



## CODE OF ETHICS

as adopted by the Board of Trustees  
of the Southern Alleghenies Museum of Art

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## **I. PREAMBLE**

The Southern Alleghenies Museum of Art relies upon the professionalism and support of many members of our community. Museum trustees, volunteers, and artists reside across a vast rural region of Southwestern Pennsylvania and are steeped in a variety of professional, cultural and social traditions, each with its own moral rules or codes of ethics. In addition to these people, Museum donors and administrators, both professional and in a volunteer capacity, have moral obligations as members of other groups, and are affiliated with immediate and extended families, religious organizations, community governments, and professional affiliates. Each may also have obligations to scholarly disciplines, to the wider society and culture, and to artists, artwork, and the environment that fosters commitment to the arts. Furthermore, Museum trustees and donors as well as professionals and volunteers may develop close relationships with other persons with whom they work and socialize, generating an additional level of ethical considerations.

In a field of such complex involvements and obligations, often relying upon professional direction and advice and having this participation made by those who financially and voluntarily give of time and services, it is inevitable that misunderstandings, conflicts, and the need to make choices among apparently incompatible values will arise. Museum professionals and volunteers are responsible for grappling with such difficulties and struggling to resolve them in ways compatible with the principles stated here.

The purpose of this Code of Ethics is to foster discussion and education to put forward principles and guidelines in order to provide the Museum professional and volunteer with tools to engage in maintaining an ethical framework for all Museum work. Among its numerous policies, including its Collection Care and Management, By-Laws, Conflict of Interest, and Governance and Employment Personnel policies, the institution manages practices in accordance with the Museum profession and the American Association of Museums. The Code of Ethics is to be used to guard against untruthful, deceitful, and dishonest behavior in carrying out the institution's mission.

The Southern Alleghenies Museum of Art is a non-profit 501(c)(3). As a 501(c)(3), the Museum is registered as a public charity (identified in IRS terms as "not a private foundation") and receives a substantial part of its income, directly or indirectly, as gifts from the general public and through competitive grantsmanship from private foundations or from the government. As a non-profit organization that solicits contributions and memberships from the public, it must make its information available to the public through factual disclosure of the information and through the filing of documents with the IRS that prove the Museum to be operating for charitable purposes as specified by 501(c)(3) statutes.

For all of these reasons stated, it is critical to maintain the public trust by being principled and honorable in the way in which we operate our Museum and share with the public significant information about the institution.

## II. INTRODUCTION

The mission of the Southern Alleghenies Museum of Art is to advance all aspects of American art. It exists to preserve, exhibit, and advance American art and is dedicated to making its programs and activities accessible to the people of the southwestern and south central area of Pennsylvania. By establishing and maintaining a museum of art and by providing programs and activities of a public, charitable, civic, cultural, literary, and educational nature, the Museum serves the people of the region. Charged with the development, maintenance, and perpetuation of a permanent collection, the Museum mounts exhibitions designed to evoke an interest in and an understanding and appreciation of American art.

As one of the principle organizations representing the breadth and depth of American Art in Southwestern Pennsylvania and as a state and national model for art organizations serving rural communities, the Southern Alleghenies Museum of Art starts from the position that generating and appropriately utilizing knowledge (i.e., publishing, teaching, developing programs, and informing policy) of the peoples of America, past and present, is a worthy goal; that the generation and programming of this knowledge through tangible objects of art is a dynamic process using many different and ever-evolving approaches; and that for moral and practical reasons, the generation and utilization of knowledge of art objects should be achieved in a principled and honorable manner.

Its trustees and staff oversee policy and supervise and manage works of art on loan and a permanent collection of two and three dimensional visual art and catalogues, registers and inventories these collections. Its staff and volunteers conduct primary and secondary scholarship on the art and its artist, donor, provenance, and iconography, including the study of all aspects of its content, creation and medium. The Museum staff supervises and presents programs in its facilities and off site at schools, community organizations, and health care facilities in art education, museum education, and residency art instruction, as well as studio art instruction, art historical lectures, and exhibitions of art in its five facilities in Altoona, Bedford, Johnstown, Loretto, and Ligonier Valley.

In addition, the administration supervises the sustenance, maintenance and security of its physical plant and office equipment and furnishings. It coordinates groups of volunteers who assist in development, those that sit in an advisory capacity for Museum programming and marketing, and those that sit in the capacity of governing policy and procedure. The board of trustees governs policy and together with the staff is involved in the development of strategic planning, financial oversight and fundraising.

The Southern Alleghenies Museum of Art and museums in general have their roots in nineteenth century natural and social sciences and in the humanities, ranging in approach from basic to applied research and to scholarly interpretation, to methods and interpretation of exhibiting and collecting. The primary function of a museum and that of the Southern Alleghenies Museum of Art is to act as a public trust of scholarship and repository of artwork, to manage the collection and its programs for and with the assistance of the public,

and to maintain and sustain a standard of doing so that is in keeping with the guiding principles and values that lead to the highest standards of integrity.

The purpose of this Code is to inform members of the Southern Alleghenies Museum of Art and other interested persons in the professional, administrative, and governing activities of the institution of guidelines for making ethical choices. The guidelines are to also encompass the conduct of their participation in the Museum, whether it be in research or application of knowledge, generation of programming, and collecting and using the art form as examples of our culture and as a vehicle for disseminating information. Because Museum professionals, supporters and volunteers can find themselves in complex situations that are subject to more than one code of ethics, the Southern Alleghenies Museum of Art Code of Ethics provides a framework, not an ironclad formula, for making decisions.

