



## Accreditation Commission Policy: Allegations of Unprofessional Practices at AAM-Accredited Museums<sup>1</sup>

*Approved March 20, 2001*

*Most recent revisions approved April 2014; terminology updated December 2021*

### I. Background

The American Alliance of Museums' Accreditation Program is established to provide museums a *voluntary* system by which to demonstrate accountability and excellence to their peer institutions, their supporters, and their public. The purposes of the Accreditation Program are to:

- Strengthen individual museums and the museum profession as a whole by promoting ethical and professional practices that enable museum leadership to make informed decisions, allocate and use resources wisely, and remain accountable to the public
- Recognize excellence in individual museums and the museum community
- Serve as the field's primary vehicle for quality assurance and self-regulation

AAM Accredited status is not a legal designation and does not guarantee or assess compliance with laws, regulations, or other legal statutes.

Museums participating in the AAM Accreditation Program are held to very high standards and are reviewed once every 10 years to ensure that they continue to meet these standards of performance. The Accreditation Commission, Visiting Committee members, and Accreditation Program staff examine each museum carefully during the periodic review process. The Accreditation Commission has oversight of the accredited status of AAM-accredited museums and sets the program standards. To maintain accreditation, an institution must:

1. Meet the program's eligibility criteria
2. Operate according to the Core Standards for Museums and any Accreditation Commission policies specific to accredited museums
3. Maintain Core Documents and other required operational documents
4. Fulfill the administrative requirements of the program<sup>2</sup>
5. Comply with its own approved policies

### II. Explanation

Unprofessional practices includes a museum's non-compliance with these items, as well as non-compliance with its own approved policies and procedures. The Accreditation Commission cannot actively monitor the performance of each accredited museum during the period between reviews. However, the Commission may act on allegations of unprofessional

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<sup>1</sup> Formerly called "Accreditation Program Policy and Procedures for Third-Party Allegations of Unprofessional Practices at AAM Accredited Museums" approved by the Accreditation Commission on March 9, 1999.

<sup>2</sup> Information on Accreditation Program eligibility, standards, and other administrative requirements can be found at [www.aam-us.org](http://www.aam-us.org).

practice brought to its attention by an outside party or initiate its own inquiry based on information acquired from various sources (see the Accreditation Commission's Policy on Commission Initiated Inquiries of Unprofessional Practices" for details on the latter case).

Allegations of unprofessional practice may be made by individuals or groups who have fully substantiated their concerns and agree to have the allegation disclosed to the museum in question. Through the process called the Examination of Facts, the Commission considers the information presented and whether the museum's situation or behavior is part of a larger pattern of unprofessional practice as opposed to an isolated incident of misjudgment. The review can result in the allegation being found to be without merit and dismissed, the museum being put on probation and given the opportunity to fix the problem, or having its accredited status removed. (See the complete policy on Examination of Facts for further details.)

The Accreditation Commission takes allegations of unprofessional practice very seriously and exercises extreme caution in these situations. The Commission is committed to formal procedures that protect the museum's rights and reputation, hear the individual making the allegation, and treat the allegation carefully, confidentially, and thoughtfully so informed decisions can be made by the Accreditation Program staff and Commission.

### **III. The Accreditation Commission's Purview**

The Accreditation Commission considers only allegations within its purview.

#### **A. The following are NOT within the purview of the Accreditation Commission:**

- 1.** Museums not currently accredited by the AAM. The Commission has no oversight of non-accredited museums. It will not respond to allegations regarding museums that are applicants to the Accreditation Program but not yet accredited, were never accredited, or were formerly accredited. AAM membership has no bearing on the Commission's area of authority. Being a member of AAM is separate and distinct from being accredited; AAM membership is not required for accreditation and vice versa. Consult the AAM website for a list of currently accredited museums.
- 2.** Legal issues. The Accreditation Commission is not qualified to determine the legality of a museum's actions. Individuals with allegations regarding illegal conduct are referred to the local district attorney's office or other appropriate governmental authority. An allegation that would otherwise be in the Commission's purview will not be considered if the complainant or a group they are part of is currently engaged in legal proceedings with the museum or an individual associated with the museum (i.e., has filed a lawsuit).
- 3.** Individual personnel issues or personal grievances, complaints, or disputes (applies to current or former staff, board members, or volunteers).
- 4.** Disputes or relationships between the museum and a donor, a supporter, or another museum.
- 5.** Personal dislike of, or disagreement with, the museum's choice of exhibitions/programs or their content, its curatorial decisions, hiring choices, or changes to its facilities and grounds.

