

Mammoth Site of Hot Springs, SD Inc.

Institutional Code of Ethics

Approved November 20, 2012

MAMMOTH SITE OF HOT SPRINGS, SD INC.

Mission

Our mission is the preservation, research and interpretation of the Mammoth Site of Hot Springs, South Dakota and the promotion of understanding and appreciation of natural history regionally and internationally, with an emphasis on the late Pleistocene.

Approved March 22, 2011

GUIDING PRINCIPLES

All persons associated with the Mammoth Site are entitled to engage in the full range of personal and professional activities of their choice, limited by the restraints imposed in these guidelines and the following principles:

1. They shall fully and conscientiously fulfill the duties of their positions at the Mammoth Site.
2. They shall avoid conflicts of interest.
3. They shall not misuse the Mammoth Site's name, reputation, property, or services, nor shall they compromise its good will in the community.
4. They shall understand and seek to advance the Mammoth Site's mission, and make a good faith effort to comply with both the letter and the spirit of the Mammoth Site Code of Ethics and any other applicable ethical codes of conduct specific to their position or responsibilities.

ETHICAL DUTIES

The non-profit status that makes the Mammoth Site tax exempt is a trust given by the federal government; foundations, public agencies, and individuals who make grants or gifts to the Mammoth Site demonstrate a public trust in their belief that the activities these funds support are educationally sound and will be used to further the stated mission of the Mammoth Site. This trust further presumes that funds are spent wisely and for the purposes stated. It is reflected in the belief of the Mammoth Site administrative governance, COO/Business Manager, staff, interns, and volunteers that their efforts for the Mammoth Site further the greater good.

Employment by the Mammoth Site is likewise a public trust. Persons associated with the Mammoth Site of Hot Springs, SD Inc. must especially recognize this public trust, and particularly by persons having important responsibilities in formulating or administering policies and procedures governing the Mammoth Site. Persons holding such responsibilities have a duty and an obligation to preserve and protect this trust. It is understood that such duty may entail the voluntary surrender of certain rights to personal privacy and economic activity. It is the goal of this Code of Ethics to preserve the public trust and the Mammoth Site's good name with the least possible intrusion on personal rights. Those individuals affected in varying degrees are full-time and part-time staff of the Mammoth Site, including student employees, interns, research assistants, volunteers, advisory committee members, Mammoth Site board, and others who may serve on committees or otherwise be associated in an official capacity with the Mammoth Site.

MAMMOTH SITE GOVERNANCE AUTHORITY AND RESPONSIBILITY

The Board of Directors of Mammoth Site of Hot Springs, SD Inc. are elected as per the By-laws to three-year terms.

The board is responsible for determining the mission and strategic direction of the Mammoth Site.

The board ensures and nurtures adequate financial resources and actively monitors programs, including operational and financial results. The board approves the Mammoth Site Strategic Plan to ensure achievement of its mission and to prevent perceived, potential or actual conflicts of interest.

The Mammoth Site is supervised by a COO/Business Manager who is responsible for all aspects of the day-to-day operations of the Mammoth Site, and for management of its physical, human and financial resources. The COO/Business Manager reports to the Board of Directors of the Mammoth Site.

The Site Director/Chief Scientist is responsible for the research, preservation and conservation of the fossils of the Mammoth Site. The Site Director/Chief Scientist reports to the Board of Directors of the Mammoth site.

The Board, through the Executive Committee, will evaluate the Site Director/Chief Scientist and COO/Business Manager annually.

Advisory Board serves solely in an advisory capacity. The Scientific Advisory Board serve as consultants in regards to scientific research at the site and serve at the request of the Site Director/Chief Scientist and are asked for professional advice on various topics from conservation, preservation and research techniques.

CONFLICT OF INTEREST

A. General Responsibilities

Employment at the Mammoth Site is a public trust and involves great responsibility. In all activities, Mammoth Site employees must act with integrity and in accordance with stringent ethical principles as well as with the highest standards of objectivity and fairness.

Every employee is entitled to engage in a full range of professional and personal activities with a measure of individual independence equal to that granted comparable professionals in other disciplines and consistent with his/her professional and staff responsibilities. Loyalty to the Mammoth Site must be paramount, since the Mammoth Site enjoys high public visibility and their employees a generous measure of public esteem. To the public, Mammoth Site employees are never wholly separate from their institution. Any non-Mammoth Site-related action by employees may reflect on the institution or be attributed to it.

Mammoth Site employees should never abuse their official positions or their contacts within the Mammoth Site community; impair in any way the performance of their official duties; compete with the institution; or bring discredit to the Mammoth Site or to the profession in any activity, Mammoth Site-related or not. They must be prepared to accept, as conditions of employment, the restrictions that are necessary to maintain public confidence in the Mammoth Site's goals and in the museum profession; they are, therefore, expected to agree to act in conformity with these Guidelines for Professional Practices.

The reputation and name of the Mammoth Site are valuable assets and should not be exploited either for personal advantage or the advantage of any person or entity. Information about the administrative and non-scholarly activities of the Mammoth Site that an employee may acquire in the course of his/her duties, and which is not generally known or available to the public, must be treated as information proprietary to the Mammoth Site. Such information may not be used for personal advantage or for purposes detrimental to the Mammoth Site or its mission. No person associated with the Mammoth Site may use confidential information (e.g. information about donors or ownership of fossils) acquired through his/her position in any outside employment or activity without the express prior written consent of the Mammoth Site COO/Business Manager. Staff members should be circumspect in referring members of the public to outside suppliers of services, such as appraisers or conservators. Whenever possible, more than a single qualified source should be provided so that no appearance of personal favoritism in referrals is created.

Whenever a matter arises that could be perceived as a conflict between the interests of the Mammoth Site and an outside or personal interest of an employee or an employee's family, the employee should bring the matter to the attention of his/her supervisor for resolution.

