



CHAIR, ACADEMIC SENATE  
RIVERSIDE DIVISION  
UNIVERSITY OFFICE BUILDING, RM 225

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October 8, 2019

Kum-Kum Bhavnani, Chair, Academic Council  
1111 Franklin Street, 12th Floor  
Oakland, CA 94607-5200

**RE: [Systemwide Review] Presidential Policy on Native American Cultural Affiliation and Repatriation**

Dear Kum-Kum,

The Riverside Executive Council discussed the Presidential Policy on Native American Cultural Affiliation and Repatriation and did not wish to add additional points to the consultative responses received from the Divisional Senate’s standing committees. The Council discussion of this matter did result in agreement that the feedback from the Committee on Academic Freedom and the Committee on Diversity, Equity, and Inclusion is both substantive and meaningful.

Committee on Academic Freedom’s memo directs our attention to policy (and possibly legal) questions regarding the repatriation of remains and artifacts across US borders, as such transnational repatriation does not seem to be addressed in the existing policy. Further, the committee questions whether there ought to be a thorough review of the matter of confidentiality when considering information that may have originally been provided by Indigenous and Native people under the auspices (or colonialist assumptions) of non-confidentiality. Will tribal representatives and leaders have the opportunity to reclassify certain information as confidential, in light of this policy and the spirit in which it is being considered? Committee on Diversity, Equity, and Inclusion, on the other hand, raises a few questions for clarification that may be important for the policy’s long-term feasibility. The committee asks whether the “5-year requirement” proposed on page 15 of the draft policy is appropriate in every consideration of California tribal membership, and also requests that the policy provide clear information regarding the number of California tribes from which committee members will eventually be chosen. Finally, the committee raises a crucial question regarding the protocols and transparency of the nomination process for serving on the proposed committee. This matter is especially important due to differences of power, wealth, and political/legislative influence among the many Native tribes of California.

As always, i appreciate our opportunity to provide input on this issue. I trust this will help in our systemwide consultation process.

Peace.

A handwritten signature in black ink, appearing to read "Dylan Rodriguez".


Dylan Rodriguez  
Professor of Media & Cultural Studies and Chair of the Riverside Division

CC: Hilary Baxter, Executive Director of the Academic Senate  
Cherysa Cortez, Executive Director of UCR Academic Senate Office

 UNIVERSITY OF CALIFORNIA | Academic Senate  
**UCRIVERSIDE** |  
**COMMITTEE ON ACADEMIC FREEDOM**

October 1, 2019

To: Dylan Rodriguez, Chair  
Riverside Division of the Academic Senate

From: Dmitri Maslov, Chair   
Committee on Academic Freedom (CAF)

Re: Presidential Policy on Native American Cultural Affiliation and  
Repatriation

The Committee on Academic Freedom considered the proposed revised Presidential Policy on Native American Cultural Affiliation and Repatriation ("Revised Policy"), submitted for Systemwide Review on August 19, 2019.

The policy deals with a set of highly complex issues, and some committee members indicated they feel "inadequate to judge the merits of the ethics and coverage of the policy and would leave that to experts." From the perspective of academic freedom, this policy's issues may be outside of the CAF domain.

There were questions or comments of a technical nature made by the Committee members. The draft describes the procedures for handling and repatriation of remains and materials within the national border; however, it does not provide any guidance for cases when such materials have to move ACROSS the border. What is the relationship between the UC and repatriation of remains or material artifacts of indigenous peoples who reside OUTSIDE of the national borders of what is now the United States? Is this question covered by another policy statement? The draft gives a definition and procedure for handling confidential information (p. 3). However, there is also the need to address long term rights of indigenous communities on the information originally disclosed as NONCONFIDENTIAL. What rights, ultimately, do these communities or their individual members retain to their information? More specifically, are they able to reclassify such materials/information to being CONFIDENTIAL or impose other restrictions, thereby preventing use of that information? Under Composition of Campus Native American Repatriation Implementation and Oversight Committee (pp. 15 and 16): The language of the draft (p. 16) refers to three members of the UC. But it does not state that the UC must be the campus itself and that the three members are to be faculty (although that may be assumed).



**COMMITTEE ON DIVERSITY, EQUITY, AND INCLUSION**

October 1, 2019

To: Dylan Rodriguez  
Riverside Division Academic Senate

From: Xuan Liu, Chair  
Committee on Diversity, Equity, and Inclusion

Re: Systemwide Review. Proposed Revised Policy. Presidential Policy on  
Native American Cultural Affiliation and Repatriation

Overall, CoDEI is supportive of the proposed Presidential Policy on Native American Cultural Affiliation and Repatriation, but we would like to have some clarification on the following issues:

1. We wonder whether it is reasonable to expect California tribes to have members who meet the proposed 5-year requirement (page 15).
2. It might be helpful to know how many California tribes there are and to be cognizant of differences among them when selecting committee members across different tribes.
3. What exactly is the nomination process (how do people get nominated and what do they need to do to be considered?) and what are the criteria related to who - among the nominees - will be selected to serve on the committee?



September 30, 2019

To: Dylan Rodriguez, Chair  
Riverside Division

From: Djurdjica Coss, Chair  
Committee on Research

RE: Systemwide Review: Presidential Policy on Native American Cultural Affiliation and Repatriation

The Committee on Research reviewed the Presidential Policy on Native American Cultural Affiliation and Repatriation and had no additional comments.



**COMMITTEE ON FACULTY WELFARE**

October 2, 2019

To: Dylan Rodriguez  
Riverside Division Academic Senate

From: Abhijit Ghosh, Chair  
Committee on Faculty Welfare

Re: Presidential Policy on Native American Cultural Affiliation and  
Repatriation

The Committee on Faculty Welfare (CFW) carried out an email discussion between Sep 23 and Oct 2, 2019 on the "Proposed Revised Policy: Presidential Policy on Native American Cultural Affiliation and Repatriation". The revised policy does not raise any concerns from CFW.