

CODE OF ETHICS

XXX Museum/Gallery XXX College/University

The XXX Museum/Gallery administration (Provost of XXX College/University and the Director of XXX Museum/Gallery) and Board of Advisors adopted this Code of Ethics on XXX.

MISSION

XXX

INTRODUCTION

This document is created to serve as a guide for Museum/Gallery Administration, Staff, Board of Advisors, and Volunteers [collectively referred to in this document as ‘Exponents’] in reference to their individual and collective roles in conducting the XXX Museum/Gallery’s affairs. All Exponents make ethical decisions and it is the purpose of this document to offer transparent guidelines in making those decisions. This document is meant to be a guide: It cannot cover all potential issues related to ethical behavior in the Museum/Gallery’s affairs. An unambiguous commitment by all Exponents to the noble concept of service for the common good—anchored in the covenant that the Museum/Gallery exists to advance knowledge and nourish the human spirit for present and future generations—will always serve as guide.

This document will be periodically updated in order to take into account new experiences and in response to changing conditions, values, and ideas. This document is in accordance with the code of conduct annually subscribed to by all Administrators and Staff in XXX College/University’s *Conflict of Interest Policy* (Appendix I) and AAM’s *Code of Ethics for Museums* (Appendix II). Furthermore, it punctuates **Three Fundamental Obligations** that govern all Exponents’ individual and collective actions on behalf of the Museum/Gallery:

1) **Support and Promote the Museum/Gallery’s Mission**

The Museum/Gallery’s mission enhances the educational and research mission of XXX College/University. The XXX Museum is a collecting and exhibiting art institution and a center for teaching and learning with a distinctive mission that is defined within the context of its parent institution and community. It is the obligation of all Exponents to be loyal to, support, and promote the Museum/Gallery’s mission.

2) **Avoid Conflicts of Interest: Actual, Potential and Perceived**

Exponents are obligated to avoid all actual, potential, and perceived conflicts of interest in conducting the Museum/Gallery's affairs. This document is a guide to help identify these and to help in their avoidance or resolution.

3) Make Legal, Fiscally Prudent, and Ethically Sound Decisions

Exponents are obliged to conduct the Museum/Gallery's affairs by making legal, fiscally prudent, and ethically sound decisions on the institution's behalf, both for its short- and long-term viability. To help ensure this, all legal obligations are guided and approved by XXX College/University legal counsel. Fiscally prudent decisions sustain the Museum/Gallery and are primarily the responsibility of the Museum/Gallery's Administration, with the Board of Advisors providing support and community oversight, while all Exponents are obligated to may ethically sound decisions on behalf of the Museum/Gallery.

GENERAL STATEMENT ON CONFIDENTIALITY

Exponents must respect and maintain the confidentiality of financial statements and development strategies, actions, and materials prepared and used in discussions and meetings. With the exception of the Annual Report or other materials prepared for public distribution, it is considered a breach of confidence to share such materials or information with other organizations or individuals outside the Museum/Gallery enterprise. This includes quarterly financial reports, Board minutes, donor and membership lists and fundraising strategies.

INDIVIDUAL AND CORPORATE RESPONSIBILITIES

I. Board of Advisors

Individuals committed to the XXX Museum/Gallery and its mission and who have valuable and relevant experience populate the Board of Advisors. In so doing, they sacrifice both of valuable personal time beyond their families and professions and give of their wealth in support of the Museum/Gallery. By design, those chosen for Board service have outstanding backgrounds in the fields of art, academics, philanthropy and business. Through their words, actions and financial support, Members of the Board contribute to the Museum/Gallery's viability. They help the Director define and share the Museum/Gallery's mission as well as help the Director and Staff compose, advance, and monitor the Museum/Gallery's Strategic Plan. The President of XXX College/University, responding to a Board nominating procedure, selects and appoints Members of the Board of Advisors for three-year, renewable terms. The Board operates under a *Charter Granting Special Authority to the Board of Advisors* established by the President of XXX College/University on XXX (Appendix III).

