

INDIANA STATE MUSEUM AND HISTORIC SITES CORPORATION
ETHICS AND CONFLICT OF INTEREST POLICY

Purpose: The Indiana State Museum and Historic Sites Corporation (ISMHS) maintains a public trust involving great responsibility. Representatives of ISMHS (employees, volunteers and board members, including boards of supporting organizations) should exercise extraordinary discretion to assure that no conflict of interest arises between themselves and the concerns of ISMHS. Representatives of ISMHS are expected to act in the best interest of ISMHS. Further, employees owe their primary professional and academic allegiance to ISMHS. Should a conflict of interest develop with any representative of ISMHS, the best interest of ISMHS shall prevail.

The ISMHS is an apolitical organization. Its collecting practices, content and interpretation should not be influenced by external political concerns but should be determined by its obligation to steward Indiana's natural and cultural heritage; sound market and audience research on the interests of the ISMHS' target audiences; the preponderance of scientific and historic evidence; the specialist and research expertise of its professional staff; leading scholarship in relevant fields; as well as best practices of museums, mission-similar cultural and heritage organizations, and related academic fields.

In all activities, representatives of ISMHS must act with integrity and in accordance with the law, obeying the most stringent ethical principles as well as the highest standards of objectivity. Accordingly, this policy is intended to protect the institution and provide guidance to its representatives as they carry out its mission and serve as stewards of Indiana's natural and cultural heritage. Additional points may be found within the *Code of Ethics for Museums* published by the American Alliance of Museums as revised in 2000; the statutes of the State Ethics Commission; ISMHS' Fiscal Policy and in the Indiana State Museum's Volunteer Handbook. All information obtained from disclosure shall be held confidential.

Policy:

COLLECTIONS

Natural and Cultural Resource Management

ISMHS shall ensure that the curatorial collections in its care are adequately housed, conserved and documented, and that they are accessible to the public and researchers within clear and appropriate guidelines. Care and use of the collection shall be governed by the board-approved Collections Management Policy, into which this Code of Ethics and Conflict of Interest Policy is incorporated. The Collections Management Policy must be observed by all staff, volunteers and board members of ISMHS, including boards of supporting organizations.

No representative of ISMHS may support in any way illicit trade in artifacts or specimens destined for public or private collections. Nor shall ISMHS acquire biological or geological specimens in violation of wildlife protection acts or natural history conservation laws. Nor shall ISMHS acquire archaeological artifacts obtained through unscrupulous recovery or illicit excavations. Infractions must be reported to the Collections Review Committee (CRC) and to legal or governmental authorities. ISMHS may serve as a repository for illegally acquired artifacts and/or specimens seized through the courts, or other state or federal enforcement agencies.

Use of ISMHS Collections

1. No representative of ISMHS may use for personal purposes any object that is part of the ISMHS collections in any manner that is not available to the general public.
2. No representative of ISMHS shall use for personal purposes any property, supplies or resources of ISMHS except for official business, without the permission of the Chief Executive Officer.
3. The ISMHS Collections Tiers, part of the Collections Management Policy, regulates the functional use of accessioned and tracked objects.

Appraisals

1. No financial appraisals, written or verbal, will be given by employees, except for internal and exclusive ISMHS use (a) in providing an estimated value for objects to be purchased or deaccessioned or (b) for insurance valuations of ISMHS objects.
2. Information on authenticity and quality may be offered but this service must be available equally to the public, other museums and the business sector.

Disposition of Deaccessioned Objects

Objects deaccessioned from the collections shall not become the property of any employee, volunteer or board member of ISMHS or of their immediate families or representatives.

Proceeds from the sale of collections materials may be used only for the acquisition and direct care of collections.

All such proceeds shall be deposited in the ISMHS Acquisitions Fund.

Personal Collecting

The acquiring, collecting and owning of objects is not in itself unethical and can enhance professional knowledge and judgment. Professional ethics preclude ISMHS representatives from purposefully interfering with the institution's lines of communication leading to acquisition, or with the flow of artifacts to ISMHS, for their own personal or financial benefit. Furthermore:

1. No representative of ISMHS may compete with ISMHS in any personal collecting activity.
2. Employees must disclose, in writing, to the CRC all circumstances regarding personal collecting undertaken prior to employment and when any major changes occur thereafter. This need not be an item-by-item inventory. A descriptive paragraph is sufficient.
3. ISMHS has the option, for a six-month period, to accept or acquire any objects purchased by an employee of ISMHS that is sought in collecting strategies as reflected in the Collections Management Policy section on acquisitions and the detailed supplements updated annually by curatorial staff. ISMHS may acquire the object at the same price plus any transportation costs incurred by the employee. The employee shall submit written notification to the chairperson of the CRC and the Chief Executive Officer within 30 days of purchase. The institution's option period shall commence with the actual reporting of the purchase. The Chief Executive Officer will make final disposition.
4. A representative of ISMHS who purchases or collects readily available retail items or otherwise acquires objects that appear to be generally available to ISMHS is not considered to be in competition with ISMHS for a limited resource.
5. Any specimen(s) derived from the personal studies of scientific staff shall be offered to ISMHS as a donation at the completion of that study. This will require a letter of intent to donate upon disclosure.
6. The right of ISMHS to acquire from employees objects collected personally shall not extend to object that were obtained (a) prior to the date of affiliation with ISMHS or (b) prior to the date of the adoption of this policy on August 28, 2003.
7. Bequests and personal gifts to representatives of ISMHS from family members or close friends are exempt from the institution's option to acquire. However, this information should be disclosed if it could appear to be a conflict of interest.
8. Representatives of ISMHS are discouraged from receiving personal gifts from artists, gallery owners, dealers, vendors, private collectors, lenders, borrowers, donors or any business or other entity associated with ISMHS. A representative of ISMHS who receives gifts, including negligible promotional or complimentary items, does so at the risk of an inquiry into a possible conflict of interest.
9. Once ISMHS has declined to acquire an object it may not again exercise an option to acquire the same object unless the owner wishes to dispose of it. Notification of declination shall be in writing from the CRC.
10. Representatives of ISMHS should confer with collections curators for details concerning collecting strategies.

