

February 17, 2021

## **Report from the University Council Executive Committee subcommittee on Baldwin Hall to the University Council Executive Committee**

Subcommittee members: Amy Rosemond, chair (Odum School of Ecology), Barbara Biesecker (Franklin College of Arts and Sciences), Janet Westpheling (Franklin College of Arts and Sciences), and Nathan Nibbelink (Warnell School of Forestry and Natural Resources)

Charge to the subcommittee: To draft a resolution to form an ad hoc committee of the University Council regarding Baldwin Hall remains and to formulate a charge for that committee.

Summary: At the October 7, 2020 Executive Committee (EC) meeting, the Final Report (hereafter referred to as ‘the Report’ submitted to the Franklin College Senate April 19, 2019) and Supporting Documents from the Franklin College Faculty Senate Ad Hoc Committee on Baldwin Hall were submitted for “Information and Consideration” to members of the University Council Executive Committee (EC). Following discussion, the EC voted to create this subcommittee which began meeting in late October 2020. The subcommittee initiated discussions with several UGA administrators, faculty, and staff to determine the best course of action. The subcommittee’s charge was considered broadly, including whether the formation of a committee would be advised and, if so, what its composition and charge would be. We considered the topics raised in the Report and whether or how a UC committee could advance issues brought up in the Report going forward. Our findings regarding the three primary topics raised in the report are summarized below. In addition, we have proposed recommendations and resolutions to guide future actions related to Baldwin Hall.

Minutes of the October 7, 2020, meeting of the Executive Committee may be found here: <https://apps.reg.uga.edu/UniversityCouncil/committeeMeeting/showMinutes/182>

### ***1. Protection of the Baldwin Hall site***

The subcommittee met with Mr. Scott Messer, Office of University Architects, on Monday, November 23, 2020 to learn about protection of the site. Mr. Messer made it clear that the moment remains were discovered at the site, it was immediately designated an abandoned cemetery and was protected by state law from further excavation. A report to this effect was made at the time but was not widely disseminated to the university community. He also shared the document titled “Operating Procedures for Ground Disturbing Activities, Old Athens Cemetery,” which is the UGA document that outlines protocols for land disturbance and routine landscape maintenance around the Baldwin Hall site. This document, based on the original report dated January 29, 2020, with revisions on April 27, 2020, states “For all proposed ground disturbing activities within the approximate 1852 extent, as well as 50 feet beyond the approximate 1852 extent of the cemetery, it is necessary to contact the Associate Vice President at the Office of University Architects for Facility Planning (OUA),” indicating that prior written approval is required for any further disturbance of the site.

Mr. Messer indicated that UGA has developed a new Historic Preservation Master Plan (HPMP), which may be viewed here: <https://www.architects.uga.edu/home/historic-preservation>. Mr. Messer also provided the 2010 Georgia State legislation that protects abandoned cemeteries, which includes the Baldwin Hall site: <https://law.justia.com/codes/georgia/2010/title-36/provisions/chapter-72/>.

It is our understanding that the Baldwin Hall site is protected, with the development of the UGA internal document, the state law, and the HPMP.

Our subcommittee has the following observations regarding protection of the Baldwin Hall site:

- a. There was insufficient communication between the University administration and the broader Athens community with regard to the status of protection of the Baldwin site.
- b. The UC Facilities Committee was unaware of actions taken by the UGA Facilities Planning Office, indicating insufficient communication between these groups.
- c. Part of the burial site currently serves as a parking lot and truck delivery area.

## **2. *Genetic analysis from the Baldwin Hall remains***

While the university, through the Office of the Vice President for Research, initiated genetic analysis of the remains discovered at Baldwin Hall in 2019, this analysis has not been completed. Mitochondrial DNA analysis suggests that the origin of some of the people buried there are of African descent, but a detailed analysis of chromosomal DNA is still in progress. The overall aim of the genetic analysis is to identify the descendent community and to share those results with the Athens community. Dr. David Lee provided an [update on the status of the genetic analysis](#) on November 20, 2020 and remains in charge of overseeing this analysis. Dr. Michelle Cook (Vice Provost for Diversity and Inclusion and Strategic University Initiatives) will develop a plan for community engagement to share the findings.

We met with Dr. Cook on Friday, December 4, 2020. She made it clear that her office is aware and will be making plans to engage with multiple stakeholder groups when findings from the genetic analysis are available. Such engagement is viewed as an opportunity to positively engage with the Athens and UGA communities about emergent and ongoing issues, including African American history in Athens.

Our subcommittee has the following observation regarding the genetic analysis of the Baldwin Hall remains:

- a. Dr. Lee is retiring June 1, resulting in a potential gap in the oversight of the genetic analysis and reporting of results to OVPR.

## **3. *Addressing the relationship between the University, Athens residents, and the prospective descendent community in relation to the Baldwin Hall remains***

A concern brought up in the Report is whether relationships have been damaged with members of the Athens community, and particularly the descendent community, over the University actions associated with the Baldwin Hall remains. The University administration acknowledges that the “experience at Baldwin Hall has been a challenging and difficult one for all involved, but most especially for those who believe that it was their ancestors whose final resting places were disturbed.” (Response to the Report, May 13, 2019) and that the University “has learned from this experience” (letter from President Morehead, Nov 7, 2019). The Administration has taken several actions to a) research and publish an account of the history of slavery at UGA, b) complete the genetic analysis of remains, and c) establish procedures to avoid similar challenges in the future. Further, the subcommittee spoke with Dr. Cook about this matter specifically in our conversation on December 4, 2020. Dr. Cook is working closely with the Director for Community Relations, Alison McCullick (Office of Government Relations), to regularly engage with Athens residents. Dr. Cook reported that her and Ms. McCullick’s offices are well connected to various Athens African American community groups. Dr. Cook plans to engage Athens residents when genetic analysis becomes available. This will be done in the context of her office’s ongoing focus on opportunities for residents currently living, working, and studying in Athens.

