



Monthly Executive Committee Meeting

University of California Hastings College of the Law
Willkie, Farr & Gallagher, 1 Front St, San Francisco, CA 94111
Nov 9, 2022 11:00 AM - 12:00 PM PST

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1. Roll Call

Director Simona Agnolucci, Chair Director Chip Robertson, Vice Chair Director Shashi Deb
Director Mary Noel Pepys Director Albert Zecher

2. Public Comment

(10 minutes) This is an opportunity for members of the public to comment on agenda items. Public comment on any agenda item will be limited to no more than three minutes per speaker and 10 minutes total. Groups or organizations that wish to comment on a particular item are encouraged to have a single representative speak for no more than three minutes. These limits can be varied at the discretion of the Chair. Persons who wish to speak on matters not on the agenda should make their request in writing to the General Counsel and Secretary of the College.

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5. Name Change Litigation Update

6. Adjournment



Executive Committee Meeting (Open Session)

Minutes

University of California Hastings College of the Law
September 26, 2022
333 Golden Gate Ave, Rm. 405, San Francisco, CA 94102

Participants and members of the public were also able to join the meeting via the web link or dial-in numbers listed in the public notice of this meeting linked here: <https://www.uchastings.edu/our-story/board-of-directors/board-meeting-notices-agendas-and-materials/>.

1. Roll Call

The Chair called the meeting to order at 1:04 p.m., and the Secretary called the roll.

Committee Members Present

Director Simona Agnolucci, Chair
Director Shashi Deb
Director Albert Zecher

Committee Members Absent

Director Chip Robertson, Vice Chair
Director Mary Noel Pepys

Staff Participating

Chancellor & Dean David Faigman
General Counsel & Secretary John DiPaolo
Assistant Chancellor & Dean/Chief of Staff to the Chancellor & Dean Jenny Kwon
Controller Sandra Plenski
Chief Financial Officer David Seward
Deputy General Counsel Laura Wilson-Youngblood

2. Public Comment Period

The Chair invited public comment. No member of the public offered comment.

3. Finding to Support Special Meeting Notice Period as Required by Government Code 11125.4

Mr. DiPaolo presented a resolution for the Committee's consideration as detailed in his memorandum included in the written materials. Director Deb indicated that a correction needed to be made to the resolution to change the date that the governor signed AB 1936 from October 23 to September 23.

Motion:

The Chair called for a motion to adopt the following resolution, as corrected at this meeting:

“WHEREAS, the Governor signed AB 1936 on September 23, 2022, which changes the name of the College in statute; and

WHEREAS, this enactment could trigger immediate litigation against the College challenging this change, for the reasons set forth in the September 26, 2022 memo from the General Counsel & Secretary; therefore, be it

RESOLVED, that the Committee finds that it must meet today to consider the retention of counsel to represent the College in the event of such litigation; that compliance with the standard 10-day notice provision of the Bagley Keene Act would impose a substantial hardship on the College; and that immediate action in this matter is required to protect the public interest.”

Motion made and motion seconded. The motion carried.

The Committee entered closed session at 1:09 p.m. pursuant to Education Code Section 92032(b)(5).

4. Adjournment, including report on actions taken in closed session

The Committee returned to open session at 1:31 p.m. Mr. DiPaolo reported that in closed session the Committee voted to retain Gibson Dunn & Crutcher LLP to represent the College in potential litigation regarding the College’s name change to UC College of the Law, San Francisco, and voted to approve a budget authorization to fund such retention. The Chair adjourned the meeting at 1:33 p.m.

Respectfully submitted,

John K. DiPaolo, Secretary



Special Meeting of the Board of Directors

Minutes

July 27, 2022

University of California Hastings College of the Law
200 McAllister Street
Alumni Reception Center, 2nd Floor
San Francisco, CA 94102

Participants and members of the public were able to join the meeting via the web link or dial-in numbers listed in the public notice of this meeting linked here:

<https://www.uchastings.edu/our-story/board-of-directors/board-meeting-notices-agendas-and-materials/>

1. Roll Call

The Chair called the meeting to order at 9:30 a.m., and the Secretary called the roll.