B. Affiliation with Other Institutions

The Mammoth Site, in pursuing its goal of contributing to the preservation of fossils and the increase of knowledge, should respond positively to opportunities for cooperative action with other sites and other institutions nationally and internationally to further this goal.

C. Business Dealings

The Mammoth Site will act responsibly in its financial decisions so as to protect the financial support necessary to maintain the Mammoth Site's mission and collections for the public trust. The Mammoth Site, its staff, its policies, and its practices will conform to and comply with all applicable federal, state, and local laws and all applicable international treaties. The Mammoth Site insures that its governance will promote the public good rather than individual gain.

D. Dealing (commercial/private buying and selling of objects in the same area in which the museum collects)

No Collections Committee Staff person shall act as a fossil dealer. Upgrading a personal collection by occasional trades or purchases is not considered dealing in fossils. The acquisition and deletion of objects from a personal collection may require disclosure. The sale of fossils is prohibited on Mammoth Site premises except in the Mammoth Site Store (see MUSEUM MANAGEMENT POLICIES E. Museum Store and Commercial Use).

E. Disclosure

An interested party is under a continuing obligation to disclose any actual or potential conflict of interest as soon as it is known or reasonably should be known.

An interested party shall complete a questionnaire, in the form (attachment in Personnel Policies) to fully and completely disclose the material facts about any actual or potential conflicts of interest. The disclosure statement shall be completed upon his/her association with the Mammoth Site, and shall be updated annually thereafter.

An additional disclosure statement shall be filed at such time as an actual or potential conflict arises.

For board members, the disclosure statements shall be provided to the President of the Board. The President's disclosure statement shall be provided to the Secretary of the Board. Copies shall also be provided to the Chief Operating Officer of the Mammoth Site.

In the case of staff or volunteers with significant decision-making authority, the disclosure statements shall be provided to the Chief Operating Officer of the Mammoth Site. The Chief Operating Officer's disclosure statement shall be provided to the President of the board.

The Secretary of the Board shall file copies of all disclosure statements with the official corporate records of the Mammoth Site.

Whenever there is reason to believe that an actual or potential conflict of interest exists between the Mammoth Site and an interested party, the board of directors shall determine the appropriate Mammoth Site response. This shall include, but not necessarily be limited to, invoking the procedures described in the Personnel Policies with respect to a specific proposed action or transaction.

F. Gifts and Favors

On occasion some individuals may wish to present a gift to an employee as a gesture of appreciation or gratitude for a exceptional job or experience they provided. While this can create an awkward situation for both parties, it is the policy of the Mammoth Site that personal gifts may not be accepted for the performance of regular duties. If the situation arises, the best approach would be to express appreciation of the gesture and to tactfully suggest a donation to the Mammoth Site would be an appropriate and welcome way to express their feelings. You may also refer them to your supervisor so their experience and your performance can be documented and shared with others.

G. Loans of fossils to the Mammoth Site by Staff or Members of the Board of Directors or the Mammoth Site Advisory Board

While loans of objects by Mammoth Site Staff, Mammoth Site Board Members, or Committee Members can be of benefit to the Mammoth Site, it should be recognized that exhibition can enhance the value of the exhibited object and thus the loan may be perceived as a conflict of interest. Care should be used to maintain objectivity in such cases. In any case where such a conflict might be perceived, particulars regarding potential conflicts of interest must be fully disclosed and made transparently available to others, and if the individuals

involved have a formal or informal role in decision-making within the Mammoth Site they should recuse themselves from all related discussions.

H. Outside Employment/Consulting

The Mammoth Site requires board, staff and volunteers to report consulting arrangements, significant financial or managerial interests, and employment and volunteering in outside entities whose financial or other interests would reasonably appear to be directly and significantly affected by their research or other Mammoth Site activities.

I. Outside Volunteer Activity

Mammoth Site board, staff and volunteers are encouraged to volunteer with other organizations in the community, region and state. When volunteering you will still be viewed by many as being associated with the Mammoth Site, so you should act accordingly.

J. Personal Collecting

Personal fossil collecting by members of the staff is allowed in compliance with all applicable regulations and laws, subject to the following guidelines for persons having significant responsibility for acquiring objects for the Mammoth Site (COO/Business Manager, Site Director/Chief Scientist, and Collections Curators, hereafter called Collections Committee Staff).

1. Collections Committee Staff shall not become involved in any transactions that by virtue of their office give rise to a conflict of interest, or to the appearance of a conflict of interest.

2. Collections Committee Staff shall not sell to or trade fossils with the Mammoth Site except where the specific transaction is approved in advance in writing by the President of the Board of Directors.

To aid in the administration of these Guidelines for Professional Practices, the Mammoth Site shall have the option to purchase from a Collections Committee Staff person at his/her cost, including related expenses, any object such staff member has acquired under circumstances that involve a known conflict of interest. The option to purchase shall be exercised by the Mammoth Site within 90 days of disclosure by the Collections Committee Staff of the facts involved, whether by voluntary action of the Curator or by action of the Committee, which may request all pertinent details for its consideration. The right of the Mammoth Site to acquire from a Collections Committee Staff member shall not extend to objects collected prior to the date he/she became a staff member. Objects that are genuine bequests or genuine personal gifts to a Collections Committee Staff person shall be exempt from the Mammoth Site's right to acquire. Objects deaccessioned from the Mammoth Site may not be sold to or acquired by Mammoth Site staff, volunteers, committee members or others affiliated with the Mammoth Site.

While it is expected that the foregoing and other requirements of these guidelines will be effective in minimizing or eliminating conflicts of interest, it is suggested that where doubt exists as to the presence of a conflict, the Collections Committee Staff person should present full details orally or in writing to the Collections Committee for a determination prior to proceeding with the contemplated transaction.

K. Political Activity and Public Issues

The Mammoth Site of Hot Springs, SD Inc., its employees, volunteers, or board members, shall not use any Mammoth Site funds, including grant funds, for the purpose of political lobbying or any other political activity. Political activities by staff members should be

kept to a minimum. Staff members seeking election or appointment to public offices or political positions should first have approval of the Board of Directors of the Mammoth Site.

