

**Society of American Archivists
Council Meeting
January 27-30, 2011**

**Committee on Ethics and Professional Conduct:
Code of Ethics Revision
(Prepared by: Tim Pyatt, CEPC chair)**

BACKGROUND

Since 2006 the Committee on Ethics and Professional Conduct (CEPC) has been engaged in analysis and review of the current Code of Ethics and the possibility of developing additional guidelines regarding the professional responsibilities of archivists. At its 2007 annual meeting in Chicago, CEPC reviewed and discussed comparisons between the 1992 and 2005 Codes of Ethics, as well as comments (both published and orally conveyed) regarding deficiencies in the current (2005) Code. In 2007, CEPC compiled comments about ethical codes and discussed reports of complaints heard from other SAA members. In 2008, CEPC voted to examine options for revising the Code to address some of its perceived weaknesses.

CEPC members support an aspirational Code of Ethics, but one that more clearly reflects recent scholarship and professional discourse regarding archival ethics and the profession's goals and identity. Both Frank Boles (2008-2009 SAA President) and Peter Gottlieb (2009-2010 SAA President) strongly encouraged CEPC to propose a revision of the Code that would include more of the character of the 1992 Code while maintaining its aspirational – and legally neutral – character.

A proposal for revising the Code was submitted for Council consideration at its February 2010; the Council approved CEPC's work plan for moving forward with a proposed revision. This report outlines work to date, includes a draft revision of the Code, and recommends that the current draft be distributed for member comment.

DISCUSSION

CEPC has taken several steps to solicit member feedback and gather information in preparation for revising the Code of Ethics. We have:

- Compared the existing Code with previous versions.
- Reviewed other relevant codes of ethics, including those of the ALA Rare Book and Manuscript Section, the Institute of Certified Records Managers, the

- International Council on Archives, and the Association of Canadian Archivists, among others.
- Held a forum on the Code of Ethics at the 2010 Annual Meeting to solicit comments. (See **Attachment A** for a summary of comments obtained at the 2010 forum.)
 - Announced pending revision of the Code to numerous sections and roundtables.
 - Reviewed and incorporated concepts and content from the draft “Core Values of Archivists” statement and SAA’s Statement on Diversity.

Based on these actions and the feedback obtained, CEPC has drafted a revision to the Code of Ethics (**Attachment B**) that we believe is suitable for distribution to the broad membership for comment. Further, the Committee suggests that the Code of Ethics and “Core Values of Archivists” document should be viewed as companion documents and should be linked on SAA’s website.

RECOMMENDATION

THAT the draft revision of the SAA Code of the Ethics, as prepared by the Committee on Ethics and Professional Conduct and submitted to the Council at its January 27–30, 2011, meeting, be distributed for member comment, with a deadline for comment of April 30, 2011; and

THAT a final draft of the SAA Code of Ethics that incorporates member feedback be submitted for Council consideration at its May 23–26, 2011, meeting.

Support Statement: Given that a Code of Ethics is central to a profession and that feedback about the SAA Code of Ethics has been received over a period of several years, the Committee on Ethics and Professional Conduct and the Council believes that this revision is ready for a final round of member review and comment prior to being adopted.

Fiscal Impact: None.

SAA Code of Ethics Forum

Thursday, August 12, 2010

In attendance: ca. 50 (besides CEPC)

Introduction to Values Statement and Revision of Code of Ethics:

Recap of code revision. Rand Jimerson noted that values statement should lay out core principles/essential tenets; these are not static documents. We need to think about them continuously; discussion of Values Statement began with Mark Greene's Presidential address. SAA needs to go beyond just saying what we do and what we don't do; we have responsibilities to the other members of society that are impacted by archivists' decision making. We are involved in wider issues than just our day-to-day activities.

SAA Council comments from Tom Hyry: The Values statement has been approved to go out to general membership for comment – it will go out in the next week or two – please read it carefully and give feedback. We are sticking with the idea that this has to be an aspirational code and not enforceable – practically we cannot enforce.

From audience: The values statement has social responsibility concerns; would this now be a job responsibility?

Summary of Code review from CEPC Member Elena Danielson: Wide discussion of the code of ethics and its revisions is just as important as the final product; environmental scan – we looked at 10 codes of ethics and concluded that we do need an aspirational code because our organization is diverse. The American Historical Association: preservation of historical materials and access to historical materials – threats to open access include political and commercial concerns that would monopolize information. The Association of Art Museum Directors – a director will not deal in works of art, shall not provide authenticity statements or statements of monetary value, shall not receive stolen property ; the Association of Canadian Archivists; Special Collections Librarians; Institute of Certified Records Managers – you shall not reveal any proprietary information; discussing codes of ethics makes people aware; AHA makes public stance statements and SAA could do this and they would be defined in advance.