Directors Present

Director Chip Robertson, Chair
Director Simona Agnolucci, Vice Chair
Director Shashi Deb
Director Michael Ehrlich
Director Andrew Giacomini
Director Andrew Houston
Director Claes Lewenhaupt
Director Mary Noel Pepys
Director Courtney Power
Director Albert Zecher

Directors Absent

None

Staff Participating

Chancellor & Dean David Faigman
General Counsel & Secretary John DiPaolo
Assistant Chancellor & Dean/Chief of Staff to the Chancellor & Dean Jenny Kwon
Chief Financial Officer David Seward
Deputy General Counsel Laura Wilson-Youngblood

Others Participating

Mr. Steve Brown, Chairman, Yuki Indian Committee, Round Valley Indian Tribes

Hon. Robert Hertzberg, State Senator

Hon. James Ramos, State Assemblymember

Mr. James Russ, President, Round Valley Indian Tribes Tribal Council

Hon. Tom Umberg, State Senator

Hon. Scott Wiener, State Senator

1.1. Opening Blessing

At the invitation of the Chair, Assemblymember Russ offered a Serrano song as a blessing.

2. Welcome

2.1. Introductory Comments

Chair Agnolucci welcomed guests and the public to the meeting. She recounted the process that had led to today's meeting. In 2018, the College commissioned Professor Brendan Lindsay to write a white paper on the topic of Serranus Hastings' actions that concluded that Judge Hastings had committed atrocities against the Yuki Indians in Round Valley and Eden Valley. In 2020, the Hastings Legacy Review Committee issued a report focused on critical restorative justice efforts the College should take related to the peoples of Round Valley. That committee did not recommend a name change. In September 2020, the Board of Directors adopted that report. However, as restorative justice efforts continued, it became clear that keeping the name would be offensive to many, so the Board voted to remove Hastings from the College's name in November 2021. In March 2022, the Chair of the Board appointed Director Albert Zecher chair of a committee to re-examine the historical basis for the decision to rename the school, and that committee's report affirmed that the Hastings name should be removed. On June 3, 2022, the Board held its first consultation with Round Valley Indian Tribes (RVIT) and the Yuki Committee, facilitated by Assemblymember Ramos. The Chair of the Board appointed a consultation committee comprising Chair Agnolucci and Vice Chair Robertson. The Consultation Committee began in June 2022 a series of meetings with Assemblymember Ramos and RVIT and Yuki representatives. Chair Agnolucci said she appreciated the leadership of Messrs. Ramos, Russ, and Brown. The Consultation Committee also met with Jonathan Cordero, President of the Association of the Raymutush Ohlone. The College continued to receive messages from the public on this matter up to a few

minutes before the meeting, and Chair Agnolucci indicated that she read them all.

2.2. Comments by Elected Officials

Assemblymember Ramos stated that there had been an ongoing process, starting in October 2021, that included discussions and input with tribal members at the table. He thanked his colleagues in the Assembly and Senate for their work in bringing together people to bring this history of the State of California to light and for working with the tribes to solve this issue. This is a model for others in the State to follow.

Senator Weiner thanked his colleagues, especially Assemblymember Ramos for taking the lead in this matter and Senator Umberg, with whom it was a pleasure and honor to work. He also thanked the College, especially Dean Faigman for all of his incredibly hard work, always with an attitude of coming to resolution. As a San Francisco native for 25 years and representative of San Francisco, Senator Weiner was happy that this resolution has been reached and that the Hastings name is going to be removed. He expressed that the idea that a San Francisco institution would have the name of someone who committed genocide is unthinkable, and that this is just one example of wrongs against California's Indigenous Peoples. What Serranus Hastings did was not an aberration; it was part of the policy of the State of California to exterminate and remove Native Americans in California. He said we need to own that as Californians as part of the history of our state, and we need to make amends. The restorative justice initiatives in our bill are as important as the name change. It is a model for the initiatives we should be taking to address the atrocities that occurred around colonization.

Senator Umberg thanked Assemblymember Ramos and Senator Wiener for all of their work in getting this done. He also thanked Dean Faigman for coming to the table with an open mind and heart and for all of his work. As an alumnus of Hastings, he believes it is very important to recognize the atrocities committed by Judge Hastings long ago, which still reverberate today. As a legislator, he believes it is important to make sure that the legacy of the school in San Francisco be continued. He also considers it important to recognize the State's complicity in these atrocities and the State's responsibility to set up restorative justice efforts.

