

Office for University Relations
108 Henry Administration Building, MC-370
506 South Wright Street
Urbana, IL 61801-3620

414 Administrative Office Building
1737 West Polk Street, MC-971
Chicago, IL 60612-7228

News Release

March 29, 2006
CONTACT: Tom Hardy
312-996-3772
hardyt@uillinois.edu

U. of I. Files Rebuttal to NCAA Response *Executive Committee's "Core Issue" claim overly broad*

CHICAGO--The University of Illinois Wednesday filed its rebuttal to the NCAA's recent response to the U of I's appeal of the sports organization's policy on Native American imagery and how it is applied to the Urbana-Champaign campus.

The Executive Committee of the National Collegiate Athletic Association is scheduled to consider the University's Jan. 30 appeal of the policy by the end of April. The NCAA staff responded March 7 to the University's appeal.

In its rebuttal to that response, the University argued that the Executive Committee exceeded its authority when it decided the subject of Native American imagery was a "core issue" for the Association and then set the policy without following NCAA bylaws for legislating.

"The (NCAA) membership did not intend the Executive Committee's power to resolve 'core issues' under the bylaws to be so broad that the other legislative processes and powers for enacting legislation are rendered moot whenever the Executive Committee determines in its sole discretion that a particular issue is a 'core issue' of the Association," the University rebuttal contends.

"The NCAA's position would give the Executive Committee virtually unlimited power. If the NCAA is correct, the Executive Committee could issue policies on any issue it unilaterally deems to be a 'core issue' of the Association...Such a view is untenable," the University rebuttal argues.

The six-page rebuttal also calls the NCAA appeal process an *ad hoc*, after-the-fact procedure that lacks fundamental safeguards of a formal appeal process. "Only now in its response, seven months after the policy was announced, does the NCAA identify the 'standard review' governing its process; only now does the NCAA identify the meaning of the core terms—hostile and abusive—used in the policy; and only now does the

NCAA identify the so-called 'research and analysis' upon which the policy was allegedly based," the rebuttal states.

The NCAA last August announced its policy regarding use of Native American imagery by member institutions and said universities subject to the policy would be banned from hosting NCAA championship competition effective Feb. 1. The effective date was stayed pending appeals. The University of Illinois at Urbana-Champaign is subject to the policy because of its 80-year Chief Illiniwek tradition. The University filed appeals last Oct. 13 and again on Jan. 30; the NCAA responded on March 7; and now the University has filed a rebuttal. An Executive Committee hearing is set for April 28.

The U. of I. Board of Trustees is engaged in a consensus process to resolve issues regarding the Chief Illiniwek tradition and appealed the NCAA policy in order to defend the principles of institutional autonomy and self-determination.

##

Note: Copies of all documents referred to in this release can be found at www.uillinois.edu