

Standards and Guidelines

Professional Practices for Art Museum Curators

Association of Art Museum Curators (AAMC) in 2007.

General Principles

Members of the Association of Art Museum Curators (AAMC) believe that the core mission of art museums is to collect, preserve, study, interpret, and display works of art for the benefit of the public. As dedicated professionals trained in the history of art, curators have a primary responsibility to carry out this mission, in close collaboration with the museum director and other members of the staff. Curators must consider the well-being of the museum in which they are employed. These responsibilities must be balanced with the ethics of their scholarly disciplines. Whenever allegiance to ethical standards poses the risk of conflict with the interests of the museum, curators must seek direction from an appropriate authority (their director, department head, or museum counsel). Curators must recognize that they hold positions of trust and should act with uncompromising integrity. ...

The Curator's Responsibilities

A. As Related to the Collection

The curator's primary responsibility is the care, presentation, interpretation, and acquisition of works of art in the collection. This means that a work of art under the curator's care, and works under consideration for acquisition, must be thoroughly researched in order to ensure their authenticity, quality, and historical importance. Uncertainties about a work's authenticity, origins, condition, presentation, or provenance should immediately be brought to the attention of the museum administration. ...

1. *Acquisitions.* Acting in accordance with the policy of their museums, curators make recommendations for the acquisition of works of art for the collection. Acquisitions—whether through purchase, gift, or bequest—should be guided by the mission of the museum as well as by the curator's expertise. Therefore, curators, having specialized knowledge, should be involved in the decision to acquire a work and then in presenting the object to their museum's acquisition committee.

2. *Deaccessions.* The curator, or department chair, should initiate any recommendation for the disposition or deaccessioning of works of art from the collection. Procedures for approving proposed deaccessions differ from museum to museum: in many institutions, a curator's recommendations are considered by the director and the appropriate committee and then submitted to a board of trustees for final decision. Curators must be candid and forthcoming with their director should they have any reservations about objects proposed for deaccession, whether or not the objects emanate from their department.

Potential Conflicts of Interest

Most museums have guidelines on how staff members should interact with the various constituencies of the museum, including staff members, trustees, art dealers, collectors, journalists, and volunteers. While museums have divergent positions about possible conflicts of interest in the areas of personal collecting, dealing, gifts, and outside consulting or employment, a general consensus maintains that when curators are presented with activities or relationships that might involve a conflict of interest (actual, potential, or perceived), or with behavior that might cause embarrassment to the museum, their professional responsibilities must take precedence over personal concerns and gain.

A. Relations with Dealers, Auction Houses, Private Collectors, and Living Artists

1. *Expert Advice.* There is a distinction between offering expert advice and authentication. Some museums permit curators to give professional advice to collectors, auction houses, and dealers, whether verbally or in writing.
2. *Authentication.* Some museums encourage curators to assist collectors and other museum professionals in identifying, authenticating, and assessing the aesthetic quality and condition of works of art, as long as they provide information without monetary or other personal remuneration.
3. *Appraisals.* Museums deal with appraisals in a range of ways. Some require that all opinions be impartial without discussion or citation of monetary value. Other museums bar curators from providing appraisals or financial assessments of works of art except for in-house purposes.
4. *Gifts: Artwork and In-Kind.* Some museums require the written permission of the director with regard to any gift of art to curators. Others stipulate that curators may accept only gifts of nominal value. When a gift offered to a curator is judged to complement the museum's collections, the museum's needs must be considered before the gift is accepted. It is generally agreed that gifts that could subsequently be interpreted as an inducement to trade for other services should not be accepted. Certain museums prohibit curators from accepting any gifts (art or cash) except as a donation to the museum. Others stipulate that gifts may be accepted under certain circumstances. This may apply, for instance, when a curator has a close personal and professional relationship with an artist or collector. In such cases the curator must seek prior permission before accepting the gift. Because of the variety of institutional policies regarding in-kind donations, curators should be aware that accepting compensation of any kind from a dealer or auction house could be perceived as a conflict of interest. Some museums do not allow curators to accept or receive any gift in-kind for personal benefit if the offer or receipt is designed to cause the recipient to grant a privilege, concession, or benefit in connection with museum's operations. Some museums require written permission from the director to accept both monetary and in-kind gifts. Other museums allow curators to accept gifts as

