

Genesee Country Museum

Mumford, New York

Collections Management Policy

Adopted December 2008

Amended September 2009

Amended April 2015

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Amended September 2009: Section III, Item B2: Deaccession Criteria
 Amended April 2015: Section III, Item C subparagraph 3: Proceeds

I. INTRODUCTION

A. Mission Statement

The mission of Genesee Country Village & Museum is to inspire excitement and curiosity about the past and an appreciation for its relevance today. Visitors experience how life in small towns has changed over time through engaging and enjoyable encounters with the stories, objects, buildings, and environments of western New York.

B. The Role of Genesee Country Museum Collection

Genesee Country Village & Museum (GCM) is an educational institution chartered by the Regents of the State University of New York, whose mission mandates the collection, preservation and interpretation of artifacts. The objects in the collection serve two roles: as primary documents for the current and future staff, researchers, volunteers and public to study in their endeavors to better understand the past; and as objects for display to the public for their education and enjoyment. The primary responsibility of GCM is the care of its collection in accordance with professional standards and the use of its collection for the benefit of the public. Policies of GCM are based upon the preservation of collections and their use and interpretation to better serve the institution's educational mission.

C. Description of the Permanent Collection

The GCM Permanent Collection is made up of diverse objects and materials, dating primarily from 1750-1915, that enhance the staff's and the public's understanding of life and culture in western New York. The provenance of the majority of these materials and objects is local. The collection includes, but is not limited to, objects in the following categories: historic structures, furniture, textiles, clothing, ceramics, glass, metal, horse-drawn vehicles, tools and equipment, fine and folk art, books and archival materials.

D. Description of the Program Collection

The staff and administration of GCM recognize the importance of maintaining a collection of material to be utilized in the exhibition buildings as "hands-on" objects. This class of objects includes both antique and reproduction items and includes, but is not limited to, objects in the following categories: structures, furniture, textiles, clothing, ceramics, glass, metal, horse-drawn vehicles, tools and equipment, fine and folk art, books and archival materials. Although considered replaceable these objects serve an important interpretive function.

II. GOVERNANCE

A. Role of the Staff Collections Committee

The Staff Collections Committee shall be made up of the Sr. Director of Programs and Collections, and the senior collections, program and education staff. They will meet once each month or on an as-needed basis to discuss day-to-day collections management issues and frame recommendations to the Collections Management Committee. Through the Sr. Director of Programs and Collections, the Committee will report to the Board and the President via quarterly management reports.

B. Role of the Collections Management Committee

Pursuant to Section 4 of the Museum Bylaws, the Collections Management Committee shall act in a supervisory role for the acquisition, deaccession, care and conservation of materials and objects in the collection, and in formulating GCM's policies relating to collections management. The Collections Management Committee and the President shall approve acquisitions of individual objects with an estimated worth of over \$10,000, or involving items of a controversial nature or needing extraordinary care or housing. The acquisition of any item having a value greater than \$20,000 shall be approved by the Board of Trustees. The Committee will also approve or disapprove all items considered for deaccession.

C. Role of the President

The President is an active member at the board level and participates with the Collections Management Committee on major acquisition and deaccession decisions to the extent authorized by the Museum Bylaws. The President shall also exercise such other powers as may be specifically set out herein.

D. Role of the Board of Trustees

The Board of GCM has the fiduciary responsibility for the protection of the assets of the Museum, including the collections, as stated in the charter. The Board also has a duty to ensure that the collections are carefully preserved and properly and effectively used for public educational purposes.

III. PERMANENT COLLECTION

A. Acquisition

1. *Acquisition* is the discovery, preliminary evaluation, negotiation of terms for, taking custody of, taking title to, and acknowledging receipt of materials and objects.

2. *Nature of Ownership*: Materials and objects may be acquired by purchase, commission, bequest, gift, exchange, field collection, archaeological excavation, or any other appropriate transaction by which full and absolute title is effectively transferred to GCM. No materials or objects shall be knowingly or willfully accepted or acquired which are known to have been illegally imported or illegally collected in a manner contrary to state or federal law, regulation, treaty or convention. GCM subscribes to the provisions of the International Council of Museums Convention of 1970, and the Native American Graves and Property Repatriation Act. GCM shall endeavor to obtain all right, title and interest for all acquisitions, without restrictions or limiting conditions if possible, or accepting only those restrictions which shall have the potential of being converted to free and clear title under appropriate law.