L. Purchase of Museum Property

All Mammoth Site personnel who are authorized to spend Mammoth Site funds will do so with impartiality, honesty, and with regard only to the best interest of the Mammoth Site. Mammoth Site personnel will not receive gifts, favors, personal discounts, or other dispensations in carrying out the business of the Mammoth Site when there is a potential perception that by receiving such gifts and favors a conflict of interest is created.

M. Referrals

If donors request assistance in determining the value of objects being offered, Mammoth Site staff will provide either the names of multiple possible appraisers or contact information for national associations referring competent appraisers, or both.

N. Use of Assets (Collections, Buildings, Equipment)

Except in a purely incidental way, Mammoth Site resources, including but not limited to facilities, materials, personnel, software, equipment or services, may not be used in external activities unless written approval has been received in advance from the Mammoth Site COO/Business Manager or his/her designee. Such permission shall be granted only when the use of Mammoth Site resources is determined to further the mission of the institution. When such permission is granted, the staff member will make arrangements for reimbursement to the Mammoth Site for customarily priced institutional materials, facilities, or services used in the external activity.

No person may use the Mammoth Site's collection in any non-Mammoth Site matter or context without the prior written consent of the Mammoth Site COO/Business Manager. No staff member shall use in his/her home for any other personal purpose of storing or exhibiting any object or item that is part of the Mammoth Site's collections or under the guardianship of the Mammoth Site, or use any other resources of the Mammoth Site except for the official business of the Mammoth Site and as approved by the staff member's supervisor. Objects from the collection may not be used to decorate offices, etc.,

O. Use of Information (confidentiality)

It is the policy of TMS that board members, employees and volunteers not disclose, divulge, or make accessible confidential information belonging to, or obtained through their affiliation with TMS to any person, including relatives, friends and business and professional associates, other than to persons who have a legitimate need for such information and to whom TMS has authorized disclosure. Board members, employees and volunteers shall use confidential information solely for the purpose of performing services as a board member, employee or volunteer for TMS. This policy is not intended to prevent disclosure where disclosure is required by law. Board members, employees and volunteers must exercise good judgment and care at all times to avoid unauthorized or improper disclosures of confidential information. Conversations in public places, such as restaurants, elevators, and airplanes, should be limited to matters that do not pertain to information of a sensitive or confidential nature. In addition, board members, employees and volunteers should be sensitive to the risk of inadvertent disclosure and should for example, refrain from leaving confidential information on desks or otherwise in plain view and refrain from the use of speakerphones to discuss confidential information if the conversation could be heard by unauthorized persons. At the end of a board member's term in office or upon the termination or resignation of an employee or volunteer, he or she shall return, at the request of the COO/Business Manager, all

documents, papers, and other materials, regardless of medium, that may contain or be derived from confidential information in his or her possession.

P. Use of Mammoth Site Name

The name of the Mammoth Site may never be used as an endorsement of a Mammoth Site staff member's external activities without expressed and advance written approval of the President of the Mammoth Site Board of Directors. Mammoth Site staff members may list their institutional affiliation in professional books, articles, and monographs they author or edit and in connection with professional workshops they conduct or presentations they offer.

Likewise, the name of the Mammoth Site shall not be used by staff members or volunteers in activities external to the Mammoth Site, except as a required statement of place of employment. Staff members shall be careful not to affiliate the name of the Mammoth Site with the expression of social, historical, economic, or political opinions or viewpoints, except as officially approved by the Mammoth Site's COO/Business Manager.

Q. Volunteers

Volunteer participation within the Mammoth Site is a strong and vital tradition. The Mammoth Site's programs could not continue without the contributions and personal involvement of devoted volunteers. Volunteers constitute any person who is working for or on behalf of the Mammoth Site who is not on the Mammoth Site payroll. The staff should be supportive of volunteers, receive them as fellow workers, and willingly provide appropriate training and opportunities for their intellectual enrichment. While volunteers participate in many Mammoth Site activities, those with access to the Mammoth Site's collections, programs, and associated privileged information work in areas that are sensitive and must adhere to the Mammoth Site's stated policies.

Access to the Mammoth Site's internal activities and information is an honor, yet the lack of material compensation for effort expended on behalf of the Mammoth Site in no way frees the volunteer from adherence to standards that apply to paid staff. Volunteers must work toward the betterment of the institution and not for personal gain other than the gratification, knowledge and satisfaction derived from Mammoth Site participation.

Although the Mammoth Site may accord them stated special privileges, volunteers should not accept gifts, favors, discounts, loans, or other dispensations of things of value that accrue to them from other parties in connection with carrying out duties for the institution. Conflict of interest restrictions placed upon the Mammoth Site staff must be explained to volunteers and, where relevant, observed by them.

Volunteers associated with the Mammoth Site, including but not limited to the Mammoth Site Board of Directors and the Mammoth Site Scientific Advisory Board, should understand clearly the policies and programs adopted by the Mammoth Site and must adhere to the administrative application of such policies and programs. Volunteers must hold confidential those matters of program function and administration that are not generally known or available to the public.

COLLECTION MANAGEMENT POLICIES

A. Management, Maintenance, and Conservation

The Mammoth Site derives its central purpose and its usefulness to the general public from its collections, which are an essential part of the cultural fabric shared by the Mammoth Site, city, state, nation, and world. An ethical duty of the Mammoth Site is to transfer to posterity, when possible in enhanced form, the material record of the Pleistocene era.

The Mammoth Site COO/Business Manager, Site Director/Chief Scientist and curatorial staff must maintain intellectual and custodial control over the collection, monitoring the location and condition of the objects held.

Each object is an integral part of a historical and cultural composite, including a body of information about the object that establishes its proper place and importance and without which the value of the object is diminished. The maintenance of this information in orderly and retrievable form, its public availability where appropriate, and the educational programs whereby the public may better understand the collections are critical concerns of the Mammoth Site staff, especially those charged with collections management.

