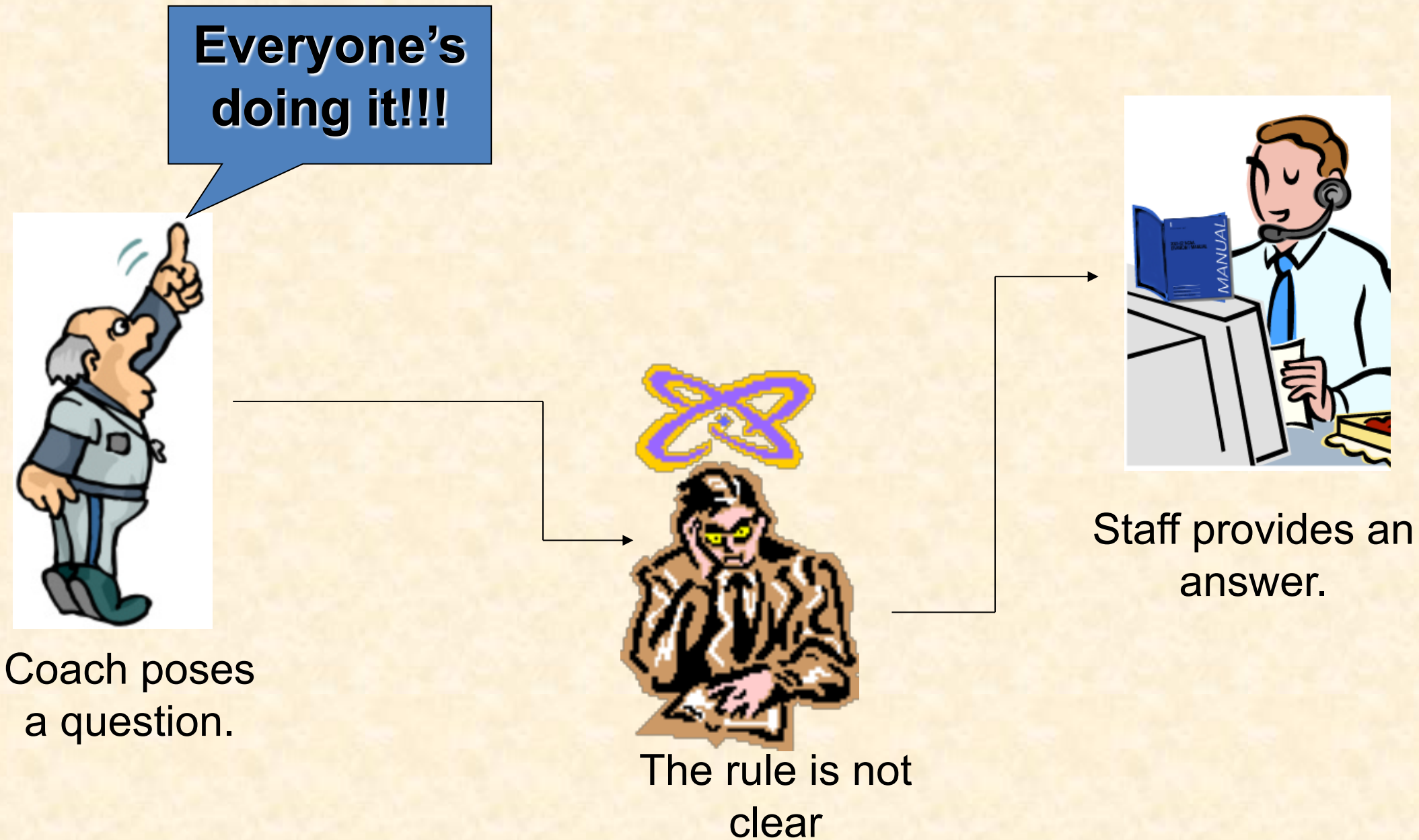


INTERPRETATIONS PROCESS

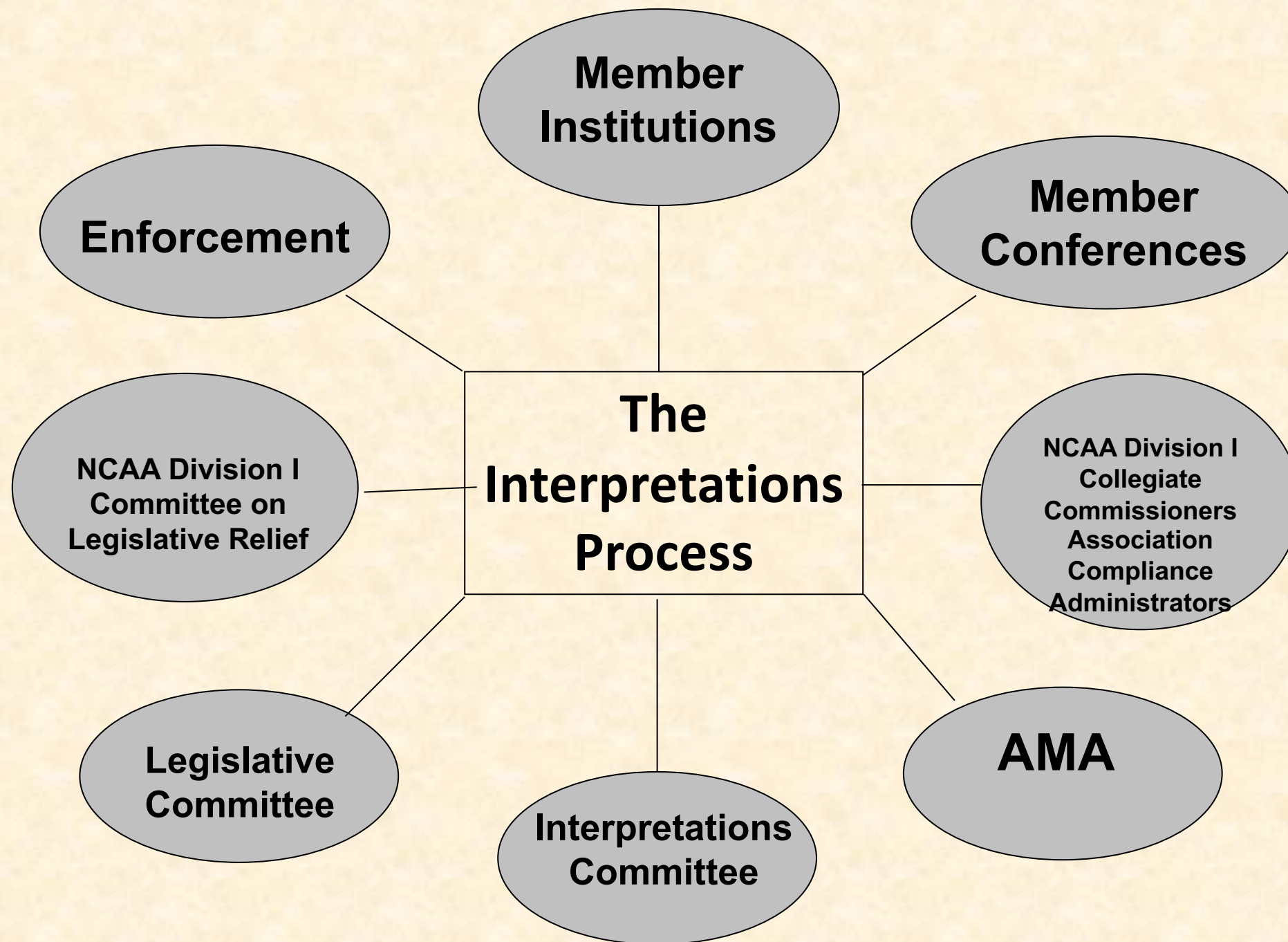
Overview

- Participants.
- Types of Responses.
- Process.
 - NCAA Staff.
 - NCAA Division I Interpretations Committee.
 - NCAA Division I Legislative Committee.

The Interpretations Process?



Participants



Member Institutions

- Legislative Services Database for the Internet (LSDB*i*) interpretations.
- Legislative history.
- Student-athlete well-being.
- Interpretations philosophy.
- Conference office.
- Colleagues at other institutions.

Member Conferences

- Assist member institutions in applying the NCAA legislation.
- Promote competitive equity by ensuring consistent application of the rules.

Academic and Membership Affairs Staff

- Assists institutions and conferences in applying legislation.
- Issues three categories of responses:
 - Institutional discretion.
 - Confirmations.
 - Determinations.
- AMA does not have the authority to adopt or approve legislation.
- AMA does have the authority to issue a binding staff interpretation.

Academic and Membership Affairs Staff

(Contd.)

