

# Frankenmuth Historical Association

## Institutional Code of Ethics

Approved by Frankenmuth Historical Association Board of Trustees March 21, 2018

### Introduction

In conjunction with the American Alliance of Museums' Code of Ethics for Museums, the Frankenmuth Historical Association (FHA) has adopted this Institutional Code of Ethics specific to its operations. The mission of the FHA is to preserve, communicate, and celebrate the heritage of the Franconian communities and to promote a greater appreciation for local, regional, national and world history among the residents of and visitors to Frankenmuth. It was established to hold its resources including collections, programs and facilities in the public trust. The FHA is fully committed to protecting and preserving this trust through governance and stewardship of the governing authority, staff, interns, volunteers and partners. Conducting all of the FHA activities with the highest degree of moral and ethical consciousness is of the utmost importance to the museum.

The Institutional Code of Ethics entrusts all persons associated with the FHA, including the Board of Trustees, staff and volunteers are aware and sensitive to the complex ethical issues that may arise with each museum related venture. Furthermore, to ensure all persons affiliated with conduct themselves in ways that bring value to the museum and museum field.

The museum is uniquely committed to serving the public through collecting, preserving, interpreting and sharing our rich Franconian history and heritage. Members of our governing board, staff and volunteers are stewards of the resources the museum houses. They are committed and organized as a public trust to hold the collection and information as a benefit of our Franconian communities.

The FHA is committed to complying with local, state, and federal laws and international conventions, as well as with the specific legal standards governing trust and museum responsibilities. These legal standards are a minimum. The FHA also follows the guidelines addressed in the Code of Ethics for Museums from the American Alliance of Museum. In addition, the FHA seeks to provide its own detailed Institutional Code of Ethics to enhance public confidence.

### Purpose

As an Institutional Code of Ethics, this documents provides the support and detail need to address the policies and procedures under which the Board of Trustees, staff, interns, and volunteers of FHA are expected to operate.

### Policies

Board of Trustees, staff, interns and volunteers are encouraged the engage in personal and professional activities outside the museum, limited only to the restraints in this Institutional Code of Ethics including acting with the highest degree of integrity and honesty, avoiding conflicts of interest and no misusing the FHA resources, property, service or reputation.

### Board of Trustees

The Board of Trustees of the FHA is the nine member governing board of the organization. As such, it serves the public interest as it relates to the Museum, and is accountable to the public as well as to the institution. In most cases the Board acts as the ultimate legal entity for the museum, and is responsible for making and maintaining its general policies, standards, condition, and operational continuity. Members of the board must be loyal to the mission of the museum, and must understand and respect the basic documents that provide for its establishment, character and governance.

Each Trustee should devote time and attention to the affairs of the museum and ensure that the museum and its governing board act in accordance with the basic documents and with applicable state and federal laws. Trustees must ensure that no policies or activities jeopardize the basic nonprofit status of the museum, or reflect unfavorably upon it as an institution devoted to public service.

Trustees hold the ultimate fiduciary responsibility for the FHA and for the protection and nurturing of its various assets: the collections and related documentation, the plant, financial assets, and the staff. They must develop and define the purposes and related policies of the institution, and ensure that all of the museum's assets are properly and effectively used for public purposes. The Board has strong obligations to provide the proper environment for the physical security and preservation of the collections, and to monitor and develop the financial structure of the FHA so that it continues to exist as an institution of vitality and quality.

A vital responsibility of the governing Board derives from its relationship to the Director, the Frankenmuth Historical Association Executive. The selection of that executive and the continuing monitoring of his or her activities are primary Board responsibilities, which cannot be delegated and must be diligently and thoughtfully fulfilled.

### Conflicts of Interest

Individuals who are knowledgeable in fields related to museum activities can be of great assistance to the FHA, but conflicts of interest or the appearance of such conflicts may arise because of these interests or activities. The Board of Trustees of the museum should establish guidelines for the protection of both individual and institution.

