

# Core Curriculum Management

## New Core Component Proposal

Date Submitted: 03/08/18 5:53 pm

Viewing: **MAST 226-CD : Museums, Law & Ethics**

Last edit: 03/08/18 5:53 pm

Changes proposed by: overcomer

### In Workflow

1. LIST Department Head
2. GV College Dean UG
3. CCC Preparer
4. CCC Chair
5. Faculty Senate Preparer
6. Faculty Senate
7. Provost II
8. President
9. Curricular Services

### Approval Path

1. 03/08/18 7:17 pm  
JoAnn DiGeorgio-Lutz  
(joanne-a-lutz):  
Approved for LIST  
Department Head
2. 03/23/18 11:41 am  
Patrick Louchouarn  
(loup): Approved for GV  
College Dean UG
3. 03/26/18 4:02 pm  
Barbara West  
(barbwest): Approved  
for CCC Preparer
4. 05/23/18 11:55 am  
Barbara West  
(barbwest): Approved  
for CCC Chair

#### Contact(s)

Name	E-mail	Phone
Paula Morris	morrisp@tamug.edu	409-740-4975

Course Prefix MAST Course Number 226

Academic Level UG

Complete Course Title Museums, Law & Ethics

Abbreviated Course Title MUSEUMS LAW & ETHICS

Crosslisted With

Semester Credit Hour(s) 3

Proposal for:  
Cultural Discourse

#### Cultural Discourse

Is this course currently included in the Core Curriculum?  
Yes

Which Foundational Component Area? request submitted simultaneously with this request for Language, Philosophy and Culture

Is this course open to all majors? Yes

Does this course have prerequisites other than classification? No

List and describe specific assignments and activities that achieve each of the following goals in the Cultural Discourse Framework. Be sure to review the ICD rubric for specific requirements. (Recertification will require evidence of these activities and how they aided students in achieving the required learning outcomes.)

Hold respectful discussions and discourse on difficult topics.

- Weekly respectful class discussions about each week's difficult unit or topic about ethics and legalities related to museums and their functions. These topics include the ethics surrounding governing museums, antiquity ownership, sacral objects, and cultural world heritage and its care.

Understand self, including personal bias and prejudices.

- Weekly reflections of the student's perspective (personal bias and prejudices) within museums and their ethics – class discussions and personal interjection through discussion roles
- Policy Brief Assignments (x3) – students must provide their personal recommendations for given hypothetical ethical and legal situations arising in museums to museum director and members of the board.
- Weekly reflections of the student's perspective about each week's unit or topic about ethics and legalities related to museums and their functions. These topics include the ethics surround governing museums, antiquity ownership, sacral objects, and cultural world heritage and its care.

Understand how power or authority is distributed within organizational systems, including recognizing potential forms of privilege, oppression, and discrimination.

- Common Reader Program small group discussions (x2)
- Selective weekly discussions based on topic addressing power distribution, privilege, oppression, and discrimination such as legal entities – museum governance; museum administration and policy development; museum acquisition and collections management; copyright for world heritage and art; cultural patrimony; international organizations (UNESCO, ICOM); looted antiquities from WWI, Egypt, Middle East, and China; and the Native American Graves Protection and Repatriation Act.

Understand, as an overarching goal, how to use and promote informed dialogue to overcome issues dividing, not uniting, individuals and humankind.

- Common Reader Program small group discussions (x2)
- Weekly class discussions about each week's unit or topic about ethics and legalities related to museums and their functions. These topics include the ethics surrounding governing museums, antiquity ownership, sacral objects, and cultural world heritage and its care.
- Policy Brief Assignment (x3) – students must provide their personal recommendations for given hypothetical ethical and legal situations arising in museums to museum director and members of the board.

Understand tolerance and intolerance and have a knowledge of when it is appropriate to be intolerant of specific behaviors/activities that violate our core values as people and Aggies.

- Common Reader Program small group discussions (x2)
- Selective weekly discussions based on topic addressing tolerance and intolerance such as copyright for world heritage and art; cultural patrimony; international organizations (UNESCO, ICOM); looted antiquities from WWI, Egypt, Middle East, and China; and the Native American Graves Protection and Repatriation Act.
- Policy Brief Assignment (x3) – students must provide their personal recommendations for given hypothetical ethical and legal situations arising in museums to museum director and members of the board.
- Policy Paper Research Project – students will review at least one peer-reviewed paper on a topic related to this course and make observations and recommendations about the topic.

Understand how to function effectively in a multicultural and global society.