Persons using the Code as a guideline for making ethical choices are encouraged to seek out, from the Museum administration or comparable institutions, illustrative examples and appropriate case studies to enrich their knowledge base. However, no code or set of guidelines can anticipate unique circumstances or direct actions in specific situations. The individual must be willing to make carefully considered ethical choices and be prepared to make clear the assumptions, facts and issues on which those choices are based. These guidelines therefore address general contexts, priorities and relationships which should be considered in ethical decision making in Museum work.

This document is created to serve as a guide for Museum Administration, Staff, Board of Advisors, and Volunteers (collectively referred to in this document as ‘Covered Individuals’) in reference to their individual and collective roles in conducting the Southern Alleghenies Museum of Art’s affairs. All Covered Individuals must 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 Southern Alleghenies Museum of Art’s affairs. An unambiguous commitment by all Covered Individuals to the noble concept of service for the common good—anchored in the covenant that the Museum 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 AAM’s Code of Ethics for Museums (Appendix II). Furthermore, it punctuates Three Fundamental Obligations that govern all Covered Individuals’ individual and collective actions on behalf of the Museum. This approved Code of Conduct applies to staff, volunteers, and governing authority with respect to the following basic principles :

1. Support and Promote the Museum’s Mission

All Covered Individuals should actively work towards achieving the Southern Alleghenies Museum of Art’s mission, which is to preserve, exhibit, and advance

American art. SAMA operates the nation's longest-running museum satellite system with five facilities in the southwestern Pennsylvania cities of Altoona, Bedford, Johnstown, Ligonier and Loretto.

## 2. Avoid Conflicts of Interest: Actual, Potential and Perceived

Covered Individuals are obligated to avoid all actual, potential, and perceived conflicts of interest in conducting the Museum'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

Covered Individuals are obliged to conduct the Museum's affairs by making legal, fiscally prudent, and ethically sound decisions on the institution's behalf, both for its short- and long-term viability. Fiscally prudent decisions sustain the Museum and are primarily the responsibility of the Museum's Administration, with the Board of Advisors providing support and community oversight, while all Covered Individuals are obligated to may ethically sound decisions on behalf of the Museum.

### **III. COLLECTING**

#### A. Individual Collecting

In both proposing and carrying out the collecting of art for the Museum's permanent collection, Museum trustees, staff, and all interested parties must be open about the purpose(s) of collecting, potential impacts, and source(s) of support of this acquisition with funders, colleagues, persons providing information, and with relevant parties affected by the collecting. All trustees and staff must expect to utilize the results of their proposal or action of collecting in an appropriate fashion and disseminate the results through appropriate and timely activities. Full disclosure of these expectations is ethical, regardless of the source of funding (public or private) or purpose (collection building, collection enhancement, or collecting for educational activities).

Museum trustees, staff, and all parties interested in collecting for the Museum should be alerted to the danger of compromising principles as a condition to collect, yet also be alert to proper demands of good citizenship, function of the Museum as a community repository, or the role of the Museum in community relations. Active contribution and leadership in seeking to shape public or private sector actions and policies may be as ethically justifiable as no action, detachment, assistance, depending on circumstances. Similar principles should hold for Museum professionals employed or otherwise affiliated with non-collecting institutions, public institutions, or private enterprises.

#### B. Museum Collection

Museum professionals have primary ethical obligations to the art and materials they collect and to the people with whom they work. These obligations can supersede the goal of seeking new knowledge or artwork, and can lead to decisions not to undertake or to discontinue a project when the primary obligation conflicts with other responsibilities, such as those owed to sponsors or donors of artwork. These ethical obligations include:

- To avoid harm or wrong, understanding that collecting art can lead to change which may be positive or negative for the institution, all involved or interested people, or the artwork itself (some forms of art are toxic and can be degenerative to other works of art; collection storage limitations may lead to overcrowding and the jeopardizing of other stored objects, etc.)
- To responsibly collect objects and to the people with whom Museum professionals work and whose lives they impact.
- To respect the notion of short term and long term impact of aesthetics as well as the well-being of all works of art, whether the work is judged or not judged as aesthetically pleasing or significant or insignificant according to others' standards of aesthetics
- To work for the long-term conservation and care of the art and historical records
- To consult actively with all individuals or group(s) affected by collecting, with the goal of establishing a working relationship that can be beneficial to all parties involved in the collection process
- To disclose all potential conflicts of interest affected by the collecting, whether the work is ideally suited to enhance existing collections or help to reshape the collection's focus
- To make known to all individuals who are responsible to enforce governing policy the way in which collecting has and will impact the institution's Mission and Collection Care and Management policies
- To make known to all potential donors the Collection Care and Management policies of the institution and be forthcoming of all pertinent information regarding the institution's obligation to its Mission and to the community for which it collects
- To present all pertinent and factual information on past, current, and future collecting to all of those involved and knowing that the discovery of undisclosed pertinent information in order to avoid harm or wrong to donors, trustees, or involved staff must be presented with the utmost care in order to avoid future harm or wrong to the institution

Museum professionals and interested parties must do everything in their power to ensure that their collecting practices do not harm the safety, dignity, or privacy of the people with whom they work, conduct research, or perform other professional activities. Careful and respectful disclosure of information must be of the utmost concern as to not compromise personal, professional or financial information of donors and their family or provenance of the artwork.