- A FHA Trustee should conduct all of his or her activities, including those relating to persons or businesses with whom the Trustee is closely associated, in such a way that no conflict will arise between the other interest and the policies, operations or interests of the museum. The appearance of such conflict should also be avoided.
- Museum Trustees should file with the Board a statement disclosing their personal, business, or organizational interests and affiliations and those of persons close to them that could be construed as being museum related. Disclosure statements should be updated whenever significant changes occur.
- Whenever a matter arises for action by the Board, or the museum engages in an activity where there is a possible conflict or the appearance of conflict between the interests of the museum and an outside or personal interest of a Trustee or that of a person close to him or her, the outside interest of the Trustee should be made a matter of record. If the Trustee is present when a vote is taken in connection with such a question, the Trustee should abstain. In some circumstances, the Trustee should avoid discussing any planned actions, formally or informally, where there might appear to be personal benefit. If a case arises in which neither disclosure nor abstention appears to be sufficient, the only appropriate solution may be resignation.
- Trustees serve the FHA and its public. They should not attempt to derive any personal material advantages from their connection with the museum. Trustees should use museum property only for official purposes, and make no personal use of the museum's collection, property, or services in a manner not available to a comparable member of the general public.

### Executive Director

The Board of Trustees have an obligation to define the limits, powers, and duties of the Director of the FHA. They should work with the Director, who is their Executive Officer, in all administrative matters, and deal with him or her openly and with candor.

The Trustees must act as a full Board in appointing or dismissing a Director, and the relationship between Director and Board must reflect the highest of institutional goals. The Director should attend all Board meetings and important committee meetings except executive sessions.

The Director has an obligation to provide the Trustees with current and complete financial information in comprehensible form; to bring before the Board any matters involving policy questions not already determined; and to keep them informed on a timely basis of all other significant or substantial matters or intended action affecting the institution.

The Director must carry out the policies established by the Trustees, and adhere to the budget approved by the Board. Whenever it is necessary to deviate from established policies or to alter or exceed budget guidelines, the Director should notify the Board in advance and request appropriate approval.

### Staff and Interns

Staff and interns at the FHA are responsible for a public trust with which holds great responsibility. In all activities, museum staff must act with the highest degree of integrity and accountability following stringent ethical principles actively acting with objectivity. Museum staff members are encouraged to participate in a wide range of professional and personal activities with independence consistent with their professional responsibilities. Loyalty to the museum is paramount and the pursuit the FHA mission must be center to every activity. To the public, museum staff are never completely separate from the organization. Consequently, any employees can never consider themselves or their activities independent of the museum.

### Conflicts of Interest

It is of the utmost importance for museum staff members to consciously act with stewardship to protect the valuable resources housed by the museum and act in serve towards the FHA community.

- Museum staff should never abuse their official positions in their contacts within the museum community, compete with the museum, or bring discredit or embarrassment to the FHA or to their profession in any activity, museum related or not. They should be prepared to accept the restrictions that are necessary to maintain public confidence in museums and in the museum profession. The terms and restrictions listed in this Institutional Code of Ethics, as well as the reporting procedures and conditions of enforcement should be read and signed in agreement.

- Museum employees and others in a close relationship to them must not accept gifts, favors, loans, or other dispensations or things of more than trifling value that are available to them in connection with their duties for the museum. Gifts of trifling value are deemed to be those novelty items with advertising identification affixed to them and a value of less than \$25.
- No staff member should use, off museum premises or for personal gain, any object or item that is a part of the museum's collection or under the guardianship of the museum: or use any other property, supplies or resources of the museum except for the official business of the museum. The name and reputation of this museum are valuable assets and should not be exploited either for personal advantage or the advantage of any other person or entity.
- Staff members should be circumspect in referring members of the public to outside suppliers to the museum. Whenever possible, more than a single qualified source should be named in order to avoid the appearance of personal favoritism in referrals.

## Volunteers

Volunteers have a responsibility to the museum as well, especially those with access to the museum's collections, programs and privileged information. Access to the museum's inner activities is a privilege and the lack of material compensation for effort expended on behalf of the museum in no way frees the volunteer from adherence to the standards that apply to paid staff. Volunteers must work toward the betterment of the institution and not for personal gain other than the natural gratification and enrichment inherent in museum participation.

Although the museum provides special privileges and benefits to its volunteers, volunteers should not accept gifts, favors, discounts, loans or other dispensations or things of value that accrue to them from other parties in connection with carrying out duties for the museum. Conflict of interest restrictions and gift policies placed upon the paid staff of the museum must be explained to volunteers and observed by them.

