

Code of Ethics

This Code sets forth the standards of conduct expected of Trustees, Employees, and Volunteers of the Albuquerque Museum (Museum). Museums are grounded in a tradition of service and stewardship. They are organized as public trusts, maintaining their collections and using their resources for public benefit. Museums—their governing authority, paid professional staff, and volunteers—must remain committed to and accountable for the proper care and management of their collections, and for the quality and nature of their scholarship, exhibitions, and programs. In fulfilling its mission, the Albuquerque Museum acquires in an ethical manner works of art and historical objects of aesthetic, intellectual, and cultural significance, and adheres to the highest professional standards in the care and interpretation of these collections. Trust in the Museum is also reflected in the belief of donors that their gifts of art and historical materials are well cared for, and that their financial support is wisely spent in the furtherance of the Museum's mission.

As non-profit institutions, museums comply with applicable local, state, and federal laws and international conventions, as well as with specific legal standards governing trust responsibilities. Museums, and those responsible for their operation and well-being, must do more than simply avoid legal liability; they must take affirmative steps to maintain their integrity and ensure they act not only legally but also ethically. With the adoption of this Code of Ethics, the Albuquerque Museum affirms its mission, ensures the prudent application of its resources, enhances its effectiveness, and maintains public confidence.

The Albuquerque Museum has enacted this Code of Ethics in recognition of its role as a community leader and steward of the public trust. This public trust status is reflected in the following: the United States government's recognition of the Albuquerque Museum as a Section 170(c)(1) institution and political subdivision of Albuquerque municipal government; the belief shared by donors that their financial support is being wisely spent in the furtherance of the Museum's stated mission; and the efforts expended by Albuquerque Museum trustees, staff, interns, and volunteers in the furtherance of the Museum's mission. The Albuquerque Museum maintains its public trust in its role as a preserver of our cultural heritage and in its presentation of artworks and cultural materials with accuracy, honesty, sensitivity, and a commitment to advancing diversity, equity, access, and inclusion in collections, exhibitions, and programs.

The ethical principles outlined in this policy address issues which pertain to individuals in a variety of relationships to the Museum. The Museum itself has an ethical obligation to be a good citizen in our community.

GOVERNANCE

The Albuquerque Museum Board of Trustees recognizes and abides by the American Alliance of Museums' Code of Ethics for Museums (adopted by the AAM Board of Directors, 1993, amended in 2000), which states in part: "Loyalty to the mission of the museum and to the public it serves is the essence of museum work, whether volunteer or paid. Where conflicts of interest arise--actual, potential, or perceived--the duty of loyalty must never be compromised. No individual may use his or her position in a museum for personal gain or to benefit another at the expense of the Museum, its mission, its reputation, and the society it serves."

The City of Albuquerque holds legal and fiduciary responsibility for the protection and enhancement of the Albuquerque Museum's resources including its collections, related documentation, physical plant, staff, and financial assets. A Board of Trustees ensures that all of the resources support the Museum's mission and that those who work for the benefit of the Museum understand and respect its mission and public trust responsibilities. Responsibility for daily decisions related to the Museum's operation and management rests with the Museum Director, who reports to the City of Albuquerque and the City-appointed Board of Trustees.

The Museum's Director is hired by the City of Albuquerque and is delegated the authority to establish and implement policies; manage the daily operation of the Museum, including its committees; manage programs and staff; conform to the highest professional and ethical standards; and maintain the guidelines set forth in the City of Albuquerque Personnel Policy, and other professional policies adopted by the Museum. The Museum Director strives to safeguard and enhance the Museum's assets; provide for the proper care and effective presentation of the collection; encourage professional development and intellectual growth of the staff; and foster a working environment that is based on equity and mutual respect.

