....	7
Administrative Costs.....	8
Art Budget.....	8
Consultants.....	8
Artist Recruitment and Selection Process.....	9
Artist Selection Procedure.....	9
Method of Selection.....	10
Eligibility.....	10
Public Participation.....	11
Contractual Obligations.....	11
Determining Artist Fee.....	11
ADDRESSING CONCERNS.....	11
Committee Level.....	11
Board Level.....	12
LOCATION AND GUIDELINES FOR EXTERNAL WORKS OF ART.....	13
ROTATIONAL GUIDELINES.....	13
INQUIRIES ON SUBMITTING PROPOSALS CONTACT INFORMATION.....	13
FORMS.....	14
ACQUIRING TEMPORARY AND PERMANENT WORKS OF ART POLICY AND GUIDELINES FOR THE CESAR CHAVEZ STUDENT CENTER APPROVAL AND REVISION HISTORY.....	14

BACKGROUND AND PURPOSE

The objectives of this policy are 1) to ensure any proposed art installation and/or placement inside or on the exterior of the Cesar Chavez Student Center is conducted in an accessible, fair, and timely manner that reflects all the aspects of shared governance, 2) Clearly identify the roles and responsibilities of all approval parties involved, 3) All communications to the public are factual and accurate, 4) All legal, safety, and risk requirements are met, and 5) Associated Students is compliance with all SF State University and CSU regulations and policies.

Associated Students at San Francisco State University supports and encourages a wide range of artistic expression arising from the San Francisco State University Community both at home and abroad. By supporting the identity of artists within the campus community, Associated Students endorses and expresses its support for the individual expression of equity and social justice and shares its perspective of the diverse cultural perspectives indicative of the shared core values of Associated Students and San Francisco State University.

Any acquisition made by Associated Students, both temporary and permanent, shall apply to and meet the policies and guidelines outlined by Associated Students. Associated Students is committed to safety and ensuring a respectful environment to all students, staff, faculty, alumni, and campus visitors; thus Associated Students retains the right to consider restoration, removal, sale, exchange, transport, and/or destroying a work of art. Associated Students may also designate certain works of art permanent or temporary as in accordance with Associated Students policies and guidelines.

POLICY STATEMENT

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APPLICABILITY OF THE POLICY

This policy applies to the interior and exterior of the Cesar Chavez Student Center Facility. It is recommended that this policy be updated every 3 years.

DEFINITIONS

Terms	Definition
Artist Fees	Defined as payment to the artist for professional services, exclusive of the other project costs, such as materials and other labor, studio overhead, travel, and per diem expenses.
External Works of Art	Includes, but is not limited to, paintings, murals, stained glass, statues, bas relief or other sculptures; monuments, fountains, architecture, or other structures of a permanent character intended for ornament or commemoration established within the immediate grounds of the Cesar Chavez Student Center or to be displayed or established on external walls, columns, and/or supports of the Cesar Chavez Student Center.
Internal Works of Art	Includes, but is not limited to, paintings, murals, stained glass, statues, bas relief or other sculptures; monuments, fountains, architecture, or other structures of a permanent character intended for ornament or commemoration including but not limited to interior offices, walls, ceilings, columns, and/or supports of the Cesar Chavez Student Center.
Monuments	Structures, sculptures, or other objects such as a stone marker erected to perpetuate the memory of a person or of an event. Monuments include the inscriptions and/or plaques.
Plaques	Either simple plates, disks, or slab or metal or other material affixed to a statue, ground, wall/stone, or other material with an inscription or ornamentation. Plaques may be installed as a part of a larger, more intrusive setting.
Art	Whether art can be defined has been a matter of debate. For our purposes, Associated Students defines “art” as something that is created with imagination and skill and that is beautiful or that expresses important ideas or feelings consistent with the values of this policy, and is the product of imagination and creativity, particularly in a physical form for the uplift and affirmation of the SFSU campus community.

GUIDELINES AND PRINCIPLES FOR ACQUIRING WORKS OF ART

Associated Students is to actively consider and consistently demonstrate in acquiring works of art the commitment to Associated Students and the University's core values of advocacy, equity, and social justice by:

- Maintaining an inclusive and respectful environment, indicative of all cultures, races, ethnic groups, languages, religions, intellectual and political perspectives, sexual orientation, disabilities, genders, ages, and social and economic classes.
- Advocating for collective student's passions and emphasizing a need for the value of higher education.