## Personal Collecting

Personal collecting historical and museum materials is subject to the following guidelines:

- Discretion is required whenever a staff member or Board Trustee collects objects similar to those collected by the museum. No Board Trustee or employee may engage in competition with the museum in the purchase of or interfere in the donation of a collection item.
- No one shall buy from, sell to or trade or indirectly acquire any museum collection object. For additional information, please vision the Deaccessioning Policy.
- Disclosure of the general nature of personal collections of the professional staff of the museum is required. The museum may, however, make no claims on any such material.
- If an employee purchases an object which falls within museum collection areas, this acquisition must be promptly disclosed to the museum Director.
- An employee may not use his/her affiliation with the museum to enhance his/her or an associate's personal collecting activities.

## Outside Employment

Museum staff members my engage in outside employment or gainful activities under the following guidelines:

- Employees are required to inform the museum Director of facts concerning any planned outside employment or consulting arrangements which are in any way related to the functions that such employees perform at the museum.
- The staff of the museum is actively encouraged to teach, to lecture and to write/publish, as these desirable activities aid professional growth and the growth of the museum.
- Employees are required to obtain the written approval of the museum Director while planning for a significant amount of outside teaching, lecturing, writing, editing or consulting. Any contemplated uses of the museum's research facilities, staff assistance and property such as must be approved by the museum Director.
- All employment outside the museum must be undertaken within the fundamental premise that the employee's primary responsibility is to the Museum; that the activities will not interfere with his/her ability to discharge this responsibility, and that it will not compromise the integrity of the museum.
- Activities for which staff members are paid shall be performed on their own time outside of regular museum working hours and off-site.
- Staff members shall not be required to disclose non-Museum-related activities on behalf of voluntary community groups or other public service organizations but shall conduct themselves so that their activities on behalf of such organizations do not reflect adversely on the reputation or integrity of the museum.

## Personal Gifts

No museum official or staff shall accept or solicit, directly or indirectly, any gift, gratuity, loan, favor or other thing of monetary value from any person, corporation, company, or group which has obtained, or is seeking to obtain contractual, business, financial or other relationships with the museum.

No person associated with the Museum or his/her representative may acquire any property of value from the museum. Objects, materials or supplies that the museum cannot sell and that must be discarded may be offered to a not-for-profit organization. No one shall directly or indirectly acquire any museum collection object.

Receipt of any gift is disapproved except gifts of a value less than \$50, which could not be refused without discourtesy. No personal gift of money should ever be accepted.

## Collections

Stewardship towards the museum's collection is of the utmost importance. The central focus and mission is aimed at preserving the history and heritage of our Franconian communities. Objects donated to or purchased by the museum for the collections are held in public trust and growth and care of the core collection is one of the most important responsibilities of the institution. The maintenance of this information in orderly and retrievable form is critical to the collection and is a central obligation of those charges with collection management.

## Management, Maintenance and Conservation

An ethical duty of museums is to transfer to its successors, when possible in enhanced form, the material record of human culture and the natural world. They must be in control of their collections and know the location and the condition of the objects that they hold. Procedures must be maintained for the periodic evaluation of the condition of the collections and for their general and special maintenance.

The physical care of the collection and its accessibility must be in keeping with professionally accepted standards. Failing this, museum trustees and management are ethically obliged either to effect correction of the deficiency or to dispose of the collection, preferably to another comparable institution.

## Acquisition and Disposal

In the delicate area of acquisition and disposal of museum objects, the museum must weigh carefully the interests of the public for which it holds the collection in trust, the donor's intent in the broadest sense, the interests of the scholarly and the cultural community, the institution's own financial well-being. The Board of Trustees bears legal responsibility for the collection, the curatorial staff is best qualified to assess the pertinence of an object to the collection or museum program.

The FHA's Collection Policy is the museum's policy regarding the acquisition and disposal of objects. The museum must continue to develop policies that allow it to conduct its collections activities in the complexities of existing legislation and with the reasonable certainty that its approach is consistent with the spirit and intent of such legislation. It is incumbent upon museum staff to review and understand the museum's Collections Policy and procedures as adopted by the Board of Trustees, when carrying out their job responsibilities.

Objects collected by the museum must be relevant to its purposes and activities, be accompanied by a valid legal title, preferably be unrestricted but with any limitations clearly described in an instrument of conveyance and be properly cataloged, conserved, stored or exhibited. The museum must remain free to improve its collection through selective disposal and acquisition, and to sacrifice specimens intentionally for well-considered analytical, educational, or other purposes. In general, objects should be kept as long as they retain their physical integrity, authenticity, and usefulness for the museum's purposes.

