

CALIFORNIA POLYTECHNIC STATE UNIVERSITY  
San Luis Obispo, California 93407  
ACADEMIC SENATE

Academic Senate Executive Committee Agenda  
November 23, 1993  
UU 220 3:00-5:00 p.m.

- I. Minutes:  
Approval of the November 2, 1993 Executive Committee minutes (pp. 2-3). *11.3.93 minutes were removed*
- II. Communication(s) and Announcement(s): **A LUNCHEON WITH BERNARD GOLDSTEIN AND THE EXECUTIVE COMMITTEE HAS BEEN SCHEDULED FOR TUESDAY, NOVEMBER 30, 1993, FROM 12:00 to 1:30pm AT VISTA GRANDE. PLEASE RSVP YOUR AVAILABILITY TO MARGARET (1258) AS SOON AS POSSIBLE.**
- III. Reports:  
A. Academic Senate Chair  
B. President's Office  
C. Vice President for Academic Affairs' Office  
D. Statewide Senators  
E. CFA Campus President  
F. ASI representatives
- IV. Consent Agenda:
- V. Business Item(s):  
A. Academic Senate/university-wide committee assignments (p. 4).  
B. Appointment of Faculty to the Calendar-Curriculum Task Force [PLEASE BRING THE NAME OF YOUR CAUCUS SELECTION(S) TO THIS MEETING]  
C. Curriculum proposal for Ethnic Studies-Morrobel-Sosa, chair of the Curriculum Committee (p. 5).  
D. Resolution Establishing an Ad Hoc Committee on Governance-Gooden (pp. 6-7).
- VI. Discussion Item(s):  
A. Request for Clarifying and Amending Program Review Procedures (pp. 8-12).  
B. Formation of a committee to review/revise the existing program discontinuance procedures.  
C. Formation of a committee to "develop a comprehensive plan to accommodate nontraditional approaches to instruction before they become traditional"-Nulman, chair of the Long-Range Planning Committee (p. 13).  
D. Campus policy on repatriation of Native American objects-Gish (pp. 14-22).  
E. Consideration of nominees for honorary degrees (p. 23).  
F. "Consultation"...with a Collective Bargaining Context"-Russell (p. 24).  
G. Should any information from the Academic Senate be provided to candidates applying for the position of Vice President for Student Affairs?
- VII. Adjournment:



ACADEMIC SENATE/COMMITTEE VACANCIES  
FOR 1993-1994

Academic Senate vacancies

Academic Senate PCS	Secretary-elect replacement for Waller, 1993-1995 caucus chair replacement for Waller
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Academic Senate Committee vacancies

CAGR	Elections Committee Personnel Policies Committee Status of Women Committee	WYATT BROWN
CAED	Constitution & Bylaws Committee Curriculum Committee Elections Committee General Education & Breadth Committee Library Committee Personnel Policies Committee Research Committee Student Affairs Committee University Professional Leave Committee Cultural Pluralism Subcommittee	
CBUS	Constitution & Bylaws Committee	
CENG	Long-Range Planning Committee Personnel Policies Committee University Professional Leave Committee	
CLA	Long-Range Planning Committee (replcmt for Engle, '93-94)	
CSM	Constitution & Bylaws Committee Elections Committee Status of Women Committee Student Affairs Committee University Professional Leave Committee	
PCS	Curriculum Committee Elections Committee Instruction Committee Library Committee Long-Range Planning Committee Personnel Policies Committee	
ALL COLLEGES	<p>GE&amp;B Subcommittee, Area A (Lang &amp; Crit Thking)</p> <p>GE&amp;B Subcommittee, Area E (Lifelong Undrstg/Dev)</p> <p>Animal Welfare Committee (one Academic Senate representative whose primary concerns are in a nonscientific area; i.e., ethicist, lawyer, clergy)</p> <p>Instructionally Related Activities (IRA)</p> <p>ASI Risk Management Committee</p>	<p>one vacancy</p> <p>one vacancy</p> <p>one vacancy</p> <p>one vacancy</p> <p>one vacancy</p>

