

Harwood Foundation of the University of New Mexico

Code of Ethics

The Harwood Foundation of the University of New Mexico, operating as the Harwood Museum of Art in Taos, was established in 1935 pursuant to a deed of gift from Mrs. Lucy Case Harwood to the University of New Mexico. Since its inception the museum has consistently served the public and UNM by providing access to its permanent collections, presenting timely exhibitions of local, national and international art and culture, and advancing the understanding of art through programs for the public and students. As a university museum the Harwood has a special responsibility to promote scholarship and research in visual art and to provide engaging learning opportunities for students.

The Harwood has a unique governance structure within the University of New Mexico because of the terms of the gift of the museum to UNM by Lucy Case Harwood in 1935. Pursuant to the terms of that gift, the Regents of UNM, by a resolution passed on June 12, 2007, established the Governing Board of the Harwood Foundation of UNM. Pursuant to the Regents' resolution, the Regents maintain ownership, control, acquisition, disposition and use of all property and rights of the Museum. The Regents' 2007 Resolution delegates to the Governing Board of the Harwood Foundation authority and responsibility for the governance, oversight, management and operation of the Harwood Museum.

The purpose of this Code of Ethics is to ensure that the members of the Governing Board of the Harwood Foundation of the University of New Mexico, and the Harwood Museum staff, students, advisors and volunteers understand and support its mission and public trust responsibilities. To that end, all such persons should be guided by the following principles:

- Actions in regard to the Harwood Foundation of the University of New Mexico should be on behalf of the Harwood Museum, not for individual interests;
- The Harwood Museum's collections and programs and its physical, human, and financial resources will be protected, maintained, and developed in support of the Museum's mission;
- Working relationships among the members of the Governing Board, the Museum staff, students, advisors and volunteers shall be based on mutual respect;
- The Museum will be managed and operated by informed professional standards and practices;

- The Harwood Museum subscribes to and endorses the codes and standards of *the American Association of Museums (AAM) Code of Ethics (2000)*; *the Code of Ethics, Museum Store Association (MSA) (2009)*, *A Code of Ethics for Curators, AAM (2009)*, *Code of Ethics for Registrars, AAM (1984)*, *Code of Ethics and Guidelines for Practice, American Institute for Conservation of Historic and Artistic Works (1994)*, *Professional Practices in Art Museums of the Association of Art Museum Directors (2011)*, *the University Business Policies and Procedures Manual, University of New Mexico (UNM) (1997)* *the Faculty Handbook, University of New Mexico (UNM) (2003)* and *the Board of Regents Policy Manual (UNM) (2010)*.
- Policies concerning the museum’s operations are to be clearly articulated and prudent oversight will be practiced.

Governance

As a result of the Regents’ resolution of June 12, 2007, the Harwood Foundation of the University of New Mexico is governed by a Governing Board. The Harwood Museum Director, staff, advisors, students and volunteers are bound by the Regents’ Code of Conduct and Conflict of Interest Policy and the University of New Mexico’s Code of Ethics as they may be amended from time to time.

Members of the Governing Board

The Governing Board of the Harwood Foundation of UNM shall be responsible for the governance, oversight, management and operation of the Harwood Museum in accordance with the provisions of the June 12, 2007, Resolution of the UNM Board of Regents.

Each Governing Board Member shall accept the responsibilities and requirements of strictest confidentiality that results from his or her access to privileged information about the affairs and endeavors of the museum. It will be considered a breach of confidence to share any privileged information with organizations or individuals outside the Board or appropriate museum staff. Members shall keep confidential and leave intact all privileged lists, records, and documents prepared and utilized in management and fundraising efforts on behalf of the Harwood.

Members shall maintain a professional relationship with staff in which shared roles are recognized and separate responsibilities are respected. Working relationships among members, staff, students, advisors and volunteers shall be based on mutual respect.

Staff

The members of the staff of the Harwood Museum shall conduct themselves with the highest standards of professional integrity in every circumstance that relates to the operations of the museum or that may influence the endeavors or reputation of the Harwood. In no way shall personal gain of any kind influence Museum staff decisions. The staff should recognize that its personal activities might reflect upon the reputation of the museum.

