

# Code of Ethics and Conflict of Interest Policy

## The George Washington University Museum and The Textile Museum

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The Board of Trustees of The George Washington University Museum and The Textile Museum (the “GW Museum”), Washington, D.C., has adopted the following Code of Ethics and Conflict of Interest Policy at their meeting held May 20, 2016. Revisions were approved on October 26, 2018.

### INTRODUCTION

This Code of Ethics and Conflict of Interest Policy (the “policy”) applies to members of the GW Museum board of trustees, staff, and volunteers of the GW Museum (collectively, “GW Museum Personnel”). GW Museum Personnel are responsible for maintaining the GW Museum’s good will in the community and preserving the public trust by acting with integrity and the highest ethical principals in the governance, management, and operation of the GW Museum.

The principles expressed in document are in accordance with the American Association of Museums’ Code of Ethics for Museums (Adopted in 1991, amended in 2000) and the Association of Art Museum Directors’ Professional Practices in Art Museums (2011). Additionally, the GW Museum is governed by the personnel policies and practices established by the George Washington University, including the university’s *Conflict of Interest Policy for Non-Faculty Employees* (Attachment A) and *Statement of Ethical Principles* (Attachment B). Nothing in this policy shall be construed to conflict with any applicable law or university rule or policy. In case of conflict, the applicable law, rule or regulation shall supersede this policy.

This document serves as a guide for GW Museum Personnel with respect to their individual and collective roles in conducting the affairs of the GW Museum. As a guide, the document cannot cover all potential issues related to ethical behavior in the Museum’s affairs.

### GOVERNANCE OF THE GW MUSEUM

The George Washington University is an independent academic institution chartered by an Act of Congress of the United States in 1821. The board of the GW Museum was established pursuant to the terms of the Definitive Agreement between the George Washington University and the Textile Museum, dated May 17, 2012. Pursuant to the Definitive Agreement, the GW Museum board has specific responsibilities but does not have the full legal or financial responsibility for museum operations.

### PERSONAL AND PROFESSIONAL INTEGRITY

GW Museum Personnel shall act with honesty and integrity. They are expected to take care to avoid conduct that would compromise the public confidence in the GW Museum or the university, or use the Museum’s name, reputation, or assets for personal gain or advantage. In addition to the university’s policies, each individual is expected to conduct Museum activities in

accordance with this policy, using professional judgment in serving the best interest of the GW Museum and supporting its mission, and in accordance with the terms of the Definitive Agreement between The Textile Museum and the George Washington University, dated May 17, 2012.

GW Museum Personnel are expected to use the values and principles set forth in the university's *Statement of Ethical Principals* as a guide in making ethical decisions when acting on the Museum's behalf. GW Museum Personnel must also be cognizant of interests and activities that may conflict with their obligations to the GW Museum and the university. Generally, a conflict of interest exists when a member of GW Museum Personnel (or an immediate family relation) is in a position to unduly and personally benefit, either directly or indirectly, from transactions between the GW Museum and non-university individuals or businesses. Such circumstances are defined in the university's *Conflict of Interest Policy for Non-Faculty Employees*, which covers most conflicts of interest that might be faced during museum administrative or operational activity, including financial and personnel decision.

However, to address the unique position of being GW Museum Personnel, the following list is intended to further identify possible conflicts of interest and to serve as a guideline for their resolution relevant to the GW Museum and collections, including The Textile Museum's collection which is on permanent loan to the George Washington University under the Collection Loan Agreement dated May 28, 2014 (the "Collections"). Some examples of conflicts of interest relevant to the GW Museum are:

- Collecting. GW Museum Personnel should not use their affiliation with the GW Museum to create personal collecting opportunities to the disadvantage of the GW Museum and its Collections. This includes, but is not limited to, acquiring objects that might or are of special interest to the GW Museum and its Collections, securing special discounts or consideration from dealers for personal gain, and acquiring objects from the Museum directly or indirectly upon its deaccessioning.
- Deaccessioning. In accordance with guidelines published by the Association of Art Museum Directors (AAMD), funds received for the deaccession of textiles, works of art, and objects in the Alert H. Small collection are only to be used for the purchase of new acquisitions. Use of funds received from the deaccession of historical and document-based collections may follow AAM's guidelines for direct care. See Collections Management Policy.
- Dealing in Art. Dealing in art (including types of objects and materials in the GW Museum's Collections) is defined as the buying or selling of art for profit. GW Museum staff are prohibited from employment by an art dealer, from retaining any interest in an art dealership, or otherwise from acting as an art dealer. GW Museum trustees and volunteers shall not be restricted in dealing in art, but should use extreme diligence to avoid misuse (or the appearance of misuse) of their relationship with the GW Museum in connection with such dealings whether as an individual or through a business in which they have an interest. Personal purchases or trades for a personal collection are not considered dealing in art.
- Appraisals. In no event shall the GW Museum or any GW Museum staff member provide appraisals, whether or not for a fee. However, as a service to the public, GW Museum staff members under the aegis of the GW Museum may provide advice regarding the provenance, quality, structure and other aspects of objects submitted by the public.

- Use of Museum Time/Resources for Personal Interest. GW Museum Personnel shall not improperly use the services or resources of the GW Museum for private gain or advantage.
- Loans for Exhibition. The acceptance of a loan from GW Museum Personnel, of an object for exhibition could appear as a conflict of interest. The guidelines set forth below under the section on *PUBLIC TRUST AND RESPONSIBILITIES* should be taken into consideration.