- Weekly reflections of the student's perspective about each week's unit or topic about ethics and legalities related to museums and their functions. These topics include the ethics surround governing museums, antiquity ownership, sacral objects, and cultural world heritage and its care.
- Selective weekly discussions based on topic addressing global society and multiculturalism such as copyright for world heritage and art; cultural patrimony; international organizations (UNESCO, ICOM); looted antiquities from WWI, Egypt, Middle East, and China; and the Native American Graves Protection and Repatriation Act.
- Common Reader Program small group discussions (x2)
- Policy Paper Research Project – students will review at least one peer-reviewed paper on a topic related to this course and make observations and recommendations about the topic.

Understand conflict from multiple viewpoints.

- Selective weekly discussions based on topic addressing conflict from multiple viewpoints such as cultural patrimony; international organizations (UNESCO, ICOM); looted antiquities from WWI, Egypt, Middle East, and China; and the Native American Graves Protection and Repatriation Act.
- Policy Paper Research Project – students will review at least one peer-reviewed paper on a topic related to this course and make observations and recommendations about the topic.
- Common Reader Program small group discussions (x2)

List and describe ways in which the course will address the following CD requirements:

Incorporates "Aggie Experience Activities" into the course.

- Common Reader Program participation with small group discussions
- Field Trip to Holocaust Museum Houston

Incorporates small group discussions into the course.

- Mandatory weekly small group and classroom discussions

**Additional Comments** This course as both a core curriculum and cultural discourse course will serve all of the majors on the Galveston campus, and will alleviate the necessity for students in majors with few or no allowances for electives in their degree plans to take an additional 3 hours to satisfy the cultural discourse graduation requirement.

**Please ensure that the attached course syllabus sufficiently and specifically details the appropriate core objectives.**

Attach Course Syllabus [MAST 226\\_Syllabus\\_FALL 2019.docx](#)  
[MAST 226 LIST committee apvl.pdf](#)

Reviewer Comments



## MAST 226 Museums, Law & Ethics

Fall 2019

Meeting time: TBA

Location: TBA

### Instructor Information

Name:	Kristin Josvoll	Office Hours:	TBA
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Email:	kjosvoll@gmail.com		

### Catalogue Description

Exploration of museum law and ethics; interdisciplinary topics

### Course Description and Prerequisites

Legal issues and concepts pervade the day-to-day management of museums, and a basic understanding of these matters is fundamental to the critical national and international policies that define the nature of museums. This course introduces students to the ways in which museums are affected by law, ethics, policy, political and social concerns, and key legal concepts. Discussions and assignments will address practical concerns as well as policy and conceptual matters. Students will be exposed to a range of issues through a combination of discussions of cases, responses to hypothetical situations, mock negotiations, and group discussions. Students will be able to identify issues from hypothetical situations and identify relevant legal concerns and resources. Students will understand legal matters in museum practice in an applied, practical manner and will have experience relating the theoretical and policy issues to practical choices. Legal and policy discussions will include current issues in copyright, freedom of speech and censorship matters, collections issues including cultural heritage developments. No prerequisites.

### Course Objectives

- Analyze and describe examples of museum policies and illustrate how museum policies are important in legal matters
- Evaluate legal and policy principles in the museum context
- Identify and analyze the legal and ethical issues around collections: policies for collecting, acquisitions and deaccession concerns
- Expose students to the ethical dilemmas that arise in day-to-day museum situations and apply legal concepts to said examples.

**Learning Outcomes:** At the end of the course, students will:

- Relate the First Amendment of the U.S. Constitution to US museums and assess how museums are a forum for speech and freedom of inquiry
- Recognize national and international organizations that promulgate policy and law that affect museums and explain how to engage with them
- Demonstrate critical thinking skills

- Examine legal and ethical principles in the museum context
- Develop written and oral communication skills
- Evaluate examples of copyright and intellectual property matters for museums

### **Core Curriculum Objectives & Evaluations**

*Critical Thinking Skills:* The course enhances critical thinking skills through reading and class discussion of key ideas in legal and ethical issues in the museum context. These skills are evaluated through your written analysis of your learning experience in your policy paper

*Communication Skills:* The enhances communication skill through small group and class discussion and writing about ideas, issues, questions and approaches to issues in ethical and legal museum dilemmas. These skills are evaluated through your policy paper, briefs, and Common Reader Program small group discussions.

*Social Responsibility:* The course will enhance social responsibility through reading assignments that explore social, cultural, and historical issues of world heritage, antiquities and museums. You will be given the opportunity to reflect upon social responsibility during discussions regarding museums as a forum for speech and freedom of inquiry, ethical dilemmas surrounding world heritage in war zones, Nazi looted artifacts, and repatriation of sacral origin. Your understanding of these issues is evaluated in your policy paper, briefs, and Common Reader Program.