Senior collections staff shall maintain permanent acquisition files that shall contain all legal instruments and conveyances concerning each acquisition and its origin.

3. *Criteria for Acquisition, Permanent Collection*

Materials and objects must meet the following criteria to the satisfaction of the Staff Collections Committee before being acquired.

- a. The acquisition must conform to GCM's collecting objectives.
- b. A written statement of why an item should be acquired by GCM will be prepared and discussed by the Staff Collections Committee. This should include evidence of the item's provenance, that such provenance is satisfactory to the Staff Collections Committee and a declaration as to how and by whom provenance was determined.
- c. The present owner must demonstrate or verify clear title to the extent possible.
- d. Staff will make an effort to determine fair market value for purchases.
- e. The acquisition must, in general, be free from donor imposed restrictions. Restrictions by the donor will be permitted only if agreed to in writing by the President after consultation with the Chair of the Collections Management Committee.

- f. If possible, no acquisitions will be encumbered by less than full literary rights, property rights, copyrights, patents or trademarks, or by physically hazardous attributes.
- g. GCM must be able to care for and house the proposed acquisition according to generally accepted professional standards.
- h. No member of the Board of Directors or staff member will appraise a gift or any other artifact for a member of the public.
- i. If the acquisition is a purchase, the staff must arrange funding for the object and its transportation and conservation before the purchase occurs.

4. *Criteria for Historic Structures*

In addition to the above criteria for the Permanent Collection, historic structures are evaluated on the following criteria:

- a. The structure being considered for acquisition must be in a state of preservation considered to be appropriate.
- b. The amount of original or desired period material extant and the condition of the material should be consistent with the structure's intended use.
- c. The structure must be relevant to the GCM mission.
- d. The structure must closely meet collection and interpretive planning needs.
- e. Relocating the building should be feasible and cost efficient.
- f. Restoration and future maintenance on the structure should be feasible and cost efficient.

5. *Authority for Acquisition*

- a. *Purchase of materials and objects:* Subject to the requirements of Paragraph IIB, authority to purchase materials, objects or collections is delegated to the Staff Collections Committee, with the approval of the President. The Staff Collections Committee may also make an acquisition in excess of the limit imposed by Paragraph IIB, if the purchase price has been raised through a grant or by donations restricted specifically for that purpose and solicitation of said grant or donations have been authorized by the President.
- b. If money needed to purchase an item is not in the acquisition budget but the object is considered desirable for the collection, staff may request the funds from the President who may grant the request if such funds can be found within the annual budget approved by the Board of Trustees, failing which approval by the Board of Trustees is required. In the event that time is of the essence and the approval of the Board of Trustees cannot be obtained within the time needed to purchase the item, approval may be granted by any three of the following Officers

- acting in concert - the Board Chair, the President and CEO, the Chair of the Board Collections Committee and the Treasurer.
- c. *Donation of materials and objects*: The senior collections staff may receive donations of materials, objects or collections save that any donation of materials, objects or collections valued over \$10,000, but less than \$20,000, or which require extraordinary care or housing shall require the approval of the President and the Collections Management Committee. Donations of materials, objects or collections valued over \$20,000, shall require the approval of the Board of Trustees.
 - d. *Acquisition of Property by Gift*: Prior to the acquisition of property by gift, the museum shall inform a donor or prospective donor of the provisions of this section and shall provide a donor or prospective donor with a written copy of its mission statement and collections policy, which shall include policies and procedures of the museum related to deaccessioning.

6. *Accessioning*

Items acquired for the Permanent Collection will be accessioned according to standardized procedures by the collections staff. Collections staff shall maintain permanent files that shall contain all legal instruments and conveyances concerning each acquisition and its origin. In addition, location, condition, exhibition and conservation records, as well as correspondence and research will be filed for each accession. These files will be separate from the files for the Program Collection.

7. *Care and Preservation*

GCM realizes its obligation to protect its collections which are held in the public trust. Therefore the corporation shall act to the best of its ability, according to the following guidelines.

Primary responsibility for the management of the collections has been delegated within the institution to the President, Sr. Director of Programs and Collections, and senior collections staff.

- a. A stable environment for items in storage or on display shall be maintained to the best of GCM's ability by providing protection from excessive light, heat, humidity and dust. The environmental needs of different materials shall be considered.
- b. All materials shall be protected against theft, fire, and other disasters by security and by a written disaster plan, to the best of GCM's ability.
- c. When possible, paper materials shall be copied on microfilm, photocopied on acid-free paper, or otherwise made redundant and stored in a separate location.