Senator Hertzberg asked whether "UC" would be in the College's name. Mr. DiPaolo stated that the the affiliation of the College with University of California is in another section of the code, and that affiliation will remain unchanged. Dean Faigman stated that the College has had several meetings with UC President Michael Drake, who has consulted with the Regents. The College will market degrees as UC College of the Law, San Francisco, if the Board so votes. Senator Hertzberg said he considers it very important to continue that relationship. Hastings has fallen a lot in the rankings since he was a student, and the UC name critically important.

3. Review of Historical Basis for Board's Decision to Remove Chief Justice Serranus C. Hastings Name from the Law School

Director Zecher presented the evidentiary basis for the Board's decision to decouple the Hastings name from the College. Director Zecher personally reviewed the historical records along with Vice Chair Robertson this spring. Brendan Lindsey's 2018 report found that Hastings had committed atrocities from 1859-1860, approximately two decades before the law school was founded. He sponsored and supported indiscriminate killings against men, women and children. Several alumni asserted that there was not sufficient historical basis to conclude Judge Hastings was involved in the atrocities. The Board's Historical Review Committee looked at the historical record in the light most favorable to Hastings; and, even so, the Committee found he was complicit in mass killings against the Yuki.

In his 1860 deposition, Judge Hastings testified that the only outrage he knew about was the killing of a number of Yuki Indians by his ranch foreman H.L. Hall in retaliation for the killing of livestock; this had happened in 1858 and Judge Hastings said he found out about it in January 1859. Yet Judge Hastings continued to employ Mr. Hall thereafter. In February of 1859, his ranch foreman struck again and killed several Yuki Indians, including infants, again in the name of protecting Judge Hastings's livestock. Furthermore, in 1859 and 1860 Judge Hastings was so involved in promoting, establishing and supporting a militia group called the Eel River Rangers that he must be held responsible for its actions. The Rangers' specific purpose was to clear the Yuki people from the land. Judge Hastings is on record promising to pay the Rangers and supply them with bullets. Judge Hastings encouraged the Governor to expand the Rangers. Judge Hastings promoted and supported an armed militia tasked to use deadly force, so he cannot be absolved from the deadly slaughter just because he did not pull the trigger himself. His involvement may have been even deeper than is reflected in

these facts, but the point is to show that there is ample historical support to decouple the Hastings name from the College.

4. Overview of AB 1936 – A Bill to Rename the Law School and Support Restorative Justice Initiatives

Mr. Seward said the bill had received broad bipartisan support in the Legislature. It was co-authored by Assemblymembers Ramos and Ting. The bill modifies the existing legislative framework by removing the name Hastings and calls for a consultative process between the College, RVIT and the Yuki Committee, removes the Hastings descendant board chair, and calls for a recommendation of a new name by the Board after the consultative process. The bill outlines a series of restorative justice measures that the Assembly recommends the College take. The College agrees to provide pro bono legal support to residents of Round Valley and participate in the Native American Opportunity Plan to promote accessibility and affordability for those pursuing a legal education. The Budget Act of 2022 includes \$885,000 dollars to support renaming and other costs. The College will seek additional funding to enable it to fully undertake these initiatives; an estimated \$3.4 million is needed. The bill has gone through both houses of the Legislature with unanimous bipartisan support.

5. Comments on Consultative Process

5.1. Assembly Member James Ramos

Assemblymember Ramos thanked Chair Agnolucci and the College for their hard work. He thanked President Russ, Mona Oandasan, and Chairman Brown for their hard work as well. Assemblymember Ramos said this process started in October 2021 when the school indicated it was open to renaming itself. All of the foregoing people plus Dean Faigman met and worked on the bill for over 60 hours to get to the bill we have today. The consultation process in the bill contemplates consultation with the federally-recognized RVIT tribe and its designated Yuki Committee. Those meetings moved forward to where we are at today. The consultation process with RVIT began June 3 and ended July 13. Powe N'om was always the name being discussed as put forward by the Yuki Committee as a possible replacement name for the College. He also noted that a lot of work has gone into the bill regarding restorative justice. At the July 13 meeting the parties agreed to discuss Powe N'om as a potential name along with others, as well as what is already in the bill regarding restorative justice. Other measures include giving an indigenous name for the law library, recognition of

atrocities committed at convocation and commencement, a willingness to reexamine the name of the College if the name of San Francisco changes, and legal support to look into issues that we're discussing here today. He stated he was calling out reengagement on the name if the City's name has changed because it was no longer in the memo. He thanked everyone for their engagement, noting that when this process started there was an absence of native peoples at the table, and now they have been included. The present moment is the most important part of the process, which is choosing the name. This is a model for others in the state of California to come to terms with the impacts of the atrocities committed by the State against its first people. We will no longer see the history of California swept under the rug when it comes to treatment of its first people. We need to right the wrongs and listen to the voices of the people who are crying out for the true history of California's first people to be told.

