

# **CLAY COUNTY HERITAGE**

## **CODE OF ETHICS**

*Approved by the Clay County Heritage Board of Directors on April 26, 2022*

### **I. INTRODUCTION**

Clay County Heritage is a public trust whose mission is to “collect, preserve, and interpret local Clay County history for the education and enjoyment of the public.” Likewise, Clay County Heritage’s staff, volunteers, and Board of Directors hold their respective positions as a public trust, and therefore should exhibit the highest ethical standards and respect for the community they serve, show integrity in their actions, and take responsibility for their decisions.

It is the goal of this Code of Ethic to preserve the public trust. The law provides the basic framework for Clay County Heritage operations. As a nonprofit institution, Clay County Heritage 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. Clay County Heritage does more than avoid legal liability; Clay County Heritage takes affirmative steps to maintain integrity to warrant public confidence.

Codes of Ethics have been written by both the American Alliance of Museums (AAM) and the American Association for State and Local History (AASLH) for organizations such as Clay County Heritage. While these codes are extremely thorough, it is important to develop a Code of Ethics responsive to the needs of Clay County Heritage. The great majority of this document is excerpted from the Code of Ethics for Museums adopted in 1993 and amended in 2000 by the Board of Directors AAM, as well as AASLH Statement of Standards and Ethics revised in 2018. It has been adapted to meet the specific demands of Clay County Heritage as it exists today. This Code of Ethics applies to Clay County Heritage’s staff, volunteers, and Board of Directors.

### **II. MUSEUM GOVERNANCE**

#### **A. General**

The Board of Directors of Clay County Heritage is the governing body of the institution. As such, it serves the public interest as it relates to Clay County Heritage and is accountable to the public as well as to the institutions. In most cases, the Board of Directors acts as the ultimate legal entity for Clay County Heritage and is responsible for making and maintaining its general policies, standards, conditions, and operational continuity. Clay County Heritage Board Members must be loyal to the purpose of Clay County Heritage and must understand and respect the basic documents that provide for its establishment, character, and governance.

A critical responsibility of Board Members derives from their relationship with the Clay County Heritage Executive Director. The continuing surveillance of their professional activities is a primary responsibility that cannot be delegated and must be diligently and thoughtfully fulfilled.

Board Members should not attempt to act in their individual capacities. Board Members, including officers, have no power or authority individually. All actions of the Board of Directors

should be taken as a board, committee, or otherwise in conformance with the bylaws or applicable policies of Clay County Heritage. In all activities and statements, Board Members must make it clear whether they are acting or speaking for Clay County Heritage or themselves. They must not represent, or appear to represent, Clay County Heritage without the authority to do so.

Board Members should maintain Clay County Heritage information in confidence when it concerns administration or activities of the institution and when it is not generally available to the public. This does not preclude public disclosure of information that is properly in the public domain, or information that should be released in fulfilling Clay County Heritage's accountability to the public.

Board Members hold the ultimate fiduciary responsibility for Clay County Heritage and for the protection and nurturing of its various assets: collections and related documents, financial assets, and the staff. They must develop and define the purposes and related policies of the institution and ensure that all of Clay County Heritage's assets are properly and effectively used for public purposes.

#### **B. Conflict of Interest**

Individuals who are knowledgeable in fields related to Clay County Heritage's activities can be of great assistance, but conflicts of interest or the appearance of such conflicts may arise because of these interests or activities.

Board Members must endeavor to conduct all of their activities, including those relating to persons closely associated with them and to business or other organizations, in such a way that no conflict will arise between the Board Member's interests and the policies, operations, or interests of Clay County Heritage. The appearance of such conflicts also should be avoided.

All conflicts-of-interest, or apparent conflicts-of-interest, must be disclosed and addressed in an appropriate manner. Disclosure statements should be updated whenever significant changes occur. Whenever a Board Member becomes aware of a real or perceived conflict, the Board Member must recuse themselves from any debate, discussion, or decision-making process related to said conflict-of-interest, and to ameliorate this conflict by whatever means recommended and approved by the Board of Directors.

No Board Member may take personal advantage of information available to them because of their position on the Board of Directors and should conflict develop between the needs of the individual and Clay County Heritage, those of Clay County Heritage will prevail.

No Board Member, person close to them, or individual who might act for them may acquire objects from the collections of Clay County Heritage.

Board Members serve Clay County Heritage and its public. They should not attempt to derive any personal material advantages from their connection with Clay County Heritage. Board Members should use Clay County Heritage property only for official purposes, and make no

personal use of the organization's collection, property, or services in a manner not available to a comparable member of the general public.