Research must determine in advance whether the providers of information wish to remain anonymous or receive recognition, and Museum professionals, trustees, and volunteers make

every effort to comply with those wishes. Researchers of this information must present to all participants the possible impacts of the choices, and make clear that despite their best efforts, anonymity may be compromised or recognition fail to materialize.

Researchers should obtain in advance the informed consent of persons involved in the collecting or donating process, providing information, owning or controlling access to material being studied, or otherwise identified as having interests which might be impacted by the disclosure of such research. It is understood that the degree and breadth of informed consent required will depend on the nature of the project and may be affected by requirements of other codes, laws, and ethics of the persons or their state, country or community. Further, it is understood that the informed consent process is dynamic and continuous; the process should be initiated in the project design and continue through implementation by way of dialogue and negotiation with those involved. Those involved in presenting the information are responsible for identifying and complying with the various informed consent codes, laws and regulations affecting their projects. Informed consent, for the purposes of this Code, does not necessarily imply or require a particular written or signed form. It is the quality of the consent, not the format that is relevant.

Those involved in presenting information that have developed close and enduring relationships (i.e., covenantal relationships) with individual persons providing information must adhere to the obligations of openness and informed consent, while carefully and respectfully negotiating the limits of the relationship.

Museum professionals, volunteers and trustees must avoid presenting information about the value of art as a benchmark for public or institutional collecting. Value of artwork is to be determined by fair market value at a given time and place and only by a nationally certified public appraiser not employed by or directly affiliated with the collecting institution in order to avoid conflict of interest.

### C. Conflicts of Interest

While Museum professionals, volunteers, and trustees may gain personally from collection building or their work in general, they must not gain financially, or exploit individuals, groups, or art and artifacts for financial gain. Personal gain would be defined as one of personal satisfaction without the exchange of money, services, or objects. Receipt of artwork, objects, services, discounts on purchases, or personal gifts would be equated with financial gain. All Museum affiliates in the process of collecting should recognize the institution's debt to the persons and reciprocate in appropriate ways.

Whenever the Museum engages in an activity where there is a possible conflict or the appearance of conflict between the interests of the Museum and an outside or personal interest of a trustee/employee or that of a person close to him or her, the outside interest of the person should be made a matter of record. If the trustee is present when a vote needs to be taken in connection with such a question or situation, the Trustee should abstain. In some circumstances, the Trustee/employee should avoid discussing any planned actions, formally



or informally, where there might appear to be personal benefit. If a case arises in which neither disclosure nor abstention appears to be sufficient, the only appropriate solution may be resignation.

A Museum Trustee/employee should not take advantage of information he or she receives during service to the institution if personal use of such information could be financially detrimental to the Museum. Any such actions that might impair the reputation of the Museum also must be avoided. When a Trustee/employee obtains information that could be of personal benefit, he or she should refrain from action until all issues have been reviewed by an appropriate representative of the Museum.

#### D. Gifts, Favors, Discounts, Dispensations

The Southern Alleghenies Museum of Art is committed to the highest ethical principles in all relationships with business suppliers. Any Museum staff member who is authorized to spend Museum funds should do so with impartiality, honesty, and with regard only to the best interests of the Museum.

Museum staff and others in a close relationship to them must not accept gifts, favors, loans, or other dispensations or things of more than minimal value that are available to them in connection with their duties for the Museum. Gifts of minimal value are deemed to be those novelty items with advertising identification affixed to them and a value of less than \$50.

Gifts include discounts on personal purchases from suppliers who sell items or furnish services to the Museum, except where such discounts are regularly offered to the general public. Gifts can also include offers of outside employment or other advantageous arrangements. Gifts in questionable taste, such as lottery tickets or alcoholic beverages, should be declined in all instances, regardless of cost or value.

Museum staff should not accept meals, accommodations and travel services while on official business, except when it is clear that acceptance of such services will not compromise the professional judgment of the staff member or the reputation of the Museum.

#### E. Sale of Exhibited Artwork

While the Southern Alleghenies Museum of Art has displayed and sold artwork on exhibit in the past, the museum understands that this policy should be updated to reflect the most current ethical guidelines for museums. From this point forward, the Southern Alleghenies Museum of Art will not sell exhibited artwork on behalf of artists, dealers, or private collectors.

The Southern Alleghenies Museum of Art will offer consigned artwork and goods, including but not limited to jewelry, postcards, prints, pens, and shirts, in the museum gift shops. Clear consignment arrangements will be made with each artist, artisan, and vendor. The museum gift shops will operate as separate entities from the museum galleries.

No curator, staff, or employee of the Southern Alleghenies Museum of Art shall act as an art dealer. Upgrading a personal collection by occasional trades or purchases is not considered dealing in works of art. The acquisition and deletion of objects from a personal collection may require disclosure as set forth in the section Collecting.

#### **IV. DEACCESSION AND DISPOSAL OF ARTWORK**

##### **A. Definition**

Deaccession is the formal change in recorded status of the object. Disposal is the action taken after a deaccession decision.

