Use of Seminole Symbols and Imagery

Supplemental Materials

Dayton Michael Cramer, Deputy General Counsel
The Florida State University

20th Annual Tribal Law and Government Conference
“Examining and Reconsidering Indian Mascots in the 21st Century”
University of Kansas School of Law
Friday, March 11, 2016
MEMORANDUM

To: Richard McFarlain
General Counsel

From: Dayton M. (Mike) Cramer
Deputy General Counsel

Re: Review of Cases and Law Review Articles Concerning Use of Indian Mascots and Logos

Date: May 15, 2001

Purpose: To provide the General Counsel with a brief overview of relevant statutes, cases, and law review articles on the use of Indian mascots and logos.

Initial Assessment:

- Legal bases used by Indian movement to challenge the use of Indian nicknames, mascots and logos by athletic teams:


- Except for the statement of the U.S. Commission on Civil Rights issued in April 2001, calling for the elimination of Indian nicknames and images in sports, no federal court, administrative board, or agency has addressed the issue in the context of a college or university.
• In Harjo v. Pro-Football, Inc., 50 U.S.P.Q.2d 1705 (T.T.A.B. 1999), the U.S. Trademark Trial and Appeal Board granted Harjo's (an American Indian) petition to cancel several registered trademarks of the Washington Redskins' National Football League Team, including "The Washington Redskins," "Redskins," and "Redskinettes." Citing Section 2(a) of the Lanham Act, the Board determined that "the subject marks may disparage Native Americans and may bring them into contempt or disrepute." The case is on appeal to the U.S. Circuit Court for the Federal Circuit. Most legal commentators believe that bringing cases seeking cancellation of trademark protection, such as occurred in Harjo, provides the Indian movement with its best opportunity to stop the use of Indian names, mascots, and logos by all athletic teams.

• Some states have addressed the issue in legislation, affecting educational institutions at all levels. A few federal and state court opinions have examined the issue of allegedly offensive mascots (e.g., Johnny Reb, and some Indian mascots) by public secondary institutions.

• In the last ten years, many colleges and universities have voluntarily abandoned the use of Indian names, mascots, and logos, sometimes as the result of student or Indian movement protests, but frequently without any protests.

• Pejorative names, such as "redskins" or "Indians," are more vulnerable to attack, than names like "Seminoles," that refer to a specific tribe, especially when the tribal leadership has assented or otherwise supported the use of the name.

• Chief Osceola, a historic figure, is less vulnerable to a successful legal attack as a mascot, than fictional Indian caricatures and stereotypes, such as Chief Wahoo.

• Recently, and in light of the U.S. Commission on Civil Rights statement, the NCAA Executive Committee agreed to consider the issue of college and university athletic teams with Indian names, mascots and logos. Given the rather weak statement by the Commission, one would not expect the NCAA Executive Committee to do much more than encourage member schools with Indian nicknames and images to consider changing them. That said, the NCAA might begin to impose some restrictions on teams with Indian mascots and marks. Some schools are already refusing to schedule athletic competition with non-conference opponents that have Indian nicknames and images. Also, Indian mascots have been precluded from appearing at certain NCAA championships, and sale of merchandise with Indian logos has been prohibited at those events.

• As more and more colleges and universities change their names, expect the Indian movement and its supporters to gain strength, consolidate their efforts, and focus on major universities, such as FSU, who do not.

• Under present law and regulation, FSU should prevail in any court of law or other legal forum. We need to closely monitor actions by the NCAA Executive
Committee in this regard. Expect "court of public opinion" outside Tallahassee opposing the use of Indian nicknames and imagery by athletic teams to intensify in the future.

- Interesting footnote: For years, the U.S. Army has named its helicopters for Indian tribes, e.g., Apache, Comanche, Blackhawk, and Chinook, to name a few. Many Army units have distinctive Indian imagery on their crests and patches.
January 22, 2003

Mr. Eugene Marshall Jr.
Chair, Minority Opportunities and Interests Committee
National Collegiate Athletic Association
P.O. Box 6222
Indianapolis, IN 46206

Dear Mr. Marshall:

This is in reply to your letter dated November 19, 2002, to former Florida State University President Talbot D’Alemberter, requesting comments on your Committee’s report on the use of American Indian mascots, nicknames and logos by member institutions.