- d. When deemed necessary by the Staff Collections Committee, conservation of collection items shall be undertaken with the advice of a trained conservator.
- e. Records shall be kept using appropriate forms for documentation: ie, temporary custody form, deed of gift, accession form and relevant correspondence, conservation reports and deaccession records.
- f. All library books will be cataloged using the Library of Congress system. Historic or rare books will also be accessioned into the GCM Permanent Collection.
- g. Inventories and location records shall be kept up to date to prevent loss and to facilitate public access to the collection.
- h. GCM shall make its mission statement and collections policy available on its website.

B. Deaccession

1. *Deaccession* is the process of permanently removing from the Permanent Collection accessioned museum objects or materials. The Deaccession process shall be cautious, deliberate and scrupulous.

2. Deaccession Criteria

Materials and objects must meet at least one of the following criteria as determined by the Museum to be considered for Deaccession:

- a. The item or material is inconsistent with the mission of the institution as set forth in its corporate purposes, mission statement and collections management policy.
- b. The material or object lacks original or physical integrity.
- c. The material or object has failed to retain its identity or authenticity, or has been lost or stolen and remains lost or stolen for longer than two years.
- d. The item or material is redundant or duplicates other items or material in the collection of the institution and is not necessary for research or educational purposes.
- e. The institution is unable to preserve or conserve the item or material in a responsible manner.
- f. The material or object lacks provenance, and is readily obtainable on the open market, or has been extensively repaired and is generally an inferior example of its type.
- g. The item or material is deaccessioned to accomplish refinement of collections as required by and/or stated in the collection management policy.
- h. The institution is repatriating the item or returning the item to its rightful owner.

- i. The institution is returning the item to the donor, or the donor's heirs or assigns, to fulfill donor restrictions relating to the item which the institution is no longer able to meet.
- j. The item or material presents a hazard to people or other collections items.

3. *Restrictions*

Before any object or material is recommended for deaccessioning, or is deaccessioned, reasonable efforts must be made to ascertain that GCM is legally free to do so. Where restrictions as to disposition of the material or object are found, the following procedure shall be utilized.

- a. Mandatory conditions of acquisitions will be strictly observed unless deviation from their terms is authorized by a court of competent jurisdiction.
- b. In the event of a question concerning intent or force of restrictions, the staff shall seek the advice of legal counsel.
- c. Comply with the restrictions; and
- d. Notify the donor, if alive and at the address of record, if the material or object was accessioned within ten years.

4. *Authority for Deaccession*

The Staff Collections Committee is responsible for application of the above deaccession criteria. Any material identified for deaccessioning will be documented by a written statement describing the material and supported by the criteria believed to justify the deaccession. Such statement shall also include the estimated market value and the recommended means of disposal. All deaccession decisions will be approved by the President and the Collections Management Committee. In addition deaccession of any single item having a value greater than \$20,000 shall require the approval of the Board of Trustees.

C. **Disposal**

1. *Method of Disposal*

The preferred method of disposal is to sell or trade the deaccessioned item(s) to another public non-profit institution in order to ensure that the items will remain in the public domain. Deaccessioned objects may also be sold at public auction or at public sale or may be transferred to the GCM Program Collection. In the case of infestation, extreme disintegration or extremely poor condition, some items may need to be disposed of by physical destruction.

2. *Ethics of Sale*

Museum employees, officers, trustees, or their immediate families or representative shall not purchase through private or public sale, be given

or otherwise transferred any collections object unless prior approval is granted by the Board of Trustees.

3. *Proceeds (amended April 30, 2015 by Executive Committee)*

Disposal of collections through any means is solely for the advancement of GCM's mission. The sales proceeds resulting from the deaccession of material and objects from the Permanent Collections shall be deposited into the Genesee Country Museum Collections Fund (the "Collections Fund"). The direct sales proceeds shall be used only for acquisition, preservation, protection or direct care of Permanent Collections. Any appreciated value of the Collections Fund is unrestricted as to use and distributions thereof shall be determined annually by the Board of Trustees. The calculation for such distributions shall be based on the average of the fair market value of the fund assets on the last day of the preceding 20 trailing calendar quarters and shall not exceed 5%.

4. *Access to Policy*

A reference to the deaccession policy shall be imprinted on all deed of gift forms used by GCM. A copy of the deaccession policy shall be made available to any donor or prospective donor upon request.

