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University of Illinois appeals NCAA policy

University autonomy, self-determination cited

URBANA—The University of Illinois has appealed the National Collegiate Athletic Association (NCAA) policy that labels the Urbana-Champaign campus' use of the names Illini and Fighting Illini and the Chief Illiniwek tradition "hostile and abusive."

The University's appeal was filed with the NCAA today in the form of a 6-page letter from University of Illinois Board of Trustees Chair Lawrence C. Eppley. The NCAA policy is scheduled to take effect Feb. 1, 2006. Four other public institutions among the original 18 cited by the NCAA in its new policy have appealed; three appeals were granted and the institutions were removed from the list and the fourth appeal was denied.

The University contends that the NCAA acted "incorrectly and unfairly" last August. The appeal claims that the NCAA's failure to exempt the University from the arbitrarily derived policy will significantly affect its institutional autonomy and impair its ability to participate fully and equally as a member institution in NCAA competition.

The appeal maintains that the NCAA's edict overstepped the association's authority and interfered with an existing University process to determine a consensus outcome on issues regarding the Chief Illiniwek tradition. It asks the NCAA to remove the University of Illinois at Urbana-Champaign (UIUC) from an NCAA list of so-called "hostile and abusive" member institutions.

"The new (NCAA) policy conflicts directly with established NCAA principles of institutional responsibility and autonomy. It also incorrectly and unfairly characterizes the University of Illinois at Urbana-Champaign as an institution that displays 'hostile or abusive' American Indian mascots, nicknames and imagery because of the names Illini and Fighting Illini and the Chief Illiniwek tradition," the appeal asserts.

The University of Illinois appeal notes that in responding to four prior appeals the NCAA indicated that approval by “namesake” American Indian tribes of the institutions’ respective names and mascots is “one primary, but not exclusive” factor to be considered. The U. of I. appeal points out the Illiniwek confederation of Indian tribes no longer exists and contends that the NCAA should take into account this differentiating historical fact.

“As you have stated, each appeal has its own unique facts and should stand on its own merit,” the University’s letter to the NCAA says.

The appeal cites these reasons why an exemption from the policy is warranted for UIUC:

University self-determination. As the statutorily established governing entity, the University of Illinois Board of Trustees is engaged in a process to seek a consensus conclusion to issues regarding the Chief Illiniwek tradition. Permitting the University to resolve the situation without undue interference by the NCAA comports with principles set forth in the NCAA Constitution and acknowledged by the Executive Committee to be vital.

“As with other significant University policy issues, the policies regarding the use of the names Illini and Fighting Illini and the Chief Illiniwek tradition lie within the jurisdiction of the Board,” the letter states, citing a series of Board initiatives in the past 16 months toward reaching a “consensus conclusion” on Chief Illiniwek issues.

“The University should be allowed to continue its work unfettered by the NCAA’s arbitrary new policy and the corresponding deadline. Permitting the University to resolve this situation without undue interference by the NCAA comports with principles set forth in the NCAA constitution and acknowledged by the (NCAA) Executive Committee to be vital,” the appeal states.

The “Illini” and “Fighting Illini” names. The names as used by the University do not derive from American Indian imagery. The Illini name was first coined in 1874 by the student newspaper, and it honors the state from which the University takes its name. “Fighting Illini” is common nomenclature for competitive athletic teams, such as the Fighting Irish of the University of Notre Dame and the Fighting Scots of Monmouth College (IL). Early uses of the “fighting” adjective dates back to championship football teams of the Coach Bob Zuppke era 85 years ago and to the 1921 fundraising drive for Memorial Stadium, dedicated to University people who fought and died in World War I.

“Illini is a reference not only to athletic teams, but also to nearly 40,000 students, 374,500 alumni and all those who wish to associate themselves in a positive way with Illinois’ largest public university and one of the nation’s great land grant universities,” the appeal maintains.

Chief Illiniwek. Established in 1926 in conjunction with the Marching Band, the Chief Illiniwek tradition and signature interpretive half-time performance preserve and showcase tradition, heritage and culture. Chief Illiniwek performances are brief and limited; the Chief does not act in the manner of stereotypical sports mascots. In direct contradiction of the NCAA’s “hostile and abusive” declaration, the U.S. Department of Education Office for Civil Rights, a federal agency charged with enforcement of Title VI of the Civil Rights Act, concluded in 1995 after a thorough on-campus inquiry that neither the Chief Illiniwek tradition nor the name Fighting Illini created a hostile environment.

“A federal agency charged with enforcing Title VI of the Civil Rights Act of 1964 concluded that neither the Chief Illiniwek tradition nor the name Fighting Illini created a hostile environment. We submit that an NCAA committee or subcommittee could not sensibly reach the opposition conclusion,” the appeal contends.

The NCAA process was flawed. The NCAA is unclear in defining how it determined what constitutes “hostile” or “abusive” behavior by the member institutions it cited, and the organization failed to follow its own policies and procedures in issuing the new policy. An institutional self-evaluation questionnaire was limited in scope and the University’s responses apparently received scant consideration.

“The ‘process’ that led the Executive Committee to issue the new policy and to include the University of Illinois in the list of ‘hostile and abusive’ institutions is murky at best,” the appeal states. “The ‘process’ led to inaccurate and erroneous results, as acknowledged by the NCAA.”

In conclusion, it petitions the NCAA to “exempt the University of Illinois at Urbana-Champaign from its new policy, and withdraw the NCAA’s unflattering and incorrect characterization of the University by removing its name from the list of member institutions cited in the policy.”

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Reporters/Editors/News Directors: The appeal letter and its supporting documents are available in PDF at this web address: <http://www.uillinois.edu/trustees> On the left hand side of the screen, click through Reports and Dialogues.