

An Ethics Checklist for Curators of Living Plant Collections

1 INTRODUCTION

Public gardens have an obligation to uphold the highest ethical standards, including when it comes to development and management of the collections in our care. This Ethics Checklist is intended to serve as a resource for professionals in the field of living collections curation, providing a reference point for best practices. The document was prepared in 2017 by members of the Plant Collections Professional Section of the American Public Gardens Association (APGA). The authors would like to thank the many curators and other public garden professionals who played a role in the creation of this resource, including those who attended ethics-related annual conference sessions in 2016 and 2017, completed the 2017 ethics survey, or provided other input along the way. In addition, we would like to thank the American Alliance of Museums (AAM) and its Curators Committee (CurCom) for generously sharing documents on institutional and curatorial ethics for museums.

While the current document is by no means an authoritative text, we hope that it will serve as a tool for curators as they seek to serve the public good, the garden profession, and their home institutions.

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2 INSTITUTIONAL POLICIES

2.1 INSTITUTIONAL CODE OF ETHICS

- Does your institution have a formal policy addressing ethics?
- Is the ethical guidelines policy supported by your garden's management team and is this included as part of your staff professional development and organizational literacy?
- Has the ethical guidelines policy been adopted by your governing body?
- Is the ethical guidelines policy reviewed periodically to reflect changes in:
 - Institutional strategic planning
 - Garden operations, planning, and policy making
 - Staff turnover
 - Institutional expertise
 - Emerging trends in public garden and museological ethical practices
 - Local, regional, state/provincial, national and international laws, legislation, treaties and best practices related to these
- Is your staff trained to take account of ethical practices in planning and decision making?
- Is a working group such as an ethics committee in place or are there staff representatives appointed to champion and advocate for ethical practices?

3 COLLECTIONS MANAGEMENT

3.1 COLLECTIONS POLICY

- Do you have a written policy that communicates your garden's collection goals, objectives, and priorities, including:
 - The scope of the collections
 - What is collected and why
 - What will be accessioned, how, and why
 - Guidelines identifying how genetic resources may be supplied by loan, gift, sale or donation, and for what purposes
- Does the policy stipulate minimum documentation in relation to:
 - Verification of taxon name
 - Wild provenance/individual provider
 - Country/commercial source or origin
 - Collector and collection date
 - Accession number
 - Tracking of use and benefits arising from acquisition of genetic resources and derivatives
- Does your collection policy provide guidelines for the acceptance of gifts, bequests, donations, and loans in relation to:

- Collecting for the public benefit
- Supporting the garden's ethical practices
- Mitigating donor influence and pressure
- Does the collections policy address ethical guidelines and practices, and how they will be implemented?
- Have the ethical guidelines been integrated into your operating procedures, and if so how?

3.2 ACCESS TO PLANTS, GENETIC RESOURCES, AND DERIVATIVES

3.2.1 *In Situ* Collecting

- When collecting threatened or endangered plants or genetic resources of wild origin *in situ* does your collection policy lay out guidelines complying with local, regional, state/provincial, national and international laws, legislation, and treaties to prevent illicit trade and illegal collecting?
- Do you seek prior informed consent and provide a full explanation of how plants and genetic resources will be acquired and used when collected *in situ*?

3.2.2 *Ex Situ* Collecting

- When acquiring plants or genetic resources from public gardens or arboreta do you obtain prior informed consent from the participating institution's governing body and comply with any additional agreements?
- When acquiring plants or genetic resources from public gardens or arboreta do you take appropriate steps to review the available documentation provided by participating institutions to ascertain that the plants or genetic resources were acquired in accordance with applicable laws, legislations, and treaties?

3.2.3 Plants of Ornamental, Cultivated, or Commercial Origin

- When acquiring plants or genetic resources from plant nurseries, commercial sources, hybridizers, or individuals with plant expertise do you review the available documentation provided to ascertain that the plants or genetic resources comply with applicable laws and legislations such as plant breeders' rights or plant variety rights?

3.3 USE AND SUPPLY OF GENETIC RESOURCES

- Do you have a policy that guides:
 - Use and supply of genetic resources and their derivatives that honors the terms and conditions under which they were acquired
 - Commercialization (including plant sales) of genetic resources

3.4 BENEFIT SHARING

- Do you have a policy that identifies how benefits should be shared fairly and equitably with the participating country/state/province of origin, including any benefits arising from the use of genetic resources, monetary benefits and, in case of commercialization, non-monetary benefits?
- Do you have a policy that identifies the sustainable use of biodiversity in relation to the repatriation of genetic resources and derivatives to participants with reference to:
 - Supporting *in situ* conservation in the country/state/province/community of origin
 - Establishing and maintaining facilities for *in situ* conservation research in the country/state/province/community of origin
 - Exchange of information including technical, scientific and socio-economic research
 - Training and surveying programs that facilitate local communities to monitor and assess biodiversity *in situ*
 - Promulgating and conserving specialized, indigenous and traditional plant knowledge
 - Transferal of technology and knowledge resources
 - Sharing benefits form access to genetic resources
 - Raising awareness of biodiversity issues
 - Providing financial support and cooperation for developing countries/communities

3.5 OTHER COLLECTIONS

- Does your collection policy communicate goals, objectives, and priorities related to your commitment to non-living collections, including:
 - Herbarium specimens
 - Library books and information resources
 - Archival collections
 - Art collections
 - Historic structures
 - Artifacts of cultural patrimony
 - Biocultural and economic artifacts
- Do you have agreements in place to support equitable sharing of benefits related to non-living collections or artifacts of cultural patrimony?
- Do you digitize non-living collections and if so do you have guidelines in place that identify ownership of images and the commercial and non-commercial uses of such images?
- If you have collections of living animals do you have a collection policy that communicates the goals and objectives related to these organisms?

3.6 DEACCESSIONING AND DEACCESSIONED ITEMS

- Do you have a deaccession protocol that is guided by your collection policy?
- Do you have a statement that recognizes your collections as cultural and not financial assets?
- If funds are realized from the sale of deaccessioned items do you have a statement relating to the use of the funds for direct care of collections including:
 - Replacing an accession with another that has relevance, importance, or that supports the garden's mission?
 - Investing in existing collections by enhancing their life, usefulness, or quality and ensuring they will continue to benefit the public?

4 INVASIVE PLANTS, PESTS, AND DISEASES

- Do you have a code of conduct for invasive plant management?
- Do you have a code of conduct for plant protection and restricting transfer of pests or diseases?

5 PUBLIC ENGAGEMENT AND ACCESS

- Do you have guidelines or policy statements that:
 - Define the extent of collection access for various types of users
 - Identify collections engagement and access opportunities while providing collections protection
 - Manage access to sensitive collection-related information

6 PERSONAL CONDUCT AND CONFLICTS OF INTEREST

- Do you have guidelines or policy statements that:
 - Define, limit, or prevent employee activities that could be perceived as conflicting with the public interest
 - Define, limit or, prevent employee behavior that could be seen as an individual asserting personal ownership of a collection
 - Prevent an employee from privately trading or dealing collection material