

## **CODE OF ETHICS**

Ackland Art Museum

The University of North Carolina at Chapel Hill

16 June 2007

### **Introduction**

The Ackland Art Museum is guided in the development and evaluation of its operations and programs by a mission statement that was developed by staff and approved by the provost. This mission states that "the Ackland Art Museum animates, inspires, and transforms people's lives with works of art. As an academic unit of the University of North Carolina at Chapel Hill (University), the Museum acquires, preserves, exhibits, and interprets works of art to fulfill the University's mission to provide teaching, research, and public service to the people of North Carolina." The Museum fulfills this mission by:

- acquiring, in an ethical manner, works of art of aesthetic and intellectual significance from diverse periods and cultures,
- preserving the collections in its care according to the accepted standards of the field,
- promoting research and publication in the tradition of intellectual freedom, and
- adhering to the highest academic standards in exhibiting and interpreting these collections for the benefit of its university and public audiences.

The Ackland Art Museum exists as a public trust. The Museum as an institution and those responsible for its governance, management, and operations must act with integrity and adhere to the highest ethical principles. It is understood that these obligations require all staff members, advisory board members, and volunteers to fulfill their duties conscientiously and to avoid engaging in any activities that could compromise the Museum's good will in the community. This Code of Ethics is intended to preserve the public trust with the least possible sacrifice of personal rights.

Principles expressed in the American Association of Museums' Code of Ethics for Museums (adopted in 1991 and amended in 2000) and the AAM Guidelines on Exhibiting Borrowed Objects are endorsed and adopted as part of this document. In addition, the Museum adheres to personnel policies and practices established by UNC-CH, complying with legal requirements for both paid and volunteer staff and providing a workplace that encourages respect for all staff and values their contributions to the Museum's activities. Nothing in this Code of Ethics shall be construed to conflict with any applicable law or University regulation. In case of conflict, the applicable law or University regulation shall supersede this Code. (For University regulations and codes of ethics, see: <http://www.unc.edu/provost/policies.html>).

## **I. GOVERNANCE**

### **A. The University of North Carolina at Chapel Hill**

The Ackland Art Museum is a unit of The University of North Carolina at Chapel Hill (University). The University is a state supported institution and is governed by the laws of the State of North Carolina and the policies of the University of North Carolina (System Office). The University is governed by a Board of Trustees. The Board of Trustees along with the University's administration is responsible for the safety and preservation of the permanent collection and for ensuring that the Museum carries out its mission effectively. The director of the Ackland Art Museum reports to and works with the Office of the Provost to ensure that those who work for or on behalf of the Museum understand and support its mission.

Members of the university administration and its governing entities should act with respect for the professional expertise of the staff who have been engaged because of their specialized knowledge. The administration and governance of the Ackland is structured so that decisions regarding professional matters incorporate the opinions and professional judgments of relevant members of the museum staff. Professional standards and practices inform and guide all Museum operations. Subject to applicable laws and University policy, final responsibility for all decisions related to the operations and management of the Museum rests with the director. All employees are expected to support these decisions, but no staff member should be required to reverse, alter, or suppress his/her professional judgment in order to conform to a management decision.

### **B. Director**

The director of the Museum is appointed by the Provost of the University and reports to the Provost on a regular basis. The director is responsible for establishing policies and managing the day-to-day operations of the Museum in a manner that conforms to the highest ethical standards and is in accordance with the guidelines set forth in the University's *Business Manual*. The director must seek to: safeguard, and if possible enhance, the financial assets of the Museum and ensure that these are used prudently; provide for the proper care and effective presentation and use of the collection, particularly for educational purposes; encourage the professional development and intellectual growth of the staff; and foster a working environment that is based on equity and mutual respect.