## **B. The following ARE within the purview of the Accreditation Commission:**

1. Issues directly related to the program eligibility criteria, the Core Standards for Museums, Accreditation Commission policies specific to accredited museums, and all other Program requirements.

This includes, but is not limited to:

- a. Misrepresentation of the museum's status, operations, documents, practices, and procedures
  - b. Breaches of ethical and professional standards and practices
  - c. Breaches of fiduciary and public trust responsibilities
  - d. Disabling organizational restructuring in the museum's governance or operations
  - e. Closing indefinitely to the public or significant reduction in public service. (This does not include a temporary planned closure due to construction or moving.)
  - f. Loss of significant funding which adversely impacts the museum's ability to fulfill its mission, meet accreditable standards, and comply with eligibility/operating criteria
  - g. Major staff cutbacks, protracted vacancies (one year or more) in key professional positions, or major changes in the qualifications of the staff that adversely impact the museum's ability to fulfill its mission and meet program standards.
2. The museum's compliance with its own written, approved institutional policies, procedures, and documents.

## **IV. Publicity**

The allegation review process includes an Examination of Facts. This process begins confidentially, but in some situations, at the Commission's discretion, AAM may make a public statement about the Commission's review of the allegation. This public statement says only that the Commission is aware of, and reviewing, the matter; no other details are disclosed. AAM staff inform the museum's director before any statement is made. (See the complete policy on Examination of Facts for further details.)

During the review of an allegation AAM does not disclose the nature or contents of the allegation to any individual or organization except the Accreditation Program staff, the members of the Accreditation Commission, person(s) appointed by the Commission to investigate the allegation, the leadership of the museum in question, and the individual making the allegation. Any correspondence from the Accreditation Program or the Commission to the museum in question will be copied to the individual making the allegation and vice versa.

## **V. Conditions**

Filing an allegation of unprofessional practice is a very serious action. Any allegation must be fully substantiated. The Accreditation Commission and staff consider allegations using formal procedures and full disclosure to ensure fairness and transparency for all involved parties. The Accreditation Commission and staff do not take action on allegations of unprofessional practice, nor release any information regarding such an inquiry, unless the steps outlined below are followed.

Any individual or group of individuals may file an allegation by filling out and submitting the appropriate forms provided by the Accreditation Program staff. If the individual(s) making the

allegation changes their mind and decides to withdraw the allegation, the Commission may still pursue the matter on its own (as a Commission-Initiated Inquiry).

A. The Accreditation Program will act on an allegation of unprofessional practice when:

1. The staff determine that the allegation is within the purview of the Accreditation Commission. (See Section III on the Accreditation Commission's purview.)
2. The individual filing the allegation agrees to the Accreditation Program staff disclosing their identity and the contents of the allegation to the director/chief executive officer *and* the head of the governing authority of the museum in question. (See the separate document, "Guidelines for the Individual: Submitting an Allegation of Unprofessional Practice.") The Accreditation Commission does not act on allegations received from an unnamed source that does not provide contact information.

B. The Accreditation Program requires:

1. A formal allegation be submitted, in writing, to the attention of AAM's Senior Director of Museum Standards & Excellence, according to the guidelines, accompanied by a completed disclosure form, and accompanied by appropriate documentation.
2. The contact information of the individual filing the claim and the individual's signature affirming the information and statements contained within are true to the best of their knowledge and belief.
3. Written permission for the Accreditation Program staff to forward to the museum in question a copy of the allegation and any supporting documentation
4. Detailed description of the conduct in question, referencing the specific eligibility criteria, Core Standards, Accreditation Commission policy, or other Accreditation Program requirement the complainant feels is not being met.

## **VI. Process**

- A. Once Accreditation Program staff have determined that an allegation is within the Commission's purview and disclosed the allegation to the museum in question, the Accreditation Program sends the museum a copy of the allegation and supporting documentation and asks it to respond.
- B. The museum has 30 days in which to initially respond, either refuting the allegation and providing relevant supporting documentation, or confirming the circumstances that led to the allegation and providing relevant clarification or explanation. The museum's accredited status is not affected during the 30-day period following notification.
- C. The museum's response is provided to the complainant.
- D. The allegation and the museum's response is placed on the next available Accreditation Commission meeting agenda, and the Examination of Facts begins (see separate policy for details).
- E. The Accreditation Commission informs the museum in question and the individual making the allegation of its decision within 60 days of the meeting during which the allegation was considered.

The Commission's decision is final and is not subject to appeal. This includes any appeals or lobbying to the Commission, individual Commissioners, the AAM Board of Directors, or the AAM President and CEO.