To the extent applicable, Board Members must also conform to the ethical standards for Clay County Heritage staff, as set forth in Section III.B.

### **C. Responsibility to the Collection**

The Board of Directors has a strong obligation to provide the proper environment for the physical security and preservation of the collections, and to monitor and develop the financial structure of Clay County Heritage so that it continues to exist as an institution of vitality and quality. In keeping with their primary responsibility for the protection of Clay County Heritage's collection, Board Members should not jeopardize the collection by using it as collateral for a loan or by otherwise selling or mortgaging the collection to secure funds for operations, buildings, or expansion of the facility.

Board Members must maintain and update, as needed, the Collection Policy, adopted in August 1996, which governs use of the collections, including acts of acquisition, accession and deaccession. It also covers the acceptance of objects or other items as gifts and loans, the Board of Directors must ensure that Clay County Heritage understands and respects the restrictions, conditions, and all other circumstances associated with gifts and loans.

## **III. STAFF**

### **A. General**

Clay County Heritage staff must maintain high standards of honesty, integrity, and impartiality, free from personal consideration, or favoritism and work to advance Clay County Heritage's mission. Staff members include those who are employed by Clay County Heritage full-time, part-time, regular, and temporary.

All staff members are responsible for understanding the duties of their positions and executing those duties to the best of their abilities. Clay County Heritage promotes a working environment that values respect, fairness, and integrity. Its human resource policies, which can be found in the Employee Handbook, establish clear expectations. Open communication among staff is highly valued.

### **B. Conflict of Interest**

Clay County Heritage staff should never abuse their official positions or their contacts within the organization's community, compete with the organization, or bring discredit or embarrassment to the organization 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 here, as well as the reporting procedures and conditions of enforcement, should be read and clearly understood by all staff, interns and volunteers working Clay County Heritage.

### **C. Gifts, Favors, Discounts, Dispensations**

Clay County Heritage is committed to the highest ethical standards in all relationships with business suppliers. Any staff member who is authorized to spend Clay County Heritage funds should do so with impartiality, honesty, and with regard only to the best interests of the organization.

Staff members and others in a close relationship to them must not accept gifts, favors, loans, or other dispensations or things more than minimal value that are available to them in connection with their duties for Clay County Heritage. Gifts include discounts on personal purchases from suppliers who sell items or furnish services to Clay County Heritage, except where such discounts are regularly offered to the general public.

#### **D. Responsibility to Museum Property, Real and Intangible**

No staff member should use any object or item that is under the guardianship of or part of Clay County Heritage's collection, or use any other property, supplies, or resources of Clay County Heritage, except for the official business of the organization. Information about the administrative or non-scholarly activities of Clay County Heritage that staff may acquire in the course of their duties which is not generally known or available to the public, must be treated as information proprietary of the organization. Such information should not be used for personal advantage or other purposes. Staff members are responsible for maintaining the security of confidential records and information, and the privacy of individuals or groups who support Clay County Heritage.

#### **E. Outside Volunteer Activities**

Staff members are encouraged to participate in voluntary outside activities with community groups or public service organizations. When a staff member speaks out on a public or political issue, they should make sure to do so as an individual. In all activities and statements, staff must make it clear whether they are acting or speaking for Clay County Heritage or themselves. They must not represent, or appear to represent, the organization without the authority to do so.

#### **F. Responsibility to the Collection**

Staff members may not acquire objects from the collections owned by or on loan to Clay County Heritage. Staff members who have direct responsibility for collections should not actively collect in subject areas collected by the Museum. Active collecting is defined as owning, and actively and persistently trying to increase the size or quality of, and a vocational collection of buying, selling, and trading. This does not prevent these employees from owning antiques or art for casual use in their homes, or from having period costumes, weapons, accoutrements, etc. for use in historical "reenacting."

### **IV. VOLUNTEERS**

#### **A. General**

Volunteers have played an active and important role in Clay County Heritage for over 60 years. Staff should be supportive of volunteers and willingly provide the appropriated training. Access to Clay County Heritage's internal activities and information is an honor, and the lack of material compensation for effort expended on behalf of Clay County Heritage in no way frees volunteers from adherence to the standards that apply to paid staff. Volunteers must work towards the

betterment of Clay County Heritage and not for personal gain other than the gratification and knowledge to be derived from participation.

