

JULE  
COLLINS  
SMITH  
MUSEUM  
of FINE ART

AT AUBURN UNIVERSITY

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**Code of Ethics**  
**Revised January 2022**

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## **1. PURPOSE AND SCOPE**

This Code of Ethics serves as a guide for the institution and all associated staff, non-fiduciary Advisory Board members, and volunteers, as well as students, faculty, and administrators of Auburn University (“University”) when working on behalf of the Museum regarding their responsibility and ethical duty to serve the public, even at the expense of personal gain or ideological preference and affirm that they will avoid conflicts of interest and the appearance thereof.

In accordance with its mission the Jule Collins Smith Museum of Fine Art at Auburn University (“Museum”) upholds the highest standards of ethical and professional practices. A unit of a public, nonprofit educational institution, it stewards on behalf of the University a significant art collection and greets thousands each year, providing impactful opportunities to engage with a wide-ranging visual and decorative arts collection spanning centuries, genres and materials through exhibitions, research, and instruction. The Museum believes in the preservation of our global cultural heritage and the ongoing education of Auburn University’s students and faculty as well the residents of the State of Alabama, the region, and the nation.

## **2. STANDARDS**

This Code of Ethics is superseded by all laws, regulations, and international agreements of the United States and the State of Alabama. It aligns with the policies of Auburn, which will take precedence in the case of a conflict. The Museum abides by the ethical guidelines of the American Alliance of Museums (AAM), the Association of Art Museum Directors, and the Association of Fundraising Professionals, as well as the standards outlined in the AAM’s Code of Ethics for Curators and the American Institute for Conservation’s Code of Ethics and Guidelines for Practice. This Code of Ethics replaces in full any previous ethics policy or code of ethics of the Museum.

## **3. MISSION**

The Jule Collins Smith Museum of Fine Art at Auburn University, in service to the region and the nation, welcomes everyone to explore, experience and engage with the visual arts.

## **4. GOVERNANCE**

The Board of Trustees (“BOT”) of the University is charged with the stewardship of the University and is the ultimate governing authority of the Museum. As such, the BOT is fiscally responsible for the Museum, its facilities, and the collection, which is owned by and held in trust for the University and the people of the State of Alabama. Within the University administration, the Museum reports to the Office of the Provost.

The members of the Museum’s volunteer, non-fiduciary Advisory Board support the Museum Director by lending their expertise, individually and collectively, on matters of advocacy, ambassadorship, and fundraising. In fulfilling their responsibilities, the members of the Advisory Board will consider foremost the Museum’s mission and respect the diversity of global cultures. Members of any other advisory group for the Museum, such as a Student Advisory Board, also support the mission of the Museum, respect the diversity of global cultures, and lend their insights from the university student perspective. Any volunteer will support and adhere to this Code of Ethics and will:

- o act in the best interests of the public and the Museum rather than for individual financial gain;
- o hold in strictest confidence the information provided to them, their deliberations, and advice given to the director;
- o never speak or hold themselves out as speaking on behalf of the Museum or the University, unless specifically called upon to do so by the Director of the Museum;
- o disclose conflicts of interest in writing to the director and abstain from deliberations that might result in the appearance of a conflict of interest. In those situations, where the conflict cannot be resolved, resignation may be appropriate.

## **5. CONFLICT OF INTEREST**

University employees complete an “Alabama Statement of Economic Interests (SEI)” form and an “Employee Conflict of Interest Disclosure” form each year. Conflicts of interest or the appearance of such conflict must be avoided. When a conflict or the potential for a conflict arises, the interests of the Museum and the University always take precedence over those of the individual. Museum staff, Advisory Board members, and other volunteers have a potential conflict of interest when they, or any member of their family, directly or indirectly:

- o have any personal, professional, or organizational interest in any activity or transaction in which the Museum is involved or in any entity with which the Museum is involved;
- o may receive a personal, professional, or organizational benefit from knowledge of confidential Museum information; or
- o place the Museum in a situation that compromises its mission, policies, functions, or reputation.

The staff and volunteers of the Museum, including members of the Advisory Board, and those University administrators or faculty whose work involves supervision of the Museum or access to its collections, will ensure that:

- o conflicts of interest within the Museum or in the University administration, and affiliations with other institutions are avoided;
- o in business dealings when commercial support is accepted, it is in accordance with the mission of the Museum;
- o the public good is promoted rather than individual financial or other personal gain, and that commercial or private buying or selling of art objects does not conflict with the Museum’s collecting efforts;
- o they will not accept gifts or favors from dealers or other service providers to the Museum; further, financial loans are not accepted on behalf of the Museum;
- o they will not accept outside work for pay without disclosure and consent from the Museum Director, nor will they engage in outside employment or consulting if there appears to be a conflict of interest between such activities and the performance of their responsibilities within the Museum;

- o they will not compete with the Museum for collections or individual works of art; nor use their museum affiliation to promote their or an associate's personal collecting activities;
- o they will not acquire any item from the collection or other Museum property;
- o they will provide more than one qualified vendor for requests by the public for potential services such as appraisers, conservators, and framers to avoid the appearance of favoritism;
- o hold in strictest confidence information provided to them, their deliberations, and advice offered to the Museum Director; and
- o they follow Museum and University policy regarding public speaking

## 6. COLLECTIONS

University administrators, Museum staff, volunteers, and guest curators and educators who require access to or use of the collections commensurate with their duties and responsibilities will exercise the highest levels of stewardship, which honors the public trust and carries with it the presumption of rightful ownership, care, documentation, accessibility, and responsible disposal as applicable.

