

University of Nebraska State Museum
Code of Ethics

Signature Page

Approved:

Signature of Director:

Priscilla C. Grew

Name and Title: Priscilla C. Grew, Director

Date: September 1, 2008

Signature of head of governing authority:

Prem S. Paul

Name and Title: Prem S. Paul, Vice Chancellor for Research

Date:

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University of Nebraska State Museum

Code of Ethics

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Approved 14 September by Director Priscilla C. Grew
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I. INTRODUCTION

The Museum

The University of Nebraska State Museum (hereafter referred to as "the Museum") consists of research divisions, public displays, and educational programs. It is a public institution that serves as the university and state depository for specimens and related literature documenting the natural science of Nebraska, the Great Plains, and whatever other areas are deemed suitable.

The Collections

The collections are maintained as a public trust, curated and preserved in an appropriate division of the Museum, and shared with the scientific community through research, publication, and loans, and with the general public through interpretive display, educational programming, and publications.

Staff

The staff is comprised of the curators, collection managers, preparators, exhibits personnel, outreach educators, and clerical staff.

Applicability

This policy applies to the Museum's governing authority (the Vice Chancellor for Research), staff and volunteers.

Each staff member of the Museum will be provided a copy of the Code of Ethics, and all work-study students, volunteers, and temporary help will be given an opportunity to read this document early in their employment.

Subscribe in Principle to Professional Guidelines

The University of Nebraska State Museum Code of Ethics endorses, in principle, the guidelines set forth in the following publications

- (a) Code of Ethics for Museums, American Association of Museums (2000) (<http://www.aam-us.org/museumresources/ethics/coe.cfm>).
- (b) A Code of Ethics for Curators. 1983. A report to the American Association of Museums by the Curators Committee. *Museum News*, February/1983: 38-40.
- (c) The Museum Store Association Code of Ethics. *Museum News*, Jan/Feb/1982: 51-52.
- (d) Public Law 101-601, the Native American Grave Protection and Repatriation Act, 1990.
- (e) American Institute for Conservation of Historic and Artistic Works Code of Ethics and Standards of Practice, 1979.
- (f) Curation of Federally-owned and Administered Archeological Collections, U.S. Department of the Interior, 1990.
- (g) Revised Statutes of Nebraska. Chapter 12, Article 12: Unmarked Burial Sites, 12-1201 to 12,1212.

Specific regulations for the University of Nebraska State Museum are stated below.

Code of Ethics Amendments

This Code of Ethics shall pertain to all employees of the University of Nebraska State Museum. It may be amended as circumstances require by consensus/action of the Curators and Director meeting as the Curatorial Committee.

Day-to-Day Operations

Day-to-day operation of the Museum and subdivisions thereof shall be subject to rules and regulations issued by the Director or appropriate supervisory personnel.

Governing Authority

The Bylaws of the University of Nebraska-Lincoln (1976 and subsequent revisions) and the Bylaws of the Board of Regents of the University of Nebraska (1984 and subsequent revisions) shall supersede the guidelines in this Code. Museum employees are expected to conduct all Museum activities in a legally compliant manner.

II. CONFLICT OF INTEREST

Duties and Responsibilities

No employee of the University shall engage in any activity that shall in any way conflict with that employee's duties and responsibilities at the University of Nebraska.

Work Time

All rules and regulations as outlined in the University; *of Nebraska-Lincoln Employee Handbook* concerning such matters as sick leave, professional leave, and vacation leave, and all other matters, shall apply to Museum employees.

□

Nepotism

No employee shall hire or supervise a member of that employee's immediate family without expressed written consent of The Board of Regents.

Political Activity

Employees of the University enjoy the full right of citizens to participate in the political life of the State of Nebraska and the United States. The welfare of the University, however, requires that each employee perform the duties of their position without interference from outside activities.

Part-time Public Office

An employee filing as a candidate for any part-time public office, or appointed thereto, shall notify the Chancellor and the Director of the Museum of that employee's intention to do so. It shall be the duty of the Chancellor to determine to what extent such political activities will interfere with the employee's regular duties and to decide to what extent the employee's duties and compensation shall be curtailed.

Full-time Public Office

Employees seeking full-time public office shall be required to take a leave of absence without pay during the time during which the employee shall be a candidate. University employees elected or appointed to full-time public office must resign their position with the University effective on the date of commencing the new office.

Patents and Royalties

See Board of Regents Policies, Section 4.4, Intellectual Property Rights (<http://www.nebraska.edu/board/RegentsPolicies2006.pdf>).

