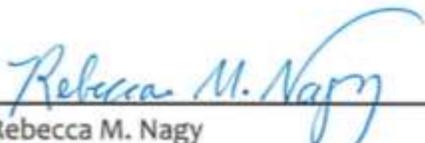


# CODE OF ETHICS

## SAMUEL P. HARN MUSEUM OF ART

Revised and Updated, April 2015  
Revised and Updated, June 2006  
From the Code of Ethics previously approved on July 27, 1997  
by Dr. Elizabeth D. Capaldi, Provost

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Dr. Rebecca M. Nagy  
Director, Samuel P. Harn Museum

6/16/15  
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Date approved

  
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Dr. Joseph Glover  
Provost and Senior Vice President, UF

6/29/15  
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Date approved

## **1. Mission Statement**

The University of Florida's Samuel P. Harn Museum of Art collaborates with university and community partners to inspire, educate and enrich people's lives through art. The museum brings the joy of experiencing great works of art to diverse university, community, national and global audiences through relevant and enlightening art collections, exhibitions and learning opportunities.

## **2. Introduction**

The Samuel P. Harn Museum of Art first opened to the public in 1990 as a unit of the University of Florida, having been established by the donation of private dollars that were equally matched by funds from the State of Florida. The Harn was Florida's first major art museum in a state university setting and is one of the largest university art museums in the southeastern United States.

The Harn Museum supports and advances the mission of the University of Florida to offer broad-based, inclusive public education, leading edge research and service to the citizens of Florida and the nation. The UF Board of Trustees is committed to sustain the Harn Museum of Art as an integral part of the university and as an exceptional cultural resource for the State of Florida.

The purpose of this Code of Ethics is to ensure that the governing authority, staff, advisory bodies and volunteers of the Harn Museum of Art legally, ethically and effectively carry out their responsibilities in support of the missions of the museum and the university.

Implementation of the Code of Ethics:

The UF Provost and Senior Vice President for Academic Affairs approves the museum's Code of Ethics and ensures that members of the governing authority adhere to its provisions in their oversight of and dealings with the museum. The museum's Code of Ethics is included in the Employee Handbook provided to each newly appointed museum staff member. It is the responsibility of each department head to ensure that staff members in his or her department are familiar with and adhere to the Code of Ethics. As part of the annual work appraisal, each employee signs a statement confirming that he or she has reviewed the Code of Ethics and will comply with its provisions in the coming year. The director or other senior staff member who works with each advisory group is responsible for ensuring that the relevant sections of the code are familiar to members of that group and that the code is upheld. Each member of the president-appointed Harn National Council and the provost-appointed Committee on the Collections receives a copy of the code at time of appointment and is asked to review the code, particularly those sections pertaining to collections and donor relations. Each staff member supervising volunteers, including docents and interns, is responsible for familiarizing them with the relevant sections of the code and ensuring that they comply with its provisions.

### **3. Governance**

As a unit of the University of Florida, the Harn Museum of Art has as its official governing authority the UF Board of Trustees and the university's academic administration in the persons of the UF President and the UF Provost and Senior Vice President for Academic Affairs. The Provost and Vice President for Academic Affairs serves on behalf of the UF Board of Trustees and the UF President to oversee the affairs of the museum and the director of the museum reports directly to the Provost. The governing authority entrusts the director with responsibility for developing the mission, vision and goals of the museum. In turn, the director works closely with museum staff and seeks counsel from members of advisory bodies and volunteers to develop and refine the mission, vision and goals and to ensure their implementation.

All those who work for or on behalf of the Harn Museum of Art understand and support its mission and public trust responsibilities. The museum's collections and programs and its physical, human and financial resources are developed, maintained, protected and interpreted in support of this mission. The development and preservation of the collection and its use to support the educational goals of teaching and research are cardinal responsibilities of the museum.

The museum has written policies that govern its operations. These policies, approved by the Provost representing the governing authority, support the mission, vision and goals of the museum as defined in its long-range plan. Members of the governing authority, staff, advisory bodies and volunteers of the museum must be united in their commitment to the institution's purposes and responsibilities as reflected therein.