All employees of the City of Albuquerque are required to comply with existing City Rules and Regulations, including Section 301, comprising employee code of conduct. The City Rules and Regulations are the primary document governing employee conduct; in addition, the following provisions apply to all staff and trustees:

Museum governance in its various forms is a public trust responsible for the institution's service to society. The governing authority protects and enhances the Museum's collections and programs and its physical, human, and financial resources. It ensures that all these resources support the Museum's mission, respond to the pluralism of society, and respect the diversity of the natural and cultural assets in its care.

Thus, the governing authority ensures that:

1. all those who work for or on behalf of the museum understand and support its mission and public trust responsibilities
2. its members understand and fulfill their trusteeship and act corporately, not as individuals
3. the Museum's collections, exhibitions, and programs and its physical, human, and
4. financial resources are protected, maintained, and developed in support of the Museum's mission
5. it is responsive to and represents the interests of society
6. it maintains the relationship with staff in which shared roles are recognized and separate responsibilities respected

7. working relationships among trustees, employees, and volunteers are based on equity and mutual respect
8. professional standards and practices inform and guide the Museum's operations
9. policies are articulated and prudent oversight is practiced
10. governance promotes the public good rather than individual financial gain.

COLLECTIONS

The distinctive character of museum ethics derives from the ownership, care, and use of objects, in the collections representing the world's natural and cultural assets. This stewardship of collections entails the highest public trust and carries with it the presumption of rightful ownership, permanence, care, documentation, accessibility, and responsible disposal.

Thus, the Museum ensures that:

1. collections in its custody support its mission and public trust responsibilities
2. collections in its custody are lawfully held, protected, secure, unencumbered, cared for, and preserved
3. collections in its custody are accounted for and documented
4. access to the collections and related information is permitted and regulated
5. acquisition, disposal, and loan activities are conducted in a manner that respects the protection and preservation of natural and cultural resources and discourages illicit trade in such materials
6. acquisition, disposal, and loan activities conform to its mission and public trust responsibilities
7. disposal of collections through sale, trade, or research activities is solely for the advancement of the museum's mission
8. proceeds from the sale of collections are to be used consistent with the established standards of the Museum's discipline, but in no event shall they be used for anything other than acquisitions
9. the unique and special nature of human remains and funerary and sacred objects is recognized as the basis of all decisions concerning such collections
10. collections-related activities promote the public good rather than individual financial gain

11. competing claims of ownership that may be asserted in connection with objects in its custody should be handled openly, seriously, responsively, and with respect for the dignity of all parties involved.

EXHIBITIONS AND PROGRAMS

Museums serve society by advancing an understanding and appreciation of natural and cultural resources through exhibitions, research, scholarship, publications, and educational activities. These programs further the Museum's mission and are responsive to the concerns, interests, and needs of society.

Thus, the Museum ensures that:

1. programs and exhibitions support its mission and public trust responsibilities
2. programs and exhibitions are founded on scholarship and marked by intellectual integrity
3. programs and exhibitions are accessible and encourage the participation of the widest possible audience consistent with its mission and resources
4. programs and exhibitions respect pluralistic and diverse values, traditions, and concerns
5. revenue-producing activities and activities that involve relationships with external entities are compatible with the museum's mission and support its public trust responsibilities
6. programs promote the public good rather than individual financial gain.

CONFLICT OF INTEREST

Trustees, Employees, and Volunteers of the museum must refrain from engaging in any activity that presents a real or perceived conflict of interest. For this reason, Trustees, Employees and Volunteers must take acute care to avoid participating in decisions when, by any reasonable standard, (1) they (or any member of their immediate family) could be said to have a personal financial stake in the decision, or (2) their other institutional connections (whether corporate, charitable or governmental) could be said to prevent their truly independent judgment. When in doubt about whether a conflict of interest exists, it is essential that the affected persons disclose the facts and seek guidance. Problems can usually be avoided when conflicts, real or apparent, are disclosed to the Board and the Museum Director (as appropriate) for review and evaluation. In many cases, it is appropriate for Trustees and other decision makers to recuse themselves from voting on issues that pose a conflict of interest. Each year, Trustees and senior staff members are required to sign a Conflict of Interest statement which asks each person to disclose affiliations and possible conflicts.

