

The background is a solid blue color. In the corners, there are decorative geometric patterns. The top-left corner features several thin, parallel black lines radiating from the corner. The top-right corner has a cluster of overlapping semi-circles in shades of grey, white, dark blue, and yellow-green. The bottom-left corner has a similar cluster of overlapping semi-circles in the same color palette. The bottom-right corner features a large, thin black arc and several thin, parallel black lines radiating from the corner.

TRIBAL CONSULTATION & UNIVERSITIES

An Introduction

American Indian Center
University of North Carolina
Chapel Hill

November 16, 2023

STATEMENT ON LAND & SOVEREIGNTY

The land on which the University of North Carolina stands is the ancestral homeland of Eastern Siouan-speaking Indigenous peoples (Yesàh, “The People”). We honor and acknowledge a commitment to serve the citizens of the Eastern Band of Cherokee Indians, the Coharie Indian Tribe, the Lumbee Tribe of North Carolina, the Haliwa-Saponi Indian Tribe, the Sappony, the Meherrin Nation, the Occaneechi Band of the Saponi Nation, and the Waccamaw-Siouan Tribe, who, along with citizens of other tribal nations, comprise one of the largest populations of Indigenous people east of the Mississippi River.



AGENDA

1

Who We Are: A Brief Introduction to the American Indian Center

2

Commonly Used Terms

3

Looking Back, Moving Forward: Research Trends Past and Present

4

What Does Meaningful Consultation Look Like at a University?

5

Bridging the Gap: Ideas on UNC's Tribal Consultation Policy

OUR MISSION

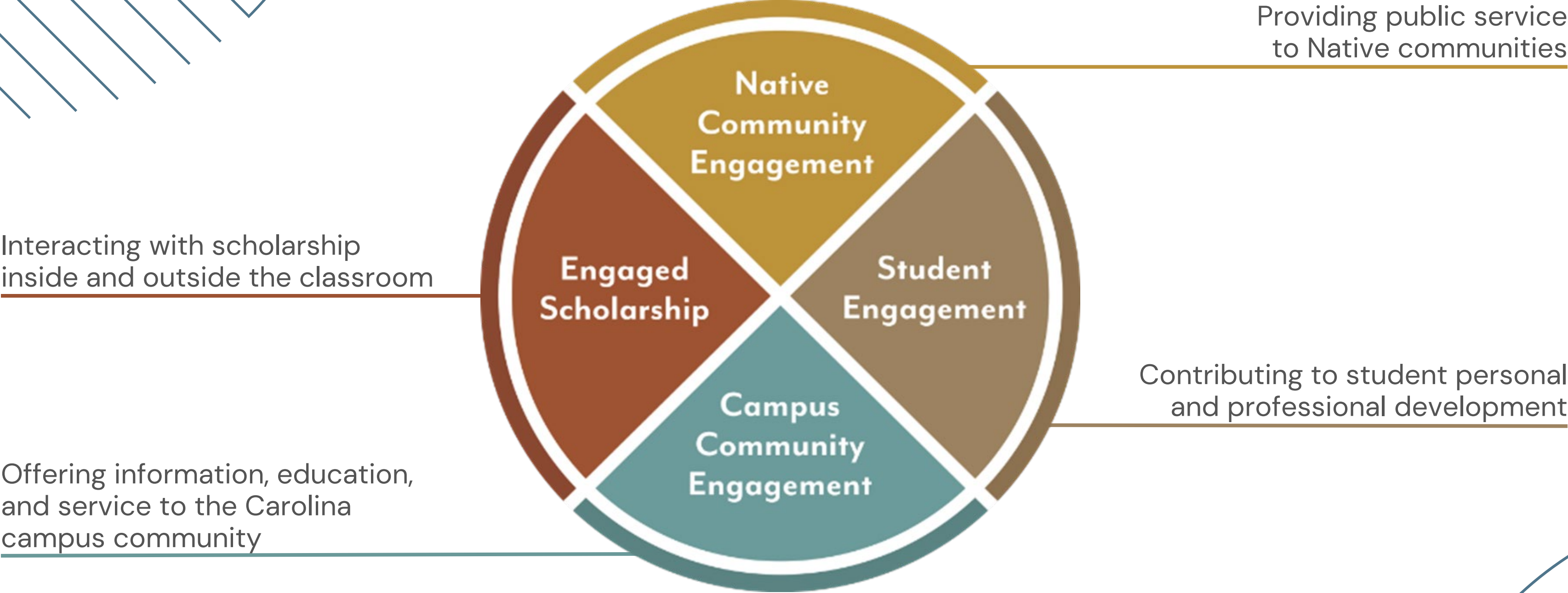
The American Indian Center bridges the richness of North Carolina's American Indian cultures with the strengths of Carolina's research, education, and service.

