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January 18, 2022

To: Campus Community

From: Dr. Stephen Perez, Interim President



First issued by Dr. Mary A. Papazian, President, on October 6, 2021

Re: San José State University's Interim Protocol for Curation Spaces in
Alignment with NAGPRA, CalNAGPRA, AB 275
Interim Presidential Directive, PD-2021-03 (AMENDED)

OVERVIEW

San José State University has curated collections of human remains, artifacts, and funerary objects ("Collections") with technical support from faculty affiliated with the Department of Anthropology and in consultation with Native American tribes and Indigenous peoples for decades. For many years, faculty and supervised students were permitted to access the curated Collections for research and teaching purposes. Between 2008 and 2010, the Department adopted protocols for gaining access to and working with the Collections, which have been stored in a locked, secure location since the early 1990s.

In September 2020, California Governor Gavin Newsom signed into law Assembly Bill 275 ("Native American Cultural Preservation") which amends CalNAGPRA (the California Native American Graves Protection and Repatriation Act of 2001). Effective on January 1, 2021, the stated purpose of AB 275 is to "provide a seamless and consistent state policy to ensure that all California Indian human remains and cultural items be treated with dignity and respect." AB 275 requires agencies and museums that possess collections of Native American human remains and funerary objects, including SJSU, to inventory those collections for repatriation and to engage in consultations with Native American and Indigenous California tribes. As one of the agencies, SJSU must "defer to tribal recommendations for appropriate handling and treatment" of human remains and funerary objects. During initial consultations, several local Native American and Indigenous California tribes have asked SJSU to prescribe a stricter set of protocols to gain access to the remains and artifacts housed on our campus.

INTERIM PROTOCOL

Based on these initial consultations, the following interim protocol is effective immediately:

- The curation spaces at SJSU that house the Collections will be exclusively managed by the SJSU NAGPRA Coordinator and the SJSU Tribal Liaison, supplemented by student assistants who are appropriately trained and supervised to assist with the inventory process.
- The Collections will continue to remain in a locked, secure area on campus, and all access will be overseen by the SJSU NAGPRA Coordinator and the SJSU Tribal Liaison.
- Any physical access to or use of the Collections will require written approval of the NAGPRA Coordinator and Tribal Liaison after consultation and required affirmation by Tribal leaders.
- Audio, video, or photographic devices are prohibited in the curation spaces, as is taking photo images or videos of human remains, funerary objects, or the boxes in which these materials are held.

INTERIM SCOPE

This interim Presidential Directive applies to all SJSU faculty, staff, students, and administrators, as well as visitors to campus. It supersedes all previous protocols including those developed by the SJSU Department of Anthropology. This interim Presidential Directive will remain in place until a non-interim Presidential Directive is established.