Professional Relationships

1. Employees shall not use their title or affiliation with ISMHS to derive any profit or gain (including personal favors, gifts or commissions) directly or indirectly.
2. Employees are prohibited from dealing in collection materials that are similar to ISMHS collections (dealing is defined as regular buying and selling for personal profit). However, they are permitted the opportunity to improve or “upgrade” their personal collections through occasional trades, sales and purchases, but these must be disclosed, as defined under personal collections.

Consulting

All employee collections-related consulting activities should receive prior written approval from the Chief Curator and Research Officer and the Chief Executive Officer (consulting is defined as performing professional services on one’s own time with financial compensation). Other employee consulting activities should receive prior written approval from the appropriate Chief Officer of their division and the Chief Executive Officer. Other representatives of ISMHS are expected to notify their immediate supervisor of museum-related consulting activities.

Honoraria and Royalties

An ISMHS employee shall not personally accept an honorarium or royalty for anything that may be considered part of the employee’s official duties. However, an ISMHS employee may accept an honorarium or royalty in this situation on behalf of the museum and shall remit to ISMHS any amount received. The sponsor of such an activity may reimburse the employee for actual, documented expenses if the employee is not being reimbursed by ISMHS.

An ISMHS employee may personally accept an honorarium or fee for activities not done in connection with the employee’s official duties and that are prepared on the employee’s own time and without the use of ISMHS resources.

In no case may an ISMHS employee accept an honorarium from a person or entity that has a business relationship or seeks to influence an official action with the ISMHS.

Profit from Exhibition or Programming

Representatives shall not use their position or privileged information to intentionally derive profit or gain to themselves, outside individuals, groups or businesses.

ALIGNMENT WITH GENERAL STATE ETHICS RULES

As a quasi-agency, the Indiana State Museum and Historic Sites is a non-profit, public corporation that does the business of the state. It operates in the public trust and as representatives of state government, ISMHS staff, volunteers and board members must conduct themselves in such a manner that the general public will have confidence that the conduct of ISMHS is always for the public good. In addition to those ethics rules that derive from its function as a museum, ISMHS also abides by the ethics rules for executive branch agencies within the State of Indiana as found in IC 4-2-7 and 42 IAC 1.

1. ISMHS employees are to be impartial in the discharge of their duties.
2. Decisions and policies must not be made outside of ISMHS' proper channels and must observe the ethical and legal frameworks of state government.
3. Positions are not to be used for private gain.
4. ISMHS employees and volunteers may not solicit or accept outside payments for the performance of their duties at ISMHS.
5. ISMHS employees, volunteers and board members may not benefit financially from information of a confidential nature gained through their involvement with ISMHS.
6. ISMHS employees, volunteers and board members may not participate in decisions or votes of any kind in which they, their spouses or dependent children have a financial interest.
7. An employee may not accept a gift, favor, service, entertainment, food or drink which could influence the employee's action.
8. Payment for an appearance, a speech or article may not be accepted if the appearance, speech or article could be considered part of the employee's official duties.
9. An employee may not accept payment of expenses for travel, conventions, conferences or similar activities that could influence the employee's action.
10. An employee may not solicit political contributions from persons or entities that have a business relationship with the employee's agency.
11. Employees, volunteers and board members may not solicit political contributions from ISMHS employees.
12. Employees may not have outside employment incompatible with their employment at ISMHS or against its rules.
13. Employees, volunteers and board members may not make unapproved use of ISMHS or state property, personnel or facilities.
14. Employees may not use their work time for other than ISMHS duties.
15. For a period of one year after leaving ISMHS, former employees may not financially benefit from a contract they negotiated, prepared or approved.

Procedures:

Policy Violations

1. Any collections-related violation of these rules should be reported to the CRC.

2. Whenever reasonable doubt exists that an activity is (in fact or appearance) in conflict with the interests of ISMHS, a request for determination shall be made to the individual's supervisor, who may refer the matter to the CRC (if collections related) or the Chief Executive Officer. The request should be prompt, in writing and contain a full disclosure.

Enforcement

Disciplinary action resulting from violation of this policy shall be through the established ISMHS administrative channels or the Indiana State Ethics Commission.

I have read and agree to abide by the Indiana State Museum and Historic Sites Corporation's Ethics and Conflict of Interest Policy and, as applicable, the State of Indiana Ethics Rules.

Printed name

Signature

Date