# ETHNIC STUDIES

## 1994-96 CATALOG PROPOSALS

VP	AS	CC	VP = Vice President Academic Affairs, AS = Academic Senate, CC = Curriculum Committee A = Approved, A* = Approved pending technical modification, AR = Approved with Reservation (see Committee Comments), T = Tabled (see Committee Comments), D = Disapproved, W = Withdrawn by department/college
			<b>I. NEW COURSES</b> <ol style="list-style-type: none"> <li>ES 110 Introduction to Ethnic Studies (3) 3lec C2</li> <li>ES 200 Special Problems for Undergraduates (1-3) supv S36</li> <li>ES 230 Chicano/a Literature (3) 3lec C3</li> <li>ES 320 American Cultural Images (3) 3lec C2 (subtopics)</li> <li>ES 325 African American Women's Experiences (3) 3 lec C2</li> <li>ES 350 Asian American and African American Environments (3) 3 lec C2</li> <li>ES 400 Special Problems for Advanced Undergraduates (1-2) supv S36.</li> </ol>
			<b>II. DELETED COURSES</b> <ol style="list-style-type: none"> <li>None</li> </ol>
			<b>III. CHANGES TO EXISTING COURSES</b> <ol style="list-style-type: none"> <li>ES 114 description change</li> <li>ES 210 Cultural Heritage <u>to</u> U.S. Cultural Heritage, descr change</li> </ol>
			<b>IV. CURRICULUM PROPOSAL</b>  <u>Add ETHNIC STUDIES MINOR (27)</u>  Core Courses (12) ES 110 Introduction to Ethnic Studies (3) ES 114 Racism and American Culture (3) ES 210 U.S. Cultural Heritage (3) ES 320 American Cultural Images (3) <b>Adviser Approved Electives (15)</b> <i>At least 11 units must be upper division. Electives will reinforce and enhance student's' understanding of issues of culture, race and gender.</i>
			<b>V. CURRICULUM COMMITTEE COMMENTS</b> <ol style="list-style-type: none"> <li></li> </ol>

RESOLUTION ESTABLISHING AN AD HOC  
COMMITTEE ON GOVERNANCE

- Whereas, A charter defines the basic law of a local governmental unit by defining its powers, responsibilities, and organization; and
- Whereas, It has been announced by influential persons, who would be instrumental in the granting of a charter, that Cal Poly, San Luis Obispo, is a plausible candidate for charter status; and
- Whereas, Cal Poly presently benefits from the collective representation before the governing bodies of the State of California provided by such organizations as the CSU, California Faculty Association, the CSU Academic Senate,
- Whereas, The most recent WASC review of Standard 3 - Governance and Administration states that although "...efforts have been made to decentralize many responsibilities with accompanying authority to the campus with some success. At many levels of the University, the feeling persists that unnecessary centralization continues. This feeling unnecessarily tends to limit institutional initiative."
- Whereas, Different individuals associated with Cal Poly lament occasionally that "we would be better off if it weren't for so many restrictions."; and
- Whereas, Cal Poly has been invited to devise a charter for itself; and
- Whereas, The faculty in principle and through legislation have the responsibility for developing the curriculum and conferring the baccalaureate and other graduate degrees on meritorious students; and
- Whereas, The issues that have so far emerged from the efforts of the several "visioning" groups formed to address the need for and the form that such a charter would establish are subordinate to the fundamental issue of governance; and
- Whereas, The issue of governance is of paramount importance to the faculty and will act as midwife to the remaining issues of importance to the faculty and the university; therefor, be it
- Resolved: That the Academic Senate establish an Ad Hoc Committee on Governance; and be it further



Resolved: That this committee be composed of tenured members of the general faculty with the specific tasks of:

- Evaluating the benefits Cal Poly derives from its association with other groups representing the CSU and its members before the Legislative and Executive organs of the State,

- Scrutinizing the law, directives, and orders that presently guide us so as to identify those that bind and inhibit,

- Determining how we might navigate so as to secure the autonomy to operate in an effective way without becoming the vulnerable prey of external forces seeking to experiment with micromanaging higher education,

- Maintaining the faculty's paramount responsibility in setting the course for this institution.