Sale of Books & Supplies to Students; Copyrights & Royalties

No employee of the Museum shall have a financial interest in or receive any compensation from the sale of books, pamphlets, or other educational material, or supplies used by students at the University, except royalties on books or other educational material from publishing houses of standing, when copyright has been secured or when otherwise provided by agreement with the University for University-sponsored materials.

Professional Conduct Committee

The Director of the Museum may appoint an advisory Professional Conduct Committee that is empowered to receive inquiries regarding professional conduct, to investigate charges, and to make factual determinations. The Committee shall conclude whether professional misconduct has occurred and advise the appropriate persons or groups of the Committee's conclusion and factual findings. The

Committee shall recommend whether action should be taken with respect to the charge, and the nature of such action.

Advocacy Guidelines

Museum employees shall enjoy the rights and privileges of private citizens to participate in advocacy groups providing they make it clear that they are speaking and/or writing as private citizens and that they do not represent the University of Nebraska State Museum. In spite of this disclaimer, Museum staff must realize that they have a relatively high level of public recognition, that their actions are associated with their positions in the Museum, and that an equivalent degree of discretion is appropriate.

III. OUTSIDE EMPLOYMENT, CONSULTANTSHIPS, APPRAISALS AND IDENTIFICATIONS

Part-time Employees

Employees hired on a part-time basis by the University of Nebraska State Museum may engage in outside employment or activities unless it is expressly stipulated to the contrary in the conditions of employment.

Full-time Employees

Employees hired by the University of Nebraska State Museum, other than those covered in the preceding paragraph, shall be encouraged to engage in professional activities outside the Museum and outside the University as a means of broadening their experience and keeping them abreast of the developments in their specialized fields, provided such activities do not interfere with their regular duties at the Museum or represent a conflict of interest.

Approval by Director of the Museum and Chancellor

Employees may accept temporary or occasional employment for such professional services when such employment is recommended by the Director of the Museum and approved by the Chancellor.

Approval of Board of Regents

Board of Regents By Laws on Outside Employment Policy As Amended, September 2005 (http://www.nebraska.edu/board/board_bylaws.shtml).

3.4.5 Outside Employment. Staff members employed on a part-time basis by the University, such as practicing lawyers or physicians, may engage in outside employment or activities unless it is expressly stipulated to the contrary in the conditions of employment.

Staff members employed by the University, other than those covered in the preceding paragraph, shall be encouraged to engage in professional activities

outside the University as a means of contributing to the economic growth and development of the state as well as broadening their experience and keeping them abreast of the latest developments in their specialized fields; provided such activities do not interfere with their regular duties at the University, or represent a conflict of interest. Staff members may accept temporary or occasional employment for such professional services when such employment is recommended by the Dean of the college or director of the division involved and approved by the Chancellor or President, or their designees.

Specific approval of the Board is required before any members of the full-time professional staff:

(a) May be retained to provide professional services outside the University to an individual person, client, company, firm or governmental agency over a time period lasting more than two years.

(b) May accept professional employment requiring more than an average of two days per month during the period of his or her full-time University employment.

The President shall promulgate such executive policies as shall be necessary for administration and enforcement of this Section 3.4.5 including regulations covering the conduct of outside professional activity performed in University buildings using University equipment or materials that assure there is adequate consideration to the University for such use.

Nothing contained in this Section 3.4.5 shall affect the administration or enforcement of the Medical Service Plan or the Dental Service Plan at the University of Nebraska Medical Center, or any amendments or revisions thereof which have been approved by the Board.

History: Amended, 56 BRUN 90 (22 June 1991), Amended, 65 BRUN 142 (16 September 2005).

Appraisals

Because of potential conflict of interest, Museum employees shall not provide appraisals when the objects appraised are closely related to the collections under their care at the Museum or when the objects are destined for the University of Nebraska. Museum employees shall not provide referrals to appraisers for any appraisal, and they shall not endorse an individual appraisal. Requests from scientific or educational or law enforcement agencies shall be dealt with on a case-by-case basis by the Director and/or appropriate Museum employee(s).

IV. GIFTS, FAVORS, DISCOUNTS AND DISPENSATIONS

Benefits to Museum

Gifts, favors, discounts and dispensations should accrue to the benefit of the Museum and not to the individual employee.

