

Moratorium on the Use of Human Remains, Native American Cultural Items, Images, and Reproductions of Native American Human Remains and Cultural Items

The Los Rios Community College District will immediately observe a moratorium on:

- 1) The use of human remains.
 - a. The term “use” includes but is not limited to teaching and researchⁱ.
 - b. The moratorium will remain in effect until Native American Graves Protection and Repatriation Act (NAGPRA) and CalNAGPRA eligibility has been excluded through government to government consultation with Indian Tribes who may have an interest, and
 - c. This moratorium shall not apply where there is documentation that the individual consented to the use of their remains for teaching, research, or a similar purposeⁱⁱ.
- 2) The use of Native American cultural items (as that term is defined in 25 U.S.C. 3001 et. seq.)
 - a. The term “use” includes but is not limited to teaching and researchⁱ.
 - b. This moratorium shall not apply when the culturally affiliated Tribe or Tribes have no objection to said use. When cultural affiliation cannot be established, none of the aboriginal land Tribes (as the term is defined in 43 CFR 10.11, including the preamble language) objects to said use. Such exception must be clearly documented in writing following consultation with the Tribes.
- 3) The use or creation of images and reproductions of Native American human remains and cultural items (as those terms are defined in 25 U.S.C. 3001 et. seq.) under the control of the Los Rios Community College District.
 - a. The term “use” includes but is not limited to teaching, research, inclusion in student-produced papers, and publicationⁱ.
 - b. The term “reproductions” includes but is not limited to casts, molds, 3D scan data, and 3D printing.
 - c. This moratorium shall not apply when the culturally affiliated Tribe or Tribes have no objections to said use. When cultural affiliation cannot be established, none of the aboriginal land Tribes (as the term is defined in 43 CFR 10.11, including the preamble language) objects to said use. Such exception must be clearly documented in writing following consultation with the Tribes.
- 4) This moratorium will remain in effect until the Los Rios Community College District adopts a policy concerning the matters addressed in this moratorium.

ⁱ If human remains or cultural items are visible in a classroom, display, exhibit or other use area, then they are in use. In order to not be “in use,” human remains and cultural items must be safely secured and stored according to the preferences of culturally affiliated or aboriginal land Tribes.

ⁱⁱ Documentation that an individual consented to the use of their remains for teaching or research (such as a last will and testament or proof of donation to an accredited body donation program) will be verified by the Deputy Chancellor and maintained by the Los Rios Community College District Office of the General Counsel. Tribes may request and receive a copy of the list or proof of documentation, upon request. Such documentation shall be provided within five (5) business days. Jake Knapp, General Counsel, can be reached at knappj@losrios.edu.