long as the monetary value does not exceed \$100 per calendar year. Sometimes dealers, collectors, artists, vendors, or auction houses will offer meals, accommodations, or travel services to a curator on official business. While such activities may be directly related to the conduct of museum business, curators should exercise discretion in accepting invitations to dinners, lunches, or other forms of entertainment offered by individual or organizations doing or wishing to do business with the museum and consider the potential for a perceived conflict of interest. In some cases, lodging, meals, and even travel may be considered part of donor cultivation. Some museums require written permission from the director to accept monetary and in-kind gifts. A museum curator may have the opportunity to work closely with living artists, by planning exhibitions, developing publications, or other museum-related activities. While an artist may wish to acknowledge a museum employee's efforts through a gift of art to the employee, these gifts present another area of potential conflict. In such situations, employees must promptly disclose the offer of such gifts to their supervisors.

5. *Confidentiality*. Using or disclosing information not publicly available (technical, financial, or contractual) for private benefit may present a conflict of interest. Unless disclosure is approved by the director, the following information should not be disclosed:

- security arrangements
- pending acquisitions
- prices paid for acquisitions
- appraised values of objects on loan to museum
- names of anonymous donors or lenders
- terms of gift agreements
- contracts with donors or other employees

B. Personal Collecting

1. *Acquisitions*. Many museums allow curators to collect art for their personal enjoyment, which promotes connoisseurship and enhances professional knowledge. However, the acquisition, maintenance, and management of a personal collection by a curator can create a perceived conflict of interest. Extreme discretion is required whenever a curator collects objects similar to those collected by the museum. Curators need to ensure that no conflict or perceived conflict of interest arises between themselves and the museum and that they are not in a position of competing with their employer for any acquisition. Examples of potential conflicts or perceived conflicts of interest include the following:

- taking advantage of one's museum affiliation to promote personal collecting or personal gain
- competing with the museum in an area of collecting
- conserving, researching, and storing one's personal collection (during business hours) without written permission of director or his or her designee

Some museums do not allow curators (or their family members) knowingly to purchase any object deaccessioned by the museum. In the interests of transparency and to avoid

any perceived conflict of interest, curators who actively collect works of art or cultural artifacts may choose to provide their museum with an inventory of their collections at the time of employment. This inventory can then be updated periodically to avoid any perception of conflict of interest. Many museums do not prohibit curatorial collecting if the works are inherited or have been acquired prior to employment.

2. *Conservation/storage.* Some museums allow curators to bring works of art to the museum for private conservation as long as the work does not encroach upon or otherwise restrict the museum's storage or workspace. Other museums discourage curators from bringing in works from their personal collection to be stored or conserved at the museum, or require advance approval from the director before undertaking such an action.

3. *Loans to museum.* In some museums, any loan to the museum by a curator must be credited anonymously in exhibitions and publications. Other museums prefer the transparency of having the curator's name appear in the credit line.

4. *Sales to museum.* Some museums allow curators to sell works from their personal collection as long as the curator gives the museum the first opportunity to purchase the object at fair market price within a reasonable time. For some museums, it is sufficient that curators advise them when an object in the curator's collection is being offered for public sale. Other museums discourage altogether the sale of works to the museum, by requiring that works of art be presented for sale to the museum at a price substantially below fair market value. Some museums request that curators sell through public auction rather than through a dealer.

5. *Dealing.* Most museums recognize a distinction between dealing (buying and selling for personal profit) and the occasional sales intended to upgrade a personal collection. It is strongly recommended that curators not act as dealers, be employed by dealers, or retain an interest in a dealership. In general, in all cases where a potential conflict of interest concerning art dealing, auctions, and collecting might arise, it is recommended that curators keep a record of transactions in their professional file.

Conclusions

In all activities and statements, curators need to disclose whether they are acting or speaking for their museum, their professional affiliated associations, or solely for themselves. They should not represent, or appear to represent, their museums or their associations without a mandate to do so. Some museums devise guidelines to help curators better evaluate a situation and decide on a correct course of action. The following guidelines are useful in arriving at a satisfactory answer or decision:

- Is the action consistent with museum practices?
- Could the action give the appearance of impropriety?

- Will the action bring discredit to the museum, its officers, its trustees, or its employees in the event of public disclosure?
- Is the action defensible to the curator's supervisor, the museum's officers, trustees, or employees, or the general public?
- Does the action meet the curator's personal code of behavior?