Procedures must be maintained for the periodic evaluation of the condition of the collections and for their general and specific maintenance in keeping with professionally accepted standards. Management of the Mammoth Site's holdings is governed by its formally reviewed and approved Collections Management Policy.

B. Acquisitions

The acquisition of fossils and artifacts is one of the principal activities of the Mammoth Site. Acquisitions must also serve the Mammoth Site's other purposes: to preserve and conserve fossils and artifacts for future generations, to display these according to the highest professional standards, to encourage the study of fossils and artifacts, and to provide a high level of understanding to the broadest possible audience or audiences.

Growth of the Mammoth Site's collections is by selective acquisition. In the acquisition of objects, the Mammoth Site must carefully weigh the interests of the public for which it holds the collection in trust, the donor's intent in the broadest sense, the interests of the scholarly and the cultural community, and the Mammoth Site's own financial well being. Toward these goals, the Mammoth Site seeks to develop a collection that is as broad and comprehensive as possible, within certain limitations. As a rule, acquisitions must support the research and educational mission of the Mammoth Site. In deciding whether to acquire fossils and artifacts, the Mammoth Site will consider the appropriateness of the object or objects relative to the Mammoth Site's other permanent collections, particularly the fossil collections of the Mammoth Site to best advance the interests of the Mammoth Site and the communities it serves.

While the Mammoth Site owns and bears legal responsibility for the Mammoth Site's collections, the Site Director/Chief Scientist and curatorial staff of the Mammoth Site are best qualified to assess the pertinence of an object to the collection or to the Mammoth Site's programs. If necessary, the Site Director/Chief Scientist and curatorial staff may consult outside experts in the field. The Site Director/Chief Scientist and the curatorial staff are responsible for the search for possible acquisitions. Normally, acquisitions are proposed to the Site Director/Chief Scientist by one of the Mammoth Site curators after a professional review of the objects authenticity, provenance, attribution, condition, and significance. The appropriate Curator must present a formal acquisition proposal including this information to the Collections Committee; this recommendation becomes part of the permanent object file. The Site Director/Chief Scientist may perform this curatorial role within his/her area of expertise. The Site Director/Chief Scientist and/or curators should consult with members of

the Scientific Advisory Board and/or other professionals, when additional expertise is needed or desired. For purchases over a budgeted amount the proposed acquisition must be reviewed by the Collections Committee. The decision to acquire will only be made in consultation with and following approval by the Board of Directors.

No object may be acquired, by either purchase or gift, without the Site Director/Chief Scientist's approval. The majority of the Collections Committee and Site Director/Chief Scientist's approval is sufficient for purchases, except when additional approvals are required by the terms of a bequest, endowed fund, or contribution.

Objects acquired by the Mammoth Site must have a valid legal title. The Mammoth Site will acquire an object only when it is reasonably certain that the fossil or artifact has not been derived from illicit trade and that its acquisition does not contribute to the continuation of illicit trade in antiquities or fossils. Gifts and bequests should preferably be of an unconditional and unrestricted nature, and no object should be accepted with any guarantee of display, publication, perpetual ownership, attribution, or valuation by the Mammoth Site. In the case of a bequest that includes such restrictions or conditions, the Site Director/Chief Scientist may, upon approval by the board, decide that the object is of sufficient merit to warrant acceptance of the restrictions. Any limitations or restrictions must be clearly stated in the Deed of Gift or other instrument of conveyance.

Standard research on objects being considered for acquisition should include a request that the sellers, donors, or estate executors offering an object provide as much provenance information as they have available in order to ensure that the object or objects are not derived from illicit excavations. If credible evidence of improper origin or appropriation is discovered, the Mammoth Site should notify the donor, seller, or estate executor of the nature of the evidence and should not proceed with acquisition of the object until taking further action to resolve these issues. Depending on the circumstances of the particular case, prudent or necessary actions may include consulting with qualified legal counsel and notifying other interested parties of the Mammoth Site's findings. Under certain circumstances acquisition of objects with uncertain provenance may reveal further information about the object and may facilitate the possible resolution of its status. In such circumstances, the Mammoth Site may choose to proceed with the acquisition after determining that it would be lawful, appropriate, and prudent and provided that the currently available object and provenance information is made public as soon as practicable after the acquisition.

C. Accessions

Fossils or artifacts acquired by the Mammoth Site, through purchase, gift, bequest, or exchange, are normally accessioned into the collection, with the exception of objects that do not merit accessioning but that are included in a larger group of objects acquired either through gift or purchase. These objects may be placed in the Mammoth Site's Reserve Collection or disposed of in accordance with the Mammoth Site's Collections Management Policy. Decisions regarding accessions are proposed by the Mammoth Site curators and must be approved by the Site Director/Chief Scientist.

D. Deaccessions

To deaccession is to remove an object permanently from the collections. The objects in the Mammoth Site's collections are held in trust for the people of the State of South Dakota. Great care must be taken in making decisions to withdraw an object from the collections.

In addition to the statutory basis for deaccessioning, the Mammoth Site has further restricted and defined the process as follows. Deaccessioning of objects from the collection must be for the sole purpose of improving and refining the quality of the Mammoth Site's collection. The result of deaccessioning, either through transfer, exchange, sale, donation, or

destruction, should be based on the best interests of the Mammoth Site, the scholarly community represented, the donor's intent in the broadest sense, the public trust, and the public the Mammoth Site serves. The Mammoth Site should attempt to ensure that the deaccessioned object continues to receive proper care and retains its documentation. Deaccessioning shall not be undertaken on the basis of cash value of any object to be sold. Deaccessioning shall be considered for the following reasons:

1. The object is not relevant or useful to the Mammoth Site according to the Mammoth Site's Mission Statement.
2. The object is of poor quality, either intrinsically or within its class. The object does not have sufficient study value as to warrant its retention in the collections, or the specific collection, as a whole, is not of sufficient scale and importance to warrant the support of study examples.
3. The object is inferior to a similar example in the collection, or is a duplicate and has no value as part of a series or set.
4. The authenticity, attribution, or genuineness of the object can be shown to be false or fraudulent, and the object lacks sufficient aesthetic merit or importance to warrant retention.
5. The object is in such poor condition that proper repairs are not feasible or will render the object essentially false.

