

OFFICIAL TEXAS HISTORICAL MARKER PROCEDURES

Adopted by the Texas Historical Commission July 28, 2006

Official Texas Historical Markers are those markers and plaques the Texas Historical Commission (THC) awards, approves or administers. They include centennial markers the State of Texas awarded in the 1930s; Civil War Centennial markers from the 1960s; and medallions and markers awarded by the THC's predecessor, the Texas State Historical Survey Committee.

Historical marker application means a current version of the THC's *Official Texas Historical Marker Application Form* and all required supporting documentation as required in the Application Requirements (see below).

TYPES OF HISTORICAL MARKERS

A. Subject Markers

Definition: Subject markers are educational in nature and reveal aspects of local history that are important to a community or region. These markers honor topics such as church congregations, schools, communities, businesses, events and individuals. Subject markers are placed at sites that have a historical association with the topic, but no legal restriction is placed on the use of the property or site, although the THC must be notified if the marker is ever to be relocated.

Criteria:

1. **Age:** Most topics marked with *subject markers* must date back at least 50 years, although historic events may be marked after 30 years, and individuals may be marked, or may be mentioned in a historical marker text, after they have been deceased for 10 years. The THC may waive the age requirements for topics of overwhelming state or national importance, although these exceptions are rarely granted and the burden of proof for all claims and documentation is the responsibility of the author of the narrative history.
2. **Historical significance:** A topic is considered to have historical significance if it had influence, effect or impact on the course of history or cultural development; age alone does not determine significance. Topics do not necessarily have to be of statewide or national significance; many historical markers deal with local history and a local level of significance. Age alone is not sufficient for marker eligibility.

B. Recorded Texas Historic Landmark Markers

Definition: Recorded Texas Historic Landmark (RTHL) markers are awarded to structures deemed worthy of preservation for their historical associations and architectural significance. RTHL is a legal designation and comes with a measure of protection; it is the highest honor the state can bestow on a historic structure, and the designation is required for this type of marker. The RTHL designation becomes effective upon approval by the THC. Official Texas Historical Markers signify the RTHL designation; designation comes only through application to and approval by the THC and must include public display of an Official Texas Historical Marker.

Owners of RTHL-designated structures must give the THC 60 days written notice before any alterations are made to the exterior of the structure. RTHL status is a permanent designation and is not to be removed from the property in the event of a transfer of ownership. Only the THC can remove the designation or recall the marker. The marker must remain with the structure and may not be removed or displayed elsewhere until or unless the THC gives express approval in writing for such action. Once designated as RTHL, properties are subject to provisions of Texas Government Code, Section 442.006(f).

Criteria:

1. **Age:** Structures eligible for the Recorded Texas Historic Landmark designation and marker must be at least 50 years old.
2. **Historical significance:** Architectural significance alone is not enough to qualify a structure for the Recorded Texas Historic Landmark designation. It must have an equally significant historical association, and that association can come through an event that occurred at the site, through individuals who owned or lived on the property, or, in the case of bridges, industrial plants, schoolhouses, and other non-residential properties, through documented significance to the larger community.
3. **Architectural significance:** Structures deemed architecturally significant are outstanding examples of architectural history, either through design, materials, structural type or construction methods. In all cases, eligible architectural properties must display integrity, i.e., the structure should be in a good state of repair, maintain its appearance from its period of significance and be considered an exemplary model of preservation. Architectural significance is often best determined by the relevance of the property to broader contexts, including geography. Any changes over the years should be compatible with original design and reflect compliance with accepted preservation practices, e.g., the *Secretary of the Interior's Standards for Rehabilitation*.
4. **Good state of repair:** Structures not considered by the THC to be in a good state of repair — i.e. restored — are not eligible for RTHL designation. The THC reserves the sole right to make that determination relative to eligibility for RTHL markers.

Special considerations for RTHL marker applications: If a structure is individually listed in the National Register of Historic Places (NRHP) under either Criterion A or B **and** Criterion C (architecture), the historical text compiled as part of the National Register process may be submitted as part of the marker process, provided it includes the required reference notes and other documentation. Acceptance of the National Register information for the purposes of the marker process will be the sole determination of the THC. Listing in the NRHP does not guarantee approval for an RTHL marker.