5.2. President James Russ, Round Valley Indian Tribes

President Russ began by thanking the Creator for bringing us together to discuss this important issue. He thanked Assemblymember Ramos for his leadership. It is important to remind ourselves that this is not an easy discussion to have; there is a lot of denial and sweeping things under the rug. As Indian people, we need to see that the actual truth is being acknowledged. It is important to know that as an example, if you look at our own public school system, we do not hear the history of what happened to Indian people in our area. President Russ gave a lot of credit to Dean Faigman, the College, and the Board for bringing this to the forefront. If these leaders were not in support of it, we would not be having this conversation. There were many conversations with Mona Oandasan, Steve Brown, Assemblymember Ramos, and College representatives. These were not easy conversations, but we all stayed and got to this point. Restorative justice measures and renaming conversations are really important. The Native Peoples wanted to be involved, wanted a voice, wanted to be heard. All of our tribes have a story to be told throughout California and the nation. We want that mutual respect; we can listen to arguments and express our views too. Thanks for being open and for listening to our views. We wanted to be involved in the process and the process has been good. We went through AB 1936 line by line and had input into it. Other Council members and others of our people have given input, too.

5.3. Chairman Steve Brown, RVIT Yuki Committee

Chairman Brown said he read Dean Faigman's memo and its recommendations against naming the College Powe N'om. That memo was not a brief because it did not include counterpoints. He and others talked to Jonathan Cordero and Ben Medel, and they have their own agenda and are not credible. Dean Faigman left out the feedback from the Muwekma Oholone who support the Powe N'om name. Dean Faigman consulted with hand-picked tribal members with no credibility. This is a cold case homicide of 20,000 victims. Chairman Brown's whole family tree was murdered, and all he wants is for the College to put two of their words on the College. There must have been 1000 small defenseless babies included in the victims. Chairman Brown described what he imagined bullets did to those babies. Judge Hastings paid people to do this. Today we call those people psychopaths. Chairman Brown described images of dead babies at the College and told the Board to think of those images when it voted. He said, honor is important to our people, and we are all waiting to see if you will do the right thing. Fiat justitia, the school motto, means swift justice. If swift justice for is some, then change the motto. Now is your chance to show that there is justice for all. Make a motion and second it for the name Powe N'om. Don't let us down.

6. Overview of the College's Ongoing Commitments to Restorative Justice Initiatives

- 6.1. Physical Plant Commemoration and Naming
- 6.2. Indigenous Law Center
- 6.3. Educational and Cultural Initiatives
- 6.4. Other Program Initiatives

Dean Faigman said outreach to the tribes of RVIT began in 2017. There had been numerous meetings with RVIT and the Yuki people, including many who prefer to be referred to as the Wit'uconomom people. Since then, the College has dedicated space on its first floor to Native American history focused on the Yuki people. It has established the Indigenous Law Center two years ago. The College funded four scholarships this year for students to work on indigenous issues in the Round Valley area. The College is also working on a program to give students of RVIT the chance to participate in moot court and writing programs. Compassion, empathy, and common ground will be at the heart of our work together as we advance together into the future.