- Representing content which promotes community understanding, pride, and solidarity with respect to diversity.
- Facilitating an understanding and safe environment.
- Empowering community members to become informed, responsible, and active members of diverse communities at all levels.

For works of art to be considered in the process of acquisition, both temporarily and permanently, works of art must promote:

- Community
- Dignity of oppressed peoples
- Human rights
- Self determination
- History of resistance to oppression
- Contribution of underrepresented voices
- Equity- equality
- Social Justice
- Multiculturalism
- Student Empowerment
- Collaboration of Campus Networks
- Advocacy

CRITERIA AND MEANS OF REVIEWING PROPOSALS AND ART ACQUISITION

The Facilities & Services Council of the Associated Students Board of Directors shall *use*, but not be limited to the following criteria to be used when considering proposals for potential acquisitions of works of *art*, both external and internal, by either purchase or commission:

- **Inherent Artistic Quality-** To be determined by the collective agreement of either the Facilities & Services Council in accordance to all jurisdictional and operation purview of Associated Students, as well as within the policies and guidelines set forth by Associated Students;
- **Context-** Works of *Art*, both external and internal, must be compatible in scale, material, *form*, and context of their given surroundings. Consideration to the architectural, historical, geographical, social, and cultural context to the site given is necessary for this criteria to be met;
- **Media -** All forms of visual art may be considered. All works of *art*, both external and internal, may be either temporary and therefore portable, or permanently set;
- **Permanence -** Due consideration shall be given to the structural and surface soundness, and to inherent resistance to *theft*, vandalism, weathering, and to excessive maintenance or repair costs;
- **Public Safety-** Each work of *art*, both external and internal, shall be evaluated by relevant authorities to ensure that it does not present a hazard to the at-large public;
- **Diversity-** Associated Students is committed to acquiring artworks that are reflective of diverse cultural communities and perspectives. To that end, the Governing Board shall actively seek artwork from artists of diverse ethnic, sexual, and socio-cultural identities.



- Social Justice -Content that creates awareness, education and recognition of societal struggles for a better world that at present may be unattainable due to disturbing, oppressive conditions within societal norms, and challenges the status quo to aspire towards a prosperous and healthy society for all.
- Equity- A condition in which the political, historical, cultural and legal factors associated with identity, power and privilege are thoughtfully accounted for when developing principles, policies, programs, and procedures such that all individuals receive fair treatment and equal opportunity in both intent and impact, regardless of their identity or background.
- Student Empowerment- A leadership and/or educational practice of sharing information, *data*, resources, authority and power with students so that they have the self-efficacy to impact the conditions of their campus community and as such take initiative, recommend action, and make decisions to solve problems and improve programs, services and outcomes.
- Feasibility- Proposed projects shall be evaluated relative to their feasibility and convincing evidence of the artist's ability to successfully complete the work as proposed. Factors to be considered include, but are not limited to: project *budget*, timeline, artist experience, material quality, etc.;
- Duplication- To assure that the artwork will not be duplicated, the artist(s)
- will be asked to warrant that the work is unique and an edition of one unless stated to contrary in the contract;
- Inclusion -Themes or major concepts of each work of *art*, both external and
- internal, should allow for the inclusion of communities, especially those of on-campus perspectives, communities, organizations, and collectives;
- Collaboration - Special consideration will be given to proposals that demonstrate effective collaboration between recognized student organizations in bringing together differing perspectives towards one common work of *art*, both external and internal.