Membership Comments (with note to what section of the Code they pertain to):

- Values statement as a preamble to Code of Ethics or integration of Value Statements and Code. **(Preamble)**
- Both statements say not only something about the profession as a whole but are statements to society as a whole – we keep in mind all audiences – e.g., this is an introduction to people who are new to the profession and that it will be available to the public. **(Preamble and Purpose)**
- Has CEPC thought about creating a Bill of Rights? (like ALA) – we will look at this to inform our work; should we say that we are linking and considering how our code relates to others like ALA, ACA, etc.
- In 2005 people thought we should have three codes: Ethics, Personal Behaviors, Institutional Best Practices: are these all included in code? Is the institutional aspect being included as well as the personal aspect? In the 1992 version there were parts relating to institutional aspect. **Tim Pyatt:** We want to write a code that brings in information from Values Task Force, research, etc.; Danielson: Making distinction in the use of terms (currently says Archivist[s]). **(Professional Relationships, Trust, Privacy, and Security and Protection)**
- Wish there was more out there in our profession to go to re: what these codes mean; have a series of case studies or a regular section in our professional literature; have interns read code of ethics; in 2005 there were case studies based on the 1992 code, should we do this again? **Tim Pyatt:** We have talked about in the CEPC as a resource.
- Core values v. ethics: What is the insight that archivists contribute to the world? Would like to have something like this to share; **Rand Jimerson:** Probably addressed in History and Memory section of values statement – might want to highlight this as its own separate heading. **(Authenticity and Integrity)**
- Might there be an opportunity to have an advocacy committee to provide support/advice for SAA members? Do other associations do this? **Tim Pyatt:** There will be supporting documents to give to your institutions, etc. to lay out values, ethics, guidelines; **Rand Jimerson:** We have to be careful because we don't have the legal support to get into litigation issues; difficult balancing point as to how far we can go w/o risking litigation problems; **Tom Hyry:** Guidelines about what you can support, when we do it. When we don't is a compelling idea; I'm pleased you're doing this - code of ethics didn't help in the past, had to leave that institution; now when I write a contract with anyone, I put in that "I will follow the ethical standards of ..." – Independent Consultant

- **Rand Jimerson:** Aspirational code suggests that we aim high, encourages members to think about what motivates them and raise the bar and make it something we can be proud of.

**Code of Ethics for Archivists
Draft Revision 12/20/2010**

[NOTE: 2005 text that has been eliminated appears as ~~strikethroughs~~. Revised text appears as italics.]

~~**Preamble**~~

~~The Code of Ethics for Archivists establishes standards for the archival profession. It introduces new members of the profession to those standards, reminds experienced archivists of their professional responsibilities, and serves as a model for institutional policies. It also is intended to inspire public confidence in the profession. This code provides an ethical framework to guide members of the profession. It does not provide the solution to specific problems.~~

~~The term “archivist” as used in this code encompasses all those concerned with the selection, control, care, preservation, and administration of historical and documentary records of enduring value.~~

I. Purpose

~~The Society of American Archivists recognizes the importance of educating the profession and general public about archival ethics by codifying ethical principles to guide the work of archivists. This code provides a set of principles to which archivists aspire.~~

I. Introduction

Archivists support standards that bring fairness and transparency to their professional responsibilities and that inspire public confidence in the profession. Because archival holdings make possible alternative narratives toward the path of truth seeking, archivists seek to ensure that the power of archives will be open equally and fully to all members of society.

The Society of American Archivists is a membership organization comprising individuals and organizations dedicated to the engagements that arise between researchers and documents past, present, and future. Archivists are defined here as those individuals who are concerned with the selection, control, care, preservation, and administration of historical and documentary records of enduring value for the benefit of current users and future generations. Archivists endeavor to ensure that the materials in their care will be available and reliable as evidence of human activity.

The Society endorses this Code of Ethics as standards for the profession. This Code is linked with the “Core Values for Archivists” within the context of providing guidance to archivists, and of serving as an introductory overview of the archival enterprise to the rest of society.