7. Presentation of Report of the Board Consultation Committee

Chair Agnolucci said the issues examined in the Committee's report are complex, and she hoped that all read it. It is the culmination of a long and robust process. She and Vice Chair Robertson worked hard to incorporate all input received, including that of Assemblymember Ramos, President Russ, Chairman Brown, alumni, students and others. The Committee recommends AB 1936 be amended to name the school College of the Law, San Francisco. It recommends additional restorative justice measures beyond what are in AB 1936: naming the law library an appropriate indigenous language name following additional consultation with RVIT and its designees; acknowledgement of atrocities at commencement and convocation; and collaboration with Round Valley to provide students opportunities to develop debate and writing skills through trial advocacy and moot court. The Committee continues to support decoupling the Hastings name from the school, which is itself an important restorative justice measure. The stain of his actions still exists. The College has received a lot of input from members of the public. Seven percent supported a Yuki-language name. Although the Yuki Committee supports the name Powe N'om, that name is not universally favored among the Yuki or RVIT, or other tribes. The RVIT, a federally-recognized tribe, has not endorsed this approach or taken a position on the name. The Ramaytush Oholone expressed in a letter to the College that naming the College in another tribe's language on their ancestral land would be a grave offense to them. Other Yuki members advocated for other approaches.

The College has been in San Francisco since 1878. San Francisco is one of the greatest cities in the world. We have heard some criticism of the name based on the San Francisco mission, but we are not naming the school after the mission, but for the city itself. San Francisco is the overwhelming choice of students, staff and alumni; a geographic name is also the uniform approach of other UCs. Restorative justice has been our goal from the beginning. The College has agreed to all of the restorative justice measures Mr. Seward mentioned, including the goal of education. The law library naming will put an Indigenous-language name on a central aspect of the College's education program. The Committee enthusiastically supports moot court and trial advocacy programs providing debate and writing support to Round Valley students and informing our students at graduation of the atrocities committed.

8. Public Comment Period

The Chair invited public comment. The Secretary stated that each commenter would be limited to one minute and that there was 30 minutes total for public comment.

Tocal Halsey American Bird, a San Francisco native and Yuki descendent, spoke in favor of an Indigenous-language name.

Rick Marcus, a member of the faculty, spoke in favor of a geographic name.

Edwina Lincoln, a Yuki descendant, spoke in favor of a name that respects the history of the Yuki people.

George Bisharat, a member of the faculty, spoke in favor of the name Powe N'om.

April McGill, a Yuki descendant, spoke in favor of an Indigenous-language name.

Catalina Lozano spoke in favor of the name Pow'e'nam.

Jonathan Cordero, Chair of the Ramaytush Oholone peoples, spoke in favor of the name change but against a Yuki-language name.

Norma Garcia spoke in favor of the name Pow'enam.

Maria Dominguez, a Hastings alumna, spoke in favor of the name Powe N'om.

Mona Oandasan criticized the Dean for listening to a particular Yuki family and Jonathan Cordero.

Zachary Price, chair of the Faculty Executive Committee, spoke on behalf of that Committee is in favor of a geographic name.

Charan Brahma, a UC Hastings alumnus, spoke in favor of a geographic name.

Morris Ratner, Provost and Academic Dean and professor, spoke in his individual capacity in favor of a geographic name.

June Sakamoto, Senior Assistant Dean of Enrollment Management, spoke in favor of the San Francisco name.

Richard Flier, an alumnus, spoke in favor of retaining the Hastings name.

Kris Witten, an alumnus, spoke in favor of retaining the Hastings name.

Carol Hamilton, an alumna, spoke in favor of a geographic name.

Jeremy Chan, an alumnus, spoke in favor of the name Powe N'om.

Deb Hut, a Yuki descendant, said there should at least be a Yuki-language motto if not the school name.

Jerome Pandell, an alumnus, spoke in favor of a geographic name.

James Sewitan, a Yuki descendent, spoke in favor of the name Powe N'om.

Elizabeth Delaney, an alumna, spoke in favor of a geographic name.

Nickole Whipple, a member of RVIT, spoke against the name San Francisco.

Adam Slote, an alumnus, spoke in favor of the San Francisco name.

Morningstar Gala, California tribal and community liaison, said the name change was important and capture and removal of native peoples is an ongoing issue.

At this point, the Chair closed public comment.

9. Board Discussion on the Name Change and Restorative Justice Initiatives

The Chair invited Board members to discuss their views on the name change and restorative justice initiatives.

Director Pepys stated that she likes the meaning of the phrase Powe N'om very much. One people is a concept she deeply believes in, especially because of working internationally. She believes that Hastings has always embraced this. The Board has already voted to remove the Hastings name from our school. This is because the Board heard you, heard your pain. We as a Board of Directors are personally responsible for the future of the school. This includes restorative justice initiatives that impact the tribes and selecting a new name that reflects the depth and breadth of our school's community, a community embraced by the College regardless of race, gender, class, etc. This community is deeply embedded in San Francisco and it is this community who will

partner with RVIT in the future. Restorative justice efforts began four years ago. Based on trust and friendships that have been created over the past four years, she foresees a future that brings us all together as one people.