**Members of the GW Museum Board.** GW Museum board members are not subject to the university's Conflict of Interest Policy for Non-Faculty Employees. In view of that, the following additional guidance is provided expressly for the members who serve on the board of the GW Museum.

Members of the GW Museum board must avoid interests and activities that impair or appear to impair their ability to perform their duties or affect their independence and objectivity in the discharge of their responsibilities to the GW Museum. These would be actions which would impair the GW Museum's viability, stand in competition with the GW Museum, or exploit a trustee's board status for personal, business, or family gain. Service on The Textile Museum's Board of Trustees by a GW Museum board member is not considered a conflict under this policy.

GW Museum board members shall not participate directly or indirectly in discussion by the board or any board committee, or in any decision by the board or such a committee, on any issue in which the member has an actual or potential financial interest, or issues relating to the acquisition, borrowing, or exhibition of objects belonging to such trustee. The lobbying of GW Museum staff and university staff with respect to any actual or potential financial interest is also prohibited. A board member with a potential financial interest, or with issues relating to the acquisition, borrowing or exhibition of objects, in an issue placed on the agenda of a board or committee meeting shall withdraw from the room during the discussion of, and voting on, such issue. Notwithstanding the foregoing, the board member may be invited to be present to answer questions or to make a presentation of a factual nature relating the matter under discussion before withdrawing from the meeting.

Members of the GW Museum board shall disclose to the board's chair, any outside interest or activity which may be or appear to be a conflict of interest, so that the interests and activities can be appropriately managed to protect both the member and the GW Museum. The board chair shall disclose such outside interests or activities to the Office of the Provost. To address the conflict, the board may engage assistance from the university's Office of the Senior Vice President and General Counsel or Compliance and Privacy Office.

In executing the responsibilities of the GW Museum board, each member shall:

- maintain a professional relationship with GW Museum staff in which the management and specialized roles, and separate responsibilities, are recognized and respected;
- recognize that communicating significant matters with GW Museum staff and university administration should take place either through the GW Museum director or with the director's knowledge except when there is good reason to do otherwise. It is understood that general conversation about the Museum between the board members and staff, especially curators, is both to be expected and desired;
- recognize that the deliberations and actions of the board of the GW Museum reside with the board as a whole, and not with individual members; and

- refrain from providing comment or opinion to the media concerning GW Museum matters unless specifically authorized. Communications from the media concerning the GW Museum should be directed to the director of the GW Museum or the board chair.

## SCHOLARLY ACTIVITIES

GW Museum staff is encouraged to write, teach, lecture and publish. Such opportunities shall be disclosed and managed in accordance with the university's *Conflict of Interest Policy for Non-Faculty Employees*.

The ownership of copyright in any copyrightable works created by GW Museum staff shall be governed in accordance with the university's *Copyright Policy*. GW Museum staff shall consult the director early in the creation of any work if it is anticipated that doubt could arise as to ownership of the work.

## PUBLIC TRUST AND RESPONSIBILITIES

**Accessibility.** Part of the mission of the GW Museum is to make its collections and resources available to a broad public. GW Museum Personnel should create an atmosphere at the GW Museum that encourages participation of the widest possible audience, and not limited to an elite or exclusive group.

**Exhibiting Borrowed Objects.** The lender of an object for exhibition at the GW Museum must be carefully considered for circumstances involving potential commercial interests. The GW Museum should not allow itself to be used by other parties for personal gain.

The following guidelines shall be considered:

- The curatorial integrity of the GW Museum's exhibitions shall not be undermined or unduly influenced by the interests of any lender or provider of financial support.
- The GW Museum shall carefully consider each proposal to exhibit objects borrowed from a person who might stand to gain from the loan. Full consideration should be given to the benefit of the loan to the exhibition itself (scholarship, presentation of complete picture, etc.).
- When advisable, an effort should be made to convert a desired loan to a gift (actual or promised) prior to the exhibition.

**Commercial Activities.** The GW Museum shall ensure that the programs and activities of the museum are consistent with the tax-exempt purposes of the GW Museum and the university.

- GW Museum Store. The GW Museum maintains a store in which articles relating to the GW Museum's activities are offered for sale to the public. Any item considered for procurement by the shop that, in the opinion of the store manager or a curator, might be suitable for inclusion in the GW Museum's permanent collection shall first be offered to the GW Museum.

In the case of the GW Museum store, appropriate steps shall be taken to inform customers of the GW Museum store that objects offered for sale are not from the GW Museum's collections or selected or authenticated by the GW Museum's curatorial staff and that the GW Museum does not vouch for the quality, authenticity, age, provenance or value of any art or textiles offered for sale in the store.

- Private Dealers and Collectors. The GW Museum may accept gifts and loans of art, textiles, and historical materials from private dealers and collectors and, when appropriate, purchase such items for the GW Museum's collection on advantageous terms. The GW Museum may also accept proffers of expert assistance in evaluating such items and to present educational programs to GW Museum members and the public. In the conduct of these activities, however, GW Museum Personnel must be careful to protect the GW Museum from being exploited for the purpose of enhancing the reputation or value of private collections or dealers. No dealings in art, textiles, historical materials, or other types of items in the collections of the GW Museum and The Textile Museum (except as expressly permitted by this policy) may take place under the aegis of the GW Museum or in connection with any GW Museum program.
- Recommendations of Outside Service Providers. GW Museum staff shall not represent the GW Museum as endorsing individual providers of art or textile-related services and supplies, and historical materials and documents (e.g., those related to the conservation and repair). In response to inquiries, GW Museum staff may provide lists of qualified service providers or information on the identity and locations of other organizations that provide such information.