

July 8, 2024

Mr. Reginald Pagaling, Chairperson
Native American Heritage Commission
1550 Harbor Boulevard, Suite 100
West Sacramento, CA 95691

Submitted via Email

Subject: Request for Support on NAGPRA Oversight Committee Nominations

Dear Chairman Pagaling,

I am writing to inform you that California State University (CSU) has submitted its one-year response to the California State Auditor. As you know, in June 2023, the State Auditor conducted a comprehensive audit of the CSU regarding compliance with the Native American Graves Protection and Repatriation Act (NAGPRA) and associated state laws.

The audit report included eight recommendations. Among the recommendations was one that requires the CSU to create a Systemwide NAGPRA Oversight Committee and campus committees. We sincerely appreciate the time and effort that the Commission has made to nominate members to these committees.

Late last year, the Commission staff sent a letter to the State Auditor regarding the Commission's nominations plans and processes. I write to request another letter from the Commission to the State Auditor outlining the Commission's ongoing reviews and plans to continue to nominate members to these committees. I respectfully request the opportunity to keep the Auditor informed of the Commission's next steps and help to bring the Auditor's recommendation and AB 389's requirements to fruition.

We recognize the volume of work the Commission staff has taken to facilitate the critical steps required to vet candidates and to conduct interviews to present nominations to the full Commission. The Commission's methodical approach will ensure that the CSU has qualified individuals on these committees. The Commission, with the support of the Chancellor's Office, decided to prioritize campus committees over the systemwide committee. At the May 3, 2024, Commission meeting, 11 individuals were formally nominated to six campus committees and the Commission plans to advance many more nominations at future meetings.

Thank you for considering this request. I look forward to your feedback and guidance on this matter and can be reached at (562) 951-4822 and mreyes@calstate.edu with any questions.

Sincerely,

Maryann Reyes

Maryann Reyes
Director of External and Tribal Relations

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

California State University NAGPRA/ CalNAGPRA Bimonthly Update July 2024

The California State University (CSU) is committed to the rightful return and repatriation of all Native American ancestral remains and cultural items by enforcing systemwide compliance of NAGPRA, CalNAGPRA, AB 389, and the recently updated Federal regulations. The CSU continues to establish its systems' infrastructure and is building capacity at each university to ensure the State Auditor's recommendations are implemented. Highlights of activities since the May 2024 update are noted below.

Systemwide Policy Development and Listening Sessions

AB 389 requires that the Chancellor's Office adopt systemwide policies and procedures related to NAGPRA, tribal consultation and repatriation. This policy must be developed in consultation with Tribes and the Native American Heritage Commission (NAHC). In order to draft the policy, the Chancellor's Office established a working group that included Tribal partners, university officials, and individuals with expertise in NAGPRA/CalNAGPRA laws, regulations and policies.

The CSU elevated the views of Tribes in developing the systemwide policy and held 10 Tribal listening sessions between April and June across California. More than 60 Tribes were represented at the listening sessions. Sessions were held in Long Beach, Sonoma, San Diego, Bakersfield, Sacramento, Hayward, Corning (in conjunction with the CalTHPO/SHPO Summit), Eureka and Palm Desert. A virtual session was also held. Chancellor Mildred García attended the first listening session. Vice Chancellor Greg Saks and/or Assistant Vice Chancellor Nathan Dietrich have attended the other listening sessions. Tribal attendees have stressed the need for universities to continually and extensively search for ancestral remains and cultural items (including those not accounted for in prior inventories), build trust with Tribes, compensate Tribal representatives for their time and expertise, eliminate the authoritative role of Anthropology departments with regards to university compliance efforts, direct burdens away from the Tribes, hire qualified staff to coordinate and administer repatriations, and simplify the repatriation process, among a variety of other items.

The CSU Systemwide NAGPRA Policy Working Draft for Tribal Consultation Purposes was completed in July and was sent via email and postal mail to the more than 300 Tribal leaders on the NAHC's contact list (the NAHC also received a copy). The distribution of the Working Draft for Tribal Consultation Purposes served as a 60-day notice for an upcoming 90-day Tribal consultation period. The 90-day consultation period will be held from September 1, 2024, to November 30, 2024, and Tribes will be able to comment on the working draft for consultative purposes. In January 2025, the Chancellor's Office will share an updated draft policy with the NAHC and Tribes that incorporates feedback received from the consultations. The Chancellor's Office remains committed to meeting the AB 389 deadline of July 1, 2025, to implement the systemwide policy.