All recommendations for deaccession must originate with the appropriate Curator having jurisdiction over that portion of the collection, or the permanent staff member exercising curatorial responsibility for that portion of the collection in the absence of a Curator. In recommending deaccessions to the Site Director/Chief Scientist, the Curator having jurisdiction shall present a written statement of the purpose and justification, observing the highest standards of scholarship and professional practice. It is the responsibility of the Site Director/Chief Scientist to make sure these standards are observed and that the Mammoth Site holds clear title. The Site Director/Chief Scientist shall also determine that legal or contractual considerations do not prevent deaccessioning. If the Site Director/Chief Scientist approves, the Site Director/Chief Scientist and Curator having jurisdiction shall then present the proposal to the Collections Committee for approval. If approved by the Committee, the Site Director/Chief Scientist shall then make the recommendation to the Board of Directors. Supporting material shall include at least the following: signed recommendation, accession number, description of object, method of acquisition, proposed means of disposal, condition report, justification, and estimated value if known. All written materials relating to the deaccession shall be kept as part of the Mammoth Site's permanent records. Before disposal, all accession numbers and other identifications relating to the Mammoth Site shall be removed from the object or marked to indicate removal from the Mammoth Site's holdings.

Having been approved through the process outlined above, deaccessioning shall be conducted in such a way as to maximize improvement of the Mammoth Site's collection, while preserving its integrity and reputation. This may be accomplished through sale at public auction; sale or donation to another institution; or through consignment or sale to a dealer or other buyer subject to Mammoth Site regulations. The Site Director/Chief Scientist in consultation with the Curator involved shall decide in each instance whether it is in the Mammoth Site's best interest for its ownership of the object to be revealed.

No person associated with the Mammoth Site, or any representative or relative of such person, may acquire an object deaccessioned by the Mammoth Site. This prohibition also applies to individuals with a previous relationship with the Mammoth Site, for a period specified in the Mammoth Site's Collections Management Policy.

Income derived from deaccessioned objects shall be used solely for the purchase or acquisition of other fossils or artifacts. Objects of minimal or no market value may be used for study purposes or destroyed.

When an object that was a gift to the Mammoth Site is deaccessioned, the objects acquired with the income shall be credited to the original donor in the manner specified in the Mammoth Site's Collections Management Policy, either singly or in combination with the names of other donors or funding sources contributing to the new acquisition.

E. Care and Preservation/Conservation

The Mammoth Site collection represents a unique setting where fossils have been collected since its discovery in 1974. Its collections are acquired in accordance with the ability to provide appropriate documentation and conservation and preservation care.

Care of collections is responsibility of the Curator in charge of the particular collection, or collection area. Curators must ensure that all records of the collection items are maintained systematically and are secured.

Collection care includes but not limited to: documentation of acquisition, proper documentation of curation, monitoring environmental conditions, and adequate storage of the items.

The following procedures are regularly performed:

1. Curators/Preparators of the assigned submit monthly reports to the Board on the collections conservation, preservation and documentation.
2. Conservation, preservation and documentation of the collection items are followed recommendations of the 2005 CAP and 2005 MAP consultants. The treatment priorities of the objects will be in place after 20011-2012 CPS IMLS Grant is completed (June 30, 2013).
3. Condition Reports are filled out routinely for every significant (and preserved) element on the bonebed, and prepared in laboratory.
3. Environmental Monitoring is performed on constant basis. The dataloggers are downloaded and analyzed monthly and controls are adjusted on a needed basis to comply with the natural history museum standards.
4. Conservation (CAP) and Museum (MAP) Assessment Programs are performed through IMLS every five to ten years.

Preventive care of collections:

The Mammoth Site museum goal is to provide and ensure the safe conditions for the collections in care. The curatorial staff is committed to:

- Provide safe and secure storage for permanent and borrowed collections
- Provide stable environment for the collections at all times
- Handle collections and train seasonal employees to handle collections safely
- Ensure that museum activities do not jeopardize the collection
- Ensure that new acquisitions do not threaten the existing collection
- Ensure that the loaned specimens are in safe and stable environment
- Not pursue any procedures and techniques in the care of collections that may present a health and safety hazard to the staff and volunteers

F. Appraisals of Objects

Mammoth Site staff is normally prohibited from providing appraisals or monetary valuations of fossils and artifacts to any party outside the Mammoth Site. Exceptions will only be made, with prior approval in writing from the COO/Business Manager, for appraisal or authentication of materials as a professional courtesy for other non-profit institutions, governmental or law-enforcement agencies. While such an exception may be appropriate in certain situations, it requires the utmost care by Mammoth Site staff to avoid any real or perceived conflict of interest.

In seeking and accepting gifts to the Mammoth Site, no member of the staff shall provide any sort of monetary valuation of fossils or artifacts for the donor. For purposes of internal record keeping and insuring the collection, however, the Mammoth Site shall establish values for the fossils and artifacts in its collection, exercising care not to communicate those valuations to the donor.

The donor of an object must be solely responsible for obtaining and paying for appraisals and valuations for his/her own purposes, including tax deductibility. If donors request assistance in determining the value of objects being offered, Mammoth Site staff will provide either the names of multiple possible appraisers or contact information for national associations referring competent appraisers, or both. The Mammoth Site shall avoid any action that might appear to be an effort to assist the donor in securing an income tax deduction, beyond those documentary actions mandated by governmental revenue authorities. Curators and others involved with gifts of objects to the Mammoth Site must be familiar with IRS Publication 526 dealing with the valuation of donated property, especially as concerns the rules relating to charitable gifts of fossils and artifacts and the appraisal requirements as described in the instructions to IRS Form 8283.