5. *Records*

A list of all materials deaccessioned from the permanent collections within the past five years shall be kept current by senior collections staff and may be distributed in response to any reasonable inquiry. All records relating to deaccessioned objects will be marked "deaccessioned" and retained.

IV. LOANS AND TEMPORARY CUSTODY OF PERMANENT COLLECTIONS

A. Terms and Conditions for Outgoing Loans

1. *Limitations on Use*

The borrower shall use the borrowed property solely for educational, scholarly or cultural purposes. GCM does not lend collections objects to individuals or to organizations or institutions that are not educational in nature or do not further the purpose of the institution or collection.

2. *Documentation*

The loan is documented by GCM's loan form, signed by both parties. Correspondence, condition reports and other records shall be filed with the loan form.

3. *Protection of Borrowed Property*

The borrower shall take precautions to protect the loan from damage, loss, destruction, or alteration from the moment of receipt. GCM shall establish the value of the loan for insurance coverage. The borrower shall provide GCM with proof of insurance.

4. *Liability*

GCM shall hold the borrower liable for any damage or loss to the loan during the loan period

5. *Surrender of Borrowed Property*

The borrower shall not surrender the loan to anyone other than GCM or GCM's agents.

6. *Indemnification*

The borrower shall indemnify and hold GCM harmless from all losses, claims, actions, liabilities, damages, costs and expenses, including attorneys' fees, costs and expenses incurred by GCM, arising from, in connection with, or as a result of this loan agreement.

7. *Right of Inspection*

GCM shall have the right to enter the premises on which the borrowed property is located to inspect said borrowed property. Inspections may be made during normal business hours, or, in the event the borrowed property is used outside normal business hours, during the hours the borrowed property is so used.

8. *Governing Law*

Loan agreements are governed by the laws of the State of New York pertaining to contracts.

9. *Approval*

The loan of any item having a value greater than \$10,000 but less than \$20,000 shall be approved by the President and Collections Management Committee. The loan of any item having a value greater than \$20,000 shall be approved by the Board of Trustees.

10. *Statement of Justification*

A written statement of justification shall be prepared by the Staff Collections Committee in all instances and shall include; the items to be loaned, the reasons for such loan, value of the loan, the amount of insurance required and information about the borrower.

11. *Certification of Documentation*

Certificates of Insurance issued by the Borrower shall be deposited with, and verified by, GCM's Chief Financial Officer prior to any loan being implemented.

B. Preparing Outgoing Loans*1. Documentation*

Collections staff shall complete and execute all forms and their filing, shall set insurance values for the items being loaned, shall write a condition report for each item in the loan; shall coordinate insurance coverage for the loan, and shall register all outgoing materials and objects. Loan records shall be maintained and placed in the transaction file by the collections staff.

2. Transport

Collections staff shall supervise packing and transport of all artifacts.

3. Costs

Costs for outgoing loans shall be borne by the borrowing institution. Costs to be billed included packing materials, staff time for packing, special conservation treatments, travel frames, vehicle rental, staff or personal vehicle mileage and staff travel expenses. An estimate of all costs for a loan shall be given to the borrower in writing, but costs are not limited to that estimate. A loan fee may be billed, to be determined on a case-by-case basis by the Staff Collections Committee.

C. Borrowing*1. Borrowing*

GCM may borrow materials and objects for its own exhibits or for study from any institution or individual. Care and security for items borrowed by GCM will equal that given the Permanent Collection. GCM will provide proof of insurance to the lender when requested.

2. Authority

Senior collections staff shall initiate all incoming loans, and shall report each loan to the Staff Collections Committee. Negotiations for the GCM's borrowing of materials and objects must be completed and approved by the Sr. Director of Programs and Collections 30 days before the loan arrives at the museum. Contracts for borrowing materials and objects will be executed on GCM's loan agreement form unless an institution requires use of its loan form for lending its collections.

3. Return of Loan

It is the lender's responsibility to notify GCM of a change of address or a change in the ownership of the loaned object. If, at the expiration of the loan GCM is unable to contact the lender, GCM will initiate action as proscribed by the State of New York's abandoned property law.

D. Temporary Custody

1. *Temporary Custody*

As a public service, collections staff may attempt to attribute, identify, or authenticate items brought to GCM by the public. Staff may also borrow objects under temporary custody for the purpose of research or study, or to consider the objects for acquisition.

