

UNIVERSITY OF TENNESSEE AT CHATTANOOGA NATIVE AMERICAN GRAVES PROTECTION AND REPATRIATION (NAGPRA) POLICY

STATEMENT OF PURPOSE

As an institution receiving federal funds and housing archaeological collections, the University of Tennessee at Chattanooga (UTC) is subject to the Native American and Graves Protection Act (NAGPRA), and its implementing regulations. NAGPRA governs the return and disposition of Ancestral Human Remains, Funerary Objects, Sacred Objects, and Objects of Cultural Patrimony. Repatriation efforts include direct consultation with Lineal Descendants, Indian Tribes, and Native Hawaiian organizations.

Beyond adherence to the letter of the law, UTC faculty, staff, and students are committed to complying with the spirit of the law. UTC faculty inhabit territory, conduct research, and curate collections generated within the ancestral homelands of tribal nations, the original inhabitants of these lands. UTC houses collections, Ancestral Human Remains, and Funerary Objects subject to NAGPRA, and repatriation is an important step towards building trust with tribal partners. Members of the UTC community have an ethical obligation to treat Ancestral Human Remains, Funerary Objects, Sacred Objects, and Objects of Cultural Patrimony in a respectful manner.

POLICY

UTC shall comply with NAGPRA and shall work to advance timely repatriation of Ancestral Human Remains, Funerary Objects, Sacred Objects, and Objects of Cultural Patrimony (25 U.S.C. § 3001 et seq. (1990)) through NAGPRA and its implementing federal regulations (43 C.F.R. pt. 10).

COMPLIANCE

1. UTC shall maintain a NAGPRA Committee that is responsible for advancing the institution's NAGPRA inventory and for coordinating repatriation efforts for items in UTC's custody. The NAGPRA Committee shall consist of a signatory and committee chair from the UTC administration and relevant collections managers and subject experts as needed.
2. The NAGPRA Committee shall develop handling and repatriation procedures under this policy to effectively comply with NAGPRA.
3. All UTC faculty, staff, students, and affiliated parties or those conducting research on in-house collections are required to comply with NAGPRA and policies set forth by the NAGPRA Committee. These parties are obligated to notify the NAGPRA Committee if previously unknown Ancestral Human Remains, Funerary Objects, or Objects of Cultural Patrimony are discovered during collections research.
4. UTC will not knowingly accept new collections known to contain Ancestral Human Remains, Funerary Objects, or Objects of Cultural Patrimony without prior written coordination with the NAGPRA Committee, whether by loan, deed, gift, or acquisition.
5. Identified Ancestral Human Remains, Funerary Objects, and Objects of Cultural Patrimony shall not be used in research or teaching activities without prior written approval of the NAGPRA Committee.
6. UTC shall update and revise its institutional policies every 5 years or as needed.
7. Violations of this policy by UTC faculty, staff, or students may result in disciplinary sanctions.

RESEARCH RESTRICTIONS

Archaeological collections that have been identified as subject to NAGPRA review are under a research embargo pending completion of a NAGPRA inventory and/or summary.

A researcher may request access to collections subject to NAGPRA if they provide evidence of successful consultation with Lineal Descendants, Indian Tribes and/or Native Hawaiian Organizations, and approval by the NAGPRA Committee.

IMAGE USE RESTRICTIONS

No new images (photography or film) of NAGPRA materials will be generated unless explicit permission is received from Lineal Descendants, Indian Tribes, and/or Native Hawaiian Organizations.

Images of Ancestral Human Remains, Funerary Objects, Sacred Objects, and Objects of Cultural Patrimony will be redacted from public versions of prior UTC reports of investigation pending completion of a NAGPRA inventory and/or summary.

EXHIBITION RESTRICTIONS

Archaeological collections that have been identified as subject to NAGPRA review shall not be knowingly included in exhibits or put on display at UTC or at partnering institutions pending completion of a NAGPRA inventory and/or summary for the relevant collection at UTC.

A researcher may request approval from the NAGPRA Committee to include collections or items subject to NAGPRA in exhibits or in public displays at UTC or partnering institutions if they provide evidence of successful consultation with Lineal Descendants, Indian Tribes and/or Native Hawaiian Organizations, along with supporting documentation regarding the purpose of the exhibition or display.