We have carefully examined the report and disagree with the Committee’s recommendations, and we adhere to our positions stated in our earlier correspondence to the Committee on this issue. Our use of the symbols and images of the Seminole demonstrate the highest honor and respect for a Nation of People whose uncompromising fortitude and strength of character we want our athletes to emulate on the “fields of friendly strife.” We believe that the recommendations, if adopted by the Executive Committee in April, constitute an unreasonable interference by the NCAA in the internal operations and governance of our University. We concur in the comment by the NCAA Committee on Sportsmanship and Ethical Conduct to the effect that “such issues may be addressed most effectively by the individual institution, its community and its conference, rather than at the national level.”

We would offer the following additional observations and comments. First, we are fully compliant with the NCAA Constitution, specifically Articles 2.2.2, 2.4, and 2.6, as well as all Federal and state laws relevant to the adoption and use of the Seminole symbol and imagery by the University and its athletic teams. Second, there is absolutely no evidence that our use of the Seminole symbol and images is in any way racist, that it creates a hostile environment for any person, that it contributes to misinformation contrary to our University’s educational mission, that it is damaging to young people of any race, that it is sacrilegious, or that it is contrary to the diversity and antidiscrimination policies of our University and the NCAA. Finally, our use of the Seminole symbol and images is with
the full knowledge of the leadership of the Seminole Tribe of Florida and the Seminole Tribe of Oklahoma. The Seminole Tribe of Florida, in particular, continues to support our special relationship by participating in appropriate University events, such as our annual Homecoming parade, as well as Native American Heritage Week, when we honor them and celebrate their rich heritage and culture.

Thank you for providing us the opportunity to comment on your Committee's report and recommendations.

Sincerely,

Richard C. McFarlain
Dr. Talbot D'Alemberte  
President  
Florida State University  
PO Box 2195  
Tallahassee, Florida 32316-2195

November 8, 2004

Dear President D'Alembert:

The NCAA staff has been directed by the NCAA Executive Committee to expand its review of the use of American Indian mascots, nicknames and logos by NCAA member institutions. The Executive Committee was appreciative of the response the institution provided in 2002, but believed it needed more information regarding some critical areas of the NCAA Constitution.

As an NCAA member institution with an American Indian mascot, nickname or logo, the committee knows your comments are vital. The enclosed institutional self evaluation is integral to the executive committee's examination of the issues. This self evaluation, coupled with the earlier information you forwarded to the national office, will assist the committee in making final recommendations during its summer meeting that may impact institutions, conferences and NCAA-sponsored championships and events.

We greatly appreciate your assistance with returning the completed Institutional Self Evaluation to my attention by May 1, 2005. Information collected will remain confidential and will be reported only in aggregate form; no individuals or institutions will ever be identified.

If you have questions or would like to receive the survey in an electronic version, please contact me or my assistant, Terrie Hall, at 317/917-6309.

Sincerely,

Ronald J. Stratten  
Vice President for Education Services

RJS:tmh  
Enclosure  
cc: Director of Athletics  
Selected NCAA Staff Members

National Collegiate Athletic Association  
An association of over 1,200 members serving the student-athlete  
Equal Opportunity/Affirmative Action Employer
A Proposal to The Florida State University for the Establishment of
The Center for the Study of Seminole Culture and Heritage at The Florida State University

Purpose: 1. To provide a center on the heritage, history, language, development and current issues of Native Americans, especially those of the Seminole Tribe of Florida and other Native Americans, past and present of Florida;
2. To provide a proactive program to recruit, retain, and graduate students of Seminole heritage from FSU;
3. To engender awareness for both Seminoles and students of other racial/ethnic backgrounds to learn more about the history and contributions of Native Americans in the United States;
4. To conduct workshops, educational programs, research, service, and professional activities that promote an understanding of Seminole and Native American values and heritage. The Center would host national meetings, sponsor research projects, and provide consultation of issues relating to Seminole culture and heritage; and
5. To continue the strong relationship between FSU and the Seminole Tribe of Florida in a visible educational way to further promote the pride that FSU has in carrying the Seminole name

Location: On the FSU Campus in Tallahassee

Background: The rich culture of Native Americans can be embraced by FSU by establishing a Center for the Study of Seminole Culture and Heritage. Currently, FSU hosts centers for Asian Studies, African American Studies, Russian Studies and Eastern European studies, but none on Seminoles, not even one class on Seminole history.