*Personal Responsibility:* The course enhances personal responsibility through reading assignments that explore ethical and moral issues that arise in class readings. You will be given the opportunity to reflect upon personal responsibility through such museum-related topics as interpersonal relationships in museums, the interrelated roles of leadership and loyalty, decision making, consequences of action and inaction, and ethical issues in museums. Your understanding of these issues is evaluated in your policy paper, briefs, and Common Reader Program.

### **Cultural Discourse Learning Outcomes**

1. Discover and hold respectful discussions and discourse on difficult, interdisciplinary topics related to museum law and ethics
2. Define and understand self, including personal bias and prejudices by contextualizing it within in the course content and assigned papers
3. Classify and understand how power or authority is distributed within organizational systems, including recognizing potential forms of privilege, oppression, and discrimination
4. Identify and understand how to use and promote informed dialogue to overcome issues dividing individuals and humankind
5. Recognize and understand tolerance and intolerance, and have knowledge of when it is appropriate to be intolerant of specific behaviors/activities that violate our core values as peoples and Aggies
6. Discuss and understand how to function effectively in a multicultural and global society
7. Indicate and understand conflict from multiple viewpoints
8. Practice and incorporate "Aggie Experience Activities"
9. Utilize and incorporate small group discussions for further exploration and understanding of content

## **Textbook and/or Resource Material**

Common Reader Book: Vance, J.D. (2016) *Hillbilly Elogy: A Memoir of a Family and Culture in Crisis*. New York, NY: HarperCollins.

Malaro, M.C., DeAngelis, I.P. (2012). *A Legal Primer on Managing Museum Collections, Third Edition*. Washington, DC: Smithsonian Books.

Any additional assigned readings will be posted on eCampus.

## **Grading policies**

Grading scale:

A = 900-1000 points

B = 800-899 points

C = 700-799 points

D = 600-699 points

F = <600 points

There are a total of 1,000 possible points in this course, divided as follows:

**Attendance and participation/discussion:** 150 points (15%)

Weekly Attendance 5 points/week

Weekly Discussion Participation 5 points/week

**Common Reader Small Discussions:** 100 points (10%)

Small Group Discussion Participation I 50 points

Small Group Discussion Participation II 50 points

**Policy Brief Assignment:** 450 points (45%)

Brief to Director 150 points

Brief to Board 150 points

IP Policy Recommendation Brief 150 points

**Policy Paper Research Project:** 300 points (30%)

In this short research project, you will review at least one peer-reviewed paper on a topic related to this course and make observations and recommendations about the topic citing support for your position.

**Additional detailed information about the assignments, including rubrics for assessment, will be given in separate handouts.**

## Attendance and Make-up Policies

Attendance and participation is required as a part of the final course grade. There are no exams in this course; therefore, days that you miss must be made up within 30 days with proper documentation/university approved excuse. Failure to notify and/or document properly may result in an unexcused absence. Falsification of documentation is a violation of the Honor Code. Student will provide a medical confirmation note from his or her medical provider within one week of the last date of the absence (see Student Rules 7.1.6.1) Student will provide one or both of these (at instructor's discretion), within one week of the last date of the absence: (i) Texas A&M University Explanatory Statement for Absence from Class form available at [http://www.tamug.edu/studentrules/Academic\\_Rules/Absence%20Statement.pdf](http://www.tamug.edu/studentrules/Academic_Rules/Absence%20Statement.pdf) or (ii) Confirmation of visit to a health care professional affirming date and time of visit. Other absences may be excused at the discretion of the instructor with prior notification and proper documentation. In cases where prior notification is not feasible (e.g., accident or emergency) the student must provide notification by the end of the second working day after the absence, including an explanation of why notice could not be sent prior to the class.

If you have an unexcused absence, your attendance and participation grade will reflect accordingly based on the grade guidelines. Information concerning absences is contained in the University Student Rules Section 7 ([http://www.tamug.edu/stulife/Academic\\_Rules/7\\_Attendance.html](http://www.tamug.edu/stulife/Academic_Rules/7_Attendance.html)). The University views class attendance as an individual student responsibility.

All students are expected to attend class and to complete all assignments. Please consult the University Student Rules for reasons for excused absences, detailed procedures and deadlines as well as student grievance procedures (Part III, Section 45).