##### **B. Deaccession Criteria, Process, and Standards**

All recommendations for deaccession must originate with the appropriate Curator having jurisdiction over that portion of the collection, or the permanent staff member exercising curatorial responsibility for that portion of the collection in the absence of a Curator. In recommending deaccessions to the Museum Director, the Curator having jurisdiction shall present a written statement of the purpose and justification, observing the highest standards of scholarship and professional practice. It is the responsibility of the Director to make sure these standards are observed and that the Museum holds clear title. The Director shall also determine that legal or contractual considerations do not prevent deaccessioning.

If the Director approves, the Director and Curator having jurisdiction shall then present the proposal to the Collections Committee for approval. If approved by the Committee, the Director shall then make the recommendation to the Acquisitions Sub-Committee of the Museum Advisory Committee. Supporting material shall include at least the following: signed recommendation, accession number, description of object, method of acquisition, proposed means of disposal, condition report, justification, and estimated value if known. All written materials relating to the deaccession shall be kept as part of the Museum's permanent records.

Before disposal, all accession numbers and other identifications relating to the Southern Alleghenies Museum of Art shall be removed from the object or marked to indicate removal from the Museum's holdings. Having been approved through the process outlined above, deaccessioning shall be conducted in such a way as to maximize improvement of the Museum's collection, while preserving its integrity and reputation. This may be accomplished through sale at public auction; sale or donation to another museum or institution; or through consignment or sale to a dealer or other buyer.

The Director in consultation with the Curator involved shall decide in each instance whether it is in the Museum's best interest for its ownership of the works to be revealed. No person associated with the Southern Alleghenies Museum of Art, or any representative or relative of such person, may acquire a work of art deaccessioned by the Museum. This prohibition

also applies to individuals with a previous relationship with the Museum, for two years following their employment.

Income derived from deaccessioned objects shall be used solely for the purchase, acquisition, or care of other art works. Objects of minimal or no market value may be used for study purposes or destroyed. When an object that was a gift to the Museum is deaccessioned, the objects acquired with the income shall be credited to the original donor, either singly or in combination with the names of other donors or funding sources contributing to the new acquisition.

The following are SAMA's standards set for deaccession of artwork from the Permanent Collection.

The artwork in question must no longer meet the criteria of strengthening the collection or meet the goals of the institution. In other words, the piece must no longer fall within the scope of the museum's mission.

- 1) is beyond the capability of the museum to maintain.
- 2) is not useful for research, exhibition, or educational programs in the foreseeable future.
- 3) is a duplicate in the collection.
- 4) is a poor, less important, incomplete or unauthentic example of an artist's work.
- 5) is physically deteriorated or consists of hazardous materials.
- 6) is subject to a legislative mandate, e.g. repatriation.
- 7) is subject to contractual donor restrictions the museum is no longer able to meet.

Decision criteria that apply to the work subject to deaccession must be well documented.

Works in the permanent collection may be deaccessioned if they no longer meet the criteria of strengthening the Museum's permanent collection or of meeting the goals of the institution. However, deaccessioning is undertaken only rarely and only after very serious consideration.

Works being considered for deaccessioning are to be recommended to the Acquisitions Committee by the director and the curator of fine arts. A final courtesy is made informing the donor (if living) of material previously accepted as a gift being removed as an act of the de-accession decision of the Board. Upon approval of a motion by the Acquisition Committee for deaccession of the works identified this motion is presented to be considered by the Board of Trustees. Upon approval of the Board of Trustees, the works to be

deaccessioned are to be disposed of either by sale or by auction through reputable institutions, or through donation to another museum institution.

All proceeds from deaccessioned works are restricted according to the Code of Ethics of AAM for the purchase of art works for the permanent collection or direct care expenses for the collection as established by policy of the Board of Trustees and outlined in the audit procedures of the institution. A list of applicable direct care expenses as approved by the Board of Trustees are included with each annual audit for the institution. Adopted July 2020.

No members of the staff of the Museum or its Board of Trustees or immediate families are permitted to purchase any deaccessioned works of art. No member of the staff of the Museum or its Board of Trustees or immediate families may accept any personal stipend (finder's fee, etc.) from any acquisition or deaccessioning action.

### C. NAGPRA as it pertains to the Permanent Collection at SAMA

The museum complies with the Federal Native American Graves Protection and Repatriation Act as written and approved by Congress in 1990. The Museum will not collect items relating to sacred funerary practices or human remains as outlined in the Act.

Should it be conclusively proven that an object that has been acquired by the Museum was illegally exported from its country of origin or from the country where it was last legally owned, the Museum will, under appropriate circumstances, take reasonable steps for the return of the object to the country establishing the clearest claim. The Museum Director and Curators shall make every effort to ensure that no such claims exist before making acquisitions. If the Museum determines that an object in its collection was unlawfully appropriated during the Nazi era without subsequent restitution, or under other, similar circumstances, the Museum will seek to resolve the matter with the claimant in an equitable, appropriate, and mutually agreeable manner. All claims of ownership asserted with objects in its collections will be addressed openly (to the degree possible and appropriate), seriously, responsively, and with respect for the dignities of all parties involved.

NAGPRA required museums and Federal agencies to complete an item-by-item inventory of human remains and associated funerary objects owned or possessed by them. These inventories include information about where the remains and objects came from, their cultural affiliation, if known, and information about how and when each item was acquired by the museum or agency.

In the case of unassociated funerary objects, sacred objects and cultural patrimony, museums and agencies were required to provide a summary of these items and not an object-by-object inventory. The summaries provide general information about the kinds of objects held by the museum or agency, where they were, their cultural affiliation and how and when obtained. Museums and agencies have an on-going obligation to consult with Native American governmental and traditional leaders about the objects included in these summaries.

