



December 15, 2005

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President James E. Cofer
 University of Louisiana at Monroe
 700 University Avenue
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Dear President Cofer:

It was good to speak with you last week. The NCAA staff reviewed your request for clarification on whether, in the absence of a local indigenous Native American tribe, the endorsement of a federally recognized Louisiana Native American tribe would be a viable substitute in support of the nickname "Indians."

The position from which the NCAA staff review committee began its deliberations is that there is a rebuttable presumption that the use of Native American mascots, names and/or imagery by member institutions for their athletics teams and programs creates a hostile or abusive environment for members of the campus community and/or general public who are subjected to it and/or the student-athletes involved in NCAA championship competition. Specifically, the Association's principle of nondiscrimination states in part: "The Association shall promote an atmosphere of respect for and sensitivity to the dignity of every person." At an ever increasing rate of occurrence and volume, Native Americans have expressed their objection to the use of names, terms, imagery and mascots associated with athletics teams. The term "Indians" is among those Native Americans find objectionable. While the university's rationale for the use of the nickname may not inherently be hostile or abusive, and the university may not intend to malign Native Americans, the continued use of Native American references as nicknames, creates an environment over which an institution may not have full control. Fans, opponents, and others can and will exhibit behaviors that indeed are hostile or abusive to Native Americans.

The staff review committee believes that the use of a generic Native American reference like "Indians" or "Braves" cannot be mitigated by the concurrence of any Native American tribe. No Native American tribe "owns" the word "Indians" in the same way it owns the tribal name and, therefore, cannot overcome the presumption position taken by the NCAA Executive Committee that the use of such names leads to a hostile or abusive environment. In this regard, while the support of the Coushatta Tribe would likely be sufficient to endorse the university's use of its official tribal name (Coushatta), it does not suffice as an endorsement of the use of the generic term "Indians."

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I would point out that the NCAA policy governs championships participation and hosting opportunities and does not preclude an institution from autonomously selecting and using a mascot or nickname of its choice during regular season and conference competition. The Association supports the concept of institutional autonomy and recognizes the right and responsibility of each institution to address these issues at the campus level. However, consistent with its core principles pertaining to cultural diversity, ethical sportsmanship and nondiscrimination, the Executive Committee's policy reinforces the belief that stereotyping Native Americans through nicknames and imagery is wrong. In this regard, Louisiana-Monroe may choose to continue the use of the nickname "Indians" but, as such, would be subject to the restrictions set forth in the policy.

It also is important to note that there is an appeals process for any decision that is reached by the staff review committee. If an institution disagrees with a decision by the staff review committee, an appeal can be filed with the Executive Committee. Depending on an institution's divisional affiliation, appeals will be reviewed by the appropriate presidential governance entity for a recommendation to the Executive Committee. (In the case of Louisiana-Monroe, it is the NCAA Division I Board of Directors.)

I hope this information is helpful as you work through these issues on your campus and in your community. We certainly recognize the sensitivity and complexity of these matters, and we stand ready to provide assistance as needed.

Sincerely,



Bernard W. Franklin
Senior Vice President for Governance and Membership

BWF:jw

cc: Selected NCAA Staff Members