In all activities, Museum staff must act with the highest ethical principles.

A staff member shall not knowingly misrepresent the mission, objectives, policies, or programs of the Harwood Museum.

Staff of the Harwood Museum shall hold in strict confidence all privileged information regarding collections management, personnel and donor information, administrative strategies, security, and any other confidences shared in the course of Harwood duties. It will be considered a breach of confidence to share any privileged information with organizations or individuals outside the museum enterprise. Staff shall keep confidential and leave intact all lists, records, and documents prepared and utilized in management and fundraising efforts on behalf of the Harwood.

Volunteers, students and advisors play an active and important role at the Harwood. It is incumbent on the Museum staff to be supportive of volunteers, students and advisors, to receive them as fellow workers, and to willingly provide them with appropriate training and opportunity for intellectual enrichment.

Volunteers, Students and Advisors

The Harwood has a long tradition of volunteer participation. Included among the volunteers to be governed by this Code of Ethics are the members of the Governing Board of the Harwood Foundation of UNM, students and advisors, and members of the Harwood Museum Alliance, a separate not-for-profit corporation established to support fundraising from individuals, corporations, foundations and other private sources. Volunteers, students and advisors shall understand and support the mission and policies of the Harwood as well as the mission and policies of the special interest groups to which they belong.

Volunteers, students and advisors shall respect the responsibilities and requirements of confidentiality that result from their access to the collections, programs, staff activities, and privileged and propriety information.

Volunteers engaged in endeavors that include privileged materials prepared and utilized for fundraising efforts on behalf of the Harwood Museum shall respect the confidentiality of such materials and leave intact all relevant lists, records, and documents.

Working relationships among volunteers, students and advisors and the Harwood Museum staff shall be based on mutual respect.

Collections

The Harwood's Collections Management Policy manual is a detailed listing of the museum's policies and procedures regarding collections. In any case where a discrepancy between this Code of Ethics and the Collections Management Policy manual exists, the discrepancy shall be reported to the director, for referral to the Governing Board.

Acquisitions

Acquisitions will be made according to the criteria set forth in the Collections Management Policy manual of the Harwood Museum and shall fall within the ability of the Harwood to adequately protect and conserve proposed objects. Acquisitions shall be proposed solely to improve the quality of the collection and never for the personal gain or benefit of individuals involved with the museum.

Acquisitions shall come with clear titles and shall not involve illicit trade, violate endangered species laws, or cultural patrimony laws. There shall be due diligence in acquisition research and gift solicitations to ensure that objects are acquired in a manner that is legal, ethical, and respectful to the rights, customs, and beliefs of individuals and cultures from which they originate.

The Harwood shall document donor intent and comply with any conditions agreed to by the Governing Board at the time of acceptance, unless the conditions are appropriately released, modified, or terminated.

Deaccessions

The deaccession of works from the collection is recognized as an essential practice but shall occur only in order to enhance the quality of the Harwood collection. Deaccession of collection objects shall take place in accordance with the deaccession policies contained in the Collections Management Policy manual.

In order to avoid any actual or perceived conflict of interest, members of the Governing Board, staff, volunteers, students and advisors may not purchase deaccessioned objects at the time of the sale or from the individual or firm acquiring the work. Organizations with which Members, staff, volunteers, students and advisors are affiliated are eligible to purchase deaccessioned objects, provided that no Harwood staff, volunteer, or advisor affiliated with the purchasing organization is involved in the decision leading to the deaccession.

Programs and Exhibitions

The Harwood Museum presents exhibitions, programs, and publications with honesty and objectivity, representing the most current scholarship in order to benefit the museum audience's understanding of the collections.

All museum programs shall promote the public good. Members, staff, students, advisors and volunteers shall ensure that all revenue-producing activities are compatible with and support the mission of the museum.

