

# UNIVERSITY POLICY FOR GENERAL ADMINISTRATION

## Policy No. UPGA-8

### NATIVE AMERICAN GRAVES PROTECTION AND REPATRIATION ACT (NAGPRA) POLICY

#### 1 General Information.

- 1.1 Scope: This policy provides for the repatriation/disposition of Native American remains and specified objects in accordance with the Native American Graves Protections and Repatriation Act (NAGPRA or the Act).
- 1.2 Authority: W. Va. Code §18B-1-6; 25 U.S.C. 3001, *et. seq.*
- 1.3 Passage Date: October 25, 2018
- 1.4 Effective Date: November 26, 2018
- 1.5 History: This policy implements the guidelines for compliance with NAGPRA

#### 2 “Policy” It is Marshall University’s intent and policy to comply with NAGPRA and all its regulations, and relevant state laws and regulations regarding Native American human remains and cultural items.

- 2.1 Marshall University (hereafter Marshall) is a “museum” as defined by NAGPRA.
- 2.2 Marshall’s NAGPRA policy is precisely that of NAGPRA and of the regulations for its implementation.
- 2.3 Marshall will not intentionally collect Native American human remains or cultural items specified under NAGPRA without full documentation of compliance with the Act and with relevant state laws.
- 2.4 Native American human remains and cultural items specified under the Act that are included in gifts, donations, bequests, or acquired as federally confiscated property, or in any other legal manner, will be accessioned and held in trust by Marshall and their disposition will be determined by procedures and processes specified in NAGPRA and relevant state laws, regulations and Marshall’s Administrative Procedures. Remains and objects will be deaccessioned in accordance with Marshall’s Administrative Procedures.
- 2.5 Any items potentially covered by NAGPRA that are acquired by Marshall after the date that this policy revision is accepted will be reported to the appropriate Indian tribe(s) and Native Hawaiian organizations.
- 2.6 Marshall shall develop administrative procedures to implement this policy.