Dear Members of the EXCOM, I apologize for taking so long to provide you with something I promised to do some while back but I have not been able to devise a way to transmit this on E mail. If you are in sympathy with the above please feel free to make suggestions. If you feel we can keep on top of things with what we already have, you won't hurt my feelings if you vote it down. I submit this to you because some of us sensed that something more was needed in the way of achieving an independent faculty treatment of what we felt was the basic consideration for charter. Thanks,  
Reg Gooden

<sup>8</sup>  
**RECEIVED**

State of California

**AUG 26 1993**

California Polytechnic State University  
San Luis Obispo, CA 93407

**Academic Senate**

**MEMORANDUM**

Date: August 27, 1993

To: Jack Wilson, Chair  
Academic Senate

Copies: A.S. Executive Committee  
R. Koob  
H. Sharp  
P. Engle

*Basil*  
From: Basil A. Fiorito, Coordinator  
M.S. Psychology

Re: Request for Clarifying and Amending Program Review Procedures

At its August 17, 1993 meeting the Academic Senate Executive Committee voted not to require an additional program review of the M.S. in Psychology. This decision did not address the more fundamental issue brought forward by this particular program evaluation, i.e. the need for a secondary level of review when questions of prejudice or bias are raised. Given the Executive Committee's understandable reluctance to stand in judgment of the program review committee's procedures and report, we are more convinced than ever of the need for a formal, institutionalized secondary level of review to evaluate the validity of any charges of bias or prejudice in a program evaluation. Without such recourse, a single senate committee has absolute power in determining a program's reputation on campus and with the Vice President of Academic Affairs.

A secondary issue that needs clarification to avoid future bias charges deals with point 4 under "Implementation of Review and Report Format" in the senate's document, Academic Program Review and Improvement. This item reads,

The evaluation process shall be a review and assessment of the materials pertaining to a program. The committee will prepare a list of findings based on the materials contained in the package submitted.

This item is unclear as to whether the committee is restricted to basing its findings on only the materials submitted by the program and information gathered in meetings with the program administrator/faculty or whether the committee can obtain

information from faculty outside the program, perhaps even outside the department. This matter needs clarification because the committee could be provided biased information from an individual who, unbeknown to the committee, is unhappy with a program. If the committee is permitted to use information provided by individuals other than the program administrator/faculty, it would seem wise to do a general survey of knowledgeable individuals to ensure a balanced sampling of opinions. To accept information from just one individual outside the program, allows for the risk of incorporating a biased or prejudiced perspective into the review process.

To illustrate how bias entered into the M.S. Psychology program review we cite the following facts. It is a known fact that one member of the Psychology and Human Development Department, Dr. Laura Freberg, who is not a member of the M.S. program faculty, contacted the program review committee, both orally and in writing, and provided the committee with information about the program. Dr. Freberg has separated herself from the department for over a year, not attending faculty meetings and not participating in any department committees. It is also a well-known fact that she waged a strong campaign in the senate during the 1992-93 academic year to defeat the department's proposal for an undergraduate Psychology major. Given her criticism of the department, its faculty, programs, and proposals, any information she provided the committee was almost certain to be negative. Program faculty believe that negative information provided by Dr. Freberg was used in the preliminary report and retained in the program's final report.

To illustrate this, listed below are two statements, one taken from the preliminary report, the second from a memo Dr. Freberg sent to all department faculty and copied to the Program Review Committee.

Draft Preliminary Report - M.S. in Psychology, Finding 17: "Demand for the program is questionable. Some San Luis Obispo residents drive to Santa Barbara to take masters program in psychology at UCSB."

The above statement could not be derived from any materials submitted by the program to the review committee. This information had to come from some other source.

In her May 24, 1993 memo, MS Psychology Evaluation (attached) Dr. Freberg wrote, "Why are local agency workers willing to drive to Santa Barbara for MFCC coursework in order to avoid this program? Why are some local agencies unwilling to take MFCC interns anymore? (I can document both of these.)"

We believe Dr. Freberg provided this information to Dr. Bob Heidersbach, a neighbor of hers, early in the review process. Dr. Heidersbach was the committee member responsible for developing the first version of the preliminary report on the M.S. in Psychology. The use of information provided by Dr. Freberg was damaging to the program's review process and because the committee did not survey other



department faculty for their assessment of the program, the committee's preliminary report was highly critical in both content and tone.

In conclusion, we believe the above facts demonstrate how biased information can be incorporated into the review process and its documents. We believe program review procedures need to more clearly specify what information sources the committee is permitted to access in order to evaluate programs. Lastly, we believe the senate needs to institute a formal review procedure to investigate the validity of bias or prejudice charges in program evaluations.

