

Portland Art Museum

Code of Ethics

Updated January 2010

The Portland Art Museum is grounded in the tradition of public service. It is organized as a public trust, holding its collections and information as a benefit for those it was established to serve. Members of the Board of Trustees, employees, and volunteers are committed to the interests of these beneficiaries. The Museum's *Code of Ethics* applies to staff, volunteers and agents affiliated with the Museum. The law provides the basic framework for museum operations. As a nonprofit institution, the Museum complies with applicable local, state, and federal laws and international conventions, as well as with the specific legal standards governing trust responsibilities. This *Code of Ethics* takes that compliance as given. But legal standards are a minimum. The Museum and those responsible for it strive to do more than avoid legal liability; they must take affirmative steps to maintain their integrity so as to warrant public confidence. They must act not only legally but also ethically. This *Code of Ethics*, therefore, describes ethical standards that frequently exceed legal minimums.

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 not 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.

Collections

The distinctive character of museum ethics derives from the ownership, care, and use of objects representing the world's cultural commonwealth. 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:

- collections in its custody support its mission and public trust responsibilities
- collections in its custody are lawfully held, protected, secure, unencumbered, cared for, and preserved
- collections in its custody are accounted for and documented
- access to the collections and related information is permitted and regulated
- 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
- acquisition, disposal, and loan activities conform to its mission and public trust responsibilities
- disposal of collections through sale, trade, or research activities is solely for the advancement of the Museum's mission. Proceeds from the sale of collections are to be used consistent with AAMD guidelines, but in no event shall they be used for anything other than acquisitions
- the unique and special nature of human remains and funerary and sacred objects is recognized as the basis of all decisions concerning such collections
- collections-related activities promote the public good rather than individual financial gain
- 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.

Programs

The Museum serves society by advancing an understanding and appreciation of the cultural commonwealth 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 strives to ensure that:

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

Governance

The Board of Trustees' goal is to protect and enhance 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 commonwealth.

Thus, the Board of Trustees ensures that:

- all those who work for or on behalf of the Museum understand and support its mission and public trust responsibilities
- its members understand and fulfill their trusteeship and act corporately, not as individuals
- the Museum's collections and programs and its physical, human, and financial resources are protected, maintained, and developed in support of the Museum's mission
- it is responsive to and represents the interests of society
- it maintains a relationship with staff in which shared roles are recognized and separate responsibilities respected
- working relationships among trustees, employees, and volunteers are based on equity and mutual respect
- professional standards and practices inform and guide Museum operations
- policies are articulated and prudent oversight is practiced
- governance promotes the public good rather than individual financial gain.

Staff

Personal Conduct

Staff members are expected to abide by the following general principles:

- To treat others with respect and courtesy within the Museum and when representing the Museum to the outside world
- Comply with our policies and procedures
- To keep confidential all Museum information that involves matters of trust

- To protect the Museum's facilities, records, and property, and to use them in a manner that serves the interests of the Museum
- To be conscientious of assigned duties when working under supervision and, when supervising others, to provide responsible management free of coercion
- To avoid any type of business arrangement on behalf of the Museum that is injurious to its reputation or dignity

Professional Conduct

Staff members owe their primary professional and academic allegiance to the Museum, but are also entitled to engage in the full range of professional and personal activities. They are also encouraged to collect privately, publish, lecture, teach, and share their professional expertise. Such outside conduct should be limited only by the following principles. Staff members should:

- fully and conscientiously fulfill the duties of their Museum position
- avoid actual, potential, or apparent conflicts of interest
- not misuse the Museum's name, reputation, or property

Conflicts Of Interest

Situations of actual or potential conflict of interest are to be avoided by all staff. A conflict of interest may exist when staff's personal activities or financial affairs adversely influence staff's judgment or performance of duties at this Museum. An actual or potential conflict of interest occurs when a staff member is in a position to influence a decision that may result in a personal gain for that employee or for a relative as a result of this Museum's business dealing. Staff should avoid any situation which involves or may involve a conflict between their personal interest and the interest of the Museum. As in all other facets of their duties, staff dealing with customers, suppliers, contractors, competitors or any person doing or seeking to do business with the Museum are to act in the best interest of the Museum. Each staff member shall make prompt and full disclosure in writing to their manager and the CFO of any potential situation which may involve a conflict of interest. If an actual or potential conflict is determined, the Museum may take whatever corrective action appears appropriate according to the circumstances. Failure to disclose facts may result in disciplinary action, including possible termination.

Such conflicts include, but are not limited to:

- Ownership by a staff member or by a member of their family of a significant interest in any outside enterprise which does or seeks to do business with the Museum.
- Serving as a director, officer, partner, consultant, or in a managerial or technical capacity with an outside enterprise which does or is seeking to do business with the Museum. Exceptions to this can be approved by the Executive Director or CFO.
- Acting as a broker, finder, go-between or otherwise for the benefit of a third party transaction involving or potentially involving the Museum or its interests.
- Any other arrangements or circumstances, including family or other personal relationships, which might dissuade the staff member from acting in the best interest of the Museum. This includes personal or romantic involvement with a supplier or subordinate staff member of the Museum, which impairs the staff member's ability to exercise good judgment on behalf of the Museum or creates an actual or potential conflict of interest. Supervisor-subordinate romantic or personal relationships also can lead to supervisory problems, possible claims of sexual harassment, and morale problems.