The Southern Alleghenies Museum of Art does not maintain or hold any Native American Graves Sacred Funerary items or related human remains in its collection.

#### D. Found in Collection / Abandoned / Nazi Era or Stolen Art

The Southern Alleghenies Museum of Art treats all “Found in Collection” items in the following manner:

1. Initial inquiry by thorough examination of artwork for its accession # or other identifying marks.
2. Ascertain the potential donor, previous owner, or circumstances under which the item came to be in the collection through examination of current and previous administrative paperwork, documents or other types of marking.
3. Clarify ownership of items through these inquiries. If abandoned property makes all attempts to locate the owner and determine disposition of said objects for: return, acquisition consideration for the collection, or disposal through appropriate means.
4. The Registrar and / or Curator will check FBI and International Stolen Art inventories at minimum once per calendar year to ascertain if any objects held within the museum are listed within those inventories. If an item in the collection is discovered on these lists the item and its accompanying paperwork history will be brought to the attention of the Director and Board of Trustees. Legal counsel is to be consulted upon discovery to protect the institution and the item. If during an annual inventory items are discovered that relate to Nazi Era theft, are known to be stolen as per international/national lists. the museum administration will immediately contact the appropriate authorities with advice and support of Legal Counsel. The Registrar and/or Director will inform The Chair of the Acquisition Committee of all items in these categories and form the Board of Trustees immediately upon discovery.

#### E. Appraisals of Art Objects

Museum staff is prohibited from providing appraisals or monetary valuations of works of art to any party outside the Museum.

### **V. RESPONSIBILITY TO SCHOLARSHIP**

Museum professionals, trustees and volunteers must expect to encounter ethical dilemmas at every stage of their work, and must make good-faith efforts to identify potential ethical claims and conflicts in advance when preparing proposals and as projects proceed. Raising and responding to potential ethical issues should be part of every proposal.

Museum professionals, trustees and volunteers bear responsibility for the integrity and reputation of their discipline, of scholarship, of the arts and humanities and of the Museum. Thus, all interested parties are subject to the general moral rules of scholarly conduct: they should not deceive or knowingly misrepresent (i.e., fabricate evidence, falsify, and plagiarize), or attempt to prevent reporting of misconduct, or obstruct the information or

research of others. Museum professionals should do all they can to preserve opportunities for future professionals to follow them and for the field of study.

Museum professionals, trustees, and volunteers should utilize the results of their work in an appropriate fashion, and whenever possible disseminate their findings in an appropriate way to the community.

Museum professionals, trustees, and volunteers should seriously consider all reasonable requests for access to their data and other materials for purposes of research. They should also make every effort to insure preservation of their data for posterity of the field and the Museum.

#### A. Responsibility to the Public

Museum professionals and trustees should make the results of their work and policies appropriately available to sponsors, students, decision makers, and other non-Museum personnel. In doing so, they must be truthful; they are not only responsible for the factual content of their statements but also must consider carefully the social and political implications of the information they disseminate.

They must do everything in their power to ensure that such information is well understood, properly contextualized, and responsibly utilized. They should make clear the empirical bases upon which their reports stand, be candid about their qualifications and philosophical or political biases, and recognize and make clear the limits of their expertise. At the same time, they must be alert to possible harm their information may cause people with whom they work.

Museum personnel may choose to move beyond disseminating information to a position of advocacy. This is an individual decision, but not an ethical responsibility, and one requiring disclosure of intent to advocate in addition to disseminate information.

## **VI. TEACHING and ART EDUCATION**

#### A. Responsibility to students of all ages, trainees, and the public

While adhering to ethical and legal codes governing relations between teachers/mentors and students/public at their educational institutions or as members of wider organizations, Museum staff and art teachers should be particularly sensitive to the ways such codes apply in their discipline (for example, mentoring/teaching for the Southern Alleghenies Museum of Art may involve close contact with the student community at the Museum as well as off-site contact at community organizations and public and private schools). Among the widely recognized precepts which museum staff, and art teachers, like other teachers/mentors, should follow are:

## B. Teachers / Mentors / Staff Guidelines

Teachers/mentors/staff should conduct their programs in ways that preclude discrimination on the basis of sex, marital status, race, social class, political convictions, disability, religion, ethnic background, national origin, sexual orientation, *gender identity*, age, or other criteria irrelevant to community programs or academic performance.

Teachers'/mentors'/staff duties include continually striving to improve their teaching techniques; being available and responsive to students of all ages interests; counseling students of all ages realistically regarding career opportunities; conscientiously supervising, encouraging, and supporting studies; being fair, prompt, and reliable in communicating evaluations; assisting students of all ages in securing research support; and helping students when they seek professional placement.

Teachers/mentors/staff should impress upon students the ethical challenges involved in every phase of Museum work or the art profession; encourage them to reflect upon this and other codes; encourage dialogue with colleagues on ethical issues; and discourage participation in ethically questionable projects; avoid personal judgment on ethical questions.

Teachers/mentors/staff should publicly acknowledge student assistance in research and preparation of their work; give appropriate credit for co-authorship to students, staff, and volunteers; encourage publication of worthy student papers; and compensate financially or through appropriate recognition of students justly for their participation in all professional activities.