In a time when America’s diversity is continually discussed and debated, the role of higher education is paramount in preparing our youth to be the leaders in a workplace that values, celebrates and understands people who differ by race, color, heritage, nationality, language, religion, gender, sexual orientation, class, handicapping status or any way people think they are different. Likewise the Seminoles themselves, concerned about education not just for financial stability but self-determination, established the Ahfachkee School (the name means “happy”). Located on the Big Cypress Reservation in south central Florida, Seminole students from kindergarten through 12th grade take classes not only a 21st century education but also an appreciation of the tribe’s history, language, and culture.
The Tribe has also developed a “Save our Language” committee, with plans for a dictionary that puts a largely oral language into the printed word. Preserving the language is one way to preserve a worldview that reflects a society that does not separate people from the land, that values the earth, and that governs as a tribal council, and holds a special spirituality among all peoples.

The Seminoles, with technical assistance from The Smithsonian Institute in Washington DC, opened the Ah-Tha-Thi-Ki Museum in 1997, their world-class facility located on the Big Cypress Reservation, in south central Florida, north of Alligator Alley (I-75). With a name that means “to learn,” nature trails, rare artifacts and a living Seminole Village seek to preserve, protect, and share the unique history with Seminoles and non-Seminoles alike.

On the other hand, the co-existence of the White Man with the Native American has a history that is wrapped up in deception, myth, and defeat. The prevalence of images of Native Americans as mascots is decried by many civil and human rights groups. The Seminoles have survived much and are not dead – they have learned to adapt to their situation, but have not given up everything that makes them who they are. This Center could be a powerful force for understanding the complex relationships of the American culture that promotes unity and diversity all at the same time.

Vision:

What prospective Seminole students and their families might envision would be a physical location that serves as a center, teaching facility, and/or scholarship house where the Seminole students would feel at home, engaged in their culture by sharing their culture. Imagine an adjunct or outreach center of the Ah-Tah-Thi-Ki Museum at FSU. Imagine Seminole and non-Seminole students alike having classes there, leading tours, conducting research, feeling pride about the heritage of the un conquered Seminoles. Imagine FSU being the leading academic institution in the United States for hosting national conferences about preserving history, being an influence in tribal education methods, and being the leading proponent in higher education strategies for Native American peoples.

This project needs to reflect a commitment for many years into the future. Native Americans hold the concept of “seven generations,” where what is done today has an impact seven generations into the future. This Center needs to take a holistic, long term approach, involving many people in the planning, concepts, and implementation, not the least of which would be the Seminole Tribal Council, the tribe’s leadership, and representatives. The involvement of community colleges near the tribe’s four reservations, local admissions offices, local, regional, and national leaders, historians, archaeologists, artists, linguists, legislators, academicians, experts in those
areas where Seminoles have excelled (such as textiles and agriculture), former FSU Seminole students, and others would be essential.

Opportunity: The Seminole Tribe of Florida provides full scholarships (including tuition, room, board, fees, books, travel, clothes, etc.) for its members to attend college, yet not many take advantage of this incredible opportunity. Why? Leaving the reservation can be a threatening experience—many who leave just do not return. Further, the “white man’s” culture is different from that of the Seminole and can be very disrupting, hurtful, and unsupportive. Yet the need for education for any cultural group is an essential step in saving its culture. In an article in the Herald of Broward County, May 12, 2003, the headline read “Seminole Stress Culture Survival” and described the achievements of the Ahfachkee School with its traditional classroom subjects along side computers and the preservation of the Seminole and Creek languages.

Currently, “Seminole” at FSU is seen primarily at as a football or sports event and in South Florida as a gaming industry. Yet, how disappointing for the multi-culturally astute non-Native American student who wants to learn about Native American/Florida history not to be able to take classes at the very school that calls itself “Seminole Territory”!

The challenge and role of this Center will be to see beyond the surface and embrace the proud heritage of both institutions.