OUR VISION

This will establish the University of North Carolina at Chapel Hill as a leading public university for American Indian scholarship and scholars and make Native issues a permanent part of the intellectual life of the University.

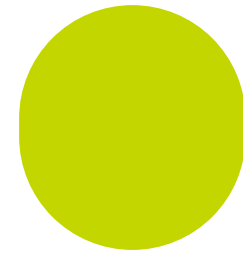


OUR INITIATIVES

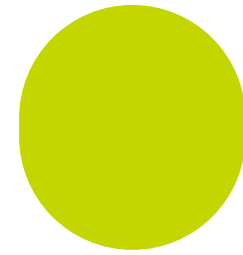




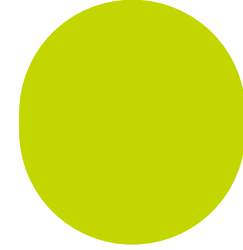
COMMON TERMS



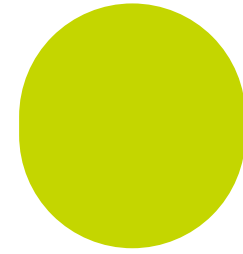
Sovereignty



Self-Determination



Consultation



Free, Prior, & Informed Consent



UNITED NATIONS DECLARATION ON THE RIGHTS OF INDIGENOUS PEOPLES

Article 19

States shall consult and cooperate in good faith with the indigenous peoples concerned through their own representative institutions in order to obtain their free, prior and informed consent before adopting and implementing legislative or administrative measures that may affect them.



LOOKING BACK, MOVING FORWARD: THE LEGACY OF RESEARCH IN NATIVE COMMUNITIES

"Academia, and its by-products, continues to become more irrelevant to the needs of people... We should not be objects of observation for those who do nothing to help us."

–Vine Deloria, Jr. (Standing Rock Sioux)



"From the vantage point of the colonized...the term 'research' is inextricably linked to European imperialism and colonialism. The word itself... is probably one of the dirtiest words in the Indigenous world's vocabulary."

–Linda Tuhiwai Smith (Ngāti Awa, Ngāti Porou, Tuhourangi)

Research *with* Indigenous Peoples



Gachupin. 2019. Guidelines for Researchers: A Guide to Establishing Effective Mutually-beneficial Research Partnerships with American Indian Tribes, Families and Individuals.

WHAT ARE **INDIGENOUS DATA**?

Data, information and knowledge, in any format, that impacts Indigenous Peoples, nations, and communities at the collective and individual levels:

DATA ABOUT OUR RESOURCES AND ENVIRONMENTS

Land, water,
geology, titles, air,
soil, sacred sites,
territories, plants,
animals, etc.

USINDIGENOUSDATA.ORG
@USIDSN

DATA ABOUT US AS INDIVIDUALS

Administrative, legal,
health, social,
commercial,
corporate, services,
etc.

Informed by British Columbia First Nations Data Governance Institute - BCFNDGI.COM

DATA ABOUT US AS NATIONS

Traditional and
cultural information,
archives, oral
histories, literature,
ancestral and clan
knowledge, stories,
belongings, etc.

