

Campus Survey Inspection Protocol

Purpose: This document establishes the creation of the Sonoma State University (SSU) Campus Survey Inspection Procedure, which allows the various departments on campus to collaborate and be involved in the process. By creating a pathway for transparent communication between the NAGPRA Program, Environmental Health & Safety (EH &S) Office, and academic departments at SSU.

Objective: The Campus Survey Inspection Procedure offers recommendations on tasks related to federal and state NAGPRA compliance, including,

- Faculty/Staff will be able to collaborate in order for the NAGPRA team to complete compliance guidelines set forth by AB 389 and 43 CFR 10.1 (d).

Laws: Please see below for definitions to the laws and regulations set forth by the state and federal government:

- **NAGPRA, 25 U.S.C. § 3005:** Enacted in 1990. Subsection (a): The language throughout this section states that museums receiving repatriation requests for remains and cultural items “shall expeditiously return” such remains and cultural items. Subsection (c): This subsection makes it clear that there is a presumption that evidence submitted by relatives and tribes showing the museum does not have the right of possession proves this claim and shifts the burden to the Museum to show they have the right of possession
- **CaINAGPRA:** This bill would revise and recast the process of creating the inventories and summaries by, among other things, requiring consultation with California Indian tribes during the creation of the preliminary inventories and summaries and after submission to the commission. The bill also would revise and recast the process by which a direct lineal descendent or a California Indian tribe can request the return of human remains or cultural items. The bill would make technical, non substantive changes. This bill would require every state agency, as defined, with significant interaction with tribal issues, peoples, or lands, and request the Regents of the University of California, to designate one or more liaisons for the purpose of engaging in consultation with California Native American tribes on the tribal contact list and educating the agency on topics relevant to the state’s relationship with those tribes.
- **AB 389:** This bill would require the California State University to comply with various requirements regarding the handling, maintenance, and repatriation of Native American human remains and cultural items under the California Native American Graves Protection and Repatriation Act of 2001, including adopting and implementing system wide policies that, among other things, prohibit the use of any Native American human remains or cultural items for purposes of teaching or research at the California State University while in the possession of a California State University campus or museum. The bill would make its provisions severable.
- **43 CFR 10.1 (d) Duty of Care:** A museum, Federal agency, or DHHL must: (3) Obtain free, prior, and informed consent from lineal descendants, Indian Tribes, or Native Hawaiian organizations prior to allowing any exhibition of, access to, or research on human remains or cultural items.

Training: All faculty/staff are invited to participate in a virtual training on NAGPRA and CaINAGPRA, including the law and the repatriation process. For more information please contact the Director of Tribal Relations, Elise Green, at elise.green@sonoma.edu or (707) 664-4440.

NAGPRA/CalNAGPRA Campus Survey Inspection Department Form

Department Name:

Dean's Name:

Department Point of Contact for Inspection:

Preferred dates and times for inspections:

EH & S Representative(s):

NAGPRA Representative(s):

Please respond to the following questions:

1. Is there any documentation to help us identify the item(s) or human remains?
2. Is there a retired faculty member with institutional knowledge of the items or remains?
3. When was your last NAGPRA inspection of your unit?
4. Do you have any new faculty/staff members since your last NAGPRA campus survey response?
5. Please provide dates and times for your department to participate in NAGPRA/CalNAGPRA training.