Submitted by: Carol V. Spring, Ph.D.
FSU Graduate, Higher Education Administration
Retired Executive Director, 1989-2004
The National Conference for Community and Justice,
Broward/South Palm Beach Region and Greater Kansas City Region

Date: April 29, 2005
Judge names case-by-case

Tuesday, May 31, 2005

The guardians of ethnic sensitivities are at it again.

An NCAA review of American Indian nicknames -- the second in three years -- includes scrutiny of the Central Michigan University Chippewas.

The exploration extends to 30 member universities, whose names range from nods to local tribes to denigrating or outright racist terms such as the Southeastern Oklahoma Savages and the Carthage (Wis.) Redmen.

Those mascots deserve a critical look.

Yet the Chippewa moniker for CMU athletics teams is not intended as an offense. Nor do most members of the Saginaw Chippewa Indian Tribe take it as one. The tribe has approved CMU's use of the term and has a healthy relationship with the campus.

The same is true for the Florida State University Seminoles, whose local Seminole tribe taught the college to incorporate its cultural imagery in pregame activities. Utah's Utes have tribal sanction, as well.

And in cases where the nickname is a tribe's proper name, shouldn't the first Americans themselves be the final arbiters of what offends?

The NCAA panel could impose sanctions ranging from fines to barring the
offending schools from hosting championship games.

Or the committee could continue to bow to campus — and tribe — discretion.

The NCAA is expected to reach a conclusion on college nicknames by August. Meanwhile, failing to adequately educate young adults for life off a field or court doesn’t spark the same level of indignation within the NCAA. But inadequate graduation rates among student-athletes are a separate outrage.

It's right to dump caricatures and explicit stereotypes in mascots and nicknames. But all uses are not the same.

The noble motivation to cleanse athletics of stereotypes shouldn't unfairly undo real homage to proud people.

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Sports

Keeping Score

Jon Saraceno
Native

Americans aren't fair game for nicknames

We've always believed that assemblymen dealt with pressing matters, spending time and tax dollars to sponsor legislation dealing with education, public safety or the environment. Little did we ever think that one of them would try to put a professional hockey team on the horns of a dilemma over the use of a nickname. Yes, we're talking about those satanic New Jersey Devils.

Craig Stanley, a New Jersey Democrat and church deacon in Newark, wants to halt the team from using the moniker. He will introduce a resolution this month asking to replace the nickname with something less demonic, even though the team mascot is based on the mythical Jersey Devil and not the antichrist symbol. (Atheists living in Anaheim, no doubt, will want to contact their legislators about the Angels).

The devil may be in the details, but I have a difficult time getting worked up over something this silly and harmless. Does Mr. Stanley really believe that the world, or even Tony Soprano's Jersey, is a more evil place because of it? Will children succumb to a life of earthly temptations because they believe Martin Brodeur tends the goal on behalf of the Man Downstairs? Does it mean God is a Rangers' fan?

Why doesn't the state assemblyman put his good intentions to work and persuade Weequahic High to change its nickname? The Newark school, once primarily a Jewish enclave but now 98% black, uses one of the most outdated, controversial nicknames imaginable — the Indians, along with a forgettable fight song that begins From our great wigwam on the hill...

Or, better yet, why doesn't Stanley introduce legislation banning use of Native American nicknames and mascots in all schools throughout his beloved state? At last count, there were more...
than five dozen of them.

Fortunately, a New Jersey school like Parsippany High demonstrated its vision a few years ago and permanently retired the chief of all slurs when it comes to racist sports nicknames — the Redskins.

Even as we speak, the NCAA is seriously examining the use of Native American nomenclature by its member institutions. A series of committee meetings will be conducted this summer that could force schools such as Florida State and Southeastern Oklahoma State to abolish their nicknames, in this case, the Seminoles and the Savages. In FSU’s instance, the school defended its position in a letter to the NCAA, saying there’s no evidence the symbolism contributes anything negative or is contrary to its mission.

I’m no Phi Beta Kappa, but I don’t call it “educational” when a student dressed as a Native American rides an Appaloosa into Doak Campbell Stadium before firing a flaming spear into the ground. It’s the same for Chief Illiniwek at the University of Illinois. It is most definitely a negative stereotype, along with the “Tomahawk Chop” shared by FSU and Atlanta Braves fans.