Reproductions of Collection Objects

The Harwood recognizes the potential economic and educational value of manufacturing replicas and commercial items adapted from objects in its collections. The Harwood will ensure that when arrangements are made for the manufacture and sale of replicas, reproductions, or other items adapted from collection objects, all aspects of the process are carried out in such a manner to be mindful of copyrights and so as not to discredit the Harwood or misrepresent, trivialize, or damage the original object. If replicas and reproductions are produced, they should be permanently identified for what they are. Great care should be taken to ensure the accuracy and high quality of the manufacture.

Community Relations

The Harwood enhances the cultural richness of the community. Programs offered by the museum will be responsive to the varied concerns, interests, values and needs of the community.

The museum and those who serve the museum have an obligation to be good citizens in the community. The public will be received with courtesy at all times.

Finance and Development

The Harwood Governing Board holds responsibilities for the museum in accordance with the Regents' resolution of June 12, 2007.

Confidentiality

Members, staff, volunteers, students and advisors must respect and maintain the confidentiality of financial and development discussions as well as materials prepared and utilized for those discussions. With the exception of the Annual Report or other museum materials approved for public distribution, it will be considered a breach of confidence to share such materials or information with other organizations or individuals outside the museum enterprise.

Conflict of Interest Policies

A conflict of interest exists when a Member of the Governing Board, a business associate, or an immediate family relation of that Member is in a position to benefit personally in any manner, either directly or indirectly, from dealings by the Harwood with individuals or business entities. A conflict of interest exists where a Member has a financial, business, or personal interest which differs with the Harwood's, or an interest that may impair the Member's independence of judgment and loyalty. A conflict of interest may also arise when a Member possesses confidential Harwood information that could benefit the Member personally in dealings with others outside the scope of his or her Harwood duties, or the disclosure of which could adversely affect the Harwood.

Responsibilities of Review

It shall be the responsibility of the Museum Director to review the ethical standards and performance of the Harwood staff, volunteers, students and advisors. It shall be the responsibility of the Chair and the Executive Committee of the Governing Board to review the ethical standards and performance of the Museum Director. The members of the Board are subject to the "Regents' Code of Conduct and Conflict of Interest Policy" as may be amended from time to time.

Adopted by the Governing Board of the Harwood Foundation of the University of New Mexico.

Chairman of the Governing Board

Approved on this ____ day of _____, 2011.

President of the Board of Regents, University of New Mexico

Approved on this ____ day of _____, 2011.

Conflict of Interest & Confidentiality Statement

Each Member of the Governing Board of the Harwood Foundation of the University of New Mexico must avoid circumstances in which the interests of the Harwood are, or appear to be, impaired as the result of a conflict of interest.

No Member of the Governing Board shall knowingly take any action or make any statement intended to influence the conduct of the Harwood in such a way as to confer any financial benefits on such member or any firm or corporation in which he or she has an interest as partner, stockholder, director or officer. In the event there comes before the Governing Board or any committee of the Board a matter for consideration or decision that raises a potential conflict of interest for any member, the Member shall disclose the potential conflict of interest as soon as he or she becomes aware of it, and the disclosure shall be recorded in the minutes of the meeting.

Any Member who is aware of a potential conflict of interest with respect to any matter coming before the Board or committee of the Board shall not vote in connection with the matter or permit his or her presence at the meeting to be counted in determining whether there exists a quorum.

Each Member shall accept the responsibilities and requirements of strictest confidentiality that results from his or her access to the affairs and endeavors of the museum. It will be considered a breach of confidence to share any privileged information with organizations or individuals outside the museum. Members shall keep confidential and leave intact all lists, records, and documents prepared and utilized in management and fundraising efforts on behalf of the Harwood.

This policy shall not be construed as preventing or discouraging any Member from disclosing relevant information with respect to any matter as to which he or she has knowledge, or from answering questions or stating his or her position with respect to any such matter.

I have read the above Conflict of Interest Policy and understand it. I am in compliance with the policy and will disclose any future potential conflict of interest in accordance with the policy.

Member of the Governing Board

Dated: _____