INTERPRETATIONS PROCESS
Overview

• Participants.
• Types of Responses.
• Process.
  – NCAA Staff.
  – NCAA Division I Interpretations Committee.
  – NCAA Division I Legislative Committee.
The Interpretations Process?

- Coach poses a question.
  - Everyone's doing it!!!
- The rule is not clear
- Staff provides an answer.
Participants
The Interpretations Process

- Enforcement
- NCAA Division I Committee on Legislative Relief
- Legislative Committee
- Interpretations Committee
- Member Institutions
- Member Conferences
- NCAA Division I Collegiate Commissioners Association Compliance Administrators
- AMA
Member Institutions

- Legislative Services Database for the Internet (LSDBi) 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.
• 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.
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:
  - Is **not** 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 **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

Staff issues confirmation or determination.

Interpretation Committee reviews staff interpretations.

Interpretation Committee agrees with staff and issues official interpretation.

Remains staff interpretation. May be appealed to the Legislation Committee.

Interpretation Committee disagrees with staff.

Interpretation Committee reviews the issue and renders official interpretation.

Approves Staff Interpretation

Official interpretations, review of staff interpretations or other responses may be appealed to the Legislation Committee.