

Welcome

Systemwide NAGPRA Policy Tribal Outreach Session



Session Agenda

- Welcome
- Introductions
- Facilitator's Overview
- Policy Development Recap
- Current Status of the Policy
 - ❖ Review of Policy Sections
 - ❖ Key Policy Changes
 - ❖ Slides of sections Added, Updated and Strengthened
 - ❖ General Feedback Topics
- Next Steps in Policy Development
- Closing and Thank You



Policy Development Recap

- **April – June 2024:** Held ten Tribal listening sessions
- **July 2024:** Released the *Working Draft Policy for Tribal Consultation Purposes* to all Tribes on the NAHC Statewide CalNAGPRA Contact List
- **September – November 2024: 90-day Tribal Consultation Period**
 - ❖ Held 3 virtual open forum sessions with Tribes
 - ❖ Held one-on-one consultations with Tribes (virtual and in-person)
 - ❖ Received feedback via the feedback form on nagpra.calstate.edu
- **December 2024:** Incorporated feedback to create the first draft of the *CSU Systemwide NAGPRA Policy*
- **January 17, 2025:** Released the first draft to all Tribes on the NAHC statewide CalNAGPRA contact list
- **March 2025: Tribal Outreach Sessions**
 - ❖ Held 4 in-person sessions
 - ❖ Held 2 virtual sessions
 - ❖ Held one-on-one consultations with Tribes (virtual and in-person)
 - ❖ Received feedback via the feedback form on nagpra.calstate.edu
- **April 2025:** Incorporated feedback to create the second draft of the *CSU Systemwide NAGPRA Policy*
- **May 9, 2025:** Released second draft to all Tribes on the NAHC statewide CalNAGPRA contact list

Policy Sections

- **Scope and Purpose**
- **Policy Statement**
- **Definitions**
- **Note on Language**
- **Background**
- **Guiding Principles**
- **CSU Oversight and Responsibilities**
 - ❖ System and Campus Roles
 - ❖ System and Campus Committees
 - ❖ System and Campus Funding
 - ❖ System and Campus Training
 - ❖ System and Campus Reporting
- **Compliance**
 - ❖ Responsibilities
 - ❖ Prohibition on Teaching and Research
 - ❖ Duty to Safeguard and Protect Native American Human Remains and Cultural Items
- ❖ Campus Searches
- ❖ Missing, Loans, Split Collections and Reunifications
- ❖ Field Schools
- ❖ Hazardous Substance Contamination Histories
- ❖ Tribal Outreach and Communication
- ❖ Consultation
- ❖ Confidentiality
- ❖ Cultural Affiliation
- ❖ Inventories and Summaries
- ❖ Repatriation and Repatriation Time Frames
- ❖ Appeals
- ❖ Reburial
- ❖ Tribal Requests: Research and Testing, Acceptance of Collections, Request for Assistance and Held-in-Trust Requests
- ❖ Agency, Institution and Private Holdings and Collections
- ❖ Deaccession and Voluntary Deaccessioning
- **Noncompliance Enforcement**
- **Policy History and Updates**
- **Resources**

Key Changes

➤ Reordered Compliance Subsections

➤ Policy Statement

➤ Added

- ❖ MMIP statement
- ❖ Inventories and Summaries statement
- ❖ Repatriation time frame statement
- ❖ Resources (previously named “Appendices”)
 - ❑ Chancellor’s memo on teaching and research prohibition
 - ❑ Numerous templates:
 - Repatriation procedures templates
 - Campus land reburial agreement template
 - Held-in-trust agreement (Tribal Requests)

➤ Updated

- ❖ Field Schools
- ❖ Reburial
- ❖ Tribal Requests
- ❖ Campus Repatriation Implementation Plan

➤ Strengthened

- ❖ Alignment between NAGPRA and CaINAGPRA

➤ Removed

- ❖ “Culturally Unaffiliated”

Reordered Compliance Subsections

- A. Responsibilities
- B. Prohibition on Teaching and Research
- C. Duty to Safeguard and Protect Native American Human Remains and Cultural Items
- D. Campus Searches
- E. Missing Collections, Loans, Split Collections and Reunifications
- F. Field Schools
- G. Hazardous Substance Contamination Histories
- H. Tribal Outreach and Communication
- I. Consultation
- J. Confidentiality
- K. Cultural Affiliation
- L. Inventories and Summaries
- M. Repatriation and Repatriation Time Frames
- N. Appeals
- O. Reburial
- P. Tribal Requests: Research and Testing, Acceptance of Collections, Request for Assistance and Held-in-Trust
- Q. Agency, Institution and Private Holdings or Collections
- R. Deaccession and Voluntary Deaccessioning

Policy Statement

ADDED MMIP

The CSU recognizes the profound connection between the Missing and Murdered Indigenous People crisis and historical noncompliance with federal NAGPRA. The failure to repatriate Native American Ancestors and Cultural Items reflect a broader pattern of disregard for Tribal sovereignty, humanity and safety. This ongoing harm contributes to the erasure and vulnerability of Native American communities. By affirming its commitment to full federal NAGPRA compliance, the CSU acknowledges the role institutions must play in restoring trust, accountability and justice for Native Americans throughout California and across the country.