Director Houston said he is a graduate of Hastings class of 2007 and a first-generation college and law student from a single parent household. Going to Hastings changed the whole trajectory of his life. It gave him economic stability and knowledge of the law for his community. As a law student, he and his African American classmates would ask how to dress, wear their hair, and speak in interviews as they entered a White profession. Hastings has opened doors for many people of color, including Kamala Harris and London Breed. There are many differences between African American and Native Peoples, but many similarities, including being victims of murder, rape, etc. Director Houston has talked to other African American alumni about what they think about the name. While he doesn't speak for everyone, in a predominantly White institution and profession, White people make decisions that have real effects on people of color's lives. Changing the name to Powe N'om could have positive effects, but there are unfortunately a lot of people who would not support the institution anymore. That would make the struggle for students of color even harder, for students who do not have a dime to their name, whose parents are incarcerated, who are parents while in law school. The issue in speaking with African American alumni is that the Powe N'om name will not be accepted by people who have the power to impact the lives of people of color. He wishes we lived in a society where people would accept Powe N'om and would accept Barack Hussein Obama as an American citizen. He thinks that the San Francisco name gives people of color the best chance at success. This has kept him up many nights. He also does not want to suggest that if you don't support Powe N'om you don't support the Yuki people. He personally wants to help any Yuki person who comes to him and wants to go to the College.

Director Lewenhaupt said that as the sole descendant of Serranus Hastings on the Board, he is emotionally tied to this issue. He wants to express on behalf of himself and his siblings his deepest sympathies. He knows and has heard the pain in all of the meetings. He has sat with the Medels and their families and Dean Faigman. He sat and broke bread with them and listened to all of their pain. He wishes we could turn back the clock. He prays he wouldn't have done the same as Serranus Hastings did. He has spent his life in the military dedicated to ensuring that soldiers act in accordance with the rule of law. He has served on the Board for 16 years now, and his time on the Board is limited. He has tried to serve humbly, with only the interests of the institution, and he has seen amazing things happening at the College with Dean Faigman's leadership. The institution is

growing in its ability to support and stand for the little guy. He supports the geographic name because he thinks that will best help the institution thrive. He offers his support to restorative justice and anything he can do to keep this issue alive and at the forefront in California and across the nation.

Director Deb said the discussion of *fiat justitia* took her back to her time at Hastings. Those words are the call of duty as lawyers enter the legal profession and are an enormous responsibility. They are not taken lightly. It was emotional to hear your pain and words of sorrow. She feels deep, deep sorrow for what you and your people have gone through. Assemblymember Ramos said that no longer will history be swept under the table. Most people who started here as law students knew nothing or only superficial information about Judge Hastings, and she is ashamed about that. A lot of work has been done toward restorative justice and becoming one people. She is proud of removing the name Hastings and replacing it with the name San Francisco.

Director Power said she is a Hastings graduate from the class of 2001. She acknowledges the power and gravity of the feedback today and throughout process. She wants to echo what others have said in that all feedback was reviewed and carefully considered along the way. She embraces the Powe N'om name for aspects of the building and embraces the full restorative justice program. She thanked everyone. She has learned a lot along the way and supports every effort of restorative justice, including those that encourage knowledge of this history.

Director Giacomini said he is a UC Hastings graduate. He has appreciated the consultative process and learned a lot. He is ashamed of the atrocities committed against the Yuki people. He did not do it himself, but as a White man in California, he knows that he benefited directly from those atrocities. He apologized again to each person and their families. He appreciated what Director Houston said. It is really important that whatever we do reflects deep listening to the stories, feelings, and histories of the Yuki people. This process must continue; it does not end with a vote today. He is mindful that there are different points of view on this, and he does not have a way of reconciling all of the views. Some people think that using a Yuki name here would offend others, some people say that is not true; he does not want to create new offense, and that is influencing his decision. The restorative justice efforts are tangible evidence that the College is listening, and he wants that to continue. The decision to remove the Hastings name took a while, and it is reflective of listening to your concern and pain. The things that we have done are consistent with our motto. They may not be enough for some people, and he does not expect that whatever we do will be enough.