State of California

California Polytechnic State University  
San Luis Obispo, CA 93407

**MEMORANDUM**

Date: May 24, 1993

cc: Charles Andrews, Chair  
Program Review and Improvement  
Committee

To: Psy/HD Faculty

From: Laura Freberg

SUBJECT: MS Psychology Evaluation

I hope that everyone took a few minutes to read the Program Review report on the MS program. In spite of conclusions that the report was "unfounded and outrageous," I found several points that are worthy of further discussion:

- 1) I think that asking for the GRE or some other standardized test has merit. I recognize one of our current Psy grad students as a previous HD major who received a D from me in Learning and Memory. In double-checking my memory against his transcript, I find he also received a D in Experimental Psych and C's in most of his core Psych classes. He is a really nice guy, but this leads me to question the rigor of the admission process.
- 2) We seem to have 20-25 more units in the program than we need to have, based on comparable CSU programs. According to the report, we "spend" 2.5 positions/year on the MS, although only one position (Marilynn) came over from Education. If we can possibly reduce the cost of the MS, it would greatly benefit the undergraduate program.
- 3) I clearly recall the circumstances surrounding the name change to MS Psychology from MS Counseling. The MS faculty had wanted to distinguish themselves from Education, so had proposed "Counseling Psychology" to Long Beach. Long Beach said that we must be one or the other. We came back with Psychology, but there was considerable concern among the MS faculty that this would mislead students into believing that this program would serve as a stepping stone towards a Ph.D. in Psychology. Apparently, Program Review shares this concern.
- 4) Comments regarding outside accreditation are reasonable and expected.

5) The idea of an MSW has been floating around for a long time. There are relatively few MSW programs in the state, and it would provide students with an opportunity to find work in San Luis Obispo.

6) I concur with the need for some evidence of quantitative skills as a prerequisite, especially given the graduate Statistics course requirement.

7) I suspect that one of the comments triggering the "outrageous" comment is the reference to lack of "formal training and/or backgrounds in psychology." Program Review appears to be taking the typical outside accreditation tack of looking at faculty terminal degrees for those teaching the bulk of the coursework with an eye toward the Psychology label. Counseling and Psychology are not at all synonymous, as evidenced by the wide variety of degrees held by people licensed to counsel. Cal Poly has a long tradition of emphasizing terminal degrees as evidence of ability to teach in a particular course prefix.

In conclusion, I am puzzled by the defensive emotional posture regarding this report. There are issues that could have been raised here that weren't. Why are local agency workers willing to drive to Santa Barbara for MFCC coursework in order to avoid this program? Why are some local agencies unwilling to take MFCC interns anymore? (I can document both of these.) I have personally overheard Psy/HD faculty recommending that particularly talented HD majors NOT consider applying to the MS program. In order to regain an objective perspective, perhaps we should all review the Minutes of our meetings back in 1990-91 when the suggestion of moving the MS first took place.

We probably shouldn't forget that Home Ec resisted similar recommendations for at least ten years, also claiming bias and lack of understanding, before the axe finally came down. With the current budget climate, nobody will get ten years. The Program Review Committee definitely has the ear and confidence of the Senate and the Administration, and its conclusions shouldn't be taken lightly. I would appreciate a rational and realistic point-by-point analysis of the report with associated action steps from the MS faculty at their earliest opportunity.

FILE COPY

State of California  
Cal Poly

UNIVERSITY CENTER FOR TEACHER EDUCATION  
San Luis Obispo, CA 93407  
(805) 756-2907, DU296@OASIS  
DNULMAN@OBOE.CALPOLY.EDU

## MEMORANDUM

TO: EXECUTIVE COMMITTEE  
Academic Senate

DATE: 11-02-93

FROM: Dennis Michael Nulman, Chair  
Long Range Planning Committee

CC:

SUBJECT: INSTRUCTIONAL COMPUTING

I believe that the proposed resolution on the *Cal Poly Instructional Computing Strategic Plan: A Networked Instructional Environment* before the committee is a valuable statement that should be supported. Its appearance on the agenda has reminded me of a concern that I have voiced in the past.