C. Historic Texas Cemetery Markers

Definition: Historic Texas Cemetery (HTC) markers are only for burial grounds previously approved for HTC designation. These markers recognize the historical significance of a cemetery and, with the use of interpretive plaques, provide background on associated communities, families, events and customs. HTC markers must be placed at the cemetery, but since cemeteries are protected under other existing laws, they convey no restrictions on the property.

Criteria:

1. **HTC designation:** All steps of the HTC designation process must be completed by the time of application for the HTC marker.

2. **Historical/cultural significance:** Completion of the HTC designation does not ensure approval for an HTC marker; it is only a prerequisite. The application for an HTC marker with an interpretive plaque must include the same type of detailed history required for other markers. In addition to the context, overview and significance sections, it must also include a section that provides a detailed physical description of the site that includes mention of the cemetery setting, and descriptions of significant landscape features or noteworthy burial markers and funereal practices.

Special considerations for HTC markers:

- HTC medallions can be ordered separately, but only for placement with a previously awarded THC subject marker or other plaque that provides interpretation for the cemetery. **NOTE: Under current rules, cemeteries are no longer eligible for subject markers.**
- HTC medallions and interpretive plaques (including name and date plaques) must be displayed together.

APPLICATION REQUIREMENTS

Only complete marker application packets that contain all the required elements can be accepted or processed. Incomplete applications will automatically be rejected. Any individual, group or county historical commission may apply to the THC for an Official Texas Historical Marker.

The application shall include:

1. A completed application form duly reviewed and approved by the county historical commission (CHC) in the county in which the marker will be placed.
2. Application and text must be in the form of Word or Word-compatible documents.
3. Required font style and type size are a Times variant and 12 point.
4. Narrative histories must be typed in a double-spaced format and include separate sections on context, overview and significance.
5. The narrative history must include documentation in the form of reference notes, which can be either footnotes or endnotes. Documentation associated with applications should be broad-based and demonstrate a survey of all available resources, both primary and secondary.
6. Applications for subject markers and RTHL markers must include a current city or county map through an online map service (MapQuest.com; TopoZone.com; etc.) that clearly denotes the proposed marker location. (Maps are not required for Historic Texas Cemetery markers, as they are filed as part of the HTC designation process.)
7. Immediately upon notification of the successful preliminary review of required elements by the THC, a non-refundable application fee of \$100 is required. The fee can be submitted to the THC within ten working days of application receipt notification.

Additional requirements for Recorded Texas Historic Landmark markers:

8. Legal description of the property.
9. A detailed floor plan for each floor of the structure, if a residence or building. The floor plan must include notations on the use of the room (bedroom, parlor, etc.) and on where changes have been made over the years (i.e. back porch added 1924). Floor plans can be sent separately to the THC, provided they are on letter-size paper and include the required notations. Incomplete floor plans will not be accepted.
10. A detailed site plan of the property, showing all major features, such as outbuildings, sidewalks, driveways, significant landscape features, etc.
11. At least one historic photograph of the structure.

12. One current photograph of each elevation of the structure.

Additional requirements for Historic Texas Cemetery markers:

13. Prior approval by the THC for the Historic Texas Cemetery designation is required. Note that the designation process must be complete by the time the marker application is submitted to the CHC and that the HTC designation does not guarantee approval for an Official Texas Historical Marker.