He does not know what could be enough to make amends for 20,000 murdered ancestors. Maybe becoming one people would be enough. We have been asked by the Yuki to take a roll call vote on name Powe N'om. For different reasons from Director Houston, he does not support renaming the College Powe N'om: he does not want to create another wrong to another tribe. Restorative justice, continued listening, and not allowing history to fade away are important. He does support finding another naming opportunity for Powe N'om and discussions of the best way to recognize it in the future.

Vice Chair Robertson expressed his thanks to everyone. This is the beginning of a long and productive relationship. While the Board may not agree on the name Chairman Brown has proffered, there will be a relationship going forward. He is looking forward to the future, which will take a lot of work and a lot of listening. That needs to be our focus, and to bring benefit to the community however we can. He has learned a lot and looks forward to continuing to learn.

Chair Agnolucci thanked everyone for the time and honesty people put into this process. She has learned a lot. She does not think the College will ever please everyone or choose restorative measures that are enough. What could ever be enough? She feels confident that the recommendation of a geographic name is in the best interest of the institution and that restorative justice efforts will bring healing to RVIT and the Yuki. This hasn't been an easy process, but it has been a robust one.

10. Call for a Motion to Determine and Approve New Name for the College and Affirm Commitment to Restorative Justice Initiatives Under AB 1936.

Chair Agnolucci introduced a resolution that she read to the Board, highlighting certain edits made as a result of comments at this meeting. She read the resolution as follows:

RESOLUTION OF THE BOARD OF DIRECTORS OF HASTINGS COLLEGE OF THE LAW

Whereas, the Hastings College of the Law Board of Directors (the Board) is the lawful governing body of Hastings College of the Law (the College);

Whereas, in 1878 Serranus Hastings contributed \$100,000 in gold coin to found the first law department of the University of California;

Whereas, the California Education Code provides that the law school should henceforth be known as Hastings College of the Law, a department of the University of California;

Whereas, in 2020, the College, through the office of the Chancellor & Dean and the work of the Hastings Legacy Review Committee, completed a three-year project to examine founder Serranus Hastings' involvement in mass killings of Native Americans in California's Eden and Round Valleys before the College's founding and sought ways to restore justice for those crimes;

Whereas, over the last four years, the College has established a growing relationship with the Round Valley Indian Tribes Tribal Council and Yuki People^[1] in pursuit of restorative justice.

Whereas, throughout the process of reconciliation between the College and members of the affected tribes, officials at the College understood that the name of the school was an abiding issue;

Whereas, legislation is needed to conform the California Education Code to whatever new name is adopted by the Board;

Whereas, on November 2, 2021, the Board directed the Chancellor & Dean to work with the California Legislature, the Governor's Office, and other offices to enact legislation changing the name of the College;

Whereas, since that date the Chancellor & Dean and other College leaders have worked with Senator Scott Wiener, Senator Tom Umberg, Senator Robert Hertzberg, Assemblymember Phil Ting, and most especially under the leadership of Assemblymember James Ramos, to support legislation to institute continuing restorative justice initiatives and to change the name of the College in statute;

Whereas, the Board fully supports Assembly Bill 1936 (AB 1936), co-authored principally by Assemblymember James Ramos and Assemblymember Phil Ting, including its provisions to remove Hastings from the College name and the twenty-one restorative justice initiatives outlined therein;

Whereas, AB 1936 requests that the Board submit a recommendation to the California State Legislature only after consultation with representatives of the Round Valley Indian Tribes and its designees of the Yuki Indian Committee;

Whereas, California Education Code Section 92201 states, "The college is affiliated with the University of California, and is the law department thereof"; Section 92203 states, "The faculty of the University of California shall grant, and the president shall sign and issue, diplomas to the students of the college," and nothing in this resolution or AB 1936 would change the College's deeply valued affiliation with the University of California;

Whereas the Board and its Consultation Committee (the Committee), the Chancellor & Dean, and other College leaders held five consultative meetings in June and July 2022 regarding the College name and restorative justice initiatives with the Round Valley Indian Tribes Tribal Council and its Yuki Committee;

Whereas, as a result of those consultative meetings, the Committee and College leaders discussed with the Round Valley Indian Tribes and its Yuki Committee the name of the College, as well as four additional restorative justice initiatives (outlined below);

Whereas, between November 2021 and January 2022, the College held multiple town halls and events to receive feedback from College students, staff, faculty, and alumni on the name change.