G. Availability of Collections

While the Mammoth Site assumes as a primary responsibility the safeguarding of its collections and therefore must regulate access to them, the collections should be made available to the general public, within regularly maintained hours that are published routinely and on a nondiscriminatory basis. Fossils and artifacts in storage should be made available for viewing by appointment, but an appropriate Mammoth Site staff member must always supervise non-Mammoth Site staff. Access to some parts of the collection may be restricted due to active scholarly use by staff members and scholars, but normally only for the duration of the immediate research effort. Areas where stored collections are maintained should be organized for the purposes of conservation and security and also categorized, to the extent possible, for easy access for research and study.

H. Truth in Presentation

It is the responsibility of Mammoth Site professionals to present accurate information about the fossils and artifacts the Mammoth Site owns, exhibits, interprets or publishes. This forms a part of the primary charge of the Mammoth Site to preserve significant materials unimpaired for the future. Intellectual honesty and objectivity in the presentation of objects is, therefore, the duty of every individual associated with the Mammoth Site, whether in a paid or unpaid capacity.

I. Loans

The Mammoth Site lends objects from its collection to other non-profit institutions for temporary exhibitions for scholarly and educational purposes. Objects are not lent to Mammoth Site Departments or Administrative Offices for decoration purposes.

Loan requests must be reviewed and approved by the Site Director/Chief Scientist and appropriate Curators, based upon the following criteria:

1. The condition of the objects.
2. The value of the objects.
3. The impact of the loan upon the Mammoth Site's exhibitions, education programs, and support of research.
4. The quality and importance of the exhibition or project for which the loan is requested.
5. The qualifications and expertise of the requesting institution.
6. The facilities, physical environment, and security arrangements of the requesting institution.

From time to time the Mammoth Site borrows objects from individuals or institutions to advance its programmatic or research interests. The following provisions will govern all incoming loans:

1. Loans will only be accepted where there is a clear connection between acceptance of the borrowed object(s) and the Mammoth Site mission, and that the inclusion of the borrowed object(s) will not reduce the intellectual integrity of the exhibition or research project in which the object(s) may be included.
2. Loans will only be accepted after examination of the lender's relationship to the Mammoth Site to ensure that there are no real or apparent conflicts of interest relating to the loan (for example, where the lender has a formal or informal decision-making role within the Mammoth Site). In any case where such a conflict might be perceived, individuals involved must recuse themselves from the decision-making process, and particulars regarding potential conflicts of interest must be fully disclosed and made transparently available to others.
3. Under no circumstances may the Mammoth Site accept fees, compensation or commissions from the sale of objects borrowed for exhibition. This does not apply to displays of objects explicitly organized for sale, such as craft shows or related programming.

The Mammoth Site retains full decision-making authority over any exhibition or program involving borrowed objects, and will consult with the lender regarding proper interpretation and display. If the Mammoth Site receives financial or non-financial support from a lender, that support will be made public.

J. Repatriation and Restitution

Should it be conclusively proven that an object that has been acquired by the Mammoth Site was illegally exported from its country of origin or from the country where it was last legally owned, the Mammoth Site will, under appropriate circumstances, take reasonable steps for the return of the object to the country establishing the clearest claim. The Site Director/Chief Scientist and Curators shall make every effort to ensure that no such claims exist before making acquisitions. If the Mammoth Site determines that an object in its collection was unlawfully appropriated without subsequent restitution, or under other, similar circumstances, the Mammoth Site will seek to resolve the matter with the claimant in an equitable, appropriate, and mutually agreeable manner.

All claims of ownership asserted with objects in its collections will be addressed openly (to the degree possible and appropriate), seriously, responsively and with respect for the dignities of all parties involved.

BOARD/DIRECTOR RELATIONSHIP

The relationship between the Board of Directors and the COO/Business Manager shall be on a professional level.

It is the policy of the Mammoth Site to not practice nepotism, which is defined as favoritism shown or patronage granted to relatives or close friends. Special circumstances may warrant consideration of an exception to nepotism. In that case, prior approval must be given by the COO/Business Manager and reported to the Board of Directors. At no time may an employee supervise a relative.

MUSEUM MANAGEMENT PRACTICES

A. Business Dealings with Related Parties

"Related Party" means any (i) director, nominee for director or employee of the Mammoth Site; (ii) Immediate Family Member of a director, nominee for director or employee of the Mammoth Site; (iii) an entity which is owned or controlled by someone who falls within the categories listed above in (i) or (ii).

"Related Party Transaction" means any financial transaction, arrangement or relationship (including any indebtedness or guarantee of indebtedness) or any series of similar transactions, arrangements or relationships in which the Mammoth site was, is or is proposed to be a participant and in which a Related Party has had or may have a direct or indirect material interest.

The Finance/Audit Committee shall be provided with the material facts of all new, existing or proposed Related Party Transactions that require the Finance/Audit Committee's approval (including the terms of the transaction and the business purpose of the transaction) and either approve, disapprove or ratify such transactions. In assessing a Related Party Transaction, the Finance/Audit Committee shall consider such factors as it deems appropriate: including without limitation (i) the business reasons for the Mammoth Site to enter into the Related Party Transaction; (ii) the commercial reasonableness of the terms of the Related Party Transaction; (iii) the materiality of the Related Party Transaction to the Mammoth Site; (iv) whether the terms of the Related Party Transaction are fair to the Mammoth Site and on the same basis as would apply if the transaction did not involve a Related Party; (v) the extent of the Related Party's interest in the Related Party Transaction; (vi) if applicable, the impact of the Related Party Transaction on a non-employee director's independence; and (vii) the actual or apparent conflict of interest of the Related Party participating in the Related Party Transaction.