GIDA-GLOBAL.ORG
@GidaGlobal

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MEANINGFUL CONSULTATION: TRIBAL COMMUNITIES AND UNIVERSITIES

- Adoption of a University policy on tribal consultation:
 - Affirms the unique and sovereign status of tribal nations.
 - Demonstrates the University's commitment to working collaboratively with tribal nations.
 - Protects the relationship between the University and tribal nations and ensures that the relationship remains reciprocal.
- Ethical and engaged research is just one dimension of a tribal consultation policy.
- Other dimensions may include:
 - Curriculum and educational programming
 - Infrastructure projects
 - Plans for human remains, funerary objects, sacred objects



MEANINGFUL CONSULTATION: THINK LOCALLY

- Tribal consultation policies reflect the needs, wants, and attributes of local tribal communities and the unique dynamics (historic and ongoing) of a particular place.
- Things to consider about Native NC:
 - Eight state-recognized tribes, one of which is federally recognized; the state also recognizes the ancestral territory of the Catawba in southwestern NC
 - Four urban Indian organizations; representatives hold membership on NC Commission of Indian Affairs
 - One of the largest populations of Native people east of the Mississippi River
 - The Lumbee Tribe has its own IRB
 - The Eastern Band of Cherokee has an IRB for health-related projects and a separate IRB for social and cultural projects




TRIBAL CONSULTATION EXAMPLES: UNIVERSITIES AND UNIVERSITY SYSTEMS (UARIZONA, 2023)

B. ACTIVITIES AND POLICIES THAT NECESSITATE CONSULTATION

1. Research, including Human Subjects Research, and Research Projects that:
 - a. Targets Indians for enrollment or participation;
 - b. Involves genetic testing or collection and testing of blood, tissue, or other biological materials in which membership in or affiliation with an Indian Tribe may be identified;
 - c. May foreseeably result in conclusions or generalizations about an Indian Tribe and/or its members; or
 - d. Collects, evaluates, publishes, or otherwise disseminates data that has implications for an Indian Tribe.
2. Institutional activities and policies involving/implicating Human Remains and/or Cultural Objects.
3. Land Use/Access Agreements:
 - a. Institutional activities and policies implicating access and/or use of land under the control or jurisdiction of an Indian Tribe; or
 - b. Any activity where there is a high probability of impact for land under the control or jurisdiction of an Indian Tribe.
4. Program and Service Offerings:
 - a. Educational programs, including cooperative extension programming, designed for students, employees, and members of the


D. TRAINING

1. Before initiating in a Consultation pursuant to this Policy, University Consultation Representatives must complete any Tribal Consultation Training requirements as promulgated by the Office of the Senior Vice President for Native American Advancement and Tribal Engagement.
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TRIBAL CONSULTATION EXAMPLES: UNIVERSITIES AND UNIVERSITY SYSTEMS (UW SYSTEM, 2021)