LOAN RESTRICTIONS

Archaeological collections that have been identified as subject to NAGPRA review shall not be loaned to other institutions to be included in exhibits or put on display pending completion of a NAGPRA inventory and/or summary for the relevant collection at UTC.

Collections subject to NAGPRA review shall not be loaned to other institutions for research purposes pending completion of NAGPRA inventory and/or summary for the relevant collection.

If an archaeological collection subject to NAGPRA is currently on loan, materials will be recalled pending completion of a NAGPRA inventory and/or summary for the relevant collection at UTC.

A researcher may request approval for a loan of collections or items subject to NAGPRA from the NAGPRA Committee if they provide evidence of successful consultation with Lineal Descendants, Indian Tribes and/or Native Hawaiian Organizations, along with supporting documentation regarding the purpose of the loan.

DEFINITIONS

For purposes of this policy, the following terms are defined as follows:

- 1. Ancestral Human Remains:** The physical remains of the body of a person of Native American ancestry. The term does not include remains or portions of remains that may reasonably be determined to have been freely given or naturally shed by the individual from whose body they were obtained, such as hair made into ropes or nets. For the purposes of determining cultural affiliation, human remains incorporated into a Funerary Object, Sacred Object, or Object of Cultural Patrimony, as defined below, must be considered as part of that item.
- 2. Associated Funerary Objects:** Items that, as part of the death rite or ceremony of a culture, are reasonably believed to have been placed intentionally at the time of death or later with or near individual human remains and are in the possession or control of a museum or Federal agency. Associated funerary objects also means those Funerary Objects that were made exclusively for burial purposes or to contain human remains.
- 3. Funerary Objects:** Items that, as part of the death rite or ceremony of a culture, are reasonably believed to have been placed intentionally at the time of death or later with or near individual human remains.
- 4. Indian Tribe:** Any tribe, band, nation, or other organized group or community of Indians, including any Alaska Native village, which is recognized as eligible for the special programs and services provided by the United States to Indians because of their status as Indians.
- 5. Lineal Descendant:** An individual tracing their ancestry directly and without interruption by means of the traditional kinship system of the appropriate Indian Tribe or Native Hawaiian Organization or by the common law system of descentance to a known Native American individual whose remains, Funerary Objects, or Sacred Objects are being claimed under these regulations.
- 6. Native American:** Of, or relating to, a tribe, people, or culture indigenous to the United States, including Alaska and Hawaii.
- 7. Native Hawaiian:** Any individual who is a descendent of the aboriginal people who, prior to 1778, occupied and exercised sovereignty in the area that now constitutes the State of Hawaii.
- 8. Native Hawaiian Organization:** Any organization which (i) serves and represents the interests of Native Hawaiians, (ii) has a primary and stated purpose the provision of services to Native Hawaiians, and (iii) has expertise in Native Hawaiian affairs.
- 9. Objects of Cultural Patrimony:** Items having ongoing historical, traditional, or cultural importance central to the Indian Tribe or Native Hawaiian Organization itself, rather than property owned by an individual tribal or organization member. These objects are of such central importance that they may not be alienated, appropriated, or conveyed by any individual tribal or organization member.

10. Repatriation: The return of possession or control of Native American cultural items to Lineal Descendants, culturally affiliated Indian Tribes, and Native Hawaiian Organizations.

11. Sacred Objects: Items that are specific ceremonial objects needed by traditional Native American religious leaders for the practice of traditional Native American religions by their present-day adherents.

12. Unassociated Funerary Objects: Items that, as part of the death rite or ceremony of a culture, are reasonably believed to have been placed intentionally at the time of death or later with or near individual human remains, for which the human remains with which they were placed intentionally are not in the possession or control of a museum or Federal agency.

ADDITIONAL INFORMATION ABOUT NAGPRA

General information about NAGPRA can be found at the National NAGPRA Program webpage on the National Park Service's [website](#).

For information about NAGPRA at UTC, please contact the NAGPRA Committee at nagpra@utc.edu.

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AUTHORIZATION

REVIEWED BY:

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11/14/23
Date

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11/14/2023
Date

REVIEWED AND APPROVED BY:

Shaen R. Angle
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11-14-23
Date