Hiring and termination practices as defined by the University of Florida follow procedures set forth in University of Florida regulations and collective bargaining agreements. The University of Florida is committed to non-discrimination with respect to race, creed, color, religion, age, disability, sex, sexual orientation, marital status, national origin, political opinions or affiliations, and veteran status as protected under the Vietnam Era Veterans' Readjustment Assistance Act. These practices relate to recruitment, examination, appointment, training, promotion, demotion, compensation, retention, discipline, separation and/or other employment practices.

### **4. Public Accountability**

The UF Board of Trustees has established the following Ethics Policy for the university: "All trustees, officers, and employees of the University of Florida will adhere to the highest ethical and business practices. All actions of the trustees, officers, and employees of the University shall be in compliance with the law, including the Code of Ethics for Public Officers and Employees, Chapter 112, Florida Statutes, and the University of Florida Guidelines, Policies and Procedures on Outside Activities." The trustees and senior officers of the university, including the director of the Harn Museum, must affirm in writing on an annual basis their commitment to this policy.

Professional standards and best practices inform and guide museum operations. Staff members adhere to the standards generally accepted by their peers and professional associations, including but not limited to the American Alliance of Museums and the Association of Art Museum Directors, and make every effort to stay abreast of developments and accepted standards in their fields and their areas of responsibility.

Employment with the Harn Museum is a public trust and involves great responsibility. In all activities museum staff members must act with integrity and in accordance with stringent ethical principles and the highest standards of objectivity.

Every museum staff member is entitled to engage in the full range of professional and personal activities with a measure of personal independence equal to that granted comparable professionals in other disciplines and consistent with his/her professional and staff responsibilities. At the same time, museum staff may not engage in outside activities and hold financial interests which represent a conflict of interest with the museum and/or the university, including such conflicts as defined in applicable law, University regulations, or collective agreements. Loyalty to the museum must be paramount, since the museum enjoys public visibility and its employees enjoy a generous measure of public esteem. To the public, museum staff members are never wholly separated from their institution. Employees can never consider themselves or their activities wholly independent of the museum. They must be concerned not only with their personal motivations and interests but also with the way in which such actions might be construed by the outside observer.

Any and all materials or items developed, written, designed, drawn, painted, constructed or installed by employees or volunteers while carrying out their responsibilities to the Harn Museum are considered to be the property of the museum (University of Florida) with the museum having all rights to the property. An exception to museum (university) ownership exists for the scholarly articles and monographs of faculty members and museum professionals.

Staff members should deal with the public efficiently and courteously at all times and deal promptly with all correspondence and enquiries. Subject to the requirements of confidentiality, they should share their expertise in dealing with enquiries from the general public and specialists, allowing serious researchers full access to any material or documentation in their care, with the exception of confidential or appraisal information.

Museum curators and other staff do not engage in authenticating objects or establishing their monetary values. They should refer all interested parties to professional appraisers' societies or qualified appraisers, but without making any endorsements.

Staff members must protect all confidential information relating to the source of material owned by or on loan to the museum, as well as security arrangements of the museum, or the security arrangements of private collections or any place visited in the course of official duties. Confidentiality must also be respected in relation to any item brought to the museum for identification by donors or potential donors. Information on such items should not be passed to another museum, to a dealer, or to any other person except in any legal obligation to assist the police or other proper authorities in investigating possible stolen or illicitly acquired or transferred property. Staff members are responsible for observing the prevailing law concerning the security of confidential records and information, and the privacy of individuals or groups who support the museum.

Generally members of the governing authority, staff, advisory bodies and volunteers of the Harn Museum should refrain from all acts or activities which may be construed as conflicts of interest.

Staff members must follow all state laws and university rules concerning outside activities and conflicts of interest. Staff members shall not, at any time, engage in any activity for profit, such as dealing in art, providing paid authentications for works of art or having an undisclosed interest in a property being acquired by the museum. Should a conflict of interest arise between the needs of the museum and the individual, those of the museum shall prevail.

Museum staff members and their families must avoid even the appearance of misconduct in their museum duties by refusing any gift, favor or other dispensations that could be interpreted to influence their professional performance. It is expected that any form of compensation, gift or other item of considerable value received in good faith by a museum worker from anyone who has dealings with the museum will be duly reported to the director.

Private collecting of works of art by the director and staff of the museum is an appropriate activity and may enhance expertise but should never conflict with the interests of the museum. Because the possibility of conflict exists, the issue should be openly discussed by all those involved. The museum must always be given the first opportunity to purchase any work of art.