For some time now, the offices of Academic Affairs and Information Systems have been promoting the delivery of instructional experiences through computing and telecommunication media both on and off campus. And of course, there is always the promise/threat of instruction utilizing "multimedia". Last Spring, the Information Resources Management Policy and Planning Committee (IRMPPC) published its statement on Strategic Planning for Computing and Communications. Furthermore, the CSU has now released a draft of the document, *Leveraging the Future. The Telecommunications Plan for the CSU*.

My concern is that we are, in fact, making instructional decisions of profound importance, without consideration of the significant pedagogical, personnel and fiscal implications of the decisions. I am afraid that we will soon find ourselves reacting situationally to pressures and needs that have resulted from poor planning on our part. Therefore, I propose that the Academic Senate impanel an Ad Hoc committee, comprised of members of the Curriculum Committee, the Instruction Committee, the Long Range Planning Committee, the Personnel Committee and representatives from Academic Affairs, Information Systems, the IACC and the IRMPPC, to develop a comprehensive plan to accommodate non-traditional approaches to instruction before they become traditional.





**RECEIVED**

State of California

**MEMORANDUM**

NOV 1 1993

**CAL POLY**  
San Luis Obispo, CA 93407


**Academic Senate**

To: Jack Wilson, Chair  
Academic Senate

Date: October 28, 1993

File No.:

Copies: Robert Gish

From:   
Robert D. Koob  
Vice President for Academic Affairs

Subject: Draft Campus Policy on Repatriation of Native American Objects

Earlier this year, the Chancellor's Office requested that each campus have in place a policy on the repatriation of Native American objects. With that directive, I asked Dr. Robert Gish, Director of Ethnic Studies, to investigate whether or not Cal Poly had an inventory of Native American skeletal materials and associated funerary objects, and to take the lead in developing a draft policy statement on this subject for the campus.

Enclosed is the draft policy developed by Dr. Gish, along with the background material from the Chancellor's Office. I would appreciate your having the Executive Committee of the Academic Senate review this document this quarter. Questions can be answered by Dr. Gish. Thanks for your assistance in this matter.

Enclosures

E T H N I C   S T U D I E S  
Cal Poly

August 21, 1993

TO: Robert Koob  
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

DRAFT  
August 21, 1993

## 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.



The California State University System

Office of the Chancellor

## Memorandum

Date: February 10, 1993

Code: AARD-93-05  
FEB 16 1993

To: Presidents

Reply Requested By: April 1, 1993

From: Barry Munitz *B. Munitz*  
Chancellor

Subject: Native American Burial Remains, Associated and Unassociated  
Funerary Objects, Sacred Objects and Cultural Patrimony

In March of 1990, the CSU provided the California Native Heritage Commission with a preliminary report on the status of campus policy and inventories regarding Native American burial remains. Since then, Federal and State laws have been enacted that require all universities to 1) prepare an inventory of these items, 2) notify the most likely descendant groups, and 3) return the remains, funerary objects, and other sacred objects, if requested to do so. According to the Federal law, institutions must complete an inventory of human remains and associated funerary objects by November of 1995, and must complete a summary of unassociated funerary objects, sacred objects, and cultural patrimony by November of 1993. Definitions and requirements are contained in the attached copy of Public Law 101-601. Proposed Federal regulations are slated to appear in the Federal Register within the next few months.

Following enactment of the Federal law, the Chancellor delegated to the campus presidents the responsibility for developing and implementing campus policy regarding collections of Native American burial remains and grave artifacts, and for negotiation of agreements with Native American communities on repatriation of these remains and artifacts.

We are now in the process of bringing our 1990 report up to date to reflect current policy statements and the status of inventory and repatriation for each of the campuses. Without this information, it is difficult to evaluate our position in meeting the requirements of the Federal and State laws.

We therefore ask that you provide the following information for your campus:

1. Does your campus have any Native American burial remains or associated funerary objects? Does your campus have any unassociated funerary objects, sacred objects, or cultural patrimony?

Memo to Presidents  
February 10, 1993  
Page 2

2. Please submit a copy of your current campus policy regarding Native American burial remains and objects. If you have not yet developed a policy, please submit the timeline and expected date of completion for the policy.

Note: A campus having no such items need not develop a policy, but should ensure that campus personnel comply fully with all relevant federal and state laws, including Public Resources Code 5097.98, in any new excavations or acquisitions.