## **II. THE COLLECTIONS**

### **A. Management**

The Museum derives its purpose from its collections and its responsibility for these collections is paramount. It is the Museum's duty to preserve these collections for posterity, in enhanced form if possible. All practices related to the management and care of the collection must meet professionally accepted standards. In assuring that these standards are met, the Collections Management Policy of the Ackland, a detailed listing of policies and procedures regarding collections, is to be consulted for best

practices regarding acquisition, disposal, preservation, accessibility, and documentation of the Museum's collections. In any case where a discrepancy between this Code of Ethics and the Collections Management Policy exists, the policies and procedures as outlined in the Collections Management Policy shall prevail.

Restrictions on the use of the Museum's facilities and services by other institutions and organizations are covered under the Museum Use Policy. Works of art belonging to the Ackland Art Museum may not be used in other university buildings.

The deaccession of works from the Ackland's collection is recognized as an essential practice, but shall occur only in order to enhance the quality of the collection. Deaccession of collection objects shall take place in accordance with the Collections Management Policy. Subject to any lawful condition imposed by a donor, proceeds from the sale of deaccessioned objects shall be placed in the appropriate acquisition funds and are to be used only to acquire works which will significantly augment the existing collection. The Museum should strive to acquire works that reflect the general character of the deaccessioned collection.

#### **C. Truth in Presentation**

Intellectual honesty in the presentation of objects and associated information is the duty of every museum professional. Information about objects exhibited in the Museum should be accurate, whether presented in labels, publications, advertisements, electronic media, or any other medium. If for any reason the accuracy of information is in question, this uncertainty should be stated.

#### **D. Loan of objects for exhibition at the Museum**

Because the exhibition of a work of art can enhance the work's monetary value and the artist's reputation, the solicitation and exhibition of loans from non-museum sources (artists, galleries, collectors, dealers, etc.) must be reviewed in advance and approved by the director. The Museum may accept financial support by the lender for such exhibition if that support is appropriately disclosed to the public. Members of the National Advisory Board and staff may lend a work to an exhibition in the Museum. However, to avoid any actual or perceived conflict of interest, the loan should be credited on the label as an anonymous loan. The director must approve both incoming and outgoing loans.

### **III. STAFF**

Staff members of the Ackland Art Museum are employees of the University of North Carolina at Chapel Hill and hence of the state of North Carolina. The *Human Resources Manual for State Personnel Act Employees*, the *EPA Non-Faculty Handbook*, the *Faculty Handbook* of the University of North Carolina at Chapel Hill and other applicable laws and policies should be consulted for complete accounts of practices to be followed.

## **A. Responsibilities**

Every encounter between museum personnel and members of the public represents an opportunity to build support for the Museum. Staff members will strive to respond in a timely and courteous manner to all requests, including those from scholars, university students or faculty, artists, school children, teachers, donors, visitors, or other staff. Professional staff must be dedicated to the highest standards of their respective specialties, while remembering that as part of a team they must cooperate with colleagues.

Museum staff members are identified in the public mind with the Museum and the University and must consider their activities in that light. An employee shall not knowingly misrepresent the mission, objectives, policies, or programs of the Ackland Art Museum.

## **B. Conflicts of Interest**

1. **General:** Staff members should never take unfair advantage of their positions or contacts within the museum community. Museum staff members should conduct their activities in such a way as to avoid conflict between personal interests and the interests of the Museum. If a matter arises that could be perceived as a conflict of interest, the staff member should disclose it to his/her immediate supervisor, who will in turn disclose it to the director. When the director has such a concern about his or her own actions, he or she should disclose it to the Provost. Employees must avoid impropriety or the appearance of impropriety in outside activities and service. When a member of the staff expresses a personal opinion on a public issue, s/he should avoid the appearance of speaking, or acting, on behalf of the Museum. Employees must also comply with the University's Policy on Conflicts of Interest. (<http://coi.unc.edu/index.cfm>)

Staff members may accept gifts of a professional nature, such as books and exhibition catalogues, from their professional associates colleagues in the absence of a contractual relationship. It is unlawful for staff members to accept gifts or favors, other than honorariums for participating in meetings, advertising items or souvenirs of nominal value, or meals furnished at banquets from vendors with whom the Museum has done or may do business. The Museum complies with the North Carolina public records law.