Personal Collecting

The executive director and other professional staff are encouraged to collect privately, yet they must keep the interest of the Museum paramount. As a general guideline, upon acquiring a work of art of substantial value, the staff member should offer the Museum the option to acquire the work at cost if it is related to a principal area of the Museum's collection. The Museum will exercise its option to acquire a work so offered within sixty days. A staff member may never acquire works directly from the Museum, nor sell or trade works directly to the Museum except under this code, through which the Museum exercises its option to purchase an object directly after a staff member has acquired it.

Art Dealing

A staff member should not deal in works of art, nor ever appear to do so. Normal upgrading of a private collection through occasional trades, sales, or purchases is not considered dealing in works of art. When in doubt regarding sales or trades from a personal collection, staff members will discuss anticipated transaction with the executive director, who will follow these guidelines and discuss the transactions with the Board of Trustees.

Ownership of Scholarly Material

Staff members are encouraged to write and publish both for the Museum and for themselves. Ownership of copyright rests with the Museum on all material prepared as part of the normal duties of the staff member or under special contract, unless an exceptional arrangement is made prior to publication. Ownership of copyright belongs to the employee for work that satisfies the outside employment guidelines and is secured by the staff member's own initiative.

Art Appraisals

Museum staff are prohibited from giving verbal or written appraisals of the value of a work of art except for the purpose of establishing an insurance valuation. When an insurance valuation is provided, the staff member must inform the owner of the work of art that the valuation is "for insurance purposes only."

Gifts

Staff members may only accept gifts of modest value if offered by a dealer, artist, or a collector. A staff member should not accept the gift of a work of art that would be desirable for the Museum collection without previously offering it to the Museum. The staff member must be particularly careful not to accept gifts of more than modest value, favors, larger-than-normal discounts, or the like, from dealers and artists, even when both a personal friendship and a business relationship exists. If there is a need for exceptions to this rule, staff members must bring such gifts to the attention of the executive director. Offers of gifts or other things of monetary value in excess of \$50 in a calendar year from any other person, corporation, or group which has or is seeking to obtain contractual or other business, or a financial or professional relationship with the institution may not be accepted without approval from the executive director.

Outside Activities

All staff members have the obligation to give full performance to the Museum, and they should not undertake a level of outside activity that impairs their ability to perform Museum duties. Staff

members are encouraged to teach, lecture, attend professional symposia, write, publish, and the like. Staff members will keep the executive director informed in writing of their outside commitments and will secure the executive director's approval before undertaking any outside professional obligations that are highly visible, imply the endorsement of the Museum, or require a considerable investment of Museum time. The executive director will follow the same guidelines and seek the Board of Trustees' approval of significant outside activities.

Off-Duty Conduct

While the Museum does not seek to interfere with the off-duty and personal conduct of its staff, certain types of off-duty conduct may interfere with the Museum's legitimate business interests. For this reason, staff are expected to conduct their personal affairs in a manner that does not adversely affect the Museum's interests, integrity, reputation, or credibility. Illegal off-duty conduct on the part of staff that adversely affects the Museum's legitimate business interests or staffs' ability to perform their job will not be tolerated.

Outside Employment

The Museum does not prohibit staff from holding other employment, except in cases where the staff's performance is affected or if the secondary employment would be a conflict of interest. Outside employment will not be allowed to interfere with staff efficiency or safety on the job. All staff will be evaluated by the same performance standards and will be subject to the Museum's scheduling demands, regardless of any existing outside work requirements. Staff members have an obligation to disclose outside employment to their direct manager in writing.

Use of Museum Property

Museum staff must be careful to use Museum facilities, equipment, and personnel only for activities directly related to their job responsibilities. Staff must be particularly sensitive to the use of the Museum's name, and in cases of doubt, should seek the prior consent of the executive director.

Fraud, Dishonesty, or False Statements

No staff member or applicant may falsify any application, medical history record, invoice, paperwork, time sheet, time card, investigative questionnaires or any other document. Any employee found to have engaged in resume fraud or to have made material misrepresentations or omissions on an employment application will be subject to immediate termination of employment whenever discovered. If you observe any such violations, please report them to management immediately. Likewise, no employee may make oral representations to the Museum that are false or misleading. Such conduct will result in discipline, up to and including termination.

Volunteers

Museum volunteers are not staff, but instead are participating in the Museum's programs or productions for a public or humanitarian purpose at their own initiative and without any expectation of pay.

Standards for Museum Volunteers

The Portland Art Museum has adopted the following standards as developed by the *American Association of Museum Volunteers (AAMV)*. A Museum volunteer:

- Understands and supports the purpose, structure, and policies of the Museum
- Makes his or her special skills or experience available to the Museum
- Acts in accordance with the standards of conduct and ethics of the Museum
- Completes any orientation, training course, or continuing education required
- Endeavors to be flexible in accepting assignments
- Performs assigned responsibilities willingly and courteously
- Accepts the guidance of his or her supervisor
- Complies with the scheduling and dress requirements of the Museum
- Obeys all security and safety rules of the Museum
- Respects the confidentiality of sensitive proprietary information
- Provides timely notification to his or her supervisor of absence or resignation
- Serves as a Museum goodwill ambassador in the community
- Is at least 16 years of age
- Presents a professional appearance
- Listens and communicates with people of diverse backgrounds
- Is dependable and punctual
- Commits to a specific term and schedule