This is what I call smart: More than 30 years ago, Stanford obliterated its nickname, the Indians. Many have followed since, including Siena College, Marquette and Miami (Ohio). Florida State clutches to what all defenders of Native American imagery use, the old “this-is-an-honor” argument. It doesn’t matter what the original motives were. It is wrong and it is ignorant.

Can you imagine the reaction of blacks if any school dressed a mascot in an Afro wig and a dashiki? Or encouraged fans to show up in blackface?

Our society has co-opted another culture, one largely decimated, and mocked it for commercial purposes. It then has the arrogance to suggest no one is harmed. The issue has less to do with school and franchise tradition than with the value of perpetuating an image for monetary gain.

Why do you really think that Washington Redskins owner Dan Snyder fought for so long in court against this issue? I cringe every time I go to a Redskins game and see grown men playing band instruments while accessorized in feathered headdresses. Similarly, the Cleveland Indians have long resisted activists’ attempts to have the franchise banish the Chief Wahoo logo, one that has generated untold millions.

Chief Wahoo features a cartoonish, red-faced Indian with a toothy grin, black hair parted down the middle and feather protruding from his headdress. It is probably the most outrageous, blatant symbol of racism in sports today. Then again, I’ve got skeletons hanging in my own closet. One of them is a Chicago Blackhawks jersey.

I used to think it was pretty cool.

Now, I’m just embarrassed.

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E-mail Jon Saraceno at jons@usatoday.com
Pride or Prejudice?

Some colleges back away from using American Indian names and mascots for athletics teams, while others defend them

BY ERIC WILLIAMS

T

he U.S. Commission on Civil Rights declared in 2001 that American Indian nicknames and mascots at colleges were "inappropriate" and "disrespectful" and should be eliminated.

Inspired in part by the commission's recommendation, the National Collegiate Athletic Association has been trying to investigate the issue on its own. Now, four years later, the work of the NCAA's minority opportunities and internal committee is coming to a close.

The committee identified 31 member colleges with American Indian mascots, nicknames, or logos and asked them to file reports by the beginning of May, evaluating how they use such imagery.

In August the panel will submit a report to the NCAA's executive committee suggesting a course of action, which may include measures as severe as a ban on such nicknames.

"I think the NCAA's involvement has tremendous significance, regardless of what the outcome is," says Ellen Stawarsky, a professor and chair of the department of sport management and media at Ithaca College. "A starting point in these types of discussions has to be raising awareness." For the issue is by no means new. Stanford University and Dartmouth College retired their "Indians" team nicknames more than 30 years ago, after bitter fights with alumni.

In the past two years, at least six colleges have retired American Indian mascots or nicknames. In February the State University of West Georgia eliminated its "Braves" nickname and soon will announce a replacement. The NCAA's increasing interest in the issue played a role, says Barbara P. Sivas, the university's president. Stonehill College decided in early May that its athletic teams would be known as Skyhawks rather than the Chieftains. Respect for American Indian culture, as well as the NCAA's interest, influenced the decision, says a college spokesman.

Southeast Missouri State University, without a mascot since the 1980s, chose "Redhawks" in October to replace both "Indians" for its men's teams and "Ozarkians," after a Cherokee princess, for its women's teams. The new nickname embodies the university's desire to market its athletics program and to replace "Indians," which some professors have called an "arm tied behind its back," says Charles R. Willis, marketing and promotions director. "It was just a matter of time," he says, "before the NCAA got tougher."

ALWAYS A SEMINOLE

Some other colleges, however, are not backing down from using American Indian nicknames and mascots. For more than 25 years, Florida State University's college hockey team has portrayed Chief Osceola, planting a flaming spear at midfield before every Seminole home football game. In its report to the NCAA, Florida State uses a common defense of such imagery, saying that it is not only respectful but a celebration of the culture.

"Our use of the symbols and images of the Seminole demonstrate the highest respect and honor for a Nation of People whose uncompromising fortitude and strength of character we want our athletes to emulate in all areas of sport," wrote Lee E. Hinkle, vice president for university relations, in the university's report. Detractors respond that such imagery fosters stereotypical views of American Indians.