No director shall participate in the evaluation or approval of any Related Party Transaction for which he or she is a Related Party and will abstain from voting on the approval of the Related Party Transaction, except that the director shall provide all material information concerning the Related Party Transaction to the Finance/Audit Committee and may otherwise participate in some or all of the Finance/Audit Committee's discussions if so requested by the Finance/Audit Committee.

If a Related Party Transaction will be ongoing, the Audit Committee may, in its discretion, establish guidelines for Mammoth Site management to follow in its ongoing dealings with the Related Party. Thereafter, the Finance/Audit Committee shall periodically review and assess ongoing relationships with the Related Party to see that they are in compliance with the Finance/Audit Committee's guidelines.

B. Compliance with laws

The laws and regulations of the State of South Dakota govern the Mammoth Site's activities and those of its employees, volunteers, and associated persons. Acceptance of a paid or voluntary position in the Mammoth Site requires adherence to the letter and spirit of the regulations governing these institutions. The ethical principles outlined in this document supplement those regulations.

C. Development and Fundraising

The Mammoth Site's ability to fulfill its mission and serve its public depends, in large part, on the scale of resources available. Funding from businesses and individuals through development and fundraising activities enhances the Mammoth Site's capacity to achieve its mission and serve its audiences more effectively.

As part of the Mammoth Site, all development and fundraising activities will be in compliance with applicable law and in accordance with established Mammoth Site policies. Such support must always advance the Mammoth Site's stated mission and avoid real or perceived conflicts of interest. While restrictions or conditions of support are generally not accepted, if in a particular instance such conditions are accepted they must be explicitly stated and agreed by all parties in writing at the time of the gift.

While the Mammoth Site does not exclude particular businesses or categories of businesses from support of Mammoth Site activities, any offers of support, underwriting or sponsorship--and any attendant forms of recognition--will be reviewed on a case by case basis to ensure that the support advances and is consonant with the Mammoth Site's stated mission.

D. Loans

Loans of any type to an employee, volunteer, or board member of the Mammoth Site are prohibited.

E. Museum Store and Commercial Use

Museum store items will consist of materials, which embrace the mission of the Mammoth Site and add to the educational experience of visitors and on-line shoppers. The museum store will not sell Ice Age fossils or items listed by Convention on International Trade in Endangered Species of Wild Fauna and Flora (CITES). Fossils that may be sold include: sharks teeth, ammonites, trilobites, gonatites, orthoceras, and other coral fossils.

In arranging for the manufacture and sale of reproductions, replicas, or other commercial items adapted from objects in the Mammoth Site's collections, all activities must be carried out in a manner that will neither discredit the integrity of the Mammoth Site nor trivialize or damage the original object. Great care must be taken to identify replicas and reproductions as what they are in a manner that will be permanent. Great care must also be taken to ensure the accuracy and high quality of their manufacture. Antiquities or ancient items, archaeological objects or sensitive ethnographic objects will not be sold by the Mammoth Site or the Mammoth Site Store, nor will the Mammoth Site or the Mammoth Site Store promote activities that might promote the illicit trade in antiquities, looting of archaeological sites, or improper alienation of cultural property.

F. Ownership of Scholarly Material

Staff and volunteers are encouraged to write and publish, both for the Mammoth Site and independently.

Any and all manuscripts, writings, pictorial materials, computer programs or software, and any other creations (collectively "Creations") created by you either individually or jointly with others, during your employment which relate to the Mammoth Site or its present or

future activities, or which are capable of beneficial use by the Mammoth Site, belongs to the Mammoth site exclusively and not to you. All employees and volunteers, as a condition of their employment, relinquish to the Mammoth Site all rights they may have in any and all Creations. The Mammoth Site shall have the full right to seek and procure copyright registration on any Creations where applicable (outside publications are exempt).

G. Personnel Practices

Extensive laws, regulations, and procedures of the federal government and the Mammoth Site govern matters pertaining to equal opportunity in employment in the Mammoth Site. Staff members and volunteers are expected to support and carry out these policies without hesitation. No person shall be excluded from participation in, be denied the benefits of, or be otherwise subject to discrimination in regard to any event or activity of the Mammoth Site on the basis of race, color, sex, disability, religion, national origin, ancestry, sexual orientation, marital, or parental status, and, to the extent specified by law, age, or veteran status. All staff and volunteers shall make diligent efforts to ensure maximum accessibility to all of the Mammoth Site's activities for persons with physical impairments.

The Mammoth Site has an ethical responsibility to treat Mammoth Site personnel with respect, honesty, openness, and dignity. The Mammoth Site will provide fair policies and procedures that are enforced consistently throughout the organization. Rights and responsibilities of Mammoth Site personnel will be clearly communicated. Grievance procedures and avenues of recourse will be accessible to all Mammoth Site personnel. The Mammoth Site will maintain a relationship with staff in which shared roles are recognized and separate responsibilities respected. The Mammoth Site also ensures that policies are articulated and prudent oversight is practiced.

The Mammoth Site has an ethical responsibility to act in good faith in making decisions affecting Mammoth Site personnel in such matters as compensation, job security, and professional development.

The Mammoth Site will respect the professional expertise and opinions of Mammoth Site personnel. Governance is structured so that the resolution of issues involving professional matters incorporate the opinions and professional judgments of relevant members of the staff including those who will be affected by the decisions. Where the professional opinions or judgments of Mammoth Site personnel conflict with the policies or decisions of the Mammoth Site, the Mammoth Site will not require Mammoth Site personnel to compromise their professional opinions, judgments, or reputations to promote the Mammoth Site's position. Conversely, no Mammoth Site personnel will use their professional opinions, judgments, or reputations to compromise the Mammoth Site's integrity or reputation. Mammoth Site personnel will use appropriate means to change Mammoth Site policies and decisions when they feel that those policies or decisions may have a damaging effect on the Mammoth site or on the profession.