No Discounts on Personal Purchases

Museum employees shall not accept discounts on personal purchases from potential Museum suppliers except where such regularly are offered to the general public or to members of professional groups.

V. TEACHING, LECTURING, WRITING AND OTHER CREATIVE ACTIVITIES

Other University Units

Guest teaching and lecturing by Museum employees in other University units is permitted. Such employment must be approved by the Director of the Museum when the teaching/lecturing involves more than two days per month. The appropriate curator must approve the use of Museum specimens/property for such outside purposes.

Conflict of Interest. No employee of the University shall engage in any activity that in any way conflicts with duties and responsibilities at the University of Nebraska nor shall any employee hire or supervise a member of his or Board. See Board of Regents Policies, Section 3.2.8 (<http://www.nebraska.edu/board/RegentsPolicies2006.pdf>).

VI. PERSONAL COLLECTIONS

The acquiring, collecting, and owning of objects/specimens is not in itself unethical. However, the acquisition, maintenance and management of a personal collection by a museum employee may create ethical questions and is discouraged.

No Competition with the Museum

Employees of the Museum may not compete with the Museum in any collecting activity.

Personal Collections at Time of Employment

Employees of the Museum may retain professionally related personal collections acquired prior to a person's accepting employment with the Museum. In such cases, the employee shall provide the Director with an adequate inventory of said collections.

Active Acquisitions Prohibited

The Museum discourages the active acquisition of objects/specimens within the area in which the employee works for the Museum. In certain scientific disciplines where personal collections are maintained by professionals, the employee may

ethically engage in active acquisition subject to written agreement with the Director/Curator.

Record of Additions

Employees of the Museum who augment personal collections shall inform the Director of such additions and emend or initiate the inventory accordingly.

Museum Right of Purchase

Whenever employees divest themselves of all or part of a personal collection through sale, they shall obtain bonafide written bids for the objects/specimens, and the Museum shall have the right to match the bid.

Museum's Time Limit Option to Purchase

Beginning at the time the individual formally notifies the Director in writing of the provenience, the bid price and other pertinent details, the Museum shall have two months to indicate its intent to purchase and twelve months to complete the purchase.

Exemptions

Objects acquired as bequests or genuine personal gifts are exempt from the Museum's right to acquire.

Deaccessioned Specimens or Trade of Specimens

Employees must not purchase objects/specimens de-accessioned from their own institution, nor may they trade objects/specimens from their own personal collections for objects from their Museum's collection.

Museum specimens and objects will not be given or sold directly or indirectly to Museum staff.

Personal Collections on Museum Property

Employees of the Museum shall not store personal collections on Museum property or research or conserve their personal collections on Museum time without the permission of the Director. All personal items on Museum property related to official duties, including professional libraries, should be clearly marked. Personal items unrelated to official duties shall not be stored on Museum property.

Persons Covered by Rules

These discouragements apply to all staff regularly working for the Museum. Non-paid associates, courtesy appointments, and volunteers are exempt from these policies but are prohibited from adding to their personal collections objects/specimens obtained as a result of their connection with the Museum.

No Agents to Circumvent Restrictions

Neither relatives nor representatives shall engage in a transaction on behalf of the curator or employee that is not in compliance with the above-stated principles.

Grandfather Clause

Personal collections and field data related thereto belonging to employees on the date this Code of Ethics is activated shall be considered "Personal Collections at Time of Employment" (see above) but otherwise subject to this Code.

Residual Rights

Upon resignation, retirement, or death of the employee, residual rights in private collections are vested in the former employee, retiree or the heirs of the estate, providing the inventory to document ownership is on file in the office of the Director. The inventory permits separation of privately-owned and Museum-owned materials.

VII. DEALING

Dealing Not Permitted

There is a distinct difference between occasional sales (in which the objects must be offered first to the Museum) and dealing (an established business of buying and selling for personal profit). A Museum employee must not act as a dealer, be employed by a dealer, or retain an interest in a dealership. A Museum employee shall not negotiate personal business with a dealer in specimens or artifacts with whom the employee also does business on behalf of the Museum (see Gifts, Favors, Discounts and Dispensations).

VIII. FIELD STUDY AND COLLECTING

Agents of the Museum

Museum employees who conduct job-related field exploration, collecting or excavating do so at all times in the name of and in behalf of the Museum.

Legal Activity

Such activities must be legally correct, subject to the letter and spirit of all laws and regulations of the political entity (municipality, county, state, country, etc.) in which the exploration, collecting or excavating is conducted and in the receiving political entity (*i.e.*, all necessary permits, leases, contracts, fees, duties, and reports obtained and/or paid and/or submitted prior to engaging in the activity or at the proper due date).

