



FROM THE FACULTY MEMBERS

20-21 FUFM 3

January 22, 2021

20-21 BAS 5

February 9, 2021

TO: The Academic Senate

FROM: Nicholas Baham III (CLASS) Academic Senator; DELO/Chair, FDEC
Paul Carpenter (CEAS) Chair, COBRA
Julie Glass (CSCI) Academic Senator; Statewide Academic Senator
Albert Gonzalez Director, C.E. Smith Anthropology Museum
Lisa Handwerker (LECT) Academic Senator
Ryan Heryford Vice-Chair, Academic Senate
Linda Ivey (CLASS) Academic Senator; Chair, FAC
David Larson Chair, AGES
Michael Lee Chair, Academic Senate
Tony Marks-Block Senate Committee on Sustainability
James Mitchell (CEAS) Academic Senator
Arnab Mukherjea (CSCI) Academic Senator
Robert Phelps Executive Director, Concord Campus
Cheryl Saelee (STAFF) Academic Senator
Stephanie Seitz (CBE) Academic Senator
Rachael Stryker CFA East Bay Chapter President
Claire Valderama-Wallace Convenor, Indigenous Acknowledgment Collective
Diana Wakimoto (LIB) Academic Senator
Jung Sook You (CBE) Academic Senator

SUBJECT: Request from the Faculty to approve 20-21 BAS 5: Senate
Resolution on Repatriation and Protection of Native Human
Remains at CSUEB and Protection from Future Collection

PURPOSE: For action by the Senate

ACTION
REQUESTED: That the Academic Senate approve this resolution, 20-21 BAS 5,
on repatriation of human remains currently held on the Hayward
campus to the Muwekma Ohlone Tribe and to prevent the
acquisition of Native American human remains in the future
without permission of affiliated Tribe

BACKGROUND

At the Executive Committee meeting of February 2, 2020 20-21 FUFM 3 was presented for approval to place on the Academic Senate agenda. ExCom members determined that because the request is to create a resolution of the Academic Senate rather than endorse a resolution coming from the faculty body, i.e. that the Academic Senate adopt this resolution in its own right, that the resolution be given a designation code reflecting this origin which would, based on the sequence of Senate documents, be 20-21 BAS 5. The request is therefore that the Academic Senate consider and adopt the resolution as detailed below. Supporting documentation concerning this resolution is included in a Senate [folder](#).

20-21 BAS 5: ACADEMIC SENATE RESOLUTION ON REPATRIATION OF NATIVE HUMAN REMAINS AT CSUEB AND PROTECTION FROM FUTURE COLLECTION

WHEREAS: The faculty of California State University, East Bay stand in unity with the Muwekma Ohlone Tribe upon whose land the Hayward campus currently stands and support the reclamation of sovereign space by the Muwekma Ohlone Tribe on this and other parts of their unceded land; and

WHEREAS: The C.E. Smith Museum of Anthropology at California State University, East Bay currently holds the remains of over 50 Muwekma Ohlone ancestors for the purposes of research and teaching; and

WHEREAS: The C.E. Smith Museum of Anthropology at California State University, East Bay is entirely in favor of repatriation and has been working in anticipation of repatriation since 2018 and in collaboration with the Muwekma Ohlone Tribal Council on the prospect since summer 2020; and

WHEREAS: The Muwekma Ohlone Tribe has patiently and painfully waited for their ancestors' remains to be returned to them so that they may be properly buried and repatriated according to their own protocols and rituals; and

WHEREAS: The California State University, East Bay has recently pledged to expand its commitment to indigenous acknowledgement and relationship with the Muwekma Ohlone peoples; let it therefore be

RESOLVED: That the Academic Senate of California State University, East Bay stands opposed to the current holding of any Muwekma Ohlone human remains at the C.E. Smith Museum of Anthropology at California State University, East Bay; and let it be

RESOLVED: That we support that the university grant possession and full control over the disposition of all ancestral Ohlone skeletal remains and associated funerary objects held by the C.E. Smith Museum of Anthropology to the Muwekma Ohlone Tribe following the production of the summarizing inventory currently in process at the museum; and let it be

RESOLVED: That we support the designation of a space on the Hayward campus for the reinterment of all ancestral Ohlone skeletal remains and associated funerary objects currently held by the C.E. Smith Museum of Anthropology, restricting development on

that site and allowing access only to members of lineal descendant groups as listed by the California Native American Heritage Commission and their guests; and let it be

RESOLVED: That the location of the above space and its level of secrecy should be selected in consultation with the Muwekma Ohlone Tribal Council; and let it be

RESOLVED: That, from now, no affiliated individual or university office or department at any California State University, East Bay campus may accept Native American skeletal materials or funerary objects, without permission of the affiliated tribe or that of the individual or next of kin in the case of osteological body donation; and let it be

RESOLVED: That the Senate Office arrange for the distribution of this resolution to the President and Cabinet members, to all staff members, and to all faculty members of California State University East Bay and be posted for all to see through a link on the Academic Senate website page.