Volunteers should not accept gifts, favors, discounts, loans, or other dispensation of things of value that accrue to them from outside parties in connection with carrying out duties for Clay County Heritage. Conflict of interest restrictions placed upon the paid staff of Clay County Heritage must be explained to volunteers and observed by them. Volunteers must respect the confidentiality of any inside information to which their volunteer activities give them access.

## **V. COLLECTIONS**

### **A. General**

The collections of Clay County Heritage are at the core of its mission in its service to the general public. It is the highest ethical obligation to protect the physical integrity and safety of the collection. Clay County Heritage staff is accountable for the safekeeping of the collection and collection records.

The acquisition, management, and deaccessioning of the Museum's collections shall be in accordance with the Parker Historical Society of Clay County Collection Policy and the ethical principles set forth therein. Personnel with direct responsibility for collections will also follow the American Alliance of Museum's *Code of Ethics for Museums* and the American Association for State and Local History's *Statement of Standard and Ethics*.

### **B. Management, Care, and Preservation**

A museum's obligation to its collection is paramount. Stewardship of collections entails the highest public trust and carries with it the presumption of rightful ownership, permanence, care, documentation, accessibility, and responsible disposal. Maintenance of collection's information in orderly and retrievable form, is critical and is a central obligation of those charged with collection management.

Clay County Heritage must be in control of their collection and know the location and the condition of the objects they hold. This also includes information about each item that establishes its proper place and importance to Clay County Heritage's mission. 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, the Board of Directors and staff are ethically obliged either to correct the deficiency or to dispose of the collection, preferably to another comparable institution.

### **C. Acquisition and Disposal**

In the delicate area of acquisition and disposal of museum objects, Clay County Heritage must carefully weigh the interests of the public for which it holds the collection in trust, the donor's intent in the broadcast sense, the interests of the scholarly and the cultural community, and the institution's own financial well-being.

Clay County Heritage's Collection Policy focuses on the acquisition and disposal of objects. Clay County Heritage must continue to develop policies that allow it to conduct collection activities within 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 appropriate staff to review and understand Clay County Heritage's Collection Policy and procedures adopted by the Board of Directors, when carrying out their job responsibilities.

Objects collected by Clay County Heritage must be relevant to its mission, be accompanied by a valid legal title, preferably be unrestricted but with any limitations clearly described, and be properly cataloged, conserved, stored, or exhibited. Clay County Heritage must remain free to improve its collection through selective acquisition and disposal, 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 Clay County Heritage's purposes.

Clay County Heritage maintains a process of considering the origin of objects it acquires that will allow it to accept an object only when it can determine with reasonable certainty that it has not been immediately derived from illicit trade and that its acquisition does not contribute to the continuation of that trade.

When disposing of an object, Clay County Heritage 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 restriction is impossible or substantially detrimental to the institution. A museum can only be relieved from such restrictions by an appropriate legal procedure. When special requests or instructions accompany an acquisition, they must be carefully considered, and consultation with the donor or their heirs should be attempted. Funds received from the sale of deaccessioned objects from the collection will be used only to benefit the collections. Proceeds may not be used for general operating expenses.

Board members, staff, and volunteers may not acquire or otherwise benefit from the disposition of deaccessioned artifacts. Non-artifact materials or supplies of minimal value that Clay County Heritage cannot sell and that must be discarded may be given to anyone associated with the institution or the public.

While the Board of Directors bears final responsibility for the collections, including the acquisition and disposal process, the staff of Clay County Heritage are best qualified to assess an object's pertinence to the collection. Only for clear and compelling reasons, is an object to be disposed of against the advice of staff.

#### **D. Appraisals**

Donations are tax deductible to the extent of the law; however, Clay County Heritage cannot appraise items for a private owner. Donors, therefore, are expected to get independent appraisals for the objects they are donating.

### **E. Availability of Collections**

Although the public must have reasonable access to the collections on a nondiscriminatory basis, Clay County Heritage assumes the primary responsibility of safeguarding their materials and, therefore, may regulate access to them. Some parts of the collections may be set aside for the active scholarly pursuits of staff members, but normally only for the duration of an active research effort.

The judgement and recommendation of staff, regarding the use of the collections, must be given utmost consideration. In formulating their recommendations, staff must let their judgement be guided by two primary objectives: the continued physical integrity and safety of the object or collections, and high scholarly or educational purposes.

In keeping with Clay County Heritage's responsibility to provide continuous curatorial and protective care for its collection, it must protect such collections from the potential damage of the effects of smoke, beverage, or food service around exposed collections, or the dangers of inappropriate building environment conditions.