The Harn Museum 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 for the best interests of the museum.

## **5. Finance and Development**

Financial affairs and reporting at the Harn Museum are overseen by the director of finance and operations in support of the museum's mission, vision and goals. In all financial matters, the museum complies with the Directives and Procedures of the Division of Finance and Accounting of the University of Florida Controller's Office and supports its mission and statement of purpose: "To maintain public trust and confidence by safeguarding institutional resources and providing quality financial accounting and operations support to advance the mission of the university, and provide a wide range of financial operations that support and assist in the creation of a strong fiscal environment for the University."

Development functions of the Harn Museum are conducted in concert with the University of Florida Foundation and are overseen by the director and the director of development, whose salary and expenses are shared by the museum and the foundation. Accordingly, development activities are conducted in support of the mission of the Harn Museum and in accordance with the mission of the UF Foundation: "The mission of the University of Florida Foundation is to exclusively support and enhance the University of Florida's mission of "excellence in education and research and shaping a better future for Florida, the nation, and the world," as determined by the University of Florida Board of Trustees, by creating awareness, building relationships, securing private support, recognizing donors, and performing all business-related matters to accomplish these purposes." Furthermore, fundraising activities of the Harn Museum are pursued in accordance with the Policy on Ethics in Fundraising found in the University of Florida Fundraising Policy: "UFF is dedicated to the highest standards of ethical conduct in its fundraising activities and business operations. *A guiding principle in soliciting and accepting gifts for UF is that the donor is to be treated fairly and with respect. In all matters involving a donor or prospective donor, the interest of*

*the donor shall come before that of UF or UFF. Seeking to further the philanthropic cause of UF shall not outweigh a proper concern for the best interest of the donor.*

University staff members of the Office for Development and Alumni Affairs (ODAA) and UFF staff members advocate these ethical standards by incorporating them into all fundraising and business activities and by serving as models of professionalism to others. UFF supports and encourages its staff members in these efforts by providing appropriate opportunities for training, education and leadership. Staff members, through training and orientation, are expected to be familiar with professional standards of ethics, including the Donor Bill of Rights attached to this policy.” [From the University of Florida Foundation, Inc. Code of Ethics, Policy #1.02, September 8, 2007, Sec 3.] Members of the governing authority, staff, advisory boards and volunteers must respect and maintain the confidentiality of all donor and development information, discussions and materials. With the exception of the Annual Report or other museum materials provided for public distribution, it will be considered a breach of confidence to share such materials or information with other organizations or individuals outside the museum and university.

## **6. Collections**

Museum collections will be developed, maintained, exhibited and interpreted in support of the museum’s mission and in accordance with the policies and procedures outlined in the museum’s Collection Management Policy and the Plans for Development of the Collection.

All items accepted temporarily or permanently by the museum will be properly and fully documented to facilitate provenance, identification, interpretation and conservation. The registrar will ensure that insurance coverage is adequate for the permanent collection, objects in transit, loan items and other objects not owned by the museum but temporarily in its custody.

The museum provides safe, secure and functional facilities for the care of its collections. Attention will be paid to preventative conservation methods and techniques, including the provision of suitable environmental protection against the known or artificial causes of deterioration of works of art. Decisions about conservation or restoration require cooperation among the director, curators and registrar, who must be familiar with current ethical issues and professional best practices for conservation and restoration. Procedures are established for periodic evaluation of the condition of the collections and for their general and specific maintenance in keeping with professionally accepted standards.

The collection exists for the benefit of present and future generations and should be as accessible as is prudent for the protection of each object. Every effort will be made to respond to serious requests for information and visual documentation about objects. The registrar, along with the curators, must ensure that objects from the collection are examined and viewed in a manner not detrimental to the objects. Sensitive or confidential material in the museum’s records must not be accessible to unauthorized persons.

The Plans for Developing the Collection, with a section for each of the five core collecting areas, identify the collection priorities of the museum and serve as a basis for identification and consideration of potential purchases and appropriate gifts. These plans were drafted by the curators in consultation with the director and endorsed by the provost-appointed Committee on

the Collections. Annually the plans are revised and updated by the curators in consultation with the director. After review and discussion with the Committee on the Collections, further revisions are made, if needed. The Committee on the Collections then endorses the revised and updated plans.