Prior to selecting a site for the work of *art*, both external and internal, whether purchased or commissioned, Facilities & Services Council, in accordance to all jurisdictional and operation purview of Associated Students, as well as within the policies and guidelines set forth by Associated Students, shall take into consideration, but not be limited, to the following factors in determining the location:

- Visibility;
- Public accessibility;
- Public safety;
- Interior and exterior traffic patterns;
- Relationship between proposed work of *art*, both external and internal, to existing and future architectural features and to natural features;
- Contextual relationship between proposed work of art, both external and internal, to existing and future works of art, both external and internal;
- Functionality of the facility;
- Facility users and surrounding community and interactions of users and community members with proposed artwork;
- Future development plans for the area;
- Overall project goal or concept;
- Landscape design;

RESPONSIBILITIES OF ALL APPROVAL ENTITIES ASSOCIATED

ASSOCIATED STUDENTS BOARD OF DIRECTORS

The Associated Students Board of Directors will be responsible in forming the correct ad hoc sub-committee falling within the established policies and guidelines outlined by Associated Students once an application and/or proposal of acquiring a work of art is formally recognized by the Associated Students Board of Directors. ASSOCIATED

STUDENTS FACILITIES & SERVICES COUNCIL

All proposed art acquisitions will be reviewed by the Facilities & Services Council of the Associated Students Board of Directors. The Facilities & Services Council is charged with reviewing and providing formal recommendation of all proposals measured by the criteria as described in Section II in accordance with jurisdictional and operational purview, approving or denying all proposals presented in a timely manner. The Associated Students Board of Directors shall approve any budget allotments, and approves by resolution all respective committee's recommendations.

Facilities & Services Council Membership is the following:

- (1) Vice President of Facilities & Services (Chair)
- (1) Vice President of Finance
- (4) Members of the Board of Directors
- (1) AS Executive Director or designee (*Advisory*)
- (1) VPSAEM or Designee (*Advisory*)
- (1) Univ. VP Admin & Finance or Designee (*Advisory*)
- (1) University Corporation Executive Director or Designee (*Advisory*)

ASSOCIATED STUDENTS ART AD-HOC COMMITTEE

The art ad-hoc committee is charged with implementation of all Associated Students Board of Directors approved art acquisition proposals in accordance to all jurisdictional and operation purview of Associated Students, as well as within the policies and guidelines set forth by Associated Students.

Art Ad-Hoc Committee membership is the following:

- (1) Member of the Board of Directors (Chair)
- (1) Member of the Board of Directors
- (1) Department of Creative Arts Faculty Member
- (6) Community Members (SFSU Students) (1) Alum
- (1) University Staff Member
- (1) AS Staff Member (*Advisory*)
- (1) AS Executive Director or designee (*Advisory*)

ASSOCIATED STUDENTS STAFF

The Executive Director (or his/her designee) is responsible for the overall management of all art acquisition projects from inception to completion. These responsibilities shall include, but not be limited to, the following:

1. Working with relevant and appropriate organizations to develop project guidelines, criteria, and budget for each project and facilitate intra-campus communication and interaction throughout the life of the project, both internal and external;
2. Develop and implement artist recruitment plan if the artist has not been previously established through a Board resolution;
3. Review applicant materials and qualifications of artists; pre-screen artist applicant pool to select and present a slate of qualified candidates to be reviewed by respective committee in regards to jurisdictional and operation Associated Students policies and guidelines;
4. Assist artist(s) in preparing materials for presentation;
5. Solicit review, comment, and *for* approvals for proposed works of art from University Departments as necessary regarding safety, feasibility, and maintenance issues for submission to the respective committee in regards to jurisdictional and operation Associated Students policies and guidelines;
6. Provide advice to the respective committee in regards to jurisdictional and operation Associated Students policies and guidelines regarding proposed acquisitions of works of art, both internal and external. Review and advise as needed:
 - a. Provide historical overview;
 - b. Longevity and maintenance issues;
 - c. Public Safety and nuisance issues;
7. Negotiate and administer contracts; review and approve general contractor bid documents as they pertain to the implementation of the work of art, both internal and external;
8. Prepare and distribute publicity concerning the work of art; crediting the Associated Students Board of Directors and the artist(s) in all media releases, announcements, or any public document or release concerning the work of art, both internal and external.

RESPONSIBILITIES OF THE ASSOCIATED STUDENTS BOARD OF DIRECTORS AND THE UNIVERSITY PRESIDENT

No work of art shall be contracted for or become the property of Associated Students by purchase, gift or otherwise unless such works of art, or a design or model of the same as required by the Associated Students Board of Directors, together with the proposed location of such works of art, shall first have been submitted to and approved by the Associated Students Board of Directors.

No work of art shall be permanently placed or erected within the Cesar Chavez Student Center building unless such works of art, or a design or model of the same, together with the proposed location of such work of art, shall first have been submitted to and approved by the Associated Students Board of Directors, *and* the University President.