2. *Liability and Abandoned Property*

All owners depositing objects or materials with GCM for these purposes shall sign a written agreement setting out the terms and conditions under which such deposit may be made, including:

- (a) full identification of each material or object.
- (b) that the materials or objects shall be covered by the lender's insurance as property on loan to the GCM and that GCM assumes no responsibility for the object(s).
- (c) that the depositor agrees to release and hold harmless GCM, its employees, officers and agents from any liability concerning the materials and objects while on deposit or in transit except for clear gross negligence.
- (d) that such materials and objects are not to be deposited on the GCM premises for longer than 30 days, and that GCM accepts no responsibility for notification of individuals regarding the return of such deposits.
- (e) that, if the depositor of record fails to collect the materials and objects, or if delivery cannot be effected after the removal date, GCM will mail the depositor at its address of record a warning to remove.
- (f) that GCM assumes no responsibility to search for a depositor or listed owner not located at the address of record.
- (g) that items not claimed within one year of deposit are considered abandoned property and become property of GCM.
- (h) that abandoned property of negligible value may be disposed of with the consent of the Staff Collections Committee. Property of greater than negligible value may be disposed of under law by direction of the President.
- (i) that attributions, dates, and other information shown on the receipt are not to be considered appraisals or official opinions of GCM. The fact that materials and objects have been in GCM's custody shall not be misused to indicate institutional endorsement.
- (j) that materials and objects may be photographed and examined by non-invasive methods by GCM for its own purposes, but will not be restored, treated, or otherwise altered without written permission of the depositor.

- (k) that in forwarding imported materials and objects for deposit, the depositor is required to comply with all government regulations.
- (l) that in the event the objects and materials are being offered for sale or donation to GCM, the depositor, in the absence of written notice to GCM to the contrary, warrants that he/she upon request is prepared to pass full and clear title to the objects and materials, including any copyright interests.
- (m) and that the temporary custody agreement shall be construed in accordance with the law of New York State.

3. *Access to Policy*

A member of the public depositing items with GCM will receive a copy of this temporary custody policy at the time of deposit.

V. ACCESS TO THE PERMANENT COLLECTION

A. Access

Providing public access to the GCM collection in controlled situations is an important part of the mission of GCM.

1. Inventories, relevant files and the assistance of a staff member or trained volunteer shall be available to members of the public who are legitimate researchers with legitimate justification. Such researchers must work with GCM staff to establish a mutually convenient date and time for research.
2. A registration form listing rules for usage shall be read, filled out and signed by all researchers.
3. The institution may limit the use of fragile or unusually valuable or difficult to access materials.
4. Hours of operation may be designated hours or by appointment, depending on the availability of staff or trained volunteers.
5. A fee may be charged for research work done by staff to meet requests: the amount shall be set by the Staff Collection Committee.
6. GCM may refuse access to an individual researcher who has demonstrated such carelessness or deliberate destructiveness as to endanger the safety of the materials.

7. GCM has the right to set fees for the use of the collection in any way, or withhold approval for access or use of the collection.
8. Photographic and xerographic reproductions:
 - a. A request for copies form containing a notice of copyright restriction shall be signed by each user before copies are made.
 - b. Copies may not be used “for any purpose other than private study, scholarship or research.” (US Copyright Law, Title 17)
 - c. Reproduction by the institution in no way transfers either copyright or property rights, nor does it constitute permission to publish or to display materials.
 - d. A nominal fee will be charged for photographic or xerographic reproduction.
 - e. In some cases, GCM may refuse to allow copies to be made because of the physical condition of the materials, restrictions imposed by the donor, copyright law, or right-to-privacy statutes.
9. GCM is committed to bringing to the public information culled from its documents, photographs, artifacts and oral histories by presenting public programs, including slide shows, live acts, videos and films; mounting exhibits; and publishing newsletters, pamphlets, checklists and guides to the collections whenever possible.

VI. PROGRAM COLLECTION

A. Acquisition

The Program Collection holds objects and materials intended for use in the educational, exhibition and living history programs of GCM. The Program Collection is by its very nature a collection of disposable material and items intended to be used in a hands-on way to serve the needs of interpretive programming objectives. These items can also complement Permanent Collection artifacts on display, can be used when original artifacts are unavailable, and can be used where original or fragile artifacts would be at undue risk if exhibited or used

1. Acquisition

Acquisition means the discovery, preliminary evaluation, negotiation of terms for, taking custody of, taking title to, and acknowledging receipt of materials and objects for the Program Collection.