Inventories and Summaries

ADDED

While the CSU will strive to minimize the creation of new holdings or collections, the CSU acknowledges that ground disturbances, including field schools (see Section IX.F), have the potential to create new holdings or collections. The CSU will comply with repatriation laws, [Cal.Pub.Resources Code §5097.98](#) (the Most Likely Descendant statute), and other applicable federal, Tribal, state or local laws.

Repatriation time frame statement

ADDED

Campuses shall be prepared to proceed through the NAGPRA process in a timely manner, aligned with the pace established by the consulting parties. The time frame for consultation and repatriation shall be driven by the needs and readiness of the consulting parties, and campuses must be responsive and flexible in supporting this process.

Field Schools

UPDATED

Campuses must engage in meaningful consultation with culturally affiliated or potentially culturally affiliated Indian Tribes and California Indian Tribes without federal recognition prior to initiating field schools or conducting any activities related to field schools that involve Tribal ancestral territories, cultural resources or areas of potential Tribal significance. This consultation ensures that Tribal perspectives, concerns and cultural protocols are respected and incorporated into the planning and execution of such activities. Campuses shall not initiate any field school on any site identified as a sacred or burial site or place of cultural significance as determined by a California Indian Tribe.

Campuses must, at minimum, search the Federal National Historic Landmarks, the National Register of Historic Places and the applicable State Historic Preservation Office archaeological resources list or equivalent. Prior to conducting a field school in California, a campus must search the California Register of Historical Resources, California Historical Landmark Listing and request a sacred lands files search from the NAHC and consult with all California Indian Tribes identified as having knowledge of Tribal cultural resources in the field school location. Consulting parties may reject or approve a campus's proposed field school.

Reburial

UPDATED

OTR will develop a plan and identify needs for reburial and potential funding. However, if requested by the lineal descendant or the culturally affiliated Indian Tribe(s), each campus must consult regarding the identification of potential land for reburial on campus.

Following the repatriation of Human Remains, the lineal descendant or Indian Tribe may express interest in reburial of the Ancestor(s) on campus land. If such a request is made, the campus will give thoughtful consideration to the availability of appropriate space and may explore potential reburial locations, where feasible. Any proposed location should be mutually agreed upon by both the campus and the lineal descendant or Indian Tribe. If a suitable site is identified and both parties are in agreement, the campus may proceed with establishing a CSU Transfer of Custody Agreement for Reburial of Ancestral Remains in collaboration with the lineal descendant or Indian Tribe. A sample CSU Transfer of Custody Agreement for Reburial of Ancestral Remains is available in Resources.

Campuses may use allocated funds from the Chancellor's Office to assist funding reburial-related costs.

Campuses will coordinate with consulting parties to identify alternate sources of funding for reburial preparation costs and apply for NAGPRA repatriation grants.

Tribal Requests

ADDED & UPDATED

- Held-in-trust agreement

Following repatriation, and at the request of the lineal descendant, Indian Tribe, or NHO to whom legal control has transferred, the campus may continue to store and care for Human Remains or Cultural Items until physical transfer is feasible. In such cases, the campus shall execute a formal Held-in-Trust agreement in consultation with the relevant lineal descendant, Indian Tribe, or NHO. This agreement shall outline mutually agreed-upon terms and conditions, including any necessary modifications to storage preferences and access protocols. The campus shall make reasonable efforts to accommodate such requests and shall provide a standard of care consistent with Section IX.C. If the duration of the Held-in-Trust agreement exceeds one year, the agreement must be reviewed annually from the date of execution to ensure continued alignment with the needs of the lineal descendant, Indian Tribe or NHO. Refer to the Resources section for a Held-in-Trust agreement template.

- Reunification

A lineal descendant, Indian Tribe or NHO may request the assistance of additional or multiple CSU campuses in any repatriation matter. The assisting campus may assist with the reunification of collections, preparing notices, providing reburial space, reburial preparation, reburial assistance or the coordination of the transfer of collections. The assisting campus may support good faith repatriation for holdings or collections in the possession or control of other CSU campuses. All campuses involved must uphold and adhere to federal NAGPRA duty of care. The campus with possession or control must retain full compliance responsibilities and cover all related costs.