The Museum ensures that all collections in its custody support its mission, values and written collection policies and procedures are properly approved by the University, followed, and reviewed regularly. Appraisals and other methods of authentication of objects are provided by the donor from a certified professional. The Museum staff never appraises or authenticates objects, though they may offer a list of potential appraisers, noting none as preferred. The Collection Management Policy of the Museum provides explicit details and guidelines for all aspects of the collection, but below are some components called out for significance:

Acquisition, deaccession, disposal, or loan activities are conducted in a manner that:

- o respects the protection and preservation of cultural resources, and conforms to the Museum's mission and public trust responsibilities;
- o complies with guidance in IRS Publication 526 dealing with the valuation of donated property, especially as it concerns the material related to charitable gifts of art objects, and the appraisal requirements as described in the instructions in IRS Form 8283;
- o conforms to all the laws of the United States, such as the *Native American Graves Protection and Repatriation Act* (NAGPRA) (1990) and conventions or treaties between the United States and other nations regarding trade or repatriation in such objects such as the *UNESCO Convention on the Means of Prohibiting and Preventing the Illicit Import, Export and Transfer of Ownership of Cultural Property* (1970) or the *Convention for the Protection of Cultural Property in the Event of Armed Conflict* (The Hague Convention, 1954);
- o prohibits knowingly acquiring any object that has been stolen or removed in contravention of treaties and international conventions to which the United States is a signatory or that has been illegally imported into the United States;
- o prohibits borrowing or exhibiting archaeological material from any other institution or collection without reasonable proof that its removal did not cause damage or destruction to the original site/monument;

- o prohibits acquiring human remains and funerary or sacred objects
- o promptly addresses any questions of ownership of an object in its custody;
- o utilizes any proceeds realized from disposal solely for the acquisition of objects for the Collection or direct care of objects already in the Collection; or utilizes insurance proceeds for the loss of a work of art only for acquisition of objects for the collection; and tracks separately from other acquisition funds the proceeds from the sale of deaccessioned objects, including any earnings and appreciation; and
- o prohibits any party associated with the University or the Museum, or their representative, from acquiring deaccessioned and/or subsequently disposed objects;

Exhibition, interpretation care, preservation, or conservation activities are conducted in a manner that:

- o ensures secure and environmentally protected facilities and storage for objects in the custody of the Museum, as well as adequate insurance and documentation for any object, whether owned by, in transit to, or on loan to the University;
- o meet the highest possible professional standards, including prohibition of using objects for personal use;
- o ensures no repair or alterations of objects will be undertaken without approval by the Museum Director, and then only by a professional conservator;
- o avoids any appearance of publicizing and promoting commercial products or services;
- o ensures Museum staff retain control over selection of exhibition topics or themes and that all programmatic offerings align with the mission and values of the Museum; are accessible and encourage the participation of the widest possible audience; are grounded in scholarship; and marked by intellectual integrity, and are ever mindful to include and empower under-represented voices, cross-disciplinary research, and innovative opportunities for the teaching and learning about art and art history, respecting pluralistic values, traditions, and concerns; and
- o ensures that Museum staff alone select the objects included in programs and that their selection avoids creating the perception of a conflict of interest

## **7. MUSEUM MANAGEMENT PRACTICES**

The Museum may limit the scope and extent of business dealings with related parties and will approve any resulting promotions in adhering to the AAM guidelines on “Developing and Managing Business and Individual Donor Support.” Fundraising efforts will be in accordance with the mission of the Museum and will not compromise the ethics policies or present a conflict of interest in accordance with the Museum’s or the University’s Code of Ethics.

Revenue producing activities are carried out in a manner consistent with the Museum’s mission and do not compromise the integrity of the collection. The manufacture and sale of replicas, reproductions, and other commercial items adapted from or related to the collection are undertaken with great care to maintain the integrity of the original work of art. Reproductions must be clearly marked and of a different size or material from the original. Fundraising events at the Museum must not compromise the as

Museum facilities and grounds comply with University requirements and all state and federal regulations, and ensure accessibility for those with special needs.

## **8. INTELLECTUAL PROPERTY**

Museum staff are encouraged to write and publish both for the Museum and on their own. Ownership of copyright of materials prepared as part of fulfilling duties as a Museum staff member, including written work, lectures, photography, and design, rests with the University. Financial remuneration for the sale or lease of such materials created while a staff member on official Museum time, is paid by the Museum and is the property of the Museum and the University. However, research conducted in preparation for such work remains the property of the staff member; copies of all research conducted on the Collection should be left in the curatorial files.

Articles, monographs, and other similar materials written by Museum staff and published outside of the University belong to the writer., though they should confirm adherence to University policies in advance. Work prepared by staff on their own personal time is their property or that of the publisher or institution for which the work was done.

Staff must credit and properly cite sources for data, ideas, and wording and acknowledge sources of information in their lectures, talks, and other presentations. Coauthors and contributors will be recognized according to their level of involvement in the research, writing, and revision, and co-authorship only will be extended to those who substantially participate in the intellectual development of the final text. Such standards apply to all written work produced for publication in any form, either printed or electronic, including books, catalogues, articles, brochures, exhibition materials, press releases, and websites.

## **9. IMPLEMENTATION**

The Code of Ethics for the Museum is distributed to all staff and volunteers. The director of the Museum will ensure the Code of Ethics is periodically reviewed and revised as needed.