Mr. Stawarsky sometimes asks students in her sports-management classes at Ithaca who Chief Osceola is. Without hesitation most of them respond that he is Florida State's mascot. But, she says, they do not know who the real Osceola was, nor can they describe his life—"bespeaking—at the hands of U.S. soldiers."

"I think that says that there is a certain level of nativeté and disregard, that you can take a sports mascot and have that be a meaningful vehicle for education of the American public," she says.

Florida State officials note that the university portrays Chief Osceola with the knowledge of the Seminoles in Florida and Oklahoma. Florida members of the tribe participate in the university's homecoming parade and help design the regalia worn by Chief Osceola, and Florida State offers scholarships to tribe members.

A number of institutions argue that local tribes support their nickname and mascot. They include Mississippi College and the University of Louisiana at Monroe.

Even among American Indians, there is disagreement over the issue. The chief of the Seminole Tribe of Florida, Mitchell Cypress, did not return The Chronicle's telephone calls but has affirmed his support of Florida State's nickname in previous interviews. Nevertheless, in 2001 the Seminole Nation of Oklahoma signed a statement, along with other tribes, condemning the use of American Indian mascots and nicknames by colleges. Florida State's report does not mention the statement.

David W. Narcomey, a member of the Seminole Nation of Oklahoma, says he is helping to draft a tribal resolution that if passed would speak against Florida State's use of its mascot. Referring to the Seminole Nation of Florida, Mr. Narcomey says, "We believe they have not seriously looked at the mascot issue and fully explored its impact."

Corey Jackson, the NCAA's staff liaison to the minority-interests committee, draws a pointed comparison: "In the 1960s certain people in the South felt that the situation was okay with Jim Crow." Sometimes, he says, "the issue is even bigger than one local community."

Even in Florida there are dissenting voices, such as Susan Anderson. A working mother and a Cherokee, she enrolled in Florida State in the late 1970s and completed her degree in the mid-1980s. At someone who participates in traditional Cherokee ceremonies, she says the use of regalia by the student who plays Osceola trivializes items that she finds sacred.

Since the early 1990s, she has participated in protests outside Florida State's home football games. "At first, as a young person, it simply depressed me," she says. "As I matured, it made me more angry."

In its report, Florida State says that there is no evidence that the Seminole nickname is racist, creates a hostile environment, or is sacrilegious.

TRIBAL TENSIONS

The voices of local American Indians have been raised on some campuses. The University of North Dakota, Leigh D. Jeanotte, director of American Indian services. Continued on Following Page

In Defense of Nicknames

The National Collegiate Athletic Association is studying its members' use of American Indian images, mascots, and nicknames in their sports programs. The NCAA's Minority Opportunities and Institutional Committee asked 31 colleges to file reports explaining why their nicknames were not offensive. Following is a list of those institutions, their current or former team nicknames, and a summary of their reports.

Four institutions declined to provide their reports or information about their nicknames to The Chronicle. Abilene State U. Broncs Did not provide information to The Chronicle.

Arkansas State U. Indians Maintaining nicknames and three American Indian mascots contributed to their "dignified" and "responsible" use.

Branding College Indians Board of Trustees says it will ensure that the nickname remains a "term of respect" and will review if it if a campus consensus emerges.

California State U. St. Clouds Norweigan No mascot or American Indian mascot or imagery.

Central Michigan U. Chippewas Having no name. No mascot or American Indian imagery or imagery.

Chairman has relationship with Saginaw Indian Chippewa Tribe; nickname traced with "pride and respect."

Chowan College Braves Did not provide information to The Chronicle.

College of William and Mary Tribe Received an extension until November to file its report with the NCAA.

East Stroudsburg U. of Pennsylvania Warriors Having no nickname but has no American Indian imagery, mascot, or logo.

Florida State U. Seminoles Having no nickname. Same tribe in Florida supports name's use, which "honors and respects American Indian cultures."

Hampton College Braves Replaced nickname with Eagles in September, partly as a result of NCAA interest.

Wofford College Terriers Replaced nickname with Eagles in September, partly as a result of NCAA interest.
Continued from preceding page and a member of the Turtle Mountain Chippewa Tribe, says his input and that of others was overlooked from the university's report about its "Fighting Sioux" nickname. "The NCAA was taking for some active involvement of the campus community required this," he said. "None of that took place here at UND."