Teachers/mentors/staff should beware of the exploitation and serious conflicts of interest which may result if they engage in sexual relations with students. They must avoid sexual liaisons with students of any age.

It is not the intent of a Museum staff, teacher or subcontracted teacher of art to interfere with the individual creative process of the student or the delivery of instruction in the creative process. Rather, a Museum teacher or teacher of art should *explain the* creative process and allow for individual response. Museum professionals and interested parties must do everything in their power to ensure that the role of a Museum is to respect and instruct and not manipulate the individual creative process.

## VII. APPLICATION OF KNOWLEDGE

The same ethical guidelines apply to any application of Museum work. That is, in both proposing and carrying out education and exhibition projects, Museum trustees, staff, and volunteers must be open with sponsors, colleagues, and artists by providing all relevant information to all parties affected by the work about the purpose(s), potential impacts, and source(s) of support for the work. Museum professionals must intend and expect to utilize

the results of their work appropriately (i.e., publication, teaching, program and policy development) within a reasonable time.

In situations in which art knowledge is applied, Museum professionals bear the same responsibility as teachers to be open and candid about their skills and intentions, and monitor the effects of their work on all persons affected. Museum professionals and educators may be involved in many types of work, frequently affecting individuals and groups with diverse and sometimes conflicting interests. The individual must make carefully considered ethical choices and be prepared to make clear the assumptions, facts, and issues on which those choices are based.

In all dealings with employers, persons hired to pursue art research or apply art knowledge should be honest about their qualifications, capabilities, and aims. Prior to making any professional commitments, they must review the purposes of prospective employers and vendors, taking into consideration the employer's or vendor's past activities and future goals. In working with governmental agencies or private businesses, they should be especially careful not to promise or imply acceptance of conditions contrary to professional ethics or competing commitments.

Museum professionals should be alert to the danger of discrimination or compromising ethics as a condition for engaging in research, in public programs, or practice. Whether the research, program or practice of disseminating knowledge takes place in the Museum or off-site in community organizations or public or private schools, they should also be alert to proper demands of hospitality, good citizenship and guest status.

#### A. Outside Employment or Volunteer Activity

Full-time staff is expected to devote their working hours to the fulfillment of their responsibilities to the Museum. If it is determined that an employee's outside work or volunteering interferes with performance or ability to meet the requirements of the Museum, the employee may be asked to terminate such employment/activity. If the employee has accepted or is contemplating outside employment or other time demanding commitments that will infringe upon his/her commitment to the Museum or will pose a substantial conflict of interest, the employee should notify the Executive Committee.

Staff members are encouraged to participate in voluntary outside activities with community groups or public service organizations. If a staff member volunteers for an organization or museum and s/he could appear to be acting in an official capacity as a member of SAMA staff, disclosure is recommended to avoid possible misrepresentation. Museum professionals should conduct themselves so that their activities on behalf of community or public service organizations do not reflect adversely on the reputation or integrity of this Museum. When a member of the Museum staff speaks out on a public issue, s/he should make sure to do so as an individual. It is important to avoid the appearance of speaking or acting in an official capacity or on the Museum's behalf.

#### B. Responsibility to Museum Property, Real and Intangible



No staff member should use, outside Museum premises or, for personal gain, any object or item that is a part of the Museum's collection or under the guardianship of the Museum, or use any other property, supplies or resources of the Museum, except for the official business of the Museum. The name and reputation of this Museum are valuable assets and should not be exploited either for personal advantage or the advantage of any other person or entity.

Information about the administrative or non-scholarly activities of the Museum that staff may acquire in the course of their duties which is not generally known or available to the public, must be treated as information proprietary to the Museum. Such information should not be used for personal advantage or other purposes. Staff members are responsible for maintaining the security of confidential records and information, and the privacy of individuals or groups who support the Museum.

Staff members should be circumspect in referring members of the public to outside suppliers to the Museum. Whenever possible, more than a single qualified source should be named in order to avoid the appearance of personal favoritism in referrals. Members of the SAMA Board/staff can not acquire objects from the collections owned by or on loan to the Museum.

### C. Political Participation

It is understood that trustees and employees can and do participate in political campaigns in their individual capacities, on their own time and without any use of museum resources. However, such persons must take steps to ensure that their individual participation will not be attributed to the museum or make use of museum resources. The museum does not endorse political candidates or participate in political campaign activities.

No museum trustee, staff member or volunteer may participate in any political campaign on behalf of the museum or engage in any other activity that would lead an outsider to believe that the museum is supporting or opposing a candidate for public office. This prohibition covers activities such as making campaign contributions, organizing or encouraging the purchase of tickets to political fundraising events, using museum facilities or resources for campaign-related activities, and publishing, making, or distributing statements for or against any candidate, where such activities are — or may appear to be — undertaken on behalf of the museum.

Certain museum activities are supported, in part, with funds received from local, regional, and federal governments. The museum may have elected officials, ex-officio, on its board of trustees. Nothing in this policy is intended to limit the museum's ability through its trustees, staff members, or volunteers to seek and accept governmental support, or prohibit elected officials from participating in the museum's governance and activities. Any trustee or employee who has questions regarding this policy should consult the museum's legal counsel.