3. What is the status of your campus inventory of these items? Please provide a brief description of the remains, artifacts, or collections that are included in your inventory. If the inventory is not complete, what is the timeline and expected completion date for the inventory?
4. Has your campus returned any human remains or objects to Native American communities? Please provide a brief description of the items, the name of the Native American community, and the date returned.

Send your response to the attention of Dr. Helen Roberts, State University Dean, Academic Affairs/Research and Development, CSU Office of the Chancellor, 400 Golden Shore, Suite 132, Long Beach, California 90802-4275, by April 1, 1993. Questions may be directed to Dr. Roberts at (310) 985-2607. For questions about the Federal law or to receive a copy of the proposed regulations, contact Dr. Tim McKeown, Archaeological Assistance Division, National Park Service, at (202) 343-1142. For questions about the California law or identification of California Indian descendant groups, contact Mr. Larry Myers, Executive Secretary of the California Native Heritage Commission at (916) 653-4082.

Attached for your information are copies of: 1) March 1990 Status Report to the California Native Heritage Commission, 2) Coded Memo AARD 90-24 delegating responsibility to the campuses, 3) Public Law 101-601 The Native American Graves Protection and Repatriation Act, and 4) Chapter 370 - An act to add Section 5097.991 to California Public Resources Code.

Distribution:


Vice Presidents, Academic Affairs  
Members, Native American Advisory Committee

THE CALIFORNIA STATE UNIVERSITY  
Office of the Chancellor  
400 Golden Shore  
Long Beach, California 90802-4275  
(213) 590- 5856

Code: AARD 90-24

Date: November 16, 1990

To: Presidents

From:   
Ellis E. McCune  
Acting Chancellor

Subject: Native American Burial Remains and Associated Grave Artifacts

In September of 1989, the executive secretary of the California Native American Heritage Commission wrote to this office requesting information regarding CSU collections of Native American remains and associated grave artifacts and the status of our policy on this matter. We asked the vice presidents for academic affairs to provide this information for the campuses, and in March of 1990, we sent the attached status report to the Native American Heritage Commission.

There is existing federal legislation which requires the Smithsonian Institution to return Indian skeletal remains and burial artifacts to the most likely descendant group, and a second federal law has been introduced that would require all museums to return Indian remains, sacred and ceremonial objects, and religious objects to their groups of origin.

We have also been following Assembly Bill 2577 which passed the California Legislature this year but was vetoed by the Governor. AB 2577, introduced by Assembly Member Katz, would require public and private agencies and persons who possess Native American remains or associated grave artifacts to compile and forward to the Native American Heritage Commission a copy of their archaeological record or other specific information concerning the remains, and to return the remains to the most likely descendents if requested. The probability is that Assembly Member Katz will reintroduce this bill in the next session.

The California Native Heritage Commission is the legislatively established state agency responsible for identifying and inventorying sacred lands, burial sites, and sacred objects in order to preserve the cultural and religious heritage of California. The Native Heritage Commission's responsibilities and authority are described in Health and Safety Code 7050.5 and Public Resources Code 5097.94.

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Distribution: (without attachments)  
Academic Vice Presidents  
Associate Vice Presidents, Academic Affairs  
Academic Deans  
Chairs, Academic Senates  
Museum Directors  
Chairs, Departments of Anthropology  
Chancellor's Office Staff

Code Memo 90-24  
November 16, 1990  
Page two

The President of each CSU campus is delegated the responsibility for developing and implementing campus policy regarding collections of Native American skeletal remains and associated grave artifacts. The campus president is also delegated the authority and responsibility for negotiation of agreements with Native American communities and the California Native American Heritage Commission regarding repatriation of campus collections of Native American skeletal remains and associated grave artifacts.

Many universities and museums across the country are developing policy and procedures for the repatriation of Native American remains. Stanford University has established a policy which has been provided as an example by the Native American Heritage Commission. CSU, Chico has just completed development of their university policy, and the University of California convened a committee which has studied the issues and made a series of recommendations to the President's Office. Although the Smithsonian Institution has not yet finalized its internal policy and procedures, the requirements of the federal legislation (attached) are very explicit.