XII. Resources

1. External Relations and Communications Division Organizational Chart
2. Sample Campus Repatriation Implementation Plan
3. CSU Transfer of Custody Agreement for Reburial of Ancestral Remains
4. Repatriation Procedures and Associated Resources
5. National NAGPRA Steps to Repatriation
6. Campus Search and Survey Process Guideline
7. Sample Campus Department-Unit Self-Assessment
8. CSU Chancellor Memorandum on Prohibition of Use of Native American Items
9. CSU Held-in-Trust Agreement Template
10. CSU Policy Working Group Members

Procedures Resources

1. Consultation Initiation Human Remains and Associated Funerary Objects Letter Template
2. Consultation Initiation Cultural Items Letter Template
3. Consultation Record Human Remains and Associated Funerary Objects Template
4. Consultation Record Cultural Items Template
5. Summary of Cultural Items Template
6. Itemized List for Human Remains and Associated Funerary Objects Template
7. Complete an Inventory of Human Remains and Associated Funerary Objects Template
8. Request for Repatriation-Human Remains and Associated Funerary Objects
9. Notice of Inventory Completion-Cultural Affiliation Template
10. Notice of Inventory Completion-Lineal Descendant Template
11. Notice of Inventory Completion-No Cultural Affiliation Template
12. Notice of Intended Repatriation-Culturally Affiliated Template
13. Notice of Intended Repatriation-Lineal Descendant Template
14. Repatriation Statement-Human Remains and Associated Funerary Objects Template
15. Repatriation Statement-Cultural Items Template
16. Tribal Designee Letter Template
17. Held-in-Trust Agreement Template

General Feedback Topics

➤ **Policy Overall Flow**

- Structure
- Organization
- Hyperlinks

➤ **Policy Overall Tone**

- Adherence to the laws
- Commitment to repatriation
- Acknowledgement of past harms

➤ **Tribal Outreach and Communication**

- CSU Response Time Frames
- Methods and Occurrences

➤ **CSU Roles and Responsibilities**

- System and Campus Points of Contact
- Reporting Mechanisms

➤ **Committee Roles and Responsibilities**

➤ **Legal Requirements and Processes**

- NAGPRA
- CaINAGPRA
- Procedures

Policy Development Timeline

➤ Now - June: Tribal Outreach Sessions

❖ In-person

- Pala Casino Resort, Thursday, May 15, 12:00-3:00
- Santa Ynez Chumash Museum and Cultural Center, Wednesday, May 21, 4:00-7:00
- Federated Indians of Graton Rancheria, Friday, May 30, 12:00-3:00

❖ Virtual

- Saturday, May 31, 11:00-1:00
- Thursday, June 5, 1:00-3:00

❖ One-on-one consultations (virtual or in-person)

❖ Online feedback form (nagpra.calstate.edu)

➤ June 9: Feedback due

➤ July 1: Implement the *CSU Systemwide NAGPRA Policy*



CSU NAGPRA Website

nagpra.calstate.edu

CSU

The California State University

NAGPRA / CaINAGPRA

Campus Collections Map

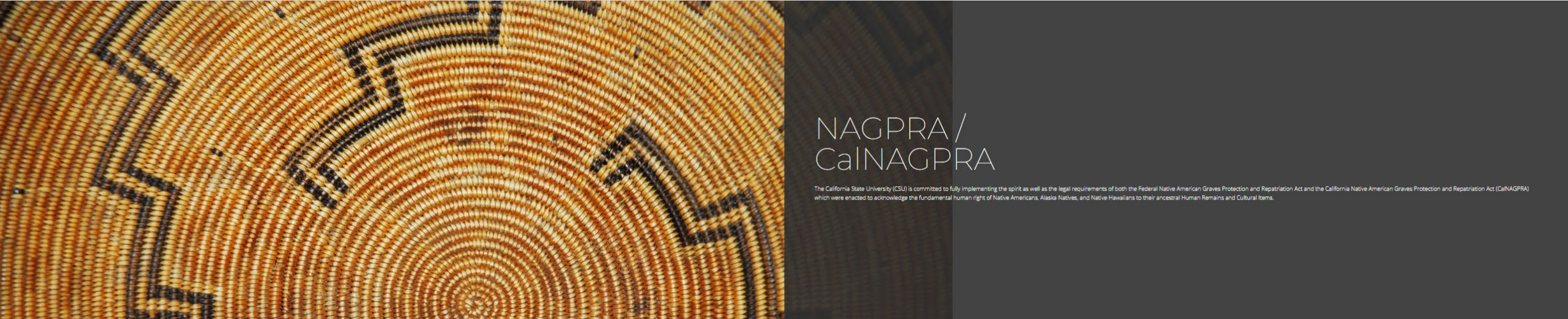
NAGPRA

CaINAGPRA

Contacts

CSU Committees

CSU Policy



CAMPUS COLLECTIONS MAP



CaINAGPRA



FEDERAL NAGPRA



CSU CONTACTS



CSU COMMITTEES



CSU POLICY



CSU RESOLUTIONS



NAGPRA-RELATED JOBS & OPPORTUNITIES



RESOURCES



WORKSHOPS

Featured Links

- 2nd Draft CSU Systemwide NAGPRA Policy Released
- Welcome, Samantha Cypret, Executive Director of CSU's Office of Tribal Relations
- 2022 State Auditor Report
- CSU Chancellor's Response to State Audit
- National NAGPRA Reporting
- The Repatriation Project (ProPublica)
- National NAGPRA Program Webinars on the New Regulations
- 2022 National NAGPRA Program Trainings
- Red Hoop Talk - Association on American Indian Affairs
- CSU Learn CaINAGPRA/NAGPRA Bundle (CSU Staff Only)

Office of Tribal Relations

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Closing and Thank You!

