

UC Native American Cultural Affiliation and Repatriation Policy

CaITHPO Summit
October 1, 2020

Policy Process

Overview of Process

- President Napolitano established President's Native American Advisory Council (PNAAC) in 2018 to advise on a broad range of Native American issues at UC, including NAGPRA.
- Formed a Workgroup with 4 PNAAC selected members and 4 UC Academic Senate selected members to advise on re-write of the systemwide policy.
 - Workgroup convened for over 100 hours since April 2019.
 - Developed policy that prioritizes and promotes repatriation, transparency, oversight, proper care, and effective consultations.
 - UC reviewed all comments and consulted on them with the Workgroup.
 - UC staffed Workgroup and drafted language for review/edits/comment from Workgroup.

Policy Status

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- August 2019: Distributed draft policy (version 1) to tribal and UC communities.
- Jan – Feb 2020: Held four public work sessions (on version 2) across the State.
- April 2020: Redistributed 3rd version of policy for UC and Native American review and comments, including phone consultations and written comments.
- July 24, 2020: Version 4 Released as Interim in order to allow Tribes affected by the pandemic more time to comment.

Policy Status

- Comment Period open through November 15, 2020.
- Final policy issuance expected by December 31, 2020.
- Old policy has been replaced by the Interim Policy, which is in effect.
- Word and pdf versions of the policy and appendices can be found here: <http://ucal.us/nagpra>.

Requests for consultation on the policy, or comments can be submitted to:

RPAC@ucop.edu

Summary of Policy Highlights

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- **Repatriation is fundamental objective and value**
- **Principles undergird the Policy**
- **Acknowledgment of UC's role in acquisition of Human Remains and Cultural Items**
- **Reconstitution of the Systemwide and Campus Committees**
 - Equal UC and Native American representation
 - More active role
 - Make recommendations to the Chancellor/President
 - Oversight of activities
 - Enhanced procedures
 - Clear campus bi-annual reporting requirements

Summary of Policy Highlights (con't)

- **Greater Opportunity for Tribal Participation**
 - Enhanced Consultation
 - Promotes relationships, transparency, and respect
 - Establishes expectations and communication points
 - Invitation to attend/present at Committee meetings
 - Opportunity to review notes, notices, review/add to packages to be presented to committees, and identify conflicts of interests
- **Flowcharts**
 - Repatriation Process, including NAGPRA and CalNAGPRA
 - Will need to be updated to incorporate AB 275 processes
 - Appeals and Complaint Process – w/ elevation to President if not resolved at campus.
 - Ensures greater Consistency, Transparency, and Touch Points

Summary of Policy Highlights (con't)

- **Research Use**

- Prohibits the use of human remains *and* cultural items for research (including destructive analysis) without explicit Tribal approval.
- Tightened loan procedures, controls, and requirements.

- **Cultural Affiliation**

- Clarifies respect and value of oral history & other Tribal evidence
- May be the ONLY line of evidence available.
 - Need to incorporate AB 275

Summary of Policy Highlights (con't)

- **Option for Single Requests for Multi-campus Requests**
- **Repatriation Plans**
 - Reevaluation of CUI
 - Clear deadlines, reporting, and notices
 - Outreach to affiliated Tribes and controlling agencies
 - Budgets and timelines
- **Previously unreported holdings**
 - Clarified assessment and reporting requirements
 - Whistleblower hotline

Questions?