Whereas the College and the Board of Directors reviewed over 300 emails and letters received regarding viewpoints on the name change that, in summary showed that nearly 80% of responses support a name change, and among those who support a name change, 68% support a geographic designation, 14% support a name change with no specific name request, 12% support a person or other name, and 7% specifically support an Indigenous language name designation;

Whereas the College and Board of Directors have heard from multiple constituencies outside the College interested in this issue, including state and local officials, the media, and the general public.

Whereas, the Committee and College leaders heard strong arguments in favor of the Yuki Committee's stated preference that the school adopt a Yuki-language name, specifically "Powe' N'om," meaning "one people." Their advocacy for, and sincerely held desire to have, their people be honored in this manner is understandable and worthy of our respect;

Whereas, the Committee and the College leadership heard from additional Yuki descendants who support the College in designating its own name, who support a geographic designation, and/or do not support a name change, but rather see retaining the name as an act of forgiveness and pathway to healing and reconciliations;

Whereas, the Committee and College leaders met with the Association of the Ramaytush Ohlone to discuss the name of the College, as it sits on the ancestral land of their People. The College respects their strong opposition to a Yuki-language name for the College and their statement that naming an institution on Ramaytush Ohlone ancestral land in the language of a tribe from another region would be gravely offensive and in violation of traditional Indigenous protocols, and also acknowledge their support for use of the city of San Francisco in the College's new name;

Whereas, the College has been located in the great city of San Francisco since its founding in 1878, having graduated tens of thousands of attorneys, and some of its outstanding graduates have been uniquely identified with the city, including Wiley Manuel, Willie Brown, George Moscone, Jeff Adachi, and Kamala Harris.

Whereas, San Francisco is one of the great cities of the world and, as the College's home, it bestows gravitas on the institution, and the institution contributes to the City's greatness;

Whereas, San Francisco is, by far, the overwhelming naming choice of students, staff, faculty, administrators, and alumni of the school;

Whereas, a geographic designation follows the general approach of the University of California and the California State University System to name its campuses by their geographic locations; therefore, be it

Resolved that the Board recommend to the California Legislature, pursuant to AB 1936, that the name “Hastings College of the Law” in the Education Code be Replaced with “College of the Law, San Francisco;” and be it further

Resolved that the Board ratify the Twenty-one Restorative Justice Initiatives set forth in AB 1936; and be it further

Resolved that the College will support an amendment to AB 1936 to add the following four additional restorative justice initiatives:

1. Naming the law library an appropriate Indigenous-language name, to be agreed upon following consultation with RVIT, its designees, and the College;
2. Acknowledgment at Convocation of the atrocities committed under state law against the Yuki People in the nineteenth century;
3. Acknowledgment at Commencement of the atrocities committed under state law against the Yuki People in the nineteenth century;
4. Development of opportunities for collaboration between the College’s Moot Court and Trial Advocacy Programs with students in Round Valley to provide experience in debate and writing skills; and be it further

Resolved that the College maintain an ongoing and collaborative relationship with the Tribal Council of the Round Valley Indian Tribes and the Yuki people to pursue continued healing and restorative justice related to the acts of Chief Justice Serranus Hastings.

[1] The Yuki are also known as Powe’ N’om and Wit’uconomom People of Eden Valley and Round Valley.

Vice Chair Robertson seconded the motion.

The Chair invited debate. Hearing none, the Chair called for a roll call vote.

The Secretary called the roll, and the Directors voted as follows:

Director Simona Agnolucci, Chair: Aye

Director Chip Robertson, Vice Chair: Aye

Director Michael Ehrlich: Aye

Director Andrew Giacomini: Aye

Director Andrew Houston: Aye

Director Claes Lewenhaupt: Aye

Director Mary Noel Pepys: Aye

Director Courtney Power: Aye

Director Albert Zecher: Aye

The Secretary declared that the motion had been unanimously approved.

11. Adjournment

11.1. Closing Blessing

President Russ invited elders to lead a prayer to close the meeting.

The Chair adjourned the meeting at 11:58 a.m.

Respectfully submitted,

John K. DiPaolo, Secretary