We recommend that you take the following steps to ensure that your campus is in full compliance with state and federal law on this matter:

1. Consult with appropriate Native American communities and constituencies.
2. Develop and/or review campus policy regarding collections of Native American skeletal remains and associated grave artifacts.
3. Develop and/or review written procedures to guide campus and community groups in handling requests for repatriation of collections.
4. Communicate campus policy and procedures to the faculty, the community, and the California Native American Heritage Commission.
5. Continue inventory and analysis of Native American burial remains and associated grave artifacts as policy deliberations proceed.

A campus having no Native American burial remains or associated grave artifacts need not develop a policy or procedures, but should ensure that campus personnel comply fully with Public Resources Code 5097.98 in any new excavations or acquisitions.

Attached for your information are copies of: 1) the federal legislation requiring the Smithsonian Institution to repatriate Native American remains, 2) AB 2577, the Katz bill (as amended) which passed the California legislature before being vetoed by the Governor, 3) Stanford University's policy regarding repatriation, 4) CSU, Chico's policy regarding repatriation, 5) recommendations of the University of California committee, 6) status report submitted by CSU to the Native American Heritage Commission, 7) Health and Safety Code 7050 and 8) Public Resources Code 5097.

enclosures



# THE CALIFORNIA STATE UNIVERSITY

SACRAMENTO • CHICO • DOMINGUEZ HILLS • FRESNO • FULLERTON • HAYWARD • HUMBOLDT • LONG BEACH  
SACRAMENTO • SAN BERNARDINO • SAN DIEGO • SAN FRANCISCO • SAN JOSE • SAN LUIS OBISPO



LOS ANGELES • NORTHRIDGE • POMONA  
SAN MARCOS • SONOMA • STANISLAUS

OFFICE OF THE CHANCELLOR  
TELEPHONE:

TELEFAX:

March 9, 1990

Mr. Larry Myers  
Executive Secretary  
Native American Heritage Commission  
915 Capitol Mall, Room 238  
Sacramento, California 95814

Dear Mr. Myers:

Pursuant to your request of September 19, 1989, the California State University has conducted a preliminary study of the Native American remains, associated grave goods and religious artifacts curated or housed by CSU campuses. We have also reviewed campus and system policy, and have discussed the related policy issues with the campus presidents, the campus vice presidents for academic affairs, and with the Chancellor's American Indian Advisory Committee.

Attached is a status report outlining the collections, policies, and status of repatriation negotiations for the twenty CSU campuses. The status report shows that only half of our campuses have any remains at all, and most of those campuses are currently in negotiation with Indian communities regarding the disposition of the collections.

During our study of this matter, we discovered that although several campuses have developed effective procedures, most do not have a policy. I am therefore preparing to issue a directive requiring each CSU campus to establish an appropriate policy in consultation with Native American communities and with the faculty of the academic departments involved. We will be pleased to send you a copy of the directive when it is issued. We are eager to be sensitive and helpful on this issue.

Sincerely,

W. Ann Reynolds  
Chancellor

attachments

c.c.: Presidents

Adopted: \_\_\_\_\_

**ACADEMIC SENATE  
OF  
CALIFORNIA POLYTECHNIC STATE UNIVERSITY  
San Luis Obispo, California**

*Tabbed file  
in Academic Senate  
4/28/87*

**Background statement:**

Under date of July 19-20, 1983, the CSU Board of Trustees approved Guidelines for the Awarding of Honorary Degrees. Problems can arise if confidentiality is breached. This can be especially embarrassing and possibly damaging to both the candidate and the university when a favorable faculty response is not obtained.

**AS-\_\_\_\_-87/\_\_\_\_**

**RESOLUTION TO ENSURE CONFIDENTIALITY IN THE  
CONSIDERATION OF CANDIDATES FOR AN HONORARY DOCTORATE**

- WHEREAS, The CSU Board of Trustees awards honorary degrees at the doctorate level; and
- WHEREAS, The CSU Board of Trustees stipulates that utmost care is to be taken to ensure confidentiality; therefore, be it
- RESOLVED: That the Academic Senate empower its Executive Committee to consider and act upon nominations for honorary degrees in closed session; and be it further
- RESOLVED: That the Executive Committee of the Academic Senate shall report its recommendations solely to the President of California Polytechnic State University; and be it further
- RESOLVED: That the President of California Polytechnic State University shall advise the Academic Senate only on those recommendations which result in honorary doctorate awards by the CSU Board of Trustees.