It is important to distinguish between personal and organizational political activities. As a responsible citizen, the museum occasionally will speak out on issues of importance to it. Senior management is responsible for developing the museum's position on relevant

legislative and regulatory issues. Unless you are specifically requested by the museum to represent it before legislative or other governmental bodies, be sure you clearly label any personal communication with legislators as your own beliefs. If you are contacted by legislators or regulators regarding the museum's position on public issues, you should refer them to the executive director.

## **VIII. MUSEUM INFORMATION and CONFIDENTIALITY**

**Ownership of Assets and Intellectual Property:** The objects in the museum's collections, their documentation and all additional documentation developed subsequent to or in connection with their acquisition or maintenance are the property of the museum. Any and all materials or items developed, written, designed, drawn, painted, constructed or installed by employees while carrying out their responsibilities as employees of the museum are the property of the museum. Unless otherwise agreed in writing by both the employee and the executive director, the museum is the sole owner of any materials written, designed or produced by an employee in the scope of his or her employment by the museum, or through the use of museum equipment and/or assets, including all copyrights and other intellectual property rights in and to these materials.

**Confidentiality of Museum Information:** As a trustee or employee, you are responsible and accountable for the integrity and protection of the museum's proprietary information and must take steps to protect information that has been entrusted to you. For example, you must not make inappropriate modifications of information or destroy or disclose information except as authorized. Documents containing sensitive data should be handled carefully by employees during work hours and must be properly secured at the end of the business day. Particular attention must be paid to the security of data stored on the computer system. If you observe unknown individuals using terminals in your area, immediately report this to your supervisor.

The same guidelines apply to intellectual property or confidential information of other organizations or individuals disclosed to the museum for its use. To avoid the risk of being accused of misappropriating or misusing someone's confidential or restricted information, receipt of the information should not take place until the terms of its use have been formally agreed to by the museum and the other party in a written agreement approved by the museum's legal counsel. Furthermore, unless otherwise delegated, establishing such an agreement for the receipt of confidential or restricted information of another party will require the prior written approval of the executive director. Once another party's confidential or restricted information is properly in your hands, you must not use, copy, distribute or disclose that information unless you do so in accordance with the terms of the agreement.

## **IX. GOVERNANCE**

This Code of Ethics has been adopted by the Board of Trustees of the Southern Alleghenies Museum of Art to deter wrongdoing and promote honest and ethical conduct. It is also used

to substantiate and sustain the proper disclosure of financial information, public and confidential communications made by the trustees, and compliance with Museum policies, rules, and regulations that are followed by the Museum's principal executive officer, principal financial officer, and principal accounting officer and all members of the Museum staff. All institutional policies at the Southern Alleghenies Museum of Art, including By-Laws and Conflict of Interest statements, as well as documents outlining fiduciary and governing responsibilities and Collection Care and Management, are to prevent misunderstandings of process and involvement of the staff and Board of Trustees in institutional management. The Code of Ethics is to be used to guide the Board in implementing and enforcing these policies with integrity and honor as stewards of the communities' collection of art and the Museum as an institution of higher learning.

The Museum's Code of Ethics general principles applies to staff, volunteers and governing authority with respect to acquisitions, deaccessions, disposal of collections, personal collecting, personal use of museum resources, gifts and gratuities, etc. SAMA notes no distinction between any of the above as they serve as professionals, must monitor the ethics of the Executive Director and fellow Board members, and are not monetarily compensated for their volunteerism as trustees. However, the Board of Trustees of the Southern Alleghenies Museum of Art is considered a governing authority that has unique responsibilities to the institution and the public in maintaining the highest ethical standards in order to effectively carry out their responsibilities.

#### A. Public Accountability

1. Maintain high standards of honest and ethical conduct in all dealings with current and past Museum full time staff and employees, supporters/donors, and vendors of the Museum and with other third parties, including the Museum's independent auditors
2. Avoid any actual or apparent conflict of interest in the hiring of the Executive Director, in the support of elevating members of the board to positions of committee activity, and between personal and professional relationships as defined in the Museum's Conflict of Interest Policy
3. Report to the Finance/Audit Committee of the Board of Trustees any conflict of interest that may arise and any material transaction or relationship that reasonably could be expected to give rise to a conflict
4. Take reasonable measures to protect the confidentiality of information about the Museum, the public the Museum services, and its vendors, and prevent the casual disclosure of such information unless required by applicable law or regulation or legal or regulatory process
5. Ensure practices do not harm the safety, dignity, or privacy of the people with whom they work or the institution in which they govern

#### B. Institutional Accountability

1. All records and reports derived from and for the Board Trustees are to be held in confidence among fellow Trustees and appropriate staff and public officials and are to be discussed in a manner that fairly and accurately reflects the transactions or occurrences to which they relate.
2. All attempts should be made to assure that information fairly and accurately reflects in reasonable detail the Museum's assets, liabilities, revenues and expenses, staff, donors, and audiences, and does not contain any false or intentionally misleading information.
3. Other than the open, normal discourse which takes place at scheduled Board of Trustee meetings, including Executive Committee, Committee, and any called meeting, Board of Trustee members shall endeavor not to solicit or lobby fellow Board members in advance in seeking to shape governance actions and policies. Nor should Board members seek out staff, volunteers, or any other interested parties, in driving governance actions and policies. All decision making should be fully transparent. If a conflict of interest exists with a Board member regarding a discussion or vote on any particular issue, then that Board member should acknowledge the conflict of interest and recuse themselves from the discussion and vote.
4. Endeavor to assure full, fair, accurate, timely, and understandable disclosure in reports and documents that the Museum files with or submits to independent accountants, the state and federal government as well as other agencies that have entrusted the Museum to act on their behalf as a public trust.
5. Comply and take reasonable action to cause others to understand and comply with applicable non-profit governmental laws, rules, and regulations
6. Promptly report suspected violations of the Museum's Code of Ethics by any Officer or the Executive Director to the appropriate trustees or staff, which may be done anonymously. Not reporting unethical behavior may be considered unethical behavior.
7. Promptly report suspected violations of the Museum's Code of Ethics by any volunteer, staff, or member of the Museum to the Executive Director of the Museum. Not reporting unethical behavior may be considered unethical behavior.