APPLICATION REVIEW PROCESS

1. Potential sponsor checks the THC web site for current basic information on the Official Texas Historical Marker Program.
2. Sponsor contacts the CHC to obtain marker application form, to review basic program requirements and to discuss county's review process and procedures, which differs from county to county. The THC does not mandate a specific review process at the county level, so the sponsor will need to work closely with the CHC to be sure all local concerns and procedures are addressed properly. The CHCs cannot send the application forward until they can certify that the history and the application have been adequately reviewed.
3. CHC reviews the marker application for accuracy and significance, and either approves the application or works with the sponsor to develop additional information as necessary.
4. CHC-approved applications are forwarded online as a Word document to the History Programs Division of the THC. Once the application is received by the THC, additional notifications and correspondence will be between the CHC contact and the THC staff contact only, unless otherwise noted.
5. THC staff makes a preliminary assessment to determine if the topic is eligible for review and if all required elements are included. Upon notification the application has been accepted for review, a \$100 application fee is due within ten days.
6. Eligible applications receive further review, and additional information may be requested via email. Failure to provide all requested materials as instructed in 45 days, unless special conditions are approved by the THC, will result in cancellation of the application.
7. THC staff and commissioners review applications and determine:
 - a. Eligibility for approval
 - b. Size and type of marker for each topic
 - c. Priorities for work schedule on the approved applications
8. CHC and sponsor notified via email of approval and provided payment form; payment must be received in THC offices within 45 days or the application will be cancelled.
9. Inscriptions written, with one review copy provided via email to the CHC contact only for local distribution as needed. Inscription review is for accuracy of content only; the THC determines the content, wording, punctuation, phrasing, etc.
10. Upon receipt of the inscription, the CHC contact provides additional copies as necessary for committee, commission or sponsor review and conveys a single response to the THC.
 - a. Upon receipt of emailed approval by the CHC, the THC proceeds with the order.
 - b. If warranted changes recommended by the CHC are approved by the THC, staff will send a revised copy for content review. Because inscription reviews are for content only, only two reviews should be necessary to complete this step of the process. Additional requests for revisions are subject to approval by the THC, which will be the sole determinant of warranted requests for changes. Excessive requests for change, or delays in response, may, in the determination of the THC, result in cancellation of the order.

- c. Only the authorized CHC contact — chair or marker chair — can make the final approval of inscriptions at the county level. Final approval will be construed by the THC to mean concurrence with any interested parties, including the sponsor.
- 11. The order is sent to marker supplier for manufacturing. Subject to the terms of the THC vendor contract, only authorized THC staff may contact the manufacturer relative to any aspect of Official Texas Historical Markers, including those in process or previously approved.
- 12. THC staff reviews galley proofs of markers. With THC approval, manufacturing process proceeds. Manufacturer inspects, crates and ships completed markers and notifies THC, which in turn notifies CHC contact.
- 13. With shipment notice, planning can begin on marker dedication ceremony, as needed, in conjunction with CHC, sponsors and other interested parties.
 - a. Information on planning and conducting marker ceremonies is provided by the THC through its web site.
 - b. Once the planning is complete, the CHC posts the information to the THC web site calendar.
- 14. THC staff enters marker information into the Texas Historic Sites Atlas (atlas.thc.state.tx.us), an online inventory of marker information and inscriptions.

ADDITIONAL NOTES

1. **Markers as THC property:** Official Texas Historical Markers are the property of the Texas Historical Commission, which is the final determinant of all matters related to design, eligibility, content, manufacturing, placement or replacement, and compliance oversight. The markers may, at the sole discretion of the THC, be recalled for any reason it so determines, including inaccuracies or non-compliance with rules and policies.
2. **Marker sponsor:** The sponsor of an Official Texas Historical Marker is the individual or group that pays for a portion of the marker process in partnership with the THC. In general, the THC funds the costs associated with statewide program development and oversight, product design and inscriptions, quality review and all procedural matters. Sponsors, in turn, help defray the cost of manufacturing through their associated fees.
3. **Role of the CHC:** The CHC is the sole liaison to the THC for all matters related to the marker application process. The appropriate contact person is either the chair or marker chair, but the latter must be duly appointed by the CHC chair and authorized to act in that capacity for purposes of marker applications. It is the duty of the CHC chair to properly notify the THC History Programs Division of the marker chair's name and contact information.
4. **Marker disputes:** In the event the placement or content of an Official Texas Historical Marker is contested, the THC, after consultation with interested parties, has the sole authority to make the final decision related to retention, replacement or removal.
5. **Pre-application review:** If there are any questions about the potential eligibility of proposed marker topics, including structures, the CHC may provide basic information online to the THC staff for the purpose of a pre-application review of eligibility. Such reviews are only for the purpose of topic eligibility, and they do not replace the full review required of the regular application process. The informal inquiries can be made at any time of the year, although ample time should be given the staff if a decision is needed prior to the application deadline.
6. **Marker inscriptions:** The wording of the state marker inscriptions is the sole responsibility of the THC. Suggested inscriptions will not be accepted as part of the application, nor can they be incorporated as part of the text preparation.