More information on the systemwide policy is posted and regularly updated on the CSU NAGPRA website: <https://nagpra.calstate.edu/csu-policy>

Systemwide and Campus Oversight Committees

AB 389 requires the creation of systemwide and campus-based NAGPRA oversight committees. To date, more than 110 individuals have applied to be on either the systemwide committee or a campus committee (there are a total of 154 committee positions). The NAHC has begun reviewing applications and nominating campus committee members to the chancellor for appointment. The NAHC, with the support of the Chancellor's Office, decided to prioritize campus committees over the systemwide committee.

At the NAHC's May 2024 meeting, the Commission nominated 11 individuals to serve on campus committees, all of which have been formally appointed to the campus committees by Chancellor García. At the Commission's July meeting, the NAHC will consider 30 additional individuals for a variety of campus committees. The Commission continues to receive and review applications for action at their quarterly meetings.

To view campus committee members, please visit:

<https://nahc.ca.gov/calnagpra/nominate/csu-campus-committees/>

Campus Coordinators

Hiring qualified coordinators has been a top priority for each university. AB 389 states that "on or before July 1, 2024, to ensure that campuses pursue timely repatriation, require campuses with Native American remains and cultural items to have full-time, experienced repatriation coordinators." As of July 1, 2024, 18 of the 21 campuses have hired a full-time experienced coordinator. In order to attract qualified candidates, positions are currently re-posted for hiring at CSU Bakersfield and Cal Poly San Luis Obispo, while Cal State Los Angeles is conducting final interviews for their position.

Through trainings and professional development opportunities, the Chancellor's Office will ensure campus coordinators are up to date on the legal requirements of NAGPRA and CalNAGPRA and best practices. The Chancellor's Office previously hosted statewide trainings in Fresno (October 2023) and San Bernardino (April 2024).

Prohibition on Teaching, Research, and Display

AB 389 and the new federal regulations place an additional emphasis on prohibiting the use of ancestral remains or cultural items that are in a university's collection in teaching, research or on display. On March 18, 2024, Chancellor García sent a directive to each university president reinforcing the new state law and federal regulations. Each university must adhere to these laws and regulations. In addition to the prohibition, the best practice of consulting with all potentially affiliated Tribe(s) before any use is considered, was stressed in the directive. This information is also reflected in the working draft policy that has been shared with Tribes.

Fiscal Planning

The CSU's 2024-25 operating budget request of the State of California included \$4.25 million for NAGPRA compliance. Funds have been requested to create university and systemwide positions, as well as to provide for NAGPRA operational costs. The Chancellor's Office is reviewing the recently enacted 2024-25 state budget and determining systemwide and campus allocations. Funding decisions will be made by August 2024.

Systemwide and campus planning has also begun for the 2025-26 fiscal year. Per AB 389, a report on each campus' fiscal needs will be shared with the legislature in January 2025.

Status of Inventories

AB 389 requires, and the state audit recommends, campuses to review their collections and complete inventories. On July 8, 2024, Chancellor García sent a memo to each university president requiring each campus to conduct a thorough search for items and report back to the Chancellor's Office by November 4, 2024. Each university is to assess all campus areas, including all departments, labs, offices, and storage facilities including off-site or satellite locations. Earlier in 2024, some universities conducted additional surveys and searches. Per AB 389, the results of campus inventory searches will be reported to the legislature by December 31, 2024. The working draft systemwide policy includes language requiring campuses to conduct annual surveys and searches of their campuses.

Chancellor's Office Support

The state audit recommended that the Chancellor's Office formalize its administrative structure in relation to NAGPRA and CalNAGPRA. Since Fall 2024, as part of the Division of External Relations and Communications (ERC), the Office of Advocacy and State Relations (ASR) has been leading NAGPRA and CalNAGPRA systemwide efforts.

To acknowledge Tribal sovereignty, demonstrate its unwavering commitment to repatriation, and to build and restore trust with California Tribes, the Chancellor's Office has announced that it will establish an Office of Tribal Relations (OTR). Like ASR, the OTR will be located within the Division of External Relations and Communication and its leadership will report to the Vice Chancellor. ASR will continue to lead the Chancellor's Office repatriation efforts until the OTR is fully formed and operational. A primary objective of the OTR is to oversee and ensure that the CSU timely and respectfully repatriates all ancestors and cultural items. The Chancellor's Office will hire an Executive Director to lead the OTR and the position has been posted. Priority will be given to candidates with extensive experience working with Tribes, a deep understanding of Native American history and indigenous cultures, and knowledge of the repatriation process. These qualifications will ensure effective leadership and meaningful engagements with Tribal communities in California.

In order to increase accountability and efficiency throughout the repatriation process, the Chancellor's Office has purchased software for a collections management database for the use of all campuses to manage, track, and report their NAGPRA collection inventories and activities.