## Course Schedule (Tentative)

**Week:      Topic:**

### *Module 1 Legal Fundamentals*

- 1            Course objectives, syllabus, assignments; Introduction to museums and the law  
Consider for discussion: What is museum law? Are museums legal entities? Discuss the ways that mission statement and ethics affect the choice of entity and how it is managed? What impact do museums have for cultural understanding, global interaction/ conflict/ (in)tolerance, cultural identity? How can museums be utilized to bridge cultural/societal divisions? Discuss how museums present information and how their interpretation can be applied. (CD: 1, 2, 3, 4, 6, 9)
- 2            Fundamentals - Legal Entities: For profit, Tax exempt, Government, Foundations  
Boards, Trustees and Staff/Board Relations  
Ethics: AAM, AAMD, ICOM, VRA  
Consider for discussion: What is the benefit of having variety - different kinds of entities? Why would a donor or collector choose to form a foundation rather than donate a collection to a museum? How does 'speech' affect museums? Does the kind of legal entity affect considerations about scope of speech? How do - or should - museums decide what to collect and what (and how) to exhibit? (CD: 1, 2, 3, 4, 6, 9)

3 Administration and Policy Development  
Donor Relations, Gifts  
Consider for discussion: What is the board's job? What is the relation between board and staff? What are some tensions to be aware of and diplomatic ways to navigate? In what ways do administrative practices and policies have legal impact, ethical impact? (CD: 1, 2, 3, 4, 6, 9)

4 Common Reader small group discussions  
Consider for discussion: how does the common reader relates to museum studies and its legal fundamentals? Discuss how uncovering and researching global cultures can aid in understanding modern societies. In what ways can we connect with the diverse cultures we encountered and in what ways are we separate? (CD: 1, 2, 3, 4, 5, 6, 7, 8, 9)  
**Brief to Director DUE:** you will provide a short written memo in response to hypothetical legal and ethical scenario as if you are a museum professional briefing your director on the matter at hand. You will apply the ideas and information in the readings and discussions to the scenario and make a recommendation to your director. (CD: 2, 4, 5, 6)

### *Module 2 Collections, Building, Safety*

5 The Collection, Role of Registrar, Selected Issues: Accession/Deaccession  
Consider for discussion: Discuss the importance of clear title, policy, and documentation. What happens if title is not clear? Relate how museum documentation and collections care impacts ethical and entity legality. Why don't we capitalize on museum collections? Discuss how the museum presents information about collections and how personal interpretation can be applied for cultural identity. (CD: 1, 2, 4, 6, 9)

6 Museum Acquisitions, Collections Management  
Consider for discussion: What impact does collections management have for cultural understanding and global interaction/conflict/(in)tolerance? How can proper documentation and collections care be utilized to bridge cultural/societal divisions? Why don't museums provide authentications or appraisals outside the museum? (CD: 1, 2, 3, 4, 6, 9)  
**Brief to the Board DUE:** you will provide a short written memo in response to a hypothetical legal and ethical scenario as if you a museum professional briefing your Board of Trustees on the matter at hand. You will apply the ideas and information in the readings and discussions to the scenario and make recommendations to your Board, make sure to reflect on (in)tolerance, and what different cultural, economic, and political circumstances are encompassed through this hypothetical scenario. (CD: 2, 4, 5, 6)

### *Module 3 Intellectual Property*

7 Copyright and Trademark  
Consider for discussion: What is copyright? Discuss fair use and library and archive exceptions. Why are copyrights important for museums? What copyrights and trademarks do museums "own" - what 'can' they own? How does copyright and trademark impact museum legalities and ethics? (CD: 1, 2, 4, 6, 9)

8 Business Activities - Revenue Generating Activities

Consider for discussion: How does copyright relate to business activities – or not? What do we sell and why? What are the purposes of product development and licensing? What is it important to relate these to the museum’s mission – and identify where these activities are not about mission? (CD: 1, 2, 4, 6, 9)