In its report, the university emphasizes its American Indian programs and says it "is recognized as a national leader in providing access and opportunity for American Indians and other minority populations." "Arguably," the report says, "the university does more than any other institution of higher education in the United States to celebrate the American Indian culture." But lacking from the university's report is the NCAA's questioning whether such cultural programs can be justified to use the nickname. It argues that most American Indian programs at the university are financed by federal grants, and that the directors of the programs have established "outstanding reputations despite the controversy" surrounding the nickname.

Charles E. Kapkoelsa, the university's president, says he has not seen the minority report and cannot comment on it. He notes that North Dakota's strategic plan includes support for American Indian programs, and that such institutional support "can be extended".

Moreover, North Dakota says it is bound by a 2001 ruling by the state's Board of Edu-
cation that says the university's athletics teams must be known as the "Fighting Sioux." That ruling came a few days after an alumnus, Ralph Engelsrud, said that if the nickname was changed, he would halt contributions to $150 million annual hockey arena he was donating to the university.

The NCAA's Mr. Jackson says that although he has not yet read North Dakota's report, the argument that a university is bound by what its state board dictates is circular. The association, he says, will look into "institutions that don't want to face up to the issue's.

Faculty members at the University of Illinois at Urbana-Champaign say they have been shut out of a report on the university's nickname and its use of Chief Illiniwek, portrayed by a student who dons buckskins, paints his face blue and orange, and dances during the halftime of football and basketball games. In June 2004 the Board of Trustees called for a "consensus conclusion" on the use of the mascot that was acceptable to a majority of alumni, students, and faculty members.

In its report, Illinois did not explore the issue, says Stephen J. Keenan, a professor of cell biology who is an outspoken critic of the mascot's continued use. "The report dodge and dances around many of the NCAA's questions," and shows that university administrators lack the courage to take a stand, he says in an interview. He points to the recent decision of the president of Marquette University to turn down an offer of $2 million from two trustees—and re-
sist subsequent pressure from like-minded alumni—to restore a retired American Indian nickname (The Chronicle, June 18, 2004). Perhaps the NCAA will have similar conviction, Mr. Keenan says.

Supporters of the use of Chief Illiniwek think doing away with the symbol would have a negative impact on their university. Howard Weakland is an associate dean emeritus of engineering and president of the Honor the Chief Societies, a nonprofit group with more than 1,000 members, whose goal is to keep Chief Illiniwek a part of university life. He says, "It really does something to the spirit of the corps."

"TRUE BRAVES"

Amid such controversies, the University of North Carolina at Pembroke stands out as an unusual case. Founded in part by Lumbee Tribe members in 1839, the institution controlled only American Indians until 1950. The student body remains more than one-fifth American Indian.

In its report, Pembroke cites widespread local support on the campus and among the local tribes for its "Braves" nickname. Jimmy Goings, chief of the Lumbees and a Pembroke graduate, calls the founding of the university "one of the greatest accomplishments of our people."

Zoe W. Lusk, a Lumbee who is inter-

dean of the School of Education, heard that message. "To borrow a popular line from a television show," she says, "the tribe has spoken."

There are a few dissenters, as illustrated by a survey the college conducted for its official report. Around 7 percent of the 1,700 respondents, including those on campus, alumni, and local residents said they were not in favor of continuing to use the nickname and logo. In 1991 Pembroke did respond to criticism from American Indian tribes and replaced its "Braves" mascot, a student who donned up in an American Indian outfit, with a red-tailed hawk.

Vernon Bellcourt, director of the National Coalition on Racism in Sports and the Media, which opposes the use of American Indian mascots, says he respects Pembroke's right as an American Indian institution to choose its own name. Nevertheless, he hopes that it will replace the nickname to set an example for other colleges and "provide leadership on this issue."

Then there is the case of the University of Hawaii-Manoa, which found its "Warriors" nickname specified for inclusion by the NCAA. As a spokeswoman explained, the nickname refers to indigenous people from Hawaii, not American Indians. The university will file a report, although it missed the May 1 deadline.

