

401 Golden Shore, 5th Floor
Long Beach, CA 90802-4210

CSU Legislative Reports Website
<https://www.calstate.edu/legislativereports/>

Steve Relyea
Executive Vice Chancellor
and Chief Financial Officer

562-951-4600
srelyea@calstate.edu

December 20, 2024

Scott Wiener
Joint Legislative Budget Committee
1021 O Street, Suite 8620
Sacramento, CA 95814

Gabriel Petek
Legislative Analyst Office
925 L Street, #1000
Sacramento, CA 95814

Joe Stephenshaw, Director
Department of Finance
1021 O Street, Suite 3110
Sacramento, CA 95814

Erika Contreras
Secretary of the Senate
State Capitol, Room 307
Sacramento, CA 95814

Cara L. Jenkins
Legislative Counsel
1021 O Street, Suite 3210
Sacramento, CA 95814

Sue Parker
Chief Clerk of the Assembly
State Capitol, Room 319
Sacramento, CA 95814

RE: 2024 Annual Systemwide Collections Review

The attached report is submitted in accordance with Health and Safety Code § 8028.7, which requires the California State University (CSU) to submit an annual report to the legislature on systemwide progress in reviewing its collections of Native American human remains and cultural items. This is the first report submitted under newly enacted legislation (AB 389, 2023).

The CSU is committed to the timely and responsible return of Native American ancestral remains and cultural items, in compliance with the federal Native American Graves Protection and Repatriation Act (NAGPRA) and the California Native American Graves Protection and Repatriation Act (CaINAGPRA). AB 389 mandates that CSU universities conduct a review of their collections. In 2023 and 2024, each university received instructions from the Chancellor's Office to conduct thorough campus-wide searches for items. Each university assessed all areas, including departments, labs, offices, storage facilities, and off-site or satellite locations. Several universities continue to conduct

CSU Campuses
Bakersfield
Channel Islands
Chico
Dominguez Hills
East Bay

Fresno
Fullerton
Humboldt
Long Beach
Los Angeles
Maritime Academy

Monterey Bay
Northridge
Pomona
Sacramento
San Bernardino
San Diego

San Francisco
San José
San Luis Obispo
San Marcos
Sonoma
Stanislaus

CSU Report: Annual Systemwide Collections Review

December 20, 2024

Page 2

additional surveys and searches. The attached report chronicles the progress made reviewing collections at each CSU university.

Should you have any questions about this report, please contact Nathan Dietrich, Assistant Vice Chancellor, Advocacy and State Relations at (916) 445-5983.

Sincerely,

Bradley Wells for

Steve Relyea
Executive Vice Chancellor and
Chief Financial Officer

SR:dr

Full report posted to <https://www.calstate.edu/impact-of-the-csu/government/Advocacy-and-State-Relations/Pages/legislative-reports.aspx>

c:

Members, California State Legislature
Members, Joint Legislative Budget Committee
Natalie Gonzalez, Fiscal & Policy Analyst, Legislative Analyst Office
Nathan Evans, Deputy Vice Chancellor, Academic and Student Affairs
Dilcie Perez, Deputy Vice Chancellor, Academic and Student Affairs
Greg Saks, Vice Chancellor, External Relations & Communications
Ryan Storm, Assistant Vice Chancellor, Budget Planning and Advocacy
Jeni Kitchell, Assistant Vice Chancellor, Finance and Budget Administration/Controller
Nathan Dietrich, Assistant Vice Chancellor, Advocacy and State Relations
Samantha Cypret, Executive Director, Office of Tribal Relations
Maryann Reyes, Director, External and Tribal Relations

Annual Systemwide Collections Review Report

Progress Report Pursuant to AB 389 and Health & Safety Code § 8028.7

The California State University
Office of the Chancellor

December 19, 2024

Introduction and Background

The California State University (CSU) is committed to the timely and responsible return of Native American ancestral remains and cultural items, in compliance with the federal Native American Graves Protection and Repatriation Act (NAGPRA) and California's Native American Graves Protection and Repatriation Act (CalNAGPRA). This commitment aligns with California Assembly Bill 389 of 2023 (AB 389), which mandates the CSU's adherence to comprehensive repatriation policies. These laws underscore the importance of respecting Native American culture and heritage by ensuring proper consultation with Tribes and Tribal communities regarding the repatriation of ancestral remains and cultural items.