7. **Local dedication deadlines:** The THC marker process is determined by a number of variable factors, including work load, other agency projects and shipping or manufacturing delays. As a result, the THC staff cannot be responsible for meeting local deadlines for any planned dedication events. Planning for such events should be finalized only after the marker is received.
8. **County or municipal funding concerns:** The THC marker process is not subject to county or municipal funding restrictions or fiscal year requirements, and the THC is not responsible for such deadlines. If county or municipal policies or procedures are a factor in planning for marker applications, it is the responsibility of the CHC to meet those requirements or to work out other considerations for the encumbrance of funds.
9. **Appeals of CHC action or inaction:** CHC approval must be obtained for all Official Texas Historical Markers. If a CHC rejects or fails to act on application within 90 days, the sponsor may appeal directly to the THC for redress. At that point, the CHC will be required to submit a written statement relative to its action or inaction on the application. If the CHC has determined the application is not eligible for an Official Texas Historical Marker, it has the responsibility to provide the THC with a detailed report explaining reasons why and how it made that determination.
10. **Appeals of THC action:** The decision of the THC on all marker applications as submitted is final and can only be appealed for review by the THC if additional information not previously made available to or reviewed by the agency is submitted. Any such information must comply with documentation standards of the program. Once received, the THC will determine if an appeal is warranted and, if so, will act on the appeal and render a final determination. Appeals may not necessarily correspond with annual application deadlines, and appeals directed to the THC must allow ample time for review prior to those deadlines. All details of appeals, including timing and participating parties, will be directed by the THC.
11. **Payment due upon approval:** The THC cannot accept partial payment for markers, nor can it hold funds in abeyance as other funds are collected. Payment for all markers is due in full within 45 days of the notice of approval. Delayed payments will result in cancellation of applications.
12. **Marker placement:** The placement of historical markers should be carefully considered to ensure maximum accessibility and protection of historic resources. Whenever possible, a marker for a historic structure receiving the Recorded Texas Historic Landmark designation should be placed on a post rather than on the structure to avoid damaging the historic fabric of the structure. To avoid confusion regarding historical designation, subject markers may not be attached to non-historic buildings. Sponsors or CHCs are responsible for the physical placement of a historical marker, unless the site is on a state-maintained highway right-of-way, in which case the Texas Department of Transportation will be responsible for erecting the marker in consultation with the CHC.
13. **Accessibility:** Markers must be accessible to the public.
14. **Site considerations:** RTHL and HTC markers must be placed at the actual sites being commemorated.
15. **Applications as state records:** All applications, correspondence and support materials become the property of the THC and are subject to rules governing open records. Information from the records may be utilized by the CHCs and its researchers provided any citations of the information properly include mention of the THC and its marker file holdings.
16. **Official policies:** Official policies regarding the Official Texas Historical Marker program, Recorded Texas Historic Landmark designation and Historic Texas Cemetery designation are codified in the Texas Administrative Code, Title 13, Part 2, Chapter 21.

17. **Texas Historic Sites Atlas:** Through its Historic Sites Atlas, the THC provides online access to marker inscriptions and locational information. The THC maintains the database and adds, deletes or changes information as necessary and as staff time permits. Every effort is made to keep the information updated, but a variety of factors may cause delays in the process. The Atlas serves as the primary tool for researchers and others interested in the Official Texas Historical Marker program, and information can be downloaded as needed.
18. **Requests for file information:** The THC maintains marker files as public records and makes them available for researchers at the agency library.