The Board of Advisors, guided by the Museum/Gallery's mission and strategic plan, offers guidance to the Director on a variety of operational aspects of the Museum/Gallery. This is done as a corporate body during quarterly meetings, as well as through individual Board Member's actions, including service on various committees (i.e. Finance, Accessions, Benefit, Membership).

Each Board Member accepts responsibility to maintain the strictest confidentiality that comes from his or her access to the affairs and activities of the Museum/Gallery. Collectively, the Board recognizes its distinctive advisory role in support of the Museum/Gallery. The Board is committed to the academic and public roles of the Museum/Gallery and respects and supports the leadership and executive roles and responsibilities of the Museum/Gallery Administration and Staff.

It is crucial that the Board of Advisors individually and collectively avoid any perceived or actual conflicts of interest. These can be defined as actions taken that:

- Impair the Museum/Gallery's viability;
- Stand in competition with the Museum/Gallery;
- Exploit Board status for personal, business, or family gain.

Examples of common conflicts of interest relevant to board service are:

- To share with another institution, agency or a business, information deemed by the Museum/Gallery as confidential (see General Statement on Confidentiality above on page 2);
- Participate in a final decision concerning the purchase by the Museum/Gallery of goods or services, including art work, that benefit the Board Member or a member of his or her immediate family or business;
- Compete with the Museum/Gallery for the purchase of a work of art for sale.
- Purchase a deaccessioned work of art from the collection

Disclosure

Written disclosure in a timely manner to the Board Chair and Museum/Gallery Director of actual or perceived conflicts of interest is essential to avoid harm to the Museum/Gallery's viability and both the Museum and Board Member's reputation. At the time of disclosure, a collegial effort will be made to isolate the affected Board Member from any Museum/Gallery decision relevant to the conflict. This could range from temporary recusal from committee service that undertakes relevant deliberations surrounding the conflict to resignation from the Board to eliminate unambiguously the conflict in order to protect both the Museum/Gallery's and affected individual's reputation.

II. Administration and Staff

Individuals who choose to work in the non-profit sphere of human activity pre-select themselves by such a career choice and are more often than not inspired to make this

choice for the common good and in pursuit of personal fulfillment. Regardless, they are exposed to the possibility of ethical improprieties related to their employment. All employees bring to the Museum/Gallery staff great diversity of backgrounds and skills and their individual employment roles vary greatly within the Museum/Gallery setting. So do their potential for finding themselves in conflict of interest to the Museum/Gallery's interests.

In summary, a conflict of interest exists when a member of the Museum/Gallery Administration or Staff (or immediate family relation) is in a position to unduly and personally benefit, either directly or indirectly, from transactions between the Museum/Gallery and individuals or businesses. Such circumstances are defined in—and annually addressed by each employee by signing—XXX College/University's *Conflict of Interest* statement. This statement covers most conflicts of interest that might be faced during Museum/Gallery administrative or operational activity, including financial and personnel decisions. XXX Human Resources policy determines action to be taken in response to an employee involved in a conflict of interest.

As is relevant to the unique position of being employees of the College/University's Museum/Gallery, this document is meant to further identify possible conflicts of interest. It also provides guidelines for their resolution relevant to art institutions and collections. All Members of the Museum/Gallery Administration and Staff are expected to be familiar with this *Code of Ethics* and to use it as a guide in their conduct whenever a potential conflict arises.

Examples of conflicts of interest relevant to museum/gallery employment are:

- Using one's Museum/Gallery affiliation to promote an employee's own art collecting activities by, for example, securing special discounts or consideration from art dealers for personal gain or acquiring work deaccessioned by the Museum;
- Dealing in or directly competing with the Museum for the purchase of a work of art for sale;
- Offering monetary appraisals or receiving remuneration for referrals of such appraisals for private art collections;
- Undertaking on the Museum/Gallery's time, research into personal, family, or friends collections.