The following guidelines should be followed to avoid typical conflicts of interest:

- Trustees, Employees and Volunteers shall not speak or act (or give the appearance of speaking or acting) on the Museum's behalf except when authorized to do so. In addition, they may not engage in any outside activity that may reasonably be construed by the public as the official action of the Museum without the prior consent of the Museum Director, or, in the case of Trustees, the Board Chair.
- Trustees, Employees, and Volunteers must not accept services or gifts of more than nominal value (\$50) from bidders, vendors, contractors or other entities doing business, or seeking to do business, with the Museum.
- To avoid the appearance of favoritism, Museum employees should, if possible, provide more than one qualified source of service when referring members of the public to outside suppliers such as appraisers or conservators.
- The Museum is proud when others recognize the expertise of its staff with invitations to teach, write, lecture, judge art exhibitions, or perform other tasks closely related to their work at Albuquerque Museum. In order to ensure that these activities do not in any way conflict with the employee's obligations to the Museum, employees are expected to and shall discuss such opportunities with their supervisors and/or the Museum Director before accepting them.
- Employees may accept outside commissions, provided the work is accomplished on their time, and that there is agreement with the Museum on the use of, and reimbursement for, any Museum asset used in the course of that work.
- While staff members are encouraged to write and publish both for the Museum and on their own, the Museum owns all intellectual property in material prepared as part of the normal Museum duties of a staff member, including preparations for exhibitions, unless under a special agreement between all parties and the Museum.
- Employees who maintain an artistic practice may sell their works to the Museum or to Trustees, Employees, and Volunteers of the Museum or through the Museum Shop for their fair market value. Works that are acquired for the museum shall follow normal acquisition policies and procedures.
- Employees engaging in business activities with museum donors, Trustees, and members of the museum community must disclose the business activity to the Museum Director and obtain written approval.
- The Museum encourages personal collecting so long as Trustees and Employees do not compete with the Museum for collectible objects or take personal advantage of confidential Museum information. More specifically the Museum's collections may not be loaned to Trustees, Employees, or Volunteers.
 - Trustees, Employees, or Volunteers (including members of their immediate families and associates who might deal for them) may not acquire objects

from the Museum's collection or objects deaccessioned by the Museum and being sold by or for it.

- Curators are encouraged to discuss their personal collection with the Museum Director and should not collect in the area in which they work.
- Trustees, Employees, and Volunteers also may not deal in objects similar to those collected by the Museum, when "dealing" means buying and selling of objects primarily for personal financial gains, as opposed to selling and exchanging for their personal collection. Similarly, Trustees, Employees, and Volunteers may not sell art objects to, or trade them with, the Museum without prior written approval from the Museum Director along with disclosure to the Board of Trustees. This excludes employees who maintain an artistic practice and sell their own work to dealers or through a dealer without approval.

In short, Trustees, Employees, and Volunteers must be careful not to seek to put the Museum's property, services, and collections to personal uses that are beyond the reach of people who lack official status at the Museum. For instance, collections on display are to be personally enjoyed by all who visit the Museum; on the other hand, the use of Museum property to store personal collections is beyond the reach of people who lack official status at the Museum and, accordingly, is not appropriate for Trustees and staff. Specific exceptions to these guidelines may be authorized by the Museum Director and Board of Trustees after disclosure of the facts to the full Board of Trustees.