ALLOCATION OF FUNDING

All allocations will be made specific to an eligible acquisition and will be based upon the submission of a formal itemized budget as part of a proposal for the acquisition of a work of art, both external and internal.

When the Associated Students Board of Directors makes its recommendation as to the amount of capital appropriation for a particular project, there shall be a formal meeting scheduled to discuss recommendations between any proposing entity and either the Facilities or the Art Ad-Hoc Committee respectively, in accordance to all jurisdictional and operation purview of Associated Students, as well as within the policies and guidelines set forth by Associated Students. At such a time, there will be a review of each party's responsibilities.

In the case of gifts of art, Associated Students shall consult with the University Advancement as to proper care and stewardship.

Supplemental Funding for Acquiring Works of Art

Associated Students Board of Directors encourages the use of local, regional, and national resources to match funds allocated for works of art, both external and internal.

Administrative Costs

Expense accounts for all necessary and reasonable administrative costs. Expenses that must be charged to the administrative budget include, but are not limited to:

- Associated Students staff salaries and benefits related to the acquisition;
- Advertising, marketing, publicity, public relations, and education costs associated with the acquisition.

Arts Budget

- Generally any expense that is directly related to the design, fabrication, and installation of the work of art, both externally and internally, including, but not limited to:
- Artist's fee for professional design, execution, fabrication, and installation of an approved work of art, both externally and internally, as described within proposed artist's budget, including any and all labor, materials, bonding, permits, or other associated costs directly related to the work of art;
- Taxes, when applicable;
- Frames, mattes, pedestals, containments, and devices necessary for the security, preservation, and display of the artwork, both external and internal;
- Site modification necessary for the installation or fabrication of the
- work of art, both external and internal;
- Identification plaque or label, installed per required building and fire codes, as well as per Associated Students specifications;
- Fire retardant and/or graffiti resistant treatments as required;
- Consultants, subcontractors, and/or design professionals hired by Associated Students to assist in the implementation of works of art, both external and internal;
- Insurance: liability, fine art, worker's compensation as required by
- Associated Students;
- Waterworks, electrical, and/or mechanical devices or equipment, which are necessary and/or integral to the work of art.

Consultants

Consultation may be necessary to advise and/or assist Associated Students with specific projects. Where a specific technical or professional task is necessary to ensure the successful completion or implementation of a project, and where it is not possible to include it as the responsibility of the artist(s) under the terms of his/hers contract, budget allocations may then be used for consultation fees. Payment of consultants is subject to the prior notification and approval of the Associated Students Board of Directors and the availability of funds.

Artist Recruitment and Selection Process

The Executive Director or his/her designee shall develop a recruitment plan for the project request for qualifications (RFQ) or requests for proposal (RFP). The RFQ or RFP The Information included within RFQ/RFP shall include, but is not limited to:

- Project description and goals;
- Project parameters and scope-of-work;
- Application deadline and project timeline;
- Application procedure;
- Selection criteria;
- Geographical description and restrictions, if applicable;
- Budget.

The recruitment strategy shall include, but is not limited to, the following:

Marketing:

- Paid Advertisement in selected literature and/or websites determined by the Executive Director;
- Press releases sent to artistic and multicultural press;
- Send RFQ/RFP's to multicultural and other art organizations for posting.

Direct Recruitment:

- Defined as the direct solicitation of a qualified candidate by means of direct communication of RFQ/RFP through the following means:
- Referring to arts professionals and requesting artist recommendations;
- Artists mailing lists of potential qualified candidates identified through previous projects
- Associated Students Board of Directors, Facilities & Services Council and Art Ad-Hoc Committee recommendations, respectively.

Artist Selection Procedure

Initial Screening- The Executive Director or his/her designee may initially pre- screen applicants, and evaluate them relative to the candidate criteria and qualifications outlined within the RFQ/RFP. Applicants matching desired criteria shall then be presented for review by the Art Ad-hoc Assembly in accordance to all jurisdictional and operation purview of Associated Students, as well as within the policies and guidelines set forth by Associated Students. Paired with the candidates recommended for review, the committee will receive a list of all project applicants. Any committee member may request the inclusion in the committee review of any artist previously eliminated in the initial screening.