University Progress

Since the May 2024 update, universities have been making progress on hiring NAGPRA coordinators, consulting with Tribes, repatriating ancestors and cultural items to the respective Tribes and improving relationships with Tribes. Progress includes, but is not limited to:

- Chico State facilitated reburials of 2,567 ancestral remains (representing at least 549 ancestors) and more than 97,000 cultural items belonging to a tribal consortium that includes the Berry Creek Rancheria of Maidu Indians of California, Konkow Valley Band of Maidu, Enterprise Rancheria of Maidu Indians of California, Mechoopda Indian Tribe of

Chico Rancheria, California, Mooretown Rancheria of Maidu Indians of California, and Paskenta Band of Nomlaki Indians of California.

- Cal State Fullerton and Cal State Long Beach are coordinating their efforts to create a unified joint repatriation plan for their collections that originate from a single site in Southern California.
- Cal State Long Beach moved their non-ancestral collections to a single locked site on campus.
- San Francisco State completed a held-in-trust agreement with the Paskenta Band of Nomlaki Indians to complete all repatriations within Tehama and Glenn Counties. The collection will be physically transferred once all Notices are completed.
- Cal State Los Angeles, San Diego State, San Francisco State and San José State have published updated Federal Notices for a number of their collections.
- The Chancellor's Office and Chico State's leadership participated in a roundtable discussion hosted by the Assembly Select Committee on Native American Affairs on May 28, 2024 regarding the repatriation work being done at Chico State.

POSITION ANNOUNCEMENT



EXECUTIVE DIRECTOR, TRIBAL RELATIONS

The California State University, Office of the Chancellor, is seeking an Executive Director of Tribal Relations (ED Tribal Relations) to be responsible for facilitating engagement with Native American Tribes and associated government entities in order to build strong Tribal partnerships, ensure compliance with state and federal laws, and conduct government to government Tribal relations. The ED Tribal Relations will lead and develop the Office of Tribal Relations, an office within the Division of External Relations and Communications.

This position has the option of being located in Sacramento or Long Beach, CA.

The ED Tribal Relations represents the Chancellor in government-to-government relationships; leads NAGPRA compliance; and supports academic programs and resources in order to enhance, develop and create progressive and enriched relationships between the CSU, Chancellor's Office and Tribal communities. In addition, this position acts as the point of contact for California Indian Tribes to consult with the Chancellor of the CSU system; serves as the primary contact and resource on all Tribal issues, providing leadership to enhance, develop and create progressive and enriched institutional partnerships and collaborations with Tribal governments and various Tribal entities; and ensures that the CSU follows state and federal laws regarding Tribal issues, including NAGPRA and CalNAGPRA.

Under the direction of the Vice Chancellor, External Relations and Communications, and in partnership with campus and Chancellor's Office leadership, the ED Tribal Relations will oversee the development, implementation, and maintenance of the CSU's systemwide NAGPRA policy. The ED Tribal Relations will engage state government stakeholders (Governor's Tribal Advisor, California Native American Heritage Commission, etc.), statewide Tribal organizations, and Tribes directly to advance CSU-Tribal partnerships. The ED Tribal Relations will work with the Board of Trustees, Chancellor, and senior leadership across the university to develop programmatic and policy priorities to advance the CSU's relationship with Tribes and Native American organizations in order to serve Tribal needs and the needs of Native American students.

The ED Tribal Relations will conduct their work and represent the CSU with a deep understanding and appreciation of the unique culture and history of California Native American Tribes.

SUMMARY OF MAJOR JOB RESPONSIBILITIES

Under the direction of the Vice Chancellor, External Relations and Communications, the ED Tribal Relations will:

- Develop the Office of Tribal Relations, in partnership with the Vice Chancellor, and provide leadership and strategic direction for the Tribal Relations team/office.
- Provide advice, counsel and updates to system leaders regarding Native American Tribal issues, as well as governmental and political issues related to Native American issues.
- Develop and recommend integrated strategies and tactics to achieve short- and long-term system goals and objectives related to Tribal matters.
- Lead collaborative efforts with various departments within the Chancellor's Office and campuses to support Tribal relationships and partnerships.
- Cultivate relationships with Tribal leaders and Native American organizations to achieve goals and objectives.
- Build and sustain relationships between the Chancellor's Office, the California Native American Heritage Commission (NAHC) and key governmental leaders associated with Tribal issues (i.e., the Governor's Tribal advisor, staff for legislative leadership, staff with Select Committee on Native American Affairs) in cooperation with AVC of Advocacy and State Relations.
- Oversee the systemwide NAGPRA policy and consider future modifications. Ensure campuses consult with Tribes and follow proper repatriation procedures, systemwide and campus committees are operational; and develop systemwide budget request, and coordinate with campuses on needs and other NAGPRA-related matters.
- Work with AVC of Advocacy and State Relations, AVC of Federal Relations and AVC of Systemwide Budget on legislative, government and budget matters related to Tribal issues.
- Provide training, development and support for campus-based Tribal relations staff.
- Testify at legislative hearings and speak at public events on issues related to Native American Tribes, Tribal issues, and NAGPRA compliance.
- Travel to meet with Tribal leaders and Native American organizations.
- Supervise the NAGPRA/CalNAGPRA Project Manager and provide strategic direction, evaluation, coaching and guidance on duties and responsibilities.
- Work with the Division of Academic and Student Affairs to advance academic programs and services related to Native American students. Support and collaborate with the CSU Presidential Advisor on CSU's Native American Initiative.
- Draft pieces of communication and updates regarding Tribal partnerships, issues and matters.
- Engage the Office of the General Counsel on legal matters related to Tribes, as well as state and federal laws and regulations.

ESSENTIAL QUALIFICATIONS

This position requires:

- Bachelor's degree in a related area.
 - Minimum of 8-10 years of progressively responsible related experience in Native American governance or related field.
 - Demonstrated experience working with Tribal communities in order to advance relationships and partnerships.
 - Proven ability to lead teams.
 - Knowledge of and appreciation for California Native American heritage and cultural issues in order to create respectful and lasting relationships built on trust and mutual understanding.
 - Understanding of NAGPRA and CalNAGPRA legal requirements in order to ensure compliance and provide campuses support, as well as to offer meaningful advice, guidance, and assistance to the Vice Chancellor and CSU executive leadership.
 - Strong problem-solving skills and conflict-resolution skills to fulfill the leadership responsibilities and serve effectively as a professional staff supervisor.
 - Strong oral and written communication skills to fulfill leadership responsibility, as well as to successfully communicate CSU efforts with CSU executive leadership and Tribal partners.
 - Knowledge of Tribal law and Tribal governance in order to resolve issues facing the Chancellor's Office and campuses.
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- Proven ability to work with Tribal, government, political and community leaders in order to resolve problems.
- Understanding of Tribal protocols in order to build trust.
- Demonstrated ability to work with individuals from varied backgrounds and cultures in order to be sensitive to Tribal perspectives.
- Strong organizational and strategic skills to develop and implement the goals of the Office of Tribal Relations.

Preferred:

- Master's degree in a related area.
- Experience with education and institutions of higher education in order to succeed in working across the Chancellor's Office and the 23 universities.

SALARY

The anticipated salary hiring range is up to **\$14,167 per month**, commensurate with qualifications and experience.

APPLICATION PROCESS

Priority consideration will be given to candidates who apply by **August 2**. Applications will be accepted until the job posting is removed.

Please click [HERE](#) to complete the California State University, Chancellor's Office online employment application.



EQUAL EMPLOYMENT OPPORTUNITY

The university is an Equal Opportunity Employer and does not discriminate against persons on the basis of race, religion, color, ancestry, age, disability, genetic information, gender, gender identity, gender expression, marital status, medical condition, National origin, sex, sexual orientation, covered veteran status, or any other protected status. Reasonable accommodations will be provided for qualified applicants with disabilities who self-disclose by contacting the Senior Human Resources Manager at (562) 951-4070.

ABOUT EXTERNAL RELATIONS AND COMMUNICATIONS

The Division of External Relations and Communications promotes the California State University to key stakeholders and constituents by communicating its strengths as a state and national leader in higher education. It achieves this objective by leading the CSU's efforts in advocacy, communications and brand positioning, media relations, advancement, alumni engagement and more—advancing the CSU's mission to provide high-quality, accessible, and affordable education that transforms lives and contributes to the economic and societal success of California.

ABOUT THE CALIFORNIA STATE UNIVERSITY

The California State University (CSU) is the nation's largest and most diverse four-year public university, providing opportunities for upward mobility to students across the state and empowering them to become leaders in the changing workforce. The CSU has a rich history, starting in 1960 by the Donahue Higher Education Act when the individual California State Colleges were brought together. In 1972, the system became The California State University and Colleges and 10 years later, the system became The California State University. Today, the CSU system comprises 23 universities and is proud to educate more than 450,000 students each year.

- One in every 20 Americans with a college degree earned it at the CSU.
- One in 10 employees in California is a CSU graduate.
- More than 4 million alumni and counting.
- Alumni network is larger than the population of 23 U.S. states.

For more information about the CSU System, please visit the CSU [website](#) and CSU [Fact Book](#).