In their responsibility to collections, museums should act in accordance with current museum standards and practices in the acquisition, research, interpretation and deaccessioning of Native American collections. For this reason, the FHA must not collect Native American ceremonial objects or human remains.

When disposing of an object, the museum must determine that it has the legal right to do so. When mandatory restrictions accompany the acquisition, these must be observed unless it can be clearly shown that adherence to such restrictions is impossible or substantially detrimental to the institution. A museum can only be relieved from such restrictions by an appropriate legal procedure.

No one shall buy from, sell to, trade or indirectly acquire any collection object. Collection objects may be offered to a not-for-profit organization.

Funds raised by the sale of Museum objects will be placed into a specially designated account. These funds are restricted to acquisitions of collections or conservation of specific pieces in the collections.

## Appraisals

Donations are tax deductible to the extent of the law; however the museum staff, board or volunteers cannot appraise items for a private owner. Donors, therefore, are expected to get independent appraisals for the objects they are donating.

## Availability of Collections

The collections are an educational resource and may be made available to the public through exhibits, publication, behind-the-scenes tours, and other means of display. The collections can be made available to qualified researchers by appointment for close inspection, photography, or research under special permission and with proper controls.

The public must have reasonable access to the collections on a nondiscriminatory basis; however, the museum assumes as a primary responsibility the safeguarding of their materials and may regulate access to them.

## Trust in Preservation

It is the responsibility of museum professionals to use museum collections for the creation and dissemination of knowledge. Intellectual honest and objectivity in the preservation of objects is the duty of every professional. The stated origin of the objects or attribution of work must reflect the thorough and honest investigation of the curator and must yield promptly to change with the advent of new facts or analysis. Any can be appropriate, if approached objectively and without prejudice. Museum professionals must use their best efforts to ensure that exhibits are honest and objective expressions and do not perpetuate myths or stereotypes. Exhibits must provide with candor and tact an honest and meaningful view of the subject. Sensitive areas such as ethnic and social history are of most critical concern.

## Collection Values

FHA not disclose the value of items in its collection. Also, the museum will never divulge the value of loaned items, unless specifically directed to do so by the lender, in which case it would be discretionary by the museum.

## Museum in Society

The ethical principles outlined in this guide 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.

## Programs

To best serve the public by advancing an understanding and appreciation of the historical and cultural items through exhibitions, research, scholarship, publications and educational activities. These programs seek to further the museum's mission and are responsive to the concerns, interests and needs of the community. Program should follow the listed guidelines:

- Programs support the mission and vision of the FHA.
- 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.

## Ethical Policies

### Professionalism

Trustees and the museum Director should respect the professional expertise of the staff, who have been engaged because of their special knowledge or ability in some aspect of museum activity. Trustees should work with the museum Director in all administrative matters and deal with him/her openly and with candor. Museum programs and day-to-day management are staff-driven. The responsibility of final decisions rests with the museum Director. Severe grievances with the Director can be brought to the attention of the President of the FHA Board of Trustees.

### Equal Opportunity

In all matters relating to staffing, the standard should be ability in the relevant discipline. In these matters, as well as in Board Member selection, management practices, volunteer opportunity, collection usage and relationship with the public at large, decisions must not be made on the basis of discriminatory factors such as race, color, creed, gender, age, handicap or sexual orientation.

### Staff Cooperation

Professional museum workers must always be dedicated to the high standards and discipline of their profession, but they must also remain mindful that they are employees. While they must strive for professional excellence in their own specialty, they must at the same time remember that they are part of a team effort and must cooperate supportively with their colleagues.

## Scholarly Material Ownership

Staff members are encouraged to write and publish both for the museum and on their own. Ownership of copyright rests with the museum on all material prepared as part of the normal duties of the staff member or specially contracted, unless exceptional arrangement is made prior to publication. Ownership of copyright for works done by the staff member's own time remains his/her possession, but such work must satisfy the outside employment guideline.

## Museum Resources

No person may use the museum's collection, facilities, personnel or services in any non-museum matter or context without the express prior consent of the museum Director. When Trustees seek employee assistance for personal needs, they should expect that such help will be rendered only to the extent that is also given to members of the general public in similar circumstances.