The director and curators are responsible for the identification of possible acquisitions in accordance with the Plans for Developing the Collection. To the extent possible, gifts and bequests should be unrestricted. That being said, any conditions or limitations relating to an acquisition should be clearly described in the deed of gift or other written documentation. Acquisitions are further limited to those objects for which the museum has the ability to provide full and proper care. Special care is required in considering any offer of an item either for sale or as a tax-benefit gift from members of the staff, their relatives or close associates, as outlined in the museum's Collections Management Policy, section II. E.

The museum will not knowingly acquire any object which has been stolen or removed in contravention of treaties and international conventions to which the United States is a signatory, or illegally imported into the United States. Neither will it acquire any object with indication that its removal has caused recent damage or destruction of its original site or involved less than proper disclosure to its owner or governmental entity.

If the museum should come into possession of an object that can be demonstrated to have been exported or otherwise transferred in violation of the *UNESCO Convention on the Means of Prohibiting and Preventing the Illicit Import, Export and Transfer of Ownership of Cultural Property* (1970) and the country of origin seeks its return and demonstrates that the object is part of the country's cultural heritage, the museum shall, if legally free to do so, take responsible steps to cooperate in the return of the object to the country of origin.

The museum respects the terms of the *Convention for the Protection of Cultural Property in the Event of Armed Conflict* (The Hague Convention, 1954) and in support of this convention, abstains from purchasing or otherwise acquiring cultural objects from any occupied country.

The Harn Museum of Art accepts and abides by the 2013 Guidelines on the Acquisition of Archaeological Material and Ancient Art issued by the Association of Art Museum Directors (AAMD) January 29, 2013. The Details of the Harn's guidelines are spelled out in the "Policy for Collecting Archeological Materials and Antiquities at the Harn Museum of Art."

In the interest of constantly improving the collections and maintaining a high standard of aesthetic quality and historical importance, the museum exercises the right to deaccession objects that do not meet the standards enumerated in the museum's Plans for Developing the Collection and Collection Management Policy. If the director and curators determine that any object or group of objects should be proposed for deaccessioning, they will present a proposal to the Committee on the Collections for their approval.

The director, in consultation with the curators, shall recommend the most appropriate method of disposal for a deaccessioned object to the Committee on the Collections. The method of disposal must be approved by the committee before action can be taken. Any form of disposal will be conducted in accordance with university policy and any applicable state and federal laws as well

as the professional guidelines established by the American Association of Museums and the Association of Art Museum Directors. Complete and accurate records, including photographs and documentation of the circumstance of disposal, shall be maintained on each object removed from the collection, in accordance with the museum's Collection Management Policy.

To avoid any conflict of interest, museum staff members, or members of their families, may never receive or purchase for their own or another individuals' collections, even at public auction, objects deaccessioned from the museum's collections. Similarly, no such person shall be permitted to appropriate in any way items from the museum's collections even temporarily, for any personal collection or for any kind of personal use.

Because development of the collections was the initial intent of the donor of an object or of the funds for acquisition, the monies (principal and interest) received from the sale of any accessioned work of art shall be applied solely to the purchase of works of art. Funds received from insurance claims for the loss of a work of art shall be used only for new purchases. Donor credit from sold work should be transferred faithfully to objects acquired with such funds.

## **7. Educational Programs and Special Events**

As an integral part of the University of Florida, the museum advances teaching and research and serves as a catalyst for creative engagement between the university and diverse local, state, national and international audiences. Accordingly, educational programs are based on sound scholarly research and best practices in the field, present accurate information and are not culturally biased. Because the museum's audiences include university faculty, students and staff as well as diverse community audiences of various ages from young children to seniors and from differing socio-economic backgrounds, educational programs are equally varied and diverse in order to respond to the concerns, interests, values and needs of these audiences.

Special events are held in order to promote goals of museum development in the areas of membership and fundraising and also to support the museum's mission and goals for service and outreach to the University of Florida and the wider community. Special events will always support and promote the mission, vision and goals of the Harn Museum.

In accordance with university policies and ADA guidelines, the museum ensures that its facilities and programs are accessible to those with special needs.

## **8. Marketing and Public Relations**

Statements to the media will be made by the director or by members of the senior staff who have been authorized by the director to make statements to the media on behalf of the museum. The marketing and public relations staff deal with the media in a truthful, business-like and equitable manner. All information provided to the public will be consistent with museum policy and support the museum's mission.