### **F. Truth in Presentation**

It is the responsibility of Clay County Heritage to use its collection for the dissemination of knowledge. Intellectual honesty and objectivity in the presentation of objects are the duty of all Clay County Heritage board members, staff, and volunteers. The state origin of the objects or attribution of work must reflect the thorough and honest investigation of staff and must yield promptly to change with advent of new facts of analysis. Clay County Heritage may address a wide variety of social, political, artistic, and scientific issues. Any can be appropriate, if approached objectively and without prejudice. Staff 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.

The research and preparation of an exhibition will often lead staff to develop a point of view or interpretive sense of the material. Individuals must clearly understand the point where sound professional judgement ends and personal bias begins. They must be content that the resultant presentation is the product of objective judgement.

### **G. Human Remains and Sacred Objects**

Clay County Heritage will not collect human remains. It may hold human remains preceding reburial at the behest of a tribal authority. Remains of people of all races and religions will be treated with appropriate respect. Human remains will not be exhibited in any context that is not in unequivocal good taste. Remains that have been identified as, or likely to have been, members of groups who beliefs prohibit viewing or reference the dead will not be exhibited.

Clay County Heritage will not actively seek to collect sacred or ceremonial objects or objects of tribal patrimony. Sacred objects and objects of patrimony of all races and religions will be treated with appropriate respect. Clay County Heritage will decline objects known to be of current religious or ceremonial significance to Native Americans, or to be of tribal patrimony,

and will inform appropriate tribal leaders of such objects on the market or in non-Native American hands.

Relative objects in the collection will be offered for repatriation to appropriate Native American leaders as stipulated in the Native American Graves Protections and Repatriation Act (NAGPRA). In lieu of repatriation, Clay County Heritage will negotiate with tribes to arrange relationships where Clay County Heritage maintains custody of sacred, ceremonial, or patrimonial objects, but tribal members monitor its exhibition, storage, handling, and conservation to prevent sacrilege, or are given access for periodic treatment or for prayer.

## **VI. GENERAL POLICIES**

### **A. Professionalism**

Clay County Heritage staff have been engaged because of their special knowledge or ability in some aspect of museum activity. Staff and board members should respect the professional expertise of others on staff, and governance should be structured so that the resolution of issues involving professional matters incorporates the opinions and professional judgments of relevant members of the staff. Responsibility for the final decisions rests with Board of Directors and all staff members should support these decisions. No staff member, however, can be required to reverse, alter, or suppress their professional judgement in order to conform to a management decision.

### **B. Personnel Practices and Equal Opportunity**

In all matters related to staffing practices, the standard should be ability in the relevant profession. In these matters, as well as board member selection, management practices, volunteer opportunity, collection usage, and relationship with the public at large, decision cannot be made on the basis of discriminatory factors such as race, creed, sex, age, disability, gender, or sexual orientation.

Clay County Heritage recognizes that diversity is a significant force within its own social fabric and in the community encourages employment opportunities and accessibility at the Clay County Heritage Center and Parker Museum for all people. Clay County Heritage promotes inclusiveness, and its board members, staff, and volunteers strive to ensure that diversity is reflected in its programs and committees. Clay County Heritage promotes diversity in its hiring, retention, promotion, and board recruitment efforts and in the programs it develops for its constituencies.

### **C. Fundraising Practices**

Fundraising is a vital component of the financial health of Clay County Heritage. Staff and volunteers involved in raising monies or soliciting other contributions or gifts-in-kind on behalf of Clay County Heritage, must do so with honesty as to the need such contributions and must use donations only for the donor's intended purposes. Gifts should be solicited without the promise of opportunities or advantages not offered to all donors by previously defined guidelines. Staff and volunteers should hold confidential and leave intact all lists, records, and documents acquired in connection with their fundraising efforts on behalf of Clay County Heritage.



#### **D. Giftshop and Commercial Activities**

The Gift Shop and other commercial activities in the Clay County Heritage Center or Parker Museum, as well as publicity relating to them, should be in keeping with Clay County Heritage's mission, should be relevant to the collection and basic educational purposes of the organization, and must not compromise the quality of those collections.

#### **VII. PROMULGATION**

The great majority of this Clay County Heritage Code of Ethics was adapted from the American Association of Museums Code of Ethics, 2000, Code of Ethics for Museums. It is a living document, designed to be disseminated, used, and updated. This Code of Ethics will be:

- Disseminated to all staff members,
- Incorporated into the Board of Directors Policy Manual,
- Reviewed with all new staff and board members, and
- Reassessed for updates on an annual basis by the Board of Directors.