### C. Personnel Practices and Equal Opportunity

In all matters related to staffing practices, the standard should be ability in the relevant profession. In these matters, as well as Trustee selection, management practices, volunteer opportunity, collection usage, and relationship with the public at large, decisions cannot be made on the basis of discriminatory factors such as race, creed, sex, age, disability, gender or sexual orientation.

The Museum recognizes that diversity is a significant force within its own social fabric and in the community and encourages employment opportunities and accessibility at the Museum of Science for all people. The Museum promotes inclusiveness, and its staff, board and volunteers strive to ensure that diversity is reflected in its programs and committees.

The Museum promotes diversity in its hiring, retention, promotion and board recruitment efforts and in the programs it develops for its constituencies.

## **X. EPILOGUE**

Museum and art education through exhibition, teaching, and application, like any human actions, pose choices for which the Museum professional, trustee or volunteer individually and collectively bear ethical responsibility. Since these interested parties are members of a variety of groups and subject to a variety of ethical codes, choices must sometimes be made not only between the varied obligations presented in this Code but also between those of this code and those incurred in other statuses or roles. This statement does not dictate choice or propose sanctions. Rather, it is designed to promote discussion and provide general guidelines for ethically responsible decisions.

## **XI. PUBLICATION, IMPLEMENTATION and ENFORCEMENT**

The Preamble of the Code of Ethics of the Southern Alleghenies Museum of Art will be published in the 2019 Annual Review and will inform the public of the 2019 update of the 1993 Code of Ethics, accessible for distribution through the Executive Director's office. The new Code will be presented once a year at an annual staff meeting dedicated to reviews of the Collection Care and Management Policy as well as the Personnel Policy. The Code will be distributed to and reviewed by members of the Board of Trustees, its Advisory Boards, and Auxiliary once every two years.

Breach of the Code by members of the Board of Trustees, Museum administration, or volunteers will result in the development of an Ad Hoc committee of the Board, convened to foster discussion and education for those that violated the guidelines. However, the Southern Alleghenies Museum of Art will not judge claims of ethical and unethical behavior, rather it will review the infraction with those that accuse others of a violation and those who may or may not have violated the Code. Appropriate disciplinary action may follow. Disciplinary action may or may not include dismissal from the Board, from the Staff, or from a volunteer capacity.

### **A. Availability of Collections**

While the Southern Alleghenies Museum of Art assumes as a primary responsibility the safeguarding of its collections and therefore must regulate access to them, the collections should be made available to the general public, within regularly maintained hours that are published routinely and on a nondiscriminatory basis. Works of art in storage should be made available for viewing by appointment, but non-Museum staff must always be supervised by an appropriate Museum staff member. Access to some parts of the collection may be restricted due to active scholarly use by staff members and scholars, but normally only for the duration of the immediate research effort. Areas where stored collections are maintained should be organized for the purposes of conservation and security and also categorized, to the extent possible, for easy access for research and study.

## B. Truth in Presentation

It is the responsibility of Museum professionals to present accurate information about the works of art the Museum owns, exhibits, interprets or publishes. This forms a part of the primary charge of the Museum to preserve significant materials unimpaired for the future. Intellectual honesty and objectivity in the presentation of objects is, therefore, the duty of every individual associated with the Southern Alleghenies Museum of Art whether in a paid or unpaid capacity.

## **XI. REVISION AND UPDATES**

The Southern Alleghenies Museum of Art is committed to openness and transparency in the creation and implementations of its policies. Both the Museum's Code of Ethics and Collections Management Policy are living documents, subject to ongoing change and revision over time. The current version of both documents is available at the Museum's website at <http://www.sama-art.org>.

The Museum Director will dedicate at least one staff meeting per year to discussion of these policies, and issues relating to these policies and their interpretation may be considered at any time. Revisions and updates may be made at any time, and following review and approval by the Museum's governing authority will take effect and be posted on the Museum's website.

## **XII. ACKNOWLEDGEMENTS**

The Museum gratefully acknowledges the use of some language from the code of ethics of the National Association of Archaeology, the American Association of Museums, and the Association of Academic Museums and Galleries. Gratitude is extended to the Executive Committee. Appreciation is also given to the staff of the Museum, who thoughtfully reviewed and contributed to this Code of Ethics.

**Southern Alleghenies Museum of Art  
P.O. Box 9  
Loretto, PA 15940**

I have received and understand the attached Code of Ethics of the Southern Alleghenies Museum of Art, and I agree to abide by these policies. Employees who fail to demonstrate the ability to follow Code of Ethics policies will be reviewed for possible termination.

\_\_\_\_\_  
Trustee / Staff / Volunteer

\_\_\_\_\_  
Date