2. *Nature of Ownership*

Materials and objects may be acquired by purchase, gift, exchange, field collection, archaeological excavation, deaccession from the Permanent Collection, or any other appropriate transaction by which full and absolute title is effectively transferred to GCM. No materials or objects shall be knowingly or willfully accepted or acquired which are known to have been illegally imported or illegally collected in a manner contrary to state or federal law, regulation, treaty, or convention. GCM subscribes to the provisions of the International Council of Museums Convention of 1970, and the Native American Graves and Property Repatriation Act. GCM shall endeavor to obtain all right, title, and interest for all acquisitions, without restrictions or limiting conditions if possible, or accepting only those restrictions which shall have the potential of being converted to free and clear title under appropriate law.

3. *Criteria for Acquisition, Program Collection*

- a. Items must be structurally sound and inherently stable to allow for reasonable and safe use by staff and/or visitors.
- b. Original items shall, first and foremost, be deemed not to be suitable for acquisition in the Permanent Collection.
- c. Items, other than reproductions, should preferably not possess original and/or fragile surface finishes of paint or other media.
- d. Items should preferably be those that are readily available in the marketplace or from craftspeople making reproductions.
- e. Preferred items will include centennial pieces, early 20th-century copies, inspirations or continuations of earlier styles, significantly repaired or altered items, durably manufactured items, and contemporary reproductions.

4. *Authority for Acquisition*

The members of the Staff Collections Committee and/or the Director of Interpretation will be responsible for acquiring objects and materials for the Program Collection. Money for purchases will come from budgets within the Interpretation Department, and will not come from the acquisition budget for the Permanent Collection or from the proceeds derived from deaccessioning.

5. *Accessioning*

No objects or materials acquired for addition to the Program Collection shall be accessioned into the Permanent Collection. Senior collections staff shall maintain permanent acquisition files that shall contain all legal instruments and conveyances concerning each acquisition and its origin, which shall be separate from the records and files for the Permanent Collection. Items in the Program Collection with an estimated value of

\$50 or more shall be assigned Program Collection registration numbers so they can be tracked by the collections staff.

6. *Care and Preservation*

All records regarding the acquisition, location, repair, or disposal of items in this collection will be kept by the collections staff.

The Program Collection is made up of objects and materials intended to be placed in environments or used in processes that may inevitably lead to their destruction. It is understood that these items possess a monetary and educational value and in all cases represent a finite resource that should be used in a manner that encourages their long term use and preservation. Items may be painted or repainted; distressed to achieve a particular look; working components may be lubricated, sharpened or replaced; damaged, broken or missing elements may be repaired, replicated or replaced by competent individuals. Funds for such work will come from budgets within the Interpretation Department, not from budgets for the care of the Permanent Collection or from the proceeds derived from deaccessioning.

B. Disposal, Program Collection

Since items in the Program Collection are intended to be used, and as such are disposable, interpretive staff will report lost or broken items and items which can no longer be used to the Staff Collections Committee. Items may be disposed of as the Staff Collections Committee sees fit.

VII. ETHICAL STANDARDS

A. Overview

Genesee Country Museum has endorsed and adopted the American Association of Museum's *Code of Ethics for Museums*, approved in 1993, as attached in Appendix 1.

B. Conflicts of Interest

Genesee Country Museum operates in the public trust. Employment by GCM carries an obligation to act in strict accordance with generally accepted ethical principles and the highest standards of objectivity.

1. *Professional Obligation*

While every staff member is entitled to a measure of personal independence in professional and scholarly judgement, each is expected to acknowledge the degree of public esteem resulting from association with GCM and to exercise that independence in a manner consistent with

professional and corporate obligations. Staff members shall avoid activities likely to be perceived as an abuse of their official positions with GCM or their contacts with the community of like institutions.

2. *Public Confidence*

As a condition of employment, acceptance of certain restrictions necessary to maintain public confidence in GCM and in the museum profession are essential. Staff members shall employ a high degree of circumspection in referring the public to outside suppliers of services such as appraisers, dealers, restorers or conservators. Whenever possible, at least three qualified sources should be provided so that no appearance of favoritism is created. In no event shall any fee, gift, favor or other form of dispensation be accepted because of such referrals. Staff members shall not make appraisals of artifacts other than for internal use by GCM or, with the President's approval, for other nonprofit institutions.

C. **Personal Collections**

As a condition of employment, all employees must recognize GCM's collection interests and needs, which take priority over those of any individual employee.