#### **Module 4 Global Policy and Practice**

- 9 International Organizations – UNESCO, ICOM, IFLA, WIPO  
Consider for discussion: How do the organizations we’ve examined deal with culture, politics, and law? Who owns antiquity? Explore museums and the battle over our ancient heritage. In what ways can we connect with the diverse cultures we encountered and in what ways are we separate? Why do we need international organizations for governing world heritage? (CD: 1, 2, 3, 4, 5, 6, 7, 9)  
**IP Policy Recommendation Brief DUE:** you will provide a short written memo in response to a hypothetical scenario about an intellectual property policy question. You will apply ideas and information in the readings and discussions to the scenario and make a recommendation. (CD: 2, 4, 5, 6)
- 10 Cultural Patrimony, Provenance Issues, Ethics  
Consider for discussion: What does cultural intrusion mean for a culture? Discuss how forms of oppression, discrimination, tolerance/intolerance, and conflict were introduced, and how they apply to museum studies. Does physical possession matter in the same way today as in the past given access to digital collections worldwide? How does possession relate to identity as compared to security of materials? (CD: 1, 2, 3, 4, 5, 6, 7, 9)
- 11 The Rape of Europa – Nazi Looted Antiquities  
In-class viewing: *The Woman in Gold*  
Consider for discussion: What impact does ethics have for policy making, cultural understanding, global conflict, tolerance and intolerance for differing cultures and societies? Discuss how forms of privilege, oppression, and discrimination were introduced, and how they apply to museums and their function? (CD: 1, 2, 3, 4, 5, 6, 7, 9)
- 12 **NO CLASS THANKSGIVING BREAK**
- 13 Egypt, the Middle East, China – looted, destroyed, displayed globally  
Consider for discussion: What impact does ethics have for international policy making, cultural understanding, global conflict, tolerance and intolerance for differing cultures and societies? Discuss how forms of privilege, oppression, and discrimination were introduced, and how they apply to museums and their functions? (CD: 1, 2, 3, 4, 5, 6, 7, 9)
- 14 NAGPRA – Native American Graves Protection and Repatriation Act  
Consider for discussion: Do you think museum *should* repatriate? Under what circumstances? Why? What impact does ethics have for international policy making, cultural understanding, global conflict, tolerance and intolerance for differing cultures and societies? Discuss how forms of privilege, oppression, and discrimination were introduced, and how they apply to museums and their functions? (CD: 1, 2, 3, 4, 5, 6, 7, 9)
- 15 **Field Trip to Holocaust Museum Houston**



## Common Reader small group discussions

Consider for discussion: how does the common reader relates to museum studies and its legal fundamentals? Discuss how uncovering and researching global cultures can aid in understanding modern societies. In what ways can we connect with the diverse cultures we encountered and in what ways are we separate? (CD: 1, 2, 3, 4, 5, 6, 7, 8, 9)

**Policy Paper Research Project DUE:** In this short research project, you will review at least one peer-reviewed paper on a topic related to this course and make observations and recommendations about the topic citing support for your position. Reflect on your evolution throughout this course in how you define ethics in museum studies. Focus on how your understanding of the world and our place in it has changed from the beginning of the semester to now. Make sure to include personal subjectivity. (CD: 2, 4, 5, 6, 7)

## No Final Examination

### **Americans with Disabilities Act (ADA)**

The Americans with Disabilities Act (ADA) is a federal anti-discrimination statute that provides comprehensive civil rights protection for persons with disabilities. Among other things, this legislation requires that all students with disabilities be guaranteed a learning environment that provides for reasonable accommodation of their disabilities. If you believe you have a disability requiring an accommodation, please contact the Counseling Office, Seibel Student Center, or call (409)740-4587. For additional information visit <http://www.tamug.edu/counsel/Disabilities.html>.

### **Academic Integrity**

For additional information please visit: <http://www.tamug.edu/HonorSystem>

*"An Aggie does not lie, cheat, or steal, or tolerate those who do."*

### **Statement on the Family Educational Rights and Privacy Act (FERPA)**

FERPA is a federal law designed to protect the privacy of educational records by limiting access to these records, to establish the right of students to inspect and review their educational records and to provide guidelines for the correction of inaccurate and misleading data through informal and formal hearings. Currently enrolled students wishing to withhold any or all directory information items may do so by going to <https://howdy.tamu.edu> and clicking on the "Directory Hold Information" link in the Student Records channel on the MyRecord tab. Directory items include name, UIN, local address, permanent address, email address, local telephone number, permanent telephone number, dates of attendance, program of study (college, major, campus), classification, previous institutions attended, degrees honors and awards received, participation in officially recognized activities and sports, medical residence location and medical residence specialization.

The complete FERPA notice to students and the student records policy is available at the Office of the Registrar webpage: <http://registrar.tamu.edu/Catalogs,-Policies-Procedures/FERPA/FERPA-Notice-to-Students#0-StatementofRights>.

Items that can never be identified as public information are a student's social security number, citizenship, gender, grades, GPR or class schedule. All efforts will be made in this class to protect your privacy and to ensure confidential treatment of information associated with or generated by your participation in the class.

### **Statement on Course Evaluations**

The PICA (Personalized Instructor/Course Appraisal) is an online course evaluation for Texas A&M. We highly encourage you to complete an evaluation for each course on your schedule. Student input is a critical component used to improve curriculum and teaching. Each faculty member values your input to improve his/her methodology. Your comments can also significantly impact the mix and membership of faculty. The PICA website is available at <http://pica.tamu.edu>, or your Howdy portal.