Proposed By:  
Lloyd H. Lamouria  
April 21, 1987



At its meeting of September 27, 1993, the Academic Senate approved the following Report presented by Cecilia Mullen for the Organization and Government Committee.

**"CONSULTATION" UNDER IV.D OF THE STATEMENT ON  
ACADEMIC SENATES WITH A COLLECTIVE BARGAINING CONTEXT**

IV.D of the statement covers two matters: the academic calendar and selection and review of administrators. In these two areas, Presidents have said that they are entitled to prepare the initial draft of a policy proposal and are entitled to determine its final form and content. The Academic Senate is to be "consulted", but it is not, unless requested, to revise the President's draft and present its revision to him/her for approval or rejection.

It is suggested that the following procedure be followed for consultation on IV.D policies:

1. The President's draft should be laid before the Executive Committee. If the Executive Committee agrees that the proposed policy comes under IV.D, it should refer the draft to the appropriate policy committee for consideration as stated below.
2. The policy committee should review the draft and prepare a report for the Senate stating its conclusions and recommendations. It should not revise the President's draft but, in its report, may propose changes.
3. The draft and the policy committee's report should be considered by the Senate. The Senate should not make changes in the text of the draft, but should act on the policy committee's report, which it may amend or revise. The report, as approved by the Senate, shall be sent to the President for his/her consideration before issuance of the policy.

## LETTERS OF SUPPORT FOR ETHNIC STUDIES MINOR

Jim Aiken	Interim Director, Health and Psychological Services, Cal Poly
Judy Alter	Citizen, San Luis Obispo
Philip Bailey	Dean, College of Science and Mathematics, Cal Poly
Marlie Bartolome	ASI Ethnic/Cultural Relations Coordinator
Margaret Berrio	Professor, Psychology & Human Development, Cal Poly
James Bui	Student, Cal Poly
Bob Burton	Chair, History Department
Joon Choi	Korean Student Association, Cal Poly
Myla Collier	Member, San Luis Obispo County Ethnic Minority Advocacy Network
Leonard Davidman	Professor, University Center for Teacher Education, Cal Poly
Rita Dee-Burnett	Lecturer, Management Dept., Cal Poly
Warren DeLey	Professor, Social Science, Cal Poly
Mylo Egipciano	Instructor, Santa Monica and Pierce Colleges
Patrice Engle	Chair, Psychology & Human Development Department, Cal Poly
Willie Galvan	Director, American G.I. Forum, Santa Maria Chapter
Martha Garcia	Teacher, San Luis Obispo County
Brad Grant	Professor, Architecture, Cal Poly
Don Grinde	Professor, History, Cal Poly
Mary Kay Harrington	Coordinator, Writing Skills, Cal Poly
Ray Haynes	Professor, Management Department, Cal Poly
Shirley Herbel	San Luis Obispo Citizen
Angie King	Coordinator, National Organization for Women, San Luis Obispo Chapter
Laurence Laurent	SLO County Supervisor, District Two
Felicia Lee	Interim Coordinator, Center for Women and Ethnic Issues
Harvey Levenson	Head, Graphic Communication Department, Cal Poly
William Little	Head, Foreign Languages, Cal Poly
Eddie London	President, NAACP, San Luis Obispo Chapter
Sandee L. McLaughlin	Director, EOPS/Financial Aid, Cuesta College
Christopher North	Psychologist, San Luis Obispo
Maria Robella Papa	President, Pilipino Cultural Exchange, Cal Poly
Maxine Phillips	Director, Transfer Center, Sacramento City College
Elaine Ramos Doyle	Chair, Equal Opportunity Advisory Council, Cal Poly



## **LETTERS OF SUPPORT FOR ETHNIC STUDIES MINOR --**

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Kevin Rome	Academic Development Specialist, Residential Life and Education, Cal Poly
Susan Roper	Director, University Center for Teacher Education, Cal Poly
Joe Talaugon	Director, Committee for the Betterment of the Santa Maria Valley
Pat Tschohl	Accounts Receivable, Cal Poly
Jose Urquizo	MEChA Chair, Cal Poly
Carl Wallace	Director, Cal Poly Student Relations/Judicial Affairs
Joanne Wheatley	Professor, Crop Science, Cal Poly
Christopher Yip	Associate Professor, Architecture, Cal Poly