



San Diego
Archaeological Center
MUSEUM • EDUCATION • RESEARCH

RESEARCH AND ACCESS POLICY

Effective Date: 08/01/2025

Approved By: Board of Trustees

Related Procedure: Research and Access Procedure

Related Documents: Collections Management Policy; Deaccession Policy and Procedures;
NAGPRA and CalNAGPRA Policy

Next Review Date: 07/01/2027 (Review annually, update as necessary as applicable laws change.)

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Purpose

The San Diego Archaeological Center (SDAC) staff supports the appropriate research and access to cultural resources in its care while safeguarding sensitive information, respecting the rights and interests of affiliated Tribal Nations, lineal descendants, and descendant communities, and ensuring the long-term preservation of collections and associated documentation.

Policy

The SDAC encourages the responsible use of cultural resources, documentation, and archival materials for research and other appropriate purposes. Access is by appointment and is subject to the availability of SDAC staff, the nature and sensitivity of the requested materials, applicable laws and regulations, existing agreements, and the rights and preferences of affiliated Tribal Nations, lineal descendants, and descendant communities.

The SDAC may approve, limit, condition, or deny access to cultural resources or associated information. Sensitive site information and other restricted information may be withheld when necessary to protect cultural resources, comply with legal or contractual obligations, or respect the wishes and rights of affiliated communities.

Native American Cultural Resources

The SDAC recognizes consultation with affiliated Tribal Nations and descendant communities as essential in research involving Native American cultural resources. Their perspectives and expertise must be meaningfully considered in research planning, conduct, and, when appropriate, the dissemination of results.

Research, access, exhibition, or other use involving Native American cultural items shall be conducted only in accordance with applicable law and with the required free, prior, and informed consent or other authorization of lineal descendants, Indian Tribes, Native Hawaiian organizations, and other affiliated communities, as applicable and defined by National NAGPRA.

Research involving Native American cultural resources may require approval from affiliated Tribal Nations, lineal descendants, and/or descendant communities before access is granted. Existing agreements between the SDAC and affiliated communities may establish additional requirements or restrictions.

Eligibility

Research access may be considered for qualified individuals and organizations, including students, professional researchers, qualified archaeologists, academics, Cultural Resource Management professionals, members of affiliated Tribal Nations, and lineal descendants. Requests are reviewed on a case-by-case basis.

Terms of Use

Materials and information made available may be used only for the purposes approved by the SDAC. Researchers must comply with all applicable federal, state, local, and other laws and regulations, as well as any conditions of access established by the SDAC or affiliated communities.

Unless otherwise authorized in writing or required by law, information or data acquired through approved access may not be sold, leased, marketed, loaned, transferred, published, or otherwise redistributed.

Researchers must appropriately acknowledge the SDAC in publications, presentations, or photographs produced using SDAC materials, and must provide the SDAC with copies of final research products when required as a condition of access.

Approval

Access or approval may be revoked or modified at any time by the SDAC. Where applicable, access may also be subject to the continuing approval, consent, or conditions of affiliated Tribal Nations, lineal descendants, and descendant communities.

The SDAC maintains internal procedures governing the submission, review, approval, documentation, and monitoring of Research and Access Requests.

Policy Review

This Policy will be reviewed periodically, at least once annually, and revised as necessary to reflect changes in:

- Federal or California law.
- NAGPRA or CalNAGPRA regulations.
- Professional standards.
- Tribal consultation practices and recommendations; and
- SDAC institutional policies and operations.

Changes to administrative information, including staff contact information, consultation funding availability, forms, submission methods, and internal workflows, may be made in the applicable procedure or administrative documents without requiring revision of this Policy. This is a living document that will be approved by the Board of Trustees whenever updated or changed.

Definitions

Affiliated Tribal Nations or Cultural Affiliation

Affiliation is identified by the geographical location, provenience, or acquisition history of the cultural resource(s).

There is a reasonable connection between Human Remains or cultural items and an Indian Tribe or Native Hawaiian organization based on a relationship of shared group identity. Cultural affiliation may be identified clearly by the information available or reasonably by the geographical location or acquisition history of the Human Remains or cultural items.

