

## MEMORANDUM

March 5, 2024

TO: Vincent Del Casino, SJSU Provost

FROM: Charlotte Sunseri, NAGPRA Coordinator; Alisha Marie Ragland, Tribal Liaison for AB-275

RE: Summary of SJSU CalNAGPRA Compliance

This memo is to document the steps our campus has taken toward compliance with the federal Native American Graves Protection and Repatriation Act (NAGPRA) and the state laws of CalNAGPRA and AB-275, to be shared with the Faculty Senate.

SJSU houses no less than 496 ancestors from 37 separate collections; 5,500 human remains and cultural items are held in a locked and secured facility on campus, in Washington Square Hall. Only NAGPRA personnel are permitted in this facility, along with any Tribal partners. The majority of collections were donated to SJSU over the past 70 years and were originally excavated from the greater Bay Area. As the NAGPRA Coordinator and Tribal Liaison we have worked to address compliance with CalNAGPRA and maintain relationships with consulting Tribes. For CalNAGPRA compliance, SJSU has held over 40 consultations since 2021, with 18 Tribes; we have been in continuous consultation with Tribes for the purpose and shared goals of complete repatriation of these culturally affiliated remains and cultural items. These items for repatriation to Tribes do not include 25% of SJSU's archaeological and historical collections, which lack Native American human remains or cultural items.

Our objective remains to consult with Native California Tribes regarding our handling of human remains in the SJSU Curatorial Facility, with the goal of imminent repatriation of all requested collections to culturally affiliated tribe(s). Over the past three years we have made much progress to this end, particularly with submitting preliminary and final inventories of these collections to the state Native American Heritage Commission (NAHC) and notice of inventories completion to the NAGPRA office and Federal Register. Our campus can now repatriate collections through either NAGPRA or CalNAGPRA to requesting Tribes. We have claims from Tribes for the majority of our holdings, and can begin that process.

In addition to human remains, SJSU must inventory and document all historical archives, photograph and document collections, and other contexts which might contain items of cultural patrimony for Native Americans. We must provide verification of non-Native California origins for these collections, or begin consultation efforts with Tribes. We will be sending out a survey shortly to Chairs and Directors to confirm no such items are held in our facilities. We are working tirelessly to meet state requirements and continue to consult with Tribes to prepare for repatriation of culturally-affiliated Collections; the collaboration of colleagues across campus is essential to this effort.

We look forward to initiating a transfer of collections to Tribes, as we did in a 2020 repatriation of SJSU-held human remains to the Central Valley Yokuts NAGPRA Coalition. Over 75% of SJSU's holdings are in active repatriation claims status, however progress in these efforts is impeded by conflicting requirements at the state (NAHC) and federal (National NAGPRA Office) levels. We are working with the Native American Heritage Commission to facilitate the return of items to Bay Area Tribes, which are not federally recognized as sovereign nations. We look forward to the return of ancestors and cultural items to these tribes, in hopes that this activity will address past injustices and empower Native Californian tribal sovereignty.