1. Employees, whether full-time or part-time, shall not compete with GCM to acquire an object.
2. All Officers, Trustees and all full-time employees shall specifically be required to observe the following procedures with respect to the formation of personal collections.
 - a. Upon learning of or acquiring an object that may relate to GCM's collections, all Officers, Trustees and all full-time employees must give GCM the first option to acquire the object at its stated purchase price plus out-of-pocket costs.
 - b. Any personal acquisition within GCM's sphere of interest must be disclosed to the Sr. Director of Programs and Collections. If it is appropriate and necessary to the collections of the Museum, GCM may purchase it at that time. If not appropriate, senior collections staff shall formally decline the purchase, thereby waiving GCM's future interest.
 - c. For the protection of both Officers, Trustees and full-time employees and GCM, any offer and response shall be documented. Collections acquired before employment or before March 21, 1996, family inheritances, and collections outside GCM's fields of interest are exempt from these requirements.
3. Employees, whether full-time or part-time, of GCM shall not act as antiques or collectibles dealers, be employed by dealers, or retain an

interest in a dealership. Although artifacts may be acquired for a personal collection and later resold at a profit, this should not be the principal motivation for their acquisition.

4. Officers, Trustees and employees, whether full-time or part-time, shall not possess or remove any item from the museum grounds for any reason, other than those already specifically authorized in this document, without the written permission of the Staff Collections Committee and the President. Such permission shall only be granted in exceptional circumstances and only when the removal of the item from the museum grounds furthers the official purposes of the museum. The reason and duration of such possession shall be documented through the appropriate loan forms.
5. Employees, whether full-time or part-time, shall not store or conserve personal collections on GCM property, unless a formal agreement is executed with GCM for its own benefit and purposes. If employees lend objects from a personal collection for a GCM exhibition, or agree to their use as illustrations in GCM publications, they may do so anonymously or may be cited as the owner.
6. If a Trustee or employee, whether full-time or part-time, decides to dispose of part or all of his/her personal collection of items within GCM's field of interest, it would be appropriate to offer it first to GCM whether as a gift or at fair market value. In the event of public sale, the employee must be sensitive to his/her relationship to GCM, must not trade on that relationship, and must differentiate personal ownership from institutional affiliation.

D. The Proprietorship of Research and Related Materials

Genesee Country Museum's ownership of such scholarly materials shall in no way restrict researchers' full and free use of those materials during their employment by GCM and subsequently, if appropriate permission from and credit to GCM are established, in any resulting publications.

Notwithstanding anything stated herein to the contrary, GCM reserves the exclusive right to publish comprehensive catalogs of its collections. However, scholars are encouraged to include individual objects from the collections in other scholarly publications, with appropriate credit to Genesee Country Museum.

APPENDIX I

Code of Ethics for Museums

Introduction

Ethical codes evolve in response to changing conditions, values, and ideas. A professional code of ethics must, therefore, be periodically updated. It must also rest upon widely shared values. Although the operating environment of museums grows more complex each year, the root value for museums, the tie that connects all of us together despite our diversity, is the commitment to serving people, both present and future generations. This value guided the creation of and remains the most fundamental principle in the following *Code of Ethics for Museums*.

Code of Ethics for Museums

Museums make their unique contribution to the public by collecting, preserving, and interpreting the things of this world. Historically, they have owned and used natural objects, living and nonliving, and all manner of human artifacts to advance knowledge and nourish the human spirit. Today, the range of their special interests reflects the scope of human vision. Their missions include collecting and preserving, as well as exhibiting and educating with materials not only owned but also borrowed and fabricated for these ends. Their numbers include both governmental and private museums of anthropology, art history and natural history, aquariums, arboreta, art centers, botanical gardens, children's museums, historic sites, nature centers, planetariums, science and technology centers, and zoos. The museum universe in the United States includes both collecting and noncollecting institutions. Although diverse in their missions, they have in common their nonprofit form of organization and a commitment of service to the public. Their collections and/or the objects they borrow or fabricate are the basis for research, exhibits, and programs that invite public participation.

Taken as a whole, museum collections and exhibition materials represent the world's natural and cultural common wealth. As stewards of that wealth, museums are compelled to advance an understanding of all natural forms and of the human experience. It is incumbent on museums to be resources for humankind and in all their activities to foster an informed appreciation of the rich and diverse world we have inherited. It is also incumbent upon them to preserve that inheritance for posterity.