We also met with members of the Franklin College Senate, including former (Dr. Jennifer Rice) and current (Dr. DeLoris Hesse) Franklin Senate Presidents and the authors of the Franklin Senate Report (Drs. Peter Brosius, Kristin Kundert-Gibbs (could not attend), Michael Usher, Mary Bedell, and Christopher Pizzino, chair) on December 15, 2020. Our purpose was to get clarity on their current concerns given that the Report presented to the EC was written in spring 2019.

Our subcommittee has the following observations regarding the relationship between UGA and Athens residents, including the prospective descendent community:

- a. There was acknowledgement on behalf of the Administration that, in hindsight, some of the challenges presented when remains were discovered at Baldwin Hall could have been mitigated.
- b. Differences of opinion remain between the Administration and the authors of the Final Report with respect to the remediation of past actions.
- c. Members of Franklin Senate leadership and authors of the Report recommended UGA contract a Cultural Resource Manager when engaging the Athens community about the Baldwin Hall remains.

### **Conclusion**

As stated above, the subcommittee charge was considered broadly. Our primary concern was to consider how to address any perceived gaps in dealing with ongoing issues with respect to the remains found at Baldwin Hall. We therefore list here a set of recommendations and resolutions that we feel would have the most positive impact on current and future Baldwin Hall concerns.

### **Subcommittee Recommendations**

1. We do not recommend the formation of a University Council Ad Hoc committee on Baldwin Hall at this time, given that there are a sufficient number of offices and committees in place to address any ongoing concerns.
2. We recommend that the Administration communicate to stakeholders both within the University and Athens community the following information in a clear and timely manner: a) the status of the genetic analysis; b) the protections in place for the cemetery and its 50-foot buffer; c) the future plans regarding the abandoned cemetery next to Baldwin Hall; and d) the new Historic Preservation Master Plan, which contains improved procedures for addressing similar challenges in the future if and when they arise.
3. Although we acknowledge that differences of opinion remain between the Administration and the authors of the Final Report with respect to past actions regarding the Baldwin Hall remains, we recommend that future communication and collaborations between the University administration and faculty should focus on positive outcomes, particularly for the presumed descendent community, going forward. We do not believe that the formation of a University Council committee charged with addressing past conflicts is warranted.

### **Resolutions for University Council**

WHEREAS, The task of completing the genetics analysis of the remains is critical and urgent,

*RESOLVED*, That we ask that the Administration identify a point person in OVPR to oversee the genetics analysis prior to Dr. Lee's retirement.

WHEREAS, Expert, independent assistance has been shown to be effective and rewarding for other institutions and enhances the credibility (real and perceived) of decision-making regarding cultural resources,

*RESOLVED*, That we ask that the Administration retain an independent Cultural Resource Manager to facilitate engagement with all appropriate communities and/or constituencies when the genetic analysis is complete.

WHEREAS, Part of the burial site currently serves as a parking lot and truck delivery area.

*RESOLVED*, That we ask that the Administration investigate the feasibility (*vis-à-vis* the UGA internal document, the state law, and the HPMP) of converting the part of the burial site currently covered by a parking lot and truck delivery area, into a memorial space, and report back to the University Council Executive Committee within 6 months.

*RESOLVED*, That we ask that, if the memorial space prove feasible, the Administration seek input on design and use of space from all appropriate communities and/or constituencies, facilitated by an independent Cultural Resource Manager.

## **Appendix**

### **Timeline of Subcommittee Activity:**

October 26 – Subcommittee meeting (Zoom)

October 30 – Subcommittee meeting (Zoom)

November 5, 8 – Subcommittee chair seeks input via email from University Council Parliamentarian (Usha Rodrigues) as to whether non-University Council or non-UGA members could serve on a University Council committee

November 18 – Subcommittee meeting with Dr. Scott Nelson, chair of UGA Facilities Committee (Zoom)

November 20 – ‘Status report on Genetic Analyses of the Baldwin Hall Remains’ received from Dr. David Lee

November 23 – Subcommittee meeting with Scott Messer, Office of University Architects, regarding protection of the Baldwin site (Zoom)

November 30 – Subcommittee meeting (Zoom)

December 2 – Email communication with Dr. David Lee regarding the genetic analysis

December 4 – Subcommittee meeting with Dr. Michelle Cook (Zoom)

December 15 – Subcommittee meeting with members of the Franklin College Senate, including former (Dr. Jennifer Rice) and current (Dr. DeLoris Hesse) Franklin Senate Presidents and authors of the Franklin Senate report (Drs. Peter Brosius, Kristin Kundert-Gibbs (could not attend), Michael Usher, Mary Bedell, Christopher Pizzino, chair) (Zoom)

January 15-25 – Subcommittee drafts this report

January 25 – Subcommittee meeting (Zoom)

February 3 – Subcommittee meeting (Zoom)

February 10 – Subcommittee meeting (Zoom)

February 12 – Subcommittee meeting, final draft of report (Zoom)

February 16 - Feedback on the draft subcommittee report received from University Council Parliamentarian.

February 17 – Subcommittee report finalized

### **Cc:**

Dr. Michelle Cook, Vice Provost for Diversity and Inclusion and Strategic University Initiatives

Dr. David Lee, Vice President for Research

Gwynne Darden, Associate Vice President for Facilities Planning

Scott Messer, Director of Historic Preservation, Office of University Architects for Facilities Planning

Alison McCullick, Director of Community Relations, Office of Government Relations