Repatriation Process – Appeals Phase

An appeals process is available for Tribes, see Policy section V.I.2.

From Campus Review Phase

- Tribe makes campus decision
- Tribe submits appeal to Chancellor

Chancellor

- Receive appeal
- Review appeal
- Uphold, reverse, or modify Designee’s decision
- Notify Tribe of decision (30 days from Tribe’s appeal request)

Tribe still disputes decision?

- Yes: Send to Systemwide Committee for review
- No: Campus proceeds with upheld, reversed, or modified decision

Systemwide Committee

- Review appeal
- Invite Tribe to present appeal to Systemwide Committee
- Accepts invitation to present appeal to Systemwide Committee in-person or virtually
- Makes recommendation to President or President’s Designee to uphold, reverse, or modify campus decision (copy to Tribe(s)) (90 days from receipt of appeal)
- Review recommendation
- Issue written determination accepting or declining Committee recommendation
- Notify Tribe of decision (30 days from receipt of Committee recommendation)

Tribe(s) still disputes decision?

- Yes: Seek resolution by external entity, such as NAHC, National NAGPRA, or other third-party

Legend

- Start/end point
- Action to next phase
- Action by other entity/agency
- Process split
- Issues written determination accepting or declining Committee recommendation
- Systemwide Committee recommendation to President or President’s Designee to uphold, reverse, or modify campus decision

Campuses may still have responsibilities under NAGPRA/CalNAGPRA to proceed with internal or external resolution.

President/President’s Designee

- Receive appeal
- Uphold, reverse, or modify Designee’s decision
- Notify Tribe of decision (30 days from Tribe’s appeal request)

Tribe still disputes decision?

- Yes: Send to Systemwide Committee for review
- No: Campus proceeds with upheld, reversed, or modified decision

Systemwide Committee

- Review appeal
- Invite Tribe to present appeal to Systemwide Committee
- Accepts invitation to present appeal to Systemwide Committee in-person or virtually
- Makes recommendation to President or President’s Designee to uphold, reverse, or modify campus decision (copy to Tribe(s)) (90 days from receipt of appeal)
- Review recommendation
- Issue written determination accepting or declining Committee recommendation
- Notify Tribe of decision (30 days from receipt of Committee recommendation)

Tribe(s) still disputes decision?

- Yes: Seek resolution by external entity, such as NAHC, National NAGPRA, or other third-party

Legend

- Start/end point
- Action to next phase
- Action by other entity/agency
- Process split
- Issues written determination accepting or declining Committee recommendation
- Systemwide Committee recommendation to President or President’s Designee to uphold, reverse, or modify campus decision

Campuses may still have responsibilities under NAGPRA/CalNAGPRA to proceed with internal or external resolution.