3. Consultation Process

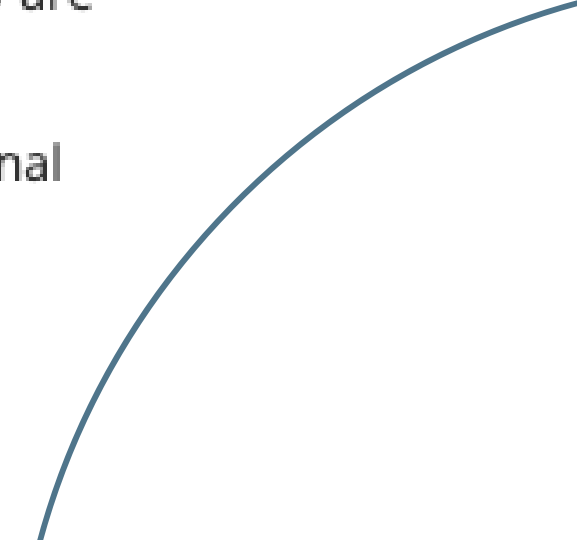
- a. If the Board, UW System or its universities plan to develop a policy or propose an initiative or practice that affects any American Indian Tribe in Wisconsin, the Board of Regents, UW System, and its universities' Tribal liaison(s) should use their best efforts to share information and solicit input in advance about the proposed policy or initiative with the affected Tribe(s).
 - b. The universities may from time to time develop new programs and services or discontinue existing programs or services for Native American students and should involve the institutional designated Tribal liaisons to assist in soliciting input from American Indian Tribes of Wisconsin and then communicating the reasons for those decisions to Tribes.
 - c. When consulting with or seeking consent from a sovereign Tribe for purposes of research, land use or other agreements, university institutional review boards and contracting departments must document proof of Tribal consultation and approval in accordance with the applicable protocol or process of the Tribe(s) involved. The university's Tribal liaison should be advised of the project and will assist in identifying the appropriate leaders and approval protocols of the Tribe(s). The status of these should be summarized at the annual meeting with the consent of the affected Tribe(s).
 - d. Consultation with pan-Tribal or non-governmental organizations (e.g., Great Lakes Inter-Tribal Council, Wisconsin Indian Education Association, Great Lakes Indian Fish & Wildlife Commission, College of the Menominee Nation, Lac Courte Oreilles Ojibwe College, etc.) and committees where appropriate/applicable will be in coordination with, and not to the exclusion of, consultation with individual sovereign American Indian Tribes in Wisconsin.
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TRIBAL CONSULTATION EXAMPLES: UNIVERSITIES AND UNIVERSITY SYSTEMS (UW SYSTEM, 2021)

5. Consultation Meeting

The University of Wisconsin System President shall assume the responsibility for scheduling, in consultation with Tribal leadership, an annual consultation session at which the System President will be present. The agenda, date, and location of the consultation session shall be determined jointly by the System President and Tribal Chairpersons and Presidents, as well as the Vice President of the Ho-Chunk Nation. Invitations will be sent to the following individuals (who may designate another individual if appropriate, to attend):

- Chairperson or President of each of the American Indian Tribes in Wisconsin, as well as the Vice President of the Ho-Chunk Nation;
 - Presidents of Tribal colleges;
 - The appropriate UW System administrator and/or staff determined by the System President;
 - The University Chancellors (who may designate another individual with the appropriate authority to attend).
- a. Tribes are encouraged to communicate with UW System and universities on a regular basis on areas of concern. They are urged to not wait until the annual meeting to bring up concerns.
 - b. Any Tribal Chairperson or Tribal President, as well as the Vice President of the Ho-Chunk Nation, may request additional meetings or other consultation with the System President or university Chancellors.
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UNC TRIBAL CONSULTATION: WHAT SHOULD BE INCLUDED?

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INCLUSION OF
EIGHT TRIBES

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CONSULTATION =
COLLABORATION

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FURTHER READING

- Emanuel, Ryan E., and Karen Dial Bird. “Stories We Tell: Unpacking Extractive Research and Its Legacy of Harm to Lumbee People.” *Southern Cultures* 28, no. 3 (Fall 2022): 48–69. doi: 10.1353/scu.2022.0025.
- Garrison, Nanibaa’. “Genomic Justice for Native Americans: Impact of the Havasupai Case on Genetic Research.” *Science, Technology, & Human Values* 38, no. 2 (2023): 201–223. doi: 10.1177/0162243912470009.
- Thompson, Amanda Roberts, et al. “The NAGPRA Nexus, Institutional Integrity, and the Evolving Role of Archaeological Laboratories.” *Advances in Archaeological Practice* 11, no. 2 (2023): 232–245. doi: 10.1017/aap.2022.43.
- Wilson, Shawn. *Research is Ceremony: Indigenous Research Methods*. Black Point, Nova Scotia: Fernwood Publishing, 2008.
- NC Medical Journal: American Indian Health in North Carolina, Vol. 82, No. 6 (2021)



AMERICAN INDIAN CENTER

Stay in touch!

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