CARING FOR THE COLLECTIONS

Protecting, preserving, researching, documenting and exhibiting its collection are central to the Museum's mission. The Museum will practice the highest standards in the care and interpretation of the works with which it is entrusted, including:

- Intellectual honesty and objectivity are essential. The best current information about works of art displayed at the Museum should always be presented.
- The Museum's collections, whether on exhibition or in storage, are available for study within reasonable limits and with reasonable notice.
- The Museum conducts its acquisition, deaccession, and loan activities in a manner that discourages illicit trade in cultural resources. To this end, the Museum complies with U.S. and international agreements recognized by this country that relate to cultural property.
- Proceeds from the sale or exchange of deaccessioned objects must be held in a restricted fund and used for future acquisitions. Whenever possible, funds should benefit the same artistic or curatorial area as the deaccessioned objects. Works purchased with funds realized through the deaccessioning of donated or bequeathed objects must bear the credit line of the original donor(s), with the suffix "by exchange."

- The Museum creates, regularly updates, and follows a Collections Management Policy which outlines specific standards and procedures for the acquisition, deaccession and care of the collections.

GIFTS

All solicitations for the Museum whether for collections, funds, or other gifts must be made with honesty about the need for the gifts. Gifts should be requested without promises of advantages not offered to all comparable donors. Once a gift is accepted for a restricted purpose, the intent of the donor must be faithfully honored, duly recorded, and acknowledged. The confidentiality of donor records must be respected by all who have access to them. The Museum does not provide donors of art with appraisals for any purpose. Donors must obtain their own appraisals at their own expense.

STAFF AND TRUSTEE RESPONSIBILITIES

The following additional standards of conduct will guide the Trustees, Staff, and Volunteers of the Museum:

- All non-public information gained from association with the Museum shall be kept confidential. This does not preclude disclosing information that should be released to fulfill the Museum's accountability as a public trust, and transparency of public information shall be honored.
- The Museum Director shall provide the Trustees with current and complete financial information and keep the Board informed on a timely basis about other significant matters.
- Each Trustee is to advise and support the Museum Director to the best of the Trustee's ability both in their deliberations for the museum and in their public communications, including social media.
- All Museum staff report to the Museum Director. All communication with Trustees regarding significant Museum matters should be made by the Museum Director or with the Museum Director's knowledge.
- In all their dealings, Museum Trustees, Employees, and Volunteers will exhibit respect for each other and for the public.
- Museum Trustees, Employees, and Volunteers having relationships with prospective or current vendors and employees shall not involve themselves or exhibit influence in the Museum's procurement and or hiring process. Purchases of services and/or equipment by the Museum will follow the City of Albuquerque procurement policies and procedures.

Appendix 1: Ethics Policy and Conflict of Interest Disclosure

Albuquerque Museum Staff and Board of Trustees

Loyalty to the mission of the Albuquerque Museum and to the public interest it serves is the essence of museum work, volunteer or paid. Where conflicts of interest arise – actual, potential or perceived – the duty of loyalty must never be compromised. No individual may use his/her/their position as Trustee or Museum Staff for personal gain or to benefit another at the expense of the Albuquerque Museum, its mission, its reputation or the society it serves.

A Trustee or Museum Staff must disclose any real, potential or perceived conflict between the interests of a Trustee or Museum Staff, or someone close to the Trustee or Museum Staff, and the interest of the Albuquerque Museum. A Trustee or Museum Staff having a financial interest in the outcome of any policy, decision or determination before the Board of Trustees must disclose this conflict of interest. If the Board of Trustees determines a conflict of interest exists, the Trustee with the conflict will abstain from voting or participating in the discussion associated with the vote.

The following are positions and special relationships held by me, or a member of my immediate family, with other museums or organizations whose purposes or programs in any manner relate to or impinge upon the purposes, programs or activities of the Albuquerque Museum:

I, or a member of my immediate family, have or may potentially have the following financial interests or business activities involving the Albuquerque Museum:

The following are other relationships or interests involving me or my immediate family that might result in an actual, potential or perceived conflict of interest with the Albuquerque Museum:

I am not aware of any personal, business or organizational interests that would be actual, potential or perceived conflicts with the interests of the Albuquerque Museum other than those disclosed above.

I have read, understood and agree to abide by the Albuquerque Museum Ethics Policy.

Print Name

Signature

Date

Title/Board