Agents of Other Institutions

Museum employees may participate in field exploration, collecting or excavating under the auspices of another scholarly or educational institution with the approval of the Director. In such cases, the specimens and/or data collected shall remain the

property of a public institution (not private individual or individuals) with access policies compatible with professional standards.

Respect of Host Culture

In both act and appearance, participants must respect the beliefs and customs of host individuals and societies. General deportment must be professional so that future field work at the site or in the area will not be jeopardized.

Purpose

Exploration, collecting, or excavating is initiated and undertaken with the expectation that the specimens and/or scientific data will add to scholarly scientific knowledge and/or enhance the collections of the Museum.

Proper Treatment, Care, and Use

Materials in Museum custody will be treated in a manner consistent with recommendations and restrictions developed for their care and use by the appropriate discipline-specific groups. Museum employees engaged in field work shall treat specimens in accordance with discipline-specific care guidelines.

Ownership of Specimens and Confidentiality of Field Data

Specimens are the property of the Museum. Field records compiled in association with Museum activities by Museum personnel are the property of the Museum. Any loan of specimens or disclosure of Museum collecting sites with associated field records shall be subject to the approval of the appropriate Curator and/or the Director. Such loans shall be duly recorded.

IX. RESEARCH USING HUMAN AND ANIMAL SUBJECTS

Institutional Review Board (IRB)

All research involving human subjects in the Museum must be reviewed by the University's Institutional Review Board prior to the beginning of data collection if these results will be published, presented at a conference, or constitute part of a thesis or dissertation. The IRB guidelines and forms are available on the Office of Research website under Research Compliance Services (<http://www.unl.edu/research/ReComp1/compliance.shtml>)

Institutional Animal Care and Use Committee (IACUC)

To ensure proper care and use of wildlife species, investigators should follow guidelines established by national and/or regional wildlife and biological societies for the specific group of animals being used (avian, mammals, reptiles, amphibians or fish). Any research or instructional use of live vertebrate animals by University faculty, staff, or students requires the submission to the IACUC of an "Application to Use Animals" form. The protocol form must be approved before any animal user

may acquire, house, or use animals. The IACUC guidelines and forms are available on the Office Research website under Research Compliance Services (<http://www.unl.edu/research/ReComp1/iacuc.shtml>).

X. ACCESS TO COLLECTIONS

Restricted Access to Collections

Access to the collections is restricted to Museum employees and others as authorized by the Director and/or the appropriate Curator (see Collections Management Policy).

XI. LOAN AND USE OF MUSEUM SPECIMENS

Safety and Integrity of Specimens □

See Collection Management Policy for conditions of loans. Specimens in the Marx Discovery Center in Morrill Hall are subject to the guidelines concerning care of specimens as outlined in the Collection Management Policy.

XII. VOLUNTEERS

Supervision

Volunteers working in or for the Museum shall be supervised by employees of the Museum.

Creative Efforts

All concepts or products created by or resulting from work performed as a volunteer of the Museum, and all rights pertaining thereto, remain the property of the Museum unless specifically released.

Representation

Volunteers shall not present themselves or their ideas as official Museum representations, nor shall they use official letterhead without permission. They shall, however, present their association with the Museum in ways not reflecting negatively on the Museum.

Personal Collections

Volunteers are prohibited from adding to their personal collections objects/specimens obtained as a result of their affiliation with the Museum except through purchases at the Museum Shop or with the specific authorization of the Curator.

XIII. MUSEUM SHOP

Provide General Information to Visitors

The Museum Shop is a point of contact between the Museum and the public. The Shop personnel should be provided with information about exhibits, programs and the location of Museum employees.

Enhance the Educational Experience

The Museum Shop should provide quality, educational materials at reasonable prices.

Professional Guidelines

The Museum Shop adopts, in principle, the Museum Store Association Code of Ethics (<http://www.museumdistrict.com/membership/EthicsCode.cfm>).

Objects for Sale

The Museum Shop will not sell fossils, archeological specimens, ethnographic specimens not made specifically for resale, or replicas thereof not permanently so marked. The Museum Shop will not sell craft items of misleading or dubious origin.

Approval of Items for Sale

In all cases, the sale of biological, mineral, or invertebrate fossil specimens is subject to review and approval of the appropriate Curator and/or the Director.