This Code exists to increase awareness of ethical issues among archivists, their colleagues, and users. It also validates guidelines that members may consult for reflection on actions and decisions that occur within the profession and that influence the authenticity of the archival evidence that belongs to every community, state, and nation. As advocates for documentary collections and cultural objects under our care, archivists aspire to carry out our professional activities with justice and equity.

II. Professional Relationships

~~Archivists select, preserve, and make available historical and documentary records of enduring value. Archivists cooperate, collaborate, and respect each institution and its mission and collecting policy. Respect and cooperation form the basis of all professional relationships with colleagues and users.~~

Archivists cooperate, collaborate, and respect other archivists and other archivists' institutions' missions and collecting policies. In their professional relationships with colleagues and users, archivists are fair, unbiased, respectful, honest, and courteous.

III. Judgment

~~Archivists should exercise professional judgment in acquiring, appraising, and processing historical materials. They should not allow personal beliefs or perspectives to affect their decisions.~~

Archivists exercise professional judgment in acquiring, appraising, and processing collections in order to ensure their preservation, authenticity, diversity, and enduring cultural and historical value. Archivists should carefully record their collections-related decisions and activities to make their role in the selection, retention, or creation of the historical record transparent to researchers. Archivists should consult with colleagues, relevant professionals, and communities of interest to ensure that multiple perspectives inform their actions and decisions.

IV. Trust

Archivists should not profit or otherwise benefit from their privileged access to and control of historical records and documentary materials. *They execute their work knowing that they must ensure proper custody for the documents and records entrusted to them. Archivists should demonstrate professional integrity and avoid potential conflicts of interest with their institutions. They strive to balance the sometimes competing interests of various archival stakeholders.*

V. Authenticity and Integrity

~~Archivists strive to preserve and protect the authenticity of records in their holdings by documenting their creation and use in hard copy and electronic formats. They have a fundamental obligation to preserve the intellectual and physical integrity of those records. Archivists may not alter, manipulate, or destroy data or records to conceal facts or distort evidence.~~

Archivists ensure the authenticity of records in their holdings by documenting and protecting the identities of records and guaranteeing that the intellectual and physical integrity of records is not compromised by tampering or corruption. Archivists may not willfully alter, manipulate, or destroy data or records to conceal facts or distort evidence. They document any actions that may cause changes to the records in their holdings.

VI. Access

~~Archivists strive to promote open and equitable access to their services and the records in their care without discrimination or preferential treatment, and in accordance with legal~~

~~requirements, cultural sensitivities, and institutional policies. Archivists recognize their responsibility to promote the use of records as a fundamental purpose of the keeping of archives. Archivists may place restrictions on access for the protection of privacy or confidentiality of information in the records.~~

Recognizing that use is the fundamental purpose of keeping archives, archivists promote open and equitable access to the records in their care by minimizing restrictions and obstacles and maximizing access tools. Archivists work with donors and originating agencies to ensure that any restrictions are appropriate, well documented, and equitably enforced, and that they contain an end date. Archivists minimize psychological barriers to access by providing timely and helpful reference service. Archivists know their own holdings well enough to formulate and disseminate institutional access policies and strategies that maximize responsible use.

VII. Privacy

~~Archivists protect the privacy rights of donors and individuals or groups who are the subject of records. They respect all users' right to privacy by maintaining the confidentiality of their research and protecting any personal information collected about them in accordance with the institution's security procedures.~~

Archivists recognize that privacy is sanctioned by law, but protected in practice by their own actions. Archivists review records carefully to protect the interests of the donors, individuals, and groups whose public and private lives are recorded in them. As appropriate, archivists place access restrictions on collections to ensure that privacy and confidentiality are maintained, particularly for individuals and groups who have no voice or role in their creation, retention, or public use. Archivists promote the respectful use of culturally sensitive materials in their care by encouraging researchers to consult with communities of origin, recognizing that privacy has both legal and cultural dimensions. Archivists respect all users' rights to privacy by maintaining the confidentiality of their research and protecting any personal information collected about them in accordance with their institutions' policies.

VIII. Security and Protection

~~Archivists protect all documentary materials for which they are responsible and guard them against defacement, physical damage, deterioration, and theft. Archivists should cooperate with colleagues and law enforcement agencies to apprehend and prosecute thieves and vandals.~~

Archivists protect all documentary materials for which they are responsible. They take steps to minimize the natural physical deterioration of records and guard them against accidental damage, vandalism, and theft. Archivists cooperate actively with colleagues and law enforcement agencies to apprehend and prosecute vandals and thieves.

~~IX. Law~~

~~Archivists must uphold all federal, state, and local laws.~~