Enacted in January 2024, AB 389 requires the CSU to draft a systemwide NAGPRA policy, establish systemwide and campus oversight committees, employ full-time, experienced repatriation coordinators at each campus, and prohibits the use of Native American ancestral remains and cultural items for teaching or research purposes. These measures reinforce the CSU's dedication to expeditious and respectful repatriation practices.

This report, mandated by AB 389 and pursuant to Health and Safety Code § 8028.7, updates the Legislature “on the California State University’s systemwide progress in reviewing its collections of Native American human remains and cultural items.” It outlines efforts to ensure compliance with NAGPRA, CalNAGPRA, and AB 389, including the development and implementation of systemwide policies that align with state and federal requirements. These updates demonstrate CSU's ongoing commitment to transparency and accountability in its repatriation activities.

CSU Systemwide Progress

The CSU has made significant progress in advancing repatriation efforts across its 23 campuses. Further, the CSU continues to establish the necessary infrastructure and capacity at each campus to ensure full implementation of repatriation requirements. This advancement was made possible in large part due to the Chancellor’s Office allocating \$4.25 million to these efforts in 2024.

To oversee these efforts, the Chancellor’s Office has recently created a systemwide Office of Tribal Relations and has appointed Samantha Cypret (Mountain Maidu) as executive director. The office will be responsible for managing NAGPRA, CalNAGPRA, and AB 389 repatriation initiatives. These initiatives include the creation and implementation of a Systemwide NAGPRA/ CalNAGPRA Policy developed in consultation with Tribal Nations and the Native community. Further, the office will also facilitate

meaningful consultations and foster internal and external collaboration with California Native American Tribes, the Native American Heritage Commission, the Governor's Office, and the state legislature.

Over the last year, the Chancellor's Office has monitored campus repatriation progress by requiring campuses with NAGPRA collections to submit bi-monthly reports. These reports provide updates on campus-wide inventory searches of previously unreported collections, ongoing Tribal consultation and outreach efforts, the status of pending or posted federal notices, and transfers of legal control and physical custody of items. These bi-monthly reports will continue.

As of November 2024, all 21 CSU campuses with NAGPRA-related holdings have an experienced NAGRPA coordinator on staff.

Review of Collections

AB 389 mandates that CSU campuses conduct a review of their collections. In December 2023 and July 2024, each campus president received instructions from the Chancellor's Office to conduct thorough campus-wide searches for items, with reports due by November 4, 2024. Each campus assessed all areas, including departments, labs, offices, storage facilities, and off-site or satellite locations. Several campuses continue to conduct additional surveys and searches. The draft systemwide NAGPRA policy also includes provisions requiring campuses to perform annual surveys and searches. In accordance with AB 389, the systemwide NAGPRA policy will be implemented by July 2025.

In 2023, the California State Auditor reported 5,804 ancestral remains and 692,400 cultural items across 21 CSU campuses. As of November 2024, the campuses have completed an inventory of NAGPRA-related holdings, identified 2,245 Native American ancestral remains and over one million cultural items. While ongoing repatriation efforts significantly reduced the number of ancestors in the CSU's possession, the inventory review process has revealed additional cultural items that were previously unaccounted for, contributing to a more complete understanding of campus collections.

Five CSU campuses (Chico, Los Angeles, Northridge, Sacramento, and San Francisco) have made significant progress in repatriating both ancestral remains and cultural items. Chico State has facilitated the repatriation and reburial of 2,567 ancestral remains and more than 97,000 cultural items belonging to a Tribal consortium that includes six Tribes. This represents approximately 94% of the ancestral remains and 86% of the cultural items. The repatriation in 2023 was the second largest repatriation to be completed in the history of NAGPRA. The scope of this project has taken Chico State more than five years. Sacramento State has repatriated 91% of ancestral remains and 75% of cultural items representing 1,639 ancestors and 91,235 cultural items (defined as catalog records, not physical items). The attached chart includes updates from each campus on the progress in reviewing its collections of Native American ancestral remains and cultural items.

The 2023 state audit found that, of the 23 campuses, 11 had completed a review of their NAGPRA collections by the end of 2023, while 12 campuses had not. To date in 2024, 18 campuses reported completing their reviews, three campuses reviews remain ongoing, and two campuses — the Maritime Academy and San Marcos — continue to report that they do not have any NAGPRA collections.