To avoid any actual or perceived conflict of interest, members of the National Advisory Board and staff may not purchase deaccessioned objects at the time of the sale or from the individual or firm acquiring the work for resale. Organizations with which Board or staff members are affiliated are eligible to purchase deaccessioned objects, provided that those Board or staff members are involved in no way with the Ackland's decisions leading to the deaccession.

2. **Personal Collecting:** Staff are encouraged to consult with the Museum's director

concerning collecting in similar fields as that of the Museum. Staff members may not collect for themselves in competition with the Ackland. Works acquired prior to the date of this Code of Ethics was formally adopted, or prior to a staff member's employment with the Museum, are exempt from these restrictions, as are inherited collections and bona fide personal gifts. A staff member may collect in any area outside of those fields collected by the Museum without informing the Museum of his/her activities. However, because the collecting interests of the Ackland are broad, in all such situations, the Museum's collection needs take precedence over those of the individual. If a staff member has acquired or is considering the acquisition of a museum-quality work in an area of interest to the Museum, s/he is required to bring this to the attention of the director in a dated, written notice as soon as is practicable. The Museum shall have the option to purchase the object(s) from the staff member at his/her cost. The Acquisitions Committee will decide whether to exercise the Museum's option to purchase the item from the staff member or seller no later than 90 days of disclosure.

It is understood that a staff member may upgrade his/her collection by selling objects from time to time. Employees who intend to sell individual objects or personal collections that relate to the Museum's mission and scope of collections are required to notify the Museum's director of the impending availability of the objects or collections.

Employees who regularly buy or sell works of art *must* disclose their activities to the director on an annual basis. A list of sales and purchases may be requested to confirm that there is no conflict of interest. The director must report his/her activities to the Provost. The personal sale of objects on Museum premises is prohibited.

### **3. Loans from Personal Collections**

Staff members shall not use the Museum to store personal collections. Works of art entering the Ackland will be documented and treated as loans from the employee. Conservation of and research on personal, family, or friends' collections may not take place on the Museum's premises during business hours.

Loans of objects belonging to staff members can be of benefit to the educational and scholarly mission of the Ackland. Exhibition and publication of objects by the Museum can also enhance the object's value. Therefore, objects belonging to staff members may be exhibited and published by the Museum, but only with the approval of the director. In all cases, loans to the Museum by staff members should be credited anonymously in exhibitions and publications.

### **C. Outside Employment, Consulting, Teaching, Lecturing, Writing**

In conformity with policies of the University, staff members may engage in outside employment only if this does not interfere with their obligation to carry out all primary museum duties in a timely and effective manner. For further information on University and Ackland policies regarding outside employment, see:

<http://hr.unc.edu/Data/SPA/recruitment/added/secemp> and  
<http://www.unc.edu/policies/externalpolicy.pdf>.

Professional staff members are encouraged to write and publish both for the Museum and for their own development. Copyright shall be determined in accordance with University policy.

Except in accordance with University policies concerning running for or holding public office, staff members are not required to disclose activities unrelated to the Museum such as those on behalf of community, political, or other public service organizations.

#### **D. Appraisals**

Museum staff may not make monetary appraisals of any art object. The museum staff are, however, permitted to establish a valuation of objects for internal Museum record-keeping purposes, including objects requested for loans. Employees may identify and evaluate objects as a public service, taking great care not to disparage the objects. Staff members may provide the names of qualified appraisers or an appraisers' association. When referrals are requested by the public, staff shall provide several qualified sources so as to avoid the appearance of endorsement or favoritism. (See Museum Collections Management Policy)

### **IV. VOLUNTEERS**

A. Volunteers are vital to the Ackland Art Museum at all levels of its endeavors. Volunteers with an ongoing participation in the Museum, such as gallery teachers, museum interns, Student Friends, members of the Ackland Guild, and members of the Administrative Advisory Committee, shall understand and support the mission and policies of the Ackland Art Museum.