Conflict of Interest- A conflict of interest shall be self-proclaimed by each member of the committee if applicable. The respective committee chair may choose to dismiss a member of a committee if a conflict of interest is posed. A conflict of interest is defined as the following:

1. Any artist selected to serve on the Committee that previously submitted an application to a RFQ/RFP;
2. Any individual who would directly benefit from the selection of a particular artist or artwork (gallery owners, brokers, artists' representatives, etc.);
3. An artist under the employment of the University, University-affiliate, or University Auxiliary.

Method of Selection

The Art Ad-hoc Assembly in accordance to all jurisdictional and operation purview of Associated Students, as well as within the policies and guidelines set forth by Associated Students shall review application materials and select the artist(s) by one of the following methods:

Direct Purchase:

- A complete work of art, both external and internal, is purchased

Open Competition:

- The commission is advertised and project guidelines published. All artists may participate with possible limitations based upon geographical or other eligibility criteria as defined. Upon review of materials, a single or limited number of artists may be selected and paid an honorarium to prepare a specific proposal and attend an interview with the selection panel.

Limited Competition:

- Artists are considered for a commission by invitation only, names of artists to be invited to apply are generated by the Art Ad-hoc Assembly in accordance to all jurisdictional and operation purview of Associated Students, as well as within the policies and guidelines set forth by Associated Students. Of those considered, finalists may be asked to submit a proposal in the form of a drawing or Marquette and/or to attend an interview with the committee.

Eligibility

For the purpose of these guidelines, all forms of original creations of visual art, both internal and external, are eligible for acquisition. Specific eligibility requirements for each project will be established at the onset of each project. Artists will be selected on the basis of their qualifications, as demonstrated by the past work, appropriateness of the proposal to the particular project, and its probability of successful completion, as determined by the Associated Students Board of Directors or its authorized

committee. Excluded from consideration are works of art, both external and internal, done by artists who are members of the Associated Students Board of Directors, Associated Students Staff, Associated Students Volunteers, or Associated Students affiliates.

Public Participation

All meetings of the Art Ad-hoc Assembly is open to the public and will be publicly noticed.

Contractual Obligations

The Scope of services to be performed by the artist(s) and a method and schedule of payment to the artist(s) shall be provided by contractual agreement with Associated Students.

Determining Artist Fee

In general, the Board of Directors shall consider the following factors in determining the artist fees awarded for each project:

- a. The scope of work and length of artist involvement;
- b. The project budget, without the consideration of administrative fees;
- c. The artist's' experience and professional standing;
- d. The fee scale for similar scopes of work on comparable projects.

Recourse

At any stage in any process, the selection and commissioning of a work of art, both external and internal, may be interrupted by a majority vote by the appropriate body. If this is to *occur*, the following options are made available to the respective committee:

- a. Request clarification from appropriate committee;
- b. Requests revised proposals from appropriate committee;
- c. Request new artist from appropriate committee;
- d. Request new project from appropriate committee;
- e. Abandon project entirely and/or rescind previous approval.

ADDRESSING CONCERNS

General Members of the public will be provided an opportunity to express concerns they may have regarding a proposed acquisition and installation of a work of art, both external and internal. The formal filing of a concern will initiate the following review process. The acquisition and installation of the work of art, both external and internal, may continue during the review of the concern(s) to the point of final rendition, installation, and/or placement.

Committee Level

Each meeting of the Art Ad-Hoc Committee shall have time allotted on the agenda to allow members of the public to voice concerns. Any individual voicing a concern during this process will be provided a copy of the process for addressing concerns.