All other Personnel matters are in the Personnel Policies

H. Professionalism

Members of the Mammoth Site's administration should respect the professional expertise of the Mammoth Site staff, which has been engaged because of their special knowledge or ability in some aspect of Mammoth Site activity. Governance should be structured so that the resolution of issues involving professional matters incorporates the opinions and professional judgments of relevant members of the Mammoth Site staff. In addition to the Code of Ethics outlined here, members of the Mammoth Site's professional staff may also be subject to ethical codes based upon their professional or disciplinary expertise. If any individual feels that there is a significant difference between their ethical obligations to the

Mammoth Site and those specified by codes specific to their discipline, s/he should bring the matter to the attention of the COO/Business Manager; since codes of ethics cannot address every potential situation, it is presumed that the more conservative or rigorous ethical practice should be observed.

Professional Mammoth Site workers must always be dedicated to the high standards and discipline of their profession, but they must also remain mindful that they are employees as well as independent experts. While they must strive for professional excellence in their own specialty, they must at the same time remember that they are part of a team effort and must cooperate supportively with their colleagues.

We all must observe the highest standards of professionalism at all times.

I. Records Retention

The purpose of this policy is to provide a system for complying with document retention laws, to ensure that the Mammoth Site retains valuable documents, saves money, time and space, to protect the Mammoth Site against allegations of selective document destruction, and to provide for routine destruction of non-business, superfluous, and outdated documents.

Documents that should be retained and the period of retention are listed as part of the Appendix in the Personnel Policies. In general, documents that are not subject to a retention requirement should be kept only long enough to accomplish the task for which they were generated.

The Accounting/Development Officer is in charge of making sure that the appropriate department head or manager is complying with document retention schedule. On January 1st of each year each responsible department head or manager will submit to the Accounting/Development Officer a list of the documents that have been sent to storage or destroyed. The list will identify the documents with enough specificity that one outside the department could determine which documents were stored or destroyed. Accounting/Development Officer will keep lists of documents stored or destroyed.

The Mammoth Site has a legal duty to retain relevant documents which it knows or believes may be relevant to any legal action. Such documents also include those that could lead to discovery of admissible evidence. Accordingly, all document destruction is automatically suspended when a lawsuit, claim, or government investigation is pending, threatened or reasonably foreseeable. In such a case, paper document destruction, as well as electronic destruction must cease immediately. In the case of electronic destruction, the system administrator is responsible for ensuring that any automatic destruction program is disabled and for reviewing all electronic systems that contain documents potentially relevant to the litigation or claim.

All documents, including electronic documents, that are no longer relevant to the Mammoth Site's business, should be destroyed every 60 days.

In accordance with the Mammoth Site's policy, the documents which must be retained or destroyed are set forth in the schedule listed as part of the Appendix in the Personnel Policies. Staff will review the schedule on an annual basis to ensure compliance with this schedule. Supervisor's will direct the deposit or filing of all documents that must be retained, as well as the destruction of documents that must be purged.

J. Staff Assistance

Members of the Mammoth Site Advisory Board, Mammoth Site Board, Mammoth Site staff, interns, and volunteers may receive technical assistance and expertise from the Mammoth Site staff, to the extent that such assistance would be offered to a member of the general public.

K. Whistleblower Protection

Any member of the staff, member of the board of directors, or volunteer affiliated with the Mammoth Site who has information about known or suspected financial improprieties or misuse of the Mammoth Site's resources, or other ethical problems, is encouraged to report their concerns to the COO/Business Manager or the Mammoth Site Treasurer, who will then ask the President of the Mammoth Site to investigate. In the event that the allegations involve the President, the Vice-President, will investigate the reported misconduct. In the event of a suspected criminal act, the COO/Business Manager and President will contact the proper law enforcement officer.

The person reporting may choose to do so anonymously via mail or through other means of communication that protects the individual's identity.

All efforts will be made to protect the confidentiality of those who report financial improprieties and choose not to do so anonymously. However, in certain situations, legal requirements make it impossible to keep the individual's identity confidential.

In accordance with the Sarbanes-Oxley Act, no retaliatory Mammoth Site action will be taken against those who report truthful information, even if the person incorrectly believes that a violation has occurred.

RESPONSIBILITY TO PUBLIC

The collections, programs, and facilities of the Mammoth Site of Hot Springs, SD Inc. are held in the public trust. The Mammoth Site enjoys the trust of the community in its role as preserver of Ice Age fossils and in its presentation of its materials with accuracy, honesty, and sensitivity.

IMPLEMENTATION

This Code of Ethics shall be distributed to all Mammoth Site staff members and all those associated with the Mammoth Site; They will sign and return the attached form acknowledging receipt, understanding and compliance with this Code of Ethics. The Mammoth Site COO/Business Manager will regularly review the contents of this document with staff and others associated with the Mammoth Site.

Breach of the Code of Ethics shall be dealt with at the lowest possible level in the chain of command and may be appealed up the chain of command as necessary. Continued breach or disregard for the Code of Ethics may result in termination.

REVISION AND UPDATES

The Mammoth Site is committed to openness and transparency in the creation and implementations of its policies. Both the Mammoth Site's Code of Ethics and Collections Management Policy are living documents, subject to ongoing change and revision over time. The current version of both documents is available at the Mammoth Site's website at <http://www.mammothsite.org>

The Mammoth Site COO/Business Manager will dedicate at least one staff meeting per year to discussion of these policies, and issues relating to these policies and their interpretation may be considered at any time. Revisions and updates may be made at any time, and following review and approval by the Mammoth Site's governing authority will take effect and be posted on the Mammoth Site's website.

MAMMOTH SITE STAFF ADDENDUM

MAMMOTH SITE CODE OF ETHICS COMPLIANCE AGREEMENT

I have read the Code of Ethics of the Mammoth Site and hereby affirm that I understand its contents and will uphold and adhere to its policies.

Mammoth Site Staff (or) Board Name _____ (Please print)

Mammoth Site Staff (or) Board Title: _____

Mammoth Site Staff Signature: _____ Date: _____

Mammoth Site COO/Business Manager Signature: _____ Date: _____