

**ARIZONA BOARD OF REGENTS
POLICY MANUAL**

8-104 Museum Response to Landowner Notice

Revision Dates

6/7/1991 (adopted)

- A. Upon receipt of a Notice of Intent to Disturb, the Coordinator will make an initial assessment about the existence of Remains and the applicability of these procedures.
 - 1. If the Coordinator concludes that Remains are not involved, or that A.R.S. § 41-865 does not apply to the disturbance, the Landowner shall be so advised. If Human Remains less than 50 years old are involved, the Coordinator may refer the Landowner to appropriate civil authorities, such as the county medical examiner.
 - 2. If the Coordinator concludes that Remains are or may be involved, and that A.R.S. § 41-865 is applicable, the Landowner shall be advised that the statute and these procedures are applicable.
- B. The Coordinator will attempt to obtain from the Landowner a written agreement to avoid further disturbance to the Remains.
- C. If such agreement is not possible, the Landowner and the Coordinator may enter into an agreement to extend the time available for recovery of Remains.
- D. If the Landowner is unwilling or unable to agree to such an extension, the Landowner shall take no action for ten working days from the Coordinator's receipt of the Notice of Intent to Disturb without the prior written permission of the Coordinator.
- E. If the Landowner is unwilling or unable to avoid disturbance of the Remains, the Coordinator shall notify any Groups that have filed with the Director a claim of affinity as to the cultural group or geographic area in question or that have a prior agreement with the Director regarding responsibility for Remains.
- F. The Landowner may proceed with activities having the potential to disturb Remains following termination of any agreement with Coordinator to extend the time for recovery of Remains, or if no such agreement exists, after ten working days from the Coordinator's receipt of the Notice of Intent to Disturb, but Landowner continues to be obligated to treat the Remains with Respect and Dignity.

Policy History

6/7/1991 Approved by the Board on second reading.

Related Information

When the Policy Manual was adopted in 1983, 8-104 was assigned to the Rules and Regulations of the Medical Staff of the University Hospital policy regarding the University Hospital. This former Chapter VIII was repealed in 1986. In 1991, the current Chapter VIII was adopted.