RESOLVED: That the Academic Senate approve the attached Draft Campus Policy on Repatriation of Native American Objects.
August 21, 1993

TO: Robert Ko
FROM: Bob Gish
REF: Native American Burial Remains, Associated and Unassociated Funerary Objects, Sacred objects and Cultural Patrimony. Cal Poly Policy on Repatriation of Native American Objects

COPY: Bonnie Tuohy, Robert L. Hoover

In compliance with the request from Chancellor Munitz, here is the draft policy on Repatriation of Native American objects here at Cal Poly, SLO. This policy is proposed in conjunction with the recommendations of Professor Robert L. Hoover, Social Science Department.

Since the request for me to investigate the status of such objects on our campus originated from you, and since this proposed policy would seem to need some formal institutional adoption or approval, I submit the attached policy proposal to you.

Please feel free to discuss this proposed policy with me and with Professor Hoover.

CHRONOLOGY: (November 1993 established as deadline by Chancellor's office)

Feb. 1993 request to CSU presidents from Chancellor

March, 1993 request to Gish received to oversee Cal Poly policy

April 8, 1993 letter from Gish to Dean Helen Roberts stating no such objects held by Cal Poly

May 7, 1993 status report to VP Academic Affairs from Interim Senior Vice Chancellor

Aug. 20, 1993 Gish sends Cal Poly draft policy report to VP Koob
Policy on Native American Skeletal Materials and Associated Funerary Objects

It is the policy of the California State University system to make a sincere effort to be responsive to the concerns of Federally recognized Native American communities and at the same time exercise responsible stewardship of archaeological collections under their supervision. It is also CSU policy that each campus develop its own procedures in dealing with requests for the repatriation of human skeletal materials and associated funerary artifacts.

As a public university in the CSU system which receives Federal funds, it is important that Cal Poly adhere to all applicable Federal laws, such as the Native American Graves Protection Act of 1990. All applicable state and local laws should also be followed, insofar as they do not conflict with Federal laws.

As an academic institution, Cal Poly is committed to procedures for repatriation that require due process and protect the rights of all parties regarding this issue.

It is NOT the policy of Cal Poly to possess or maintain Native American human skeletal material from archaeological sources. Cal Poly does not possess, nor has it ever possessed any such material. Cal Poly does not anticipate obtaining or holding any such material in the future.

Cal Poly does not possess or has it ever possessed funerary artifacts from archaeological sources. Cal Poly does not have the storage facilities to house such collections in accordance with the standards set by the Secretary of the Interior.

Cal Poly maintains a small teaching collection of artifacts, most of them collected from the surface of the ground. This collection does not include any human skeletal material or funerary artifacts and, therefore, is not subject to consideration for repatriation. Should such an eventuality occur, the following procedure shall be followed in accordance with Public Resources code:

A. Cal Poly will conduct an inventory of all its anthropological resources (archaeological, ethnographic, and physical). The anthropology faculty shall be responsible for keeping this inventory current.

B. Requests for repatriation by Federally recognized Native American groups shall be submitted directly to the University Academic Vice President and Provost in documentary form. Such requests should include evidence of cultural affinity to the materials being claimed.
1. Requests will be considered first to determine whether the claim is being made for Native American skeletal materials and funerary artifacts. If the inventory indicates that they are not in this category, they will not be subject to repatriation.

2. If the items claimed do consist of Native American skeletal materials and associated funerary artifacts, a three-person faculty/administrative committee shall be convened, consisting of an archaeologist, a Native American, and a biologist or a physical anthropologist with knowledge of human anatomy. The committee will review the request.

   a. The committee shall make a determination for or against repatriation based solely on whether the claimant has provided reasonable documentary evidence of cultural affinity to the material requested, using the principle of legal rules of evidence. If such a case has been reasonably established, repatriation will occur as soon as possible at the convenience of the claimant.

   b. If there are conflicting claims, the campus committee shall determine which group has best established closest cultural affinity to the material claimed, based on the documentation and rules of evidence.
MEMORANDUM

To: Jack Wilson, Chair
   Academic Senate

Date: June 15, 1994

From: Warren Baker
   President

RESPONSE TO ACADEMIC SENATE RESOLUTIONS

Academic Senate Resolution AS-426-94/BC, Budget Information Reporting, is approved. It is my understanding that this practice has already been placed into operation.

I am also approving the Senate Resolution AS-427-94/EX regarding the campus policy developed on the Repatriation of Native American Objects.

I am also hereby approving the Senate Resolution AS-428-94/PPC, Revision of The Faculty Code of Ethnics. This code of ethics will be placed in the next revision of the Campus Administrative Manual.