Disclosure

Written disclosure in a timely manner to the Museum/Gallery Director (in his/her case, to the Provost) of actual or apparent conflicts of interest is essential to avoid harm to the Museum/Gallery's viability and both the Museum/Gallery's and Staff Member's professional reputation. At the time of disclosure, every effort will be made to isolate the affected employee from any Museum/Gallery decision relevant to the conflict. To address the conflict appropriately, XXX College/University Human Resources personnel will be engaged for advice and resolution.

III. Volunteers, Student Workers and Interns

The Museum/Gallery employs many unpaid volunteers and paid and unpaid student workers and interns in a variety of important capacities that support the Museum/Gallery's educational and operational activities. Working relationships between all Exponents are based upon mutual respect and equity. Volunteers and student workers and interns have access to the inner activities of the Museum/Gallery. This is a privilege and brings with it the expectation that all will adhere to the same high ethical standards as paid employees. To that end, it is imperative that Volunteers, student workers and interns understand the Museum/Gallery's mission and policies and that they agree and live up to the **Three Fundamental Obligations** listed above on pages 1 and 2.

PUBLIC TRUST AND RESPONSIBILITY

I. Presentation and Public Accessibility and Accountability

The Museum/Gallery is obliged to present to the university and public the most current and accurate information relevant to its collections, exhibitions, and educational programs. All programs are presented to promote the public good and advance learning and scholarship to the benefit of the Museum/Gallery's audiences and for posterity. In reference to audiences, the Museum/Gallery is committed to accessibility and encourages participation by the widest possible audience. It also proactively promotes pluralistic values, traditions and concerns consistent with its mission and resources.

The Museum/Gallery is obliged to make its collections and programs accessible to all by:

1. Maintaining extended public viewing hours that includes selected evenings and most weekends;
2. Assuring, through audience survey and careful monitoring of program reviews, the viability of its programs for its varied constituencies;
3. Following all laws relevant to the Americans with Disabilities Act and all national, state, local and university non-discrimination policies.

The Museum/Gallery is obligated to account for its administrative, staff, board and program activities and collection development in transparent ways, including through the publication of an Annual Report.

II. Collections held in Trust

All Exponents subscribe to the conviction that the Museum holds the collections in public trust and in perpetuity as an important part of the world's cultural commonwealth. All also subscribe to the belief that the management of the collection, including lawful accountability of the holdings, acquisitions, sales and disposals, reproduction, preservation, and conservation of art in the collection or on loan must be undertaken according to the highest standards. Such activities are conducted according to the *XXX*

Museum of Art Collections Management Policy, approved by the Museum Administration on XXX. A copy of this document is attached as Appendix IV.

III. Fiscal Responsibility and Transparency

It is the responsibility of the Museum/Gallery Director, with the assistance of the Museum/Gallery business manager, and advice of the Board Finance Committee, to provide regular reports on the Museum/Gallery's finances to the College/University Administration and Board of Advisors. The Museum/Gallery is obligated to account for its finances in transparent ways, including—in the larger context XXX College/University's budget—and annual financial audit and through the publication of the Museum/Gallery's expenditures and income in an Annual Report.

IV. Collection Development and Fundraising

Soliciting art donations and undertaking fundraising in support of the Museum's operational needs, acquisitions, and endowment growth are central activities to insure the Museum's viability. The Museum Administration, Staff, and Board of Advisors shall do so honestly and the disposition of donated works of art and distribution of raised funds will be applied for the intended purposes of the donations. Gifts will be solicited for the Museum by these individuals without promise of advantages or opportunities to donors so as to protect the integrity of the Museum and the reputation of the Museum and its donors. Explicit policies concerning the disposition of donated artwork are spelled out in the XXX Museum's signed and donor countersigned Gift Agreements (Appendix V).

Subscribed on the XXX, XXX 20XX by:

XXX, Provost of XXX College/University

XXX, Director, XXX Museum/Gallery

XXX, Representative, Board of Advisors