Volunteers shall accept the requirements of confidentiality regarding their access to the collections and to the endeavors and affairs of the Museum. Information about the administrative and non-scholarly activities or sensitive material in the records of the Museum which is not generally available to the public must be kept strictly confidential. It will be considered a breach of confidence to share any proprietary information with individuals outside the Museum. Access to the Museum's internal activities and information is a privilege and brings with it the expectation that volunteers will adhere to the ethical standards applying to staff members.

Volunteers shall act in accordance with the approved policies of the Ackland Art Museum for the prudent management of the collection including preservation, documentation, presentation, accountability, accessibility, and security. The lack of material compensation does not free volunteers from adherence to museum standards. Volunteers must work for the advancement of the Museum and not for personal gain. Volunteers should not accept gifts of more than a nominal value from the Museum or its vendors. Restrictions that apply to volunteers must be explained to them by their supervisors.

Volunteers play an active and important role at the Ackland Art Museum. Staff should

be supportive of volunteers, should receive them as fellow workers, and should willingly provide appropriate training and resources to help volunteers contribute to the Museum in significant ways.

### **B. National Advisory Board**

The National Advisory Board of the Ackland Art Museum plays an important role in the governance of the Museum. Although the Board does not have legal or fiduciary responsibility for the operations of the Museum, it provides important financial support and serves in an advisory capacity to the director of the Museum.

The mission of the National Advisory Board is to "advise, counsel, and support the director of the Museum on the achievement of the Museum's mission. Such advice, counsel, and support inform long-range plans, policies, collections, exhibitions, education programs, fundraising, and the financial status of the Museum." Members of the National Advisory Board should recognize that they are not empowered to represent the Museum officially or to act as its agent except in ways outlined in the Board's by-laws or specifically agreed to or requested by the director of the Museum. When devoting time and attention to the affairs of the Museum each member of the Board should ensure that none of his/her actions will adversely affect the Museum's operations or reflect unfavorably upon it as an institution devoted to public service.

Members of the National Advisory Board shall accept the requirements of confidentiality regarding their access to the affairs and endeavors of the Museum. It shall be considered a breach of confidence to share any privileged information with organizations or individuals outside the Museum. Board members shall keep confidential and leave intact all lists, records, and documents prepared and utilized in management and fundraising efforts on behalf of the Ackland. Given their advisory capacity, members of the National Advisory Board are not held to the same guidelines regarding personal collecting as are museum staff members. Overseers should, however, be mindful of the Museum's collecting interests and whenever possible seek to support and not compete with those interests. Under no circumstances should a member of the Board, a person close to him/her, or an individual who might act for him/her acquire objects from the collection of the Museum.

Board members shall act in accordance with the approved policies of the Ackland in order to uphold the public trust for the prudent management of the collection including preservation, documentation, presentation, accountability, accessibility, and security. Board members shall maintain a professional relationship with staff in which shared roles are recognized and separate responsibilities are respected. Working relationships among Board members, staff, and volunteers are based on equity and mutual respect.

**V. IMPLEMENTATION**

All National Advisory Board members, staff, and volunteers (including members of the Ackland Guild and the Administrative Advisory Committee) are expected to read and accept this Code of Ethics as a condition of their work on behalf of the Ackland Art Museum. Compliance with the Code of Ethics is a condition of employment by the Museum. The Director shall review this Code of Ethics annually, and shall present the Code to full staff at the first quarterly meeting of each year, to be revised as appropriate. This Code of Ethics has been approved for the Ackland Art Museum by the provost of the University of North Carolina at Chapel Hill.

Approved:

*Bernadette Gray-Little* 7/19/07  
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Bernadette Gray-Little Date  
Executive Vice Chancellor and Provost

*James Moeser* 7-19-07  
\_\_\_\_\_  
James Moeser Date  
Chancellor

I have read the Code of Ethics and agree to the policies and practices set forth in it.

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Date