## Background Checks

FHA is committed to ensuring that its education and research programs are supported by qualified staff members and that its community is as safe as possible. FHA is also committed to taking meaningful actions to protect its finances, property, and other assets. This policy assists the museum with the policy necessary to ensure the safety of staff and program participants. All offers of employment for identified staff positions will be contingent on successfully passing a background check. Background checks will be conducted using a contracted third party and/or appropriate law enforcement agencies.

Information secured for the purpose of extending, maintaining, or retracting an offer of employment will be confidentially maintained by FHA. For the purpose of making decisions, report contents may be shared with the appropriate individuals.

All background checks are composed of a criminal history check, social security number validation, and sex/violent offender registry check. Additional information may be requested such as pre-employment physical (facilities), finger print registration and trace through the Bureau of Criminal Apprehension, and motor vehicle record.

FHA will not consider arrest information unless the arrest resulted in pending criminal charges. In such circumstances, the applicant and/or law enforcement agencies will be contacted to obtain further information. The presence of a conviction does not automatically preclude an individual from employment. FHA will consider various factors in evaluating whether a conviction disclosed warrants revoking an offer of employment including, but not limited to:

- Nature and frequency of the offense (s)
- Time since conviction
- Completion of sentence or any other remediation
- Relevancy to position

However, FHA is committed to providing a safe learning and working environment for its members and visitors and employees, the following convictions will typically result in termination of employee or withdrawal of offer: homicide, manslaughter, criminal vehicular murder and injury, assault, kidnapping, criminal sexual conduct, simple and/or aggravated robbery, false imprisonment, theft and/or burglary, terrorist threats, arson, violation of a harassment and/or stalking statute.

## Equal Employment Opportunity

The FHA is an equal opportunity employer. No employee or applicant for employment shall be unlawfully denied an employment opportunity for which the applicant is qualified due to race, color, creed, religion, national origin, sex, age, appearance, marital status or disability. It is the FHA's policy to comply with all federal and state laws affecting employment, including laws that define and prohibit discrimination. Employment decisions involving employees, such as hiring, promotion, demotion, transfer, selection for training, recruitment, separation, layoff, termination, salaries, benefits or other forms of compensation, will be made based on individual merit, skill and qualification. In making employment decisions, the FHA will consider factors such as education, training skills, prior job experience, and performance, attitude, ability to work with others, leadership and potential for growth in the job.

## Harassment Policy

The FHA expressly prohibits any form of unlawful employment harassment based on race, color, creed, religion, national origin, sex, age, appearance, marital status, disability, or status in any group protected by the state or federal law. Harassment of employees or applicants is prohibited. Harassment includes, without limitation, verbal harassment (epithets, derogatory statements and slurs), physical harassment (assault, physical interference with work), visual harassment (posters, cartoons and drawings), and innuendo.

Any employee who has a complaint of harassment at work is urged to bring the matter to the attention of the Director or the President of the Board of Trustees, so they may investigate and deal with the matter. The FHA will promptly investigate all allegations of harassment in a confidential manner. The FHA prohibits retaliation against any person who brings a complaint of harassment or who takes part in the investigation.

Violation of this policy is grounds for discipline, including termination.

### **Sexual Harassment Policy**

The FHA does not tolerate sexual harassment of any kind. All employees must avoid offensive or inappropriate sexual behavior at work and are responsible for assuring that the work place is free from sexual harassment at all times. The policy prohibits: unwelcome sexual advances, request for sexual acts or favors, and other verbal or physical conduct of a sexual nature made to an employee when submission to such conduct is made either implicitly or explicitly by a condition of an individual's employment.

Examples of prohibited conduct include, but are not limited to, lewd or sexually suggestive comments; off-color language or jokes of sexual nature, slurs, and other verbal, graphic or physical conduct relating to an individual's gender; or any display of sexually explicit pictures or imagery.

Any employee who has a complaint of sexual harassment at work is urged to bring the matter to the attention of the Director or the President of the Board of Trustees, so they may investigate and deal with the matter. The FHA will promptly investigate all allegations of harassment in a confidential manner. The FHA prohibits retaliation against any person who brings a complaint of harassment or who takes part in the investigation.

Violation of this policy is grounds for discipline, including termination.