Museums in the United States are grounded in the tradition of public service. They are organized as public trusts, holding their collections and information as a benefit for those they were established to serve. Members of their governing authority, employees and volunteers are committed to the interests of these beneficiaries. The law provides the basic framework for museum operations. As nonprofit institutions, museums comply 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 for Museums*

takes that compliance as given. But legal standards are a minimum. Museums and those responsible for them must do more than avoid legal liability, they must take affirmative steps to maintain their integrity so as to warrant public confidence. They must act not only legally but also ethically. This *Code of Ethics for Museums*, therefore, outlines ethical standards that frequently exceed legal minimums.

Loyalty to the mission of the museum and to the public it serves is the essence of museum work, whether volunteer or paid. Where conflicts of interest arise — actual, potential, or perceived — the duty of loyalty must never be compromised. No individual may use his or her position in a museum for personal gain or to benefit another at the expense of the museum, its mission, its reputation, and the society it serves.

For museums, public service is paramount. To affirm that ethic and to elaborate its application to their governance, collections and programs, the American Association of Museums promulgates this *Code of Ethics for Museums*. In subscribing to this code, museums assume responsibility for the actions of members of their governing authority, employees and volunteers in the performance of museum-related duties. Museums, thereby, affirm their chartered purpose, ensure the prudent application of their resources, enhance their effectiveness, and maintain public confidence. This collective endeavor strengthens museum work and the contributions of museums to society — present and future.

Governance

Museum governance in its various forms is a public trust responsible for the institution's service to society. The governing authority protects and enhances the museum's collections and programs and its physical, human and financial resources. It ensures that all these resources support the museum's mission, respond to the pluralism of society, and respect the diversity of the natural and cultural common wealth.

Thus, the governing authority ensures that:

- all those who work for or on behalf of a museum understand and support its mission and public trust responsibilities
- its members understand and fulfill their trusteeship and act corporately, not as individuals
- the museum's collections and programs and its physical, human, and financial resources are protected, maintained and developed in support of the museum's mission
- it is responsive to and represents the interests of society
- it maintains the relationship with staff in which shared roles are recognized and separate responsibilities respected
- working relationships among trustees, employees and volunteers are based on equity and mutual respect
- professional standards and practices inform and guide museum operations
- policies are articulated and prudent oversight is practiced

- governance promotes the public good rather than individual financial gain.

Collections

The distinctive character of museum ethics derives from the ownership, care, and use of objects, specimens, and living collections representing the world's natural and cultural common wealth. This stewardship of collections entails the highest public trust and carries with it the presumption of rightful ownership, permanence, care, documentation, accessibility, and responsible disposal.

Thus, the museum ensures that:

- collections in its custody support its mission and public trust responsibilities
- collections in its custody are lawfully held, protected, secure, unencumbered, cared for, and preserved
- collections in its custody are accounted for and documented
- access to the collections and related information is permitted and regulated
- acquisition, disposal, and loan activities are conducted in a manner that respects the protection and preservation of natural and cultural resources and discourages illicit trade in such materials
- acquisition, disposal, and loan activities conform to its mission and public trust responsibilities
- disposal of collections through sale, trade, or research activities is solely for the advancement of the museum's mission. Proceeds from the sale of nonliving collections are to be used consistent with the established standards of the museum's discipline, but in no event shall they be used for anything other than acquisition or direct care of collections.
- the unique and special nature of human remains and funerary and sacred objects is recognized as the basis of all decisions concerning such collections
- collections-related activities promote the public good rather than individual financial gain
- competing claims of ownership that may be asserted in connection with objects in its custody should be handled openly, seriously, responsively and with respect for the dignity of all parties involved.

Programs

Museums serve society by advancing an understanding and appreciation of the natural and cultural common wealth through exhibitions, research, scholarship, publications and educational activities. These programs further the museum's mission and are responsive to the concerns, interests and needs of society.

Thus, the museum ensures that:

- programs support its mission and public trust responsibilities
- 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.

Promulgation

This *Code of Ethics for Museums* was adopted by the Board of Directors of the American Association of Museums on November 12, 1993. The AAM Board of Directors recommends that each nonprofit museum member of the American Association of Museums adopt and promulgate its separate code of ethics, applying the *Code of Ethics for Museums* to its own institutional setting.

A Committee on Ethics, nominated by the president of the AAM and confirmed by the Board of Directors, will be charged with two responsibilities:

- establishing programs of information, education, and assistance to guide museums in developing their own codes of ethics
- reviewing the *Code of Ethics for Museums* and periodically recommending refinements and revisions to the Board of Directors.

Revised 12/2008