- A culturally affiliated Tribal Nation may meet the definition of Indian tribe under the federal Native American Graves Protection and Repatriation Act (25 U.S.C. Sec. 3001 et seq.) which states:
- Any Tribe, band, nation, or other organized group or community of Indians, including any Alaska Native village (as defined in, or established pursuant to, the Alaska Native Claims Settlement Act (43 U.S.C. 1601 et seq.)), recognized as eligible for the special programs and services provided by the United States Government to Indians because of their status as Indians by its inclusion on the list of recognized Indian Tribes published by the Secretary of the Interior under the Act of November 2, 1994 (25 U.S.C. 5131) or,
- It is not recognized by the federal government, but is a Native American tribe located in California that is on the contact list kept by the Native American Heritage Commission (NAHC) for the purposes of consultation pursuant to Section 65352.3 of the Government Code.

Consultation

The exchange of information, open discussion, and joint deliberations made between all parties in good faith and to:

- (1) seek, discuss, and consider the views of all parties;
- (2) strive for consensus, agreement, or mutually acceptable alternatives; and
- (3) enable meaningful consideration of the Native American traditional knowledge of lineal descendants or affiliated Tribal Nations.

Cultural Items

A funerary object, sacred object, or object of cultural patrimony according to the Native American traditional knowledge of a lineal descendant, Indian Tribe, or Native Hawaiian organization.

Cultural Resources

- Aspects of a cultural system that is valued by, or significantly representative of, a culture or that holds significant information about a culture.
- Cultural resources may be tangible entities or cultural practices.
- Tangible cultural resources are categorized as districts, sites, buildings, structures, and objects for the National Register of Historic Places and as archaeological resources, cultural landscapes, structures, museum objects and archives, and ethnographic resources for Federal management purposes.

- Also includes cultural items as that term is defined in Section 2(3) of the Native American Graves Protection and Repatriation Act [25 USC 3001(3)]; and archaeological resources, as that term is defined in section 3(1) of the Archaeological Resources Protection Act of 1979 [16 USC 470bb (1)]
- Historic properties are any precontact historic or post contact historic district, site, building, structure, or object included, or eligible for inclusion, in the National Register of Historic Places.
- Historic properties also include artifacts, records, and material remains, which are related to districts, sites, building structures, or objects.
- Archival documentation includes field notes, photographs, catalogs, and any other document pertaining to the above definition of Cultural Resources.

Curation

Curation at the SDAC begins with an initial evaluation, including the assessment of the project report and catalogs when the materials are first brought in to review for any Human Remains, cultural items, or sensitive information, followed by a physical reconciliation of materials against their original catalog (including the count and weight), replacement of non-archival bags and boxes with archival quality materials, and creation of final documentation, such as an Executive Summary, Master Catalog, Box Inventories, and box labeling. All digital documents will be saved on SDAC's secure server.

Descendant Communities

A group of people who share a connection to a specific place or region through their ancestors.

Lineal Descendent

(1) A living person tracing ancestry, either by means of traditional Native American kinship systems, or by the common-law system of descent, to a known individual whose Human Remains, funerary objects, or sacred objects are subject to this part; or

(2) A living person tracing ancestry, either by means of traditional Native American kinship systems, or by the common-law system of descent, to all the known individuals represented by comingled Human Remains (example: the Human Remains of two individuals have been comingled, and a living person can trace ancestry directly to both deceased individuals).

Native American Graves Protection and Repatriation Act (NAGPRA)

Since 1990, Federal law has provided for the protection and return of Native American Human Remains, funerary objects, sacred objects, and objects of cultural patrimony. By enacting NAGPRA, Congress recognized that Human Remains of any ancestry "must at all times be treated with dignity and respect." Congress also acknowledged that Human Remains, and cultural items removed from Federal or Tribal lands belong, in the first instance, to lineal descendants, Indian Tribes, and Native Hawaiian organizations. With this Law, Congress sought to encourage a continuing dialogue between museums and Indian Tribes and Native Hawaiian organizations and to promote a greater understanding between the groups while at the same time recognizing the important function museums serve in society by preserving the past.