1. The concern must be in writing and demonstrate how the proposed work of art, both external and internal, or specific components of the proposed work, does not uphold the values of Associated Students as stipulated in the Associated Students Acquiring Temporary and Permanent Works of Art Policy for the Cesar Chavez Student Center and/or the University's "core values;



2. Any documents the concerned party has in support of their position shall be attached to the written statement;
3. The written statement shall be delivered to the appropriate Committee Chair as well as the Executive Director in each respective mailbox;
4. The Committee Chair and/or the Executive Director will place the statement on the agenda for discussion during the earliest meeting that is scheduled;
5. The Committee Chair and/or the Executive Director will inform the concerned party of the date, time, and location of the meeting at least ten (10) business days prior to the meeting date;
6. Dialogue will focus on how the work of art does or does not meet the intent of the Associated Students Acquiring Temporary and Permanent Works of Art Policy for the Cesar Chavez Student Center and/or the University's "core values;"
7. Having heard all positions, the Committee will make a determination on how it will proceed, but such determination must address how the Committee sees both the values of Associated Students and the University is being maintained. This determination will be delivered in writing to:
 - a. The party bringing the concern;
 - b. The Facilities and Service Chair
 - c. The Executive Director;
 - d. The Art Ad-Hoc Committee Members;
 - e. Associated Students Board of Directors.

Board Level

If the party that has brought a concern to Art Ad-Hoc Committee would like to appeal the decision of the Art Ad-Hoc Committee, they may do so by providing a written statement to the President of Associated Students as well as the Executive Director that indicates their desire to appeal.

1. The written request for appeal must be delivered to the President of Associated Students as well as the Executive Director;
2. The President shall place the statement on the Board's agenda for discussion during the earliest meeting that is scheduled ten (10) or more business days from the date of receipt of the request for appeal;
3. The President and/or the Executive Director will inform the concerned party of the date, time, and location of the meeting at least seven (7) days prior to the meeting date;
4. The Board will only review information that has been thoroughly discussed at the Committee level. If there is new or supplementary information that the appealing party wishes to have heard, they are required to start again at the Committee level;
5. The Board will review the information and discussion present at Committee and, through a simple majority vote of members present, either uphold the Committee's decision or recommend new standards of proceeding;
6. The Board will provide a copy of the determination in writing to:
 - a. The party bringing the concern;
 - b. The Executive Director;
 - c. The Art ad-Hoc Committee Members;
 - d. Associated Students Board of Directors;
 - e. The President of the University.
7. The Associated Students Board decision may not be appealed.

LOCATIONS AND GUIDELINES FOR EXTERNAL WORKS OF ART

Eleven (11) exterior locations for murals have been made available:

- a. Two (2) on the Malcolm X Plaza;
- b. Three (3) on the North Plaza;
- c. Four (4) on the West Plaza;
- d. One (1) on the concrete support for the west stair walkway;
- e. One (1) on the South Plaza.

ROTATIONAL GUIDELINES

The locations currently containing murals as of February 28, 2015 shall maintain permanent (non-rotational) status. These mural are:

- a. Cesar Chavez
- b. Malcolm X
- c. Asian-Pacific Islander
- d. Filipino
- e. Palestinian
- f. Native American Mural

The remaining three (3) unallocated mural spaces on the West Plaza as of July 1, 2015 shall be filled on rotational basis according to Board Guidelines set forth by the following:

- a. Installation of a work of art in a rotational location shall be for a minimum of four (4) years or as decided by resolution of the Associated Students Board;
- b. Once the rotational spaces have been filled, each piece shall go to the rotational sequence on a "longest up-earliest removed" basis;
- c. Murals rotated out will be archived appropriately;
- d. In no new external work of art is pending the Board may elect to remove a mural installed in a rotational location for more than four years with an archived piece. The criteria for which piece to remove and which archived piece to install shall be determined by the Board at the time of the decision to remove the piece.

INQUIRIES ON SUBMITTING PROPOSALS CONTACT INFORMATION

Vice President of Facilities & Services
Associated Students Board of Directors
vpfs@asi.sfsu.edu
(415)338-2321

President

Associated Students Board of Directors
president@asi.sfsu.edu
(415)338-2321

Interim Executive Director
Associated Students
abarnes@asi.sfsu.edu (415)338-
2820

FORMS

None.

ACQUIRING TEMPORARY AND PERMANENT WORKS OF ART POLICY AND GUIDELINES FOR THE CESAR CHAVEZ STUDENT CENTER APPROVAL AND REVISION HISTORY

Acquiring Temporary and Permanent Works of Art Policy and Guidelines for the Cesar Chavez Student Center was
Drafted on 09/09/2015
Acquiring Temporary and Permanent Works of Art Policy and Guidelines for the Cesar Chavez Student Center was
Approved by the Board of Directors on 10/28/2015