One of the significant opportunities for growth is the standardization of inventory metrics for cultural items across the CSU. Currently, there is variability in how campuses conduct inventory counts. For instance, one campus may count a beaded necklace as a single item, while another may count each bead individually. Additionally, accurate counts are sometimes unavailable until Tribal Consultation is completed, as the inventory of certain items or boxes may only be finalized through this process. Any handling without consultation is prohibited under AB 275 and the NAGPRA Duty of Care standard. The CSU is actively working to enhance standardization through Tribal Consultation, training and the

development of a centralized collections management system. This system will be used by all campuses to manage, track, and report NAGPRA inventories and related activities.

Additionally, each year all campuses are required to submit a Campus Repatriation Implementation Plan to the Chancellor's Office. These plans serve as a framework for tracking campus repatriation and disposition activities, including estimated budget needs and timelines. Each campus's repatriation plan, which supports full compliance with NAGPRA and CalNAGPRA, is developed by each campus's repatriation coordinator.

These efforts were facilitated through financial support provided by the Chancellor's Office to individual campuses during the 2024-25 fiscal year. In August 2024, \$3.7 million was allocated to the 21 campuses with collections (\$550,000 was also allocated to the Chancellor's Office for systemwide efforts). This was the first time in the CSU's history that funding was allocated by the Chancellor's Office to campuses for NAGPRA compliance and repatriation efforts.

The CSU acknowledges its legal and ethical responsibility to comply with repatriation laws, which are grounded in Federal Indian law and human rights principles. The CSU is committed to treating all Native American human remains and cultural items with dignity and respect while they are in the custody, possession, or control of its campuses.

Future Plans and Conclusion

The CSU is poised for future progress by remaining committed to advancing its repatriation efforts through targeted actions, including expanding educational programs and workshops to raise awareness about NAGPRA and the significance of repatriating ancestors and cultural items among students, faculty, and staff. Campus NAGPRA coordinators will continue to be fully trained on best practices and their legal obligations, while prioritizing Tribal consultation throughout the repatriation process. The CSU is dedicated to strengthening collaboration with California Native American Tribes to improve and enhance the repatriation processes while pursuing continued funding and legislative support to sustain and advance these efforts. These initiatives reflect the CSU's dedication to fulfilling its obligations under NAGPRA, CalNAGPRA, and AB 389.

Attachments:

2023-2024 Inventory Chart

Campus	Ancestors 2023	Ancestors 2024	Cultural Items 2023	Cultural Items 2024	Collection Review 2023	Collection Review 2024
Bakersfield	8	55	Unknown	238	Incomplete	Complete
Channel Islands	0	1	1,800	Unknown	Incomplete	In Progress
Chico	2,612	98	147,500	58,422	Complete	Complete
Dominguez Hills	8	28	2,200	2,260	Complete	Complete
East Bay	98	148	13,400	13,525	Incomplete	Complete
Fresno	5	26	38,700	622 Volume*	Complete	Complete
Fullerton	173	168	8,200	22,422 (inventory lists, lots, site records)**	Complete	Complete
Humboldt	0	0	21,900	23,079 (catalogs, records review)***	Complete	In Progress
Long Beach	149	152	2,600	2,700	Incomplete	In Progress
Los Angeles	6	2	Unknown	30 Boxes****	Incomplete	Complete
Maritime	0	0	0	0	Complete	N/A
Monterey Bay	Unknown	5	Unknown	212 Boxes****	Incomplete	Complete
Northridge	58	52	30,000	15,000	Incomplete	Complete
Pomona	0	0	100	23	Complete	Complete
Sacramento	1,484	171	114,400	30,456	Incomplete	Complete
San Bernardino	0	0	1,100	780	Incomplete	Complete
San Diego	100	192	90,000	100,000	Complete	Complete
San Francisco	257	255	30,400	29,583	Incomplete	Complete
San Jose	494	516	5,000	5,063	Complete	Complete
San Luis Obispo	8	10	0	3	Complete	Complete
San Marcos	0	0	0	0	Complete	N/A
Sonoma	320	317	185,000	1,608,328	Incomplete	Complete
Stanislaus	24	49	Unknown	538 Boxes****	Incomplete	Complete

*=This is the volume count. Volume includes shelves, boxes, crates, floor, buckets, storage bins, etc. The campus has 4 physical locations where collections are currently being housed.

**=Number represents review of collection records, catalogs, site records, lot number listed in federal inventories/notices.

***=Number calculated from records review and existing catalogs. The number is likely to increase during Tribal Consultation.

****=Inventory of boxes will be completed as part of Tribal Consultation. Until Tribal Consultation occurs, handling is not permitted under AB 275 and the NAGPRA Duty of Care standard.