- LSDB/interpretations.
- Requests/Self-ReportsOnline interpretations.
- Legislative history.
- Student-athlete well-being.
- Legal landscape.
- National significance.
- Interpretations philosophy.

National Significance

- Is the issue one of national significance?



Is likely to impact many institutions/student-athletes nationally.



May have an immediate impact on other institutions.



May create a significant recruiting or competitive advantage.



May result in “national” attention.










May result in “presidential” attention.



Relates to a fundamental principle that impacts the Association generally or a Division specifically.



Student-Athlete Well-Being Checklist

-  Stimulate and improve intercollegiate athletics programs for student-athletes.
-  Promote and develop educational leadership, athletics excellence and athletics participation as a recreational pursuit.
-  Protect/enhance the physical and educational well-being of the student-athlete.
-  Maintain athletics as an integral part of the student-athlete's educational experience.
-  Protect the health of and provide a safe environment for student-athletes.
-  Maintain an environment that fosters a positive relationship between student-athlete and coach.
-  Maintain an environment that values diversity and equity.



Interpretations Committee

- Issues official interpretations in response to requests from:
 - Institutions/conferences.
 - AMA staff.
 - Governance structure.
- Reviews all recorded AMA staff interpretations (screening process).

Legislation Committee

- Reviews all official interpretations issued by the Interpretations Committee.
- May issue official interpretations on their own.
- Institutions/conferences may appeal Interpretations Committee's decisions to the Legislative Committee.
- Legislation Committee decisions are final.
 - Interpretations Committee does not have the authority to revise an interpretation approved by the Legislative Committee.
 - It can, however, recommend modification or reversal of previously approved interpretations.

NCAA Division I Committee for Legislative Relief

- Reviews requests for relief from the application of NCAA legislation, a staff interpretation or an official interpretation.
- Decisions are provided to and reviewed by the Committee on Legislative Relief on a quarterly basis.

Types of Responses

Is the Issue Interpretive?

- An issue is not interpretive if:
 - The plain meaning of the legislation is clear on its face;
 - The legislative history of the rule (including intent and rationale) clearly addresses the situation; or
 - A published official interpretation clearly addresses the situation.

The Issue is NOT Interpretive

- If the issue is not interpretive:
 - Staff simply answers the question; it is not “interpreting” the legislation.
- This is the case for a vast majority of questions staff receives.
 - The questions do not require staff to interpret the legislation.
 - Staff simply applies the legislation and/or existing interpretations.

Institutional Discretion

- Institutional Discretion:
 - o Is not an "interpretation."
 - o Is provided when:
 1. An issue or fact situation is not addressed clearly by the legislation or an official interpretation; and
 2. The issue is not one of national significance.

Staff Confirmations

- A staff confirmation:
 - o Is issued when the legislation or an official interpretation is responsive to the inquiry.
 - o Is binding on all member institutions.
- Actions contrary to staff confirmation are considered rules violations.
- Recourse is to seek further review by the Interpretations Committee or amend the legislation.

Staff Determinations

- A staff determination:
 - Is an "interpretation."
 - Is provided when:
 1. An issue or fact situation is not addressed clearly by the legislation or an official interpretation; and
 2. The issue is one of national significance.
 - Is binding on the institution asking the question and others once it is approved by the Interpretations Committee and published on LSDBi.

Staff Determinations (Contd.)

- Prior actions by the requesting institution that are contrary to a staff determination are not considered rules violations.
- Actions by other institutions prior to the publication of an Interpretations Committee approved staff determination are not considered rules violations.
- Recourse is to seek further review by the Interpretations Committee or amend the legislation.

Official Interpretations

- Official Interpretations:
 - o Are rendered by the Interpretations Committee.
 - o Are binding on all institutions regardless of knowledge.
 - o May be in the form of a confirmation or determination.
 1. Determinations are binding from the publication date forward.
 2. Confirmations are binding regardless of when the action occurred.

Educational Columns

- Educational columns are based on legislation and official and staff interpretations applicable at the time of publication.
- They are intended to assist the membership with the correct application of legislation and/or interpretations by providing clarifications, reminders and examples.

Educational Columns (Contd.)

- Educational columns are binding on institutions to the extent that the legislation and interpretations on which they are based remain applicable.
- Educational columns are posted on a regular basis to address a variety of issues.

Screening Process

SCREENING PROCESS – Review of Staff Interpretations