LIMITED OPTIONS

The NCAA has often been skittish about wading into intercampus debates, including this one. The association's Committee on Sportmanship and Ethical Conduct urged all colleges to stop using American Indian nicknames in 2002 but said it recognizes that "people in the name of American Indian culture may be involved most effectively by the institutional, its community, and conference, rather than at the national level."

Both Florida State and North Dakota quote that passage in their reports. Philip A. Harsen, senior associate to the president of North Dakota, who wrote the university's report, said he was left "stunned" by the local "beak" Forks Herald on May 1: "The NCAA does not have the authority to order a school to use, or not use, a particular name, or mascot," he said. He did not elaborate in an interview with The Chronicle.

In its statement, the NCAA said in 2002, the NCAA's minority-interests committee, which comprises 15 college presidents, ath-
edics, and other officials, and is chaired by Robert C. Vorvis Jr., commis-

sioner of the Southwestern Athletic Conference, says there are a number of penalties that it can recommend to the Executive Committee.

In 2002 the NCAA forbade championship events from taking place in South Carolina and Mississippi because of those states' continued use of the Confederate battle flag. Those bans remain in effect.

Apost from attempting an outright ban on American Indian mascots and nicknames, the NCAA could suggest that colleges that don't have their special respect, but he forced to give up imagery they believe to be offensive, a form of self-regulation.

"It's tough to tell" what will happen, Mr. Jackson says. "If the NCAA does nothing, many colleges will be left to respond to the opinions of deep-pocketed alumni who treasure the tradi-

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The complete elimination of Savages as a nickname is judged to be a highly valued process that would be emotionally charged and would immediately create a reversion or change between many alumni, says "The immediate consequences would be very costly to the university in terms of fund-raising activities with sports-minded alumni."

But Richard D. Little, senior director of communications at Miami University, offers some surprising empirical evidence. In 1996 the Ohio institution retired its "Redskins" nickname in favor of "Red Hawks." Before the decision was made, many alumni raised protests and threatened to permanently withhold donations.

But after the name change, the university had the largest fund-raising response in its history.

In Defense of Nicknames

"The Fighting Sioux" nickname at the University of North Dakota (UND) has been the subject of a report by the NCAA, which found that the mascot is an offensive symbol.

The report concluded that the nickname should be changed, but the university has resisted, arguing that the symbol is important to the university community.

The NCAA has also been criticized for its handling of other issues related to American Indian names, such as the use of Chief Illiniwek at the University of Illinois and the Native American mascot at the University of Hawaii-Manoa.

In the end, the NCAA has suggested that colleges and universities should work with their local communities to develop a consensus on how to use American Indian names and mascots.

The NCAA's minority-interests committee, which comprises 15 college presidents, athletic directors, and other officials, is chaired by Robert C. Vorvis Jr., commissioner of the Southwestern Athletic Conference.

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Seminoles swear in 2 new tribal leaders

By John Holland
Staff Writer

June 7, 2005

HOLLYWOOD - The Seminole Tribe swore in two new reservation leaders on Monday and listened to a fiery speech from a longtime one who barely hung on to his post.

Last month's elections did not alter drastically the tribe's makeup, because Tribal Chairman Mitchell Cypress and Vice Chairman Moses B. Osceola each have two more years left in their terms. Still, the 3,000-member tribe added a woman to its Board of Directors for business affairs and narrowly returned Max B. Osceola Jr. to an 11th term as the Hollywood representative.

Gloria Wilson of Hollywood said she would try to broaden the scope of the Corporation, the business arm that traditionally has focused on agriculture, as well as its lucrative gaming operations. Officials said Wilson is the first woman to join the board in at least two decades.

"I see a lot of potential for the tribe that really hasn't been tapped yet," said Wilson, who owns a development company in Davie and is a partner in a minor league baseball team in Puerto Rico. "I think my business experience will help us get past some of the tunnel vision that we had, although Moses [the corporation president] has already made some great changes."

Max Osceola will continue representing the Hollywood reservation on the Tribal Council after defeating Elton Carl Baxley by only three votes. Osceola, long a combative voice railing against the federal government, turned up the rhetoric during his acceptance speech.

"I think about the elders who were here B.C., before Columbus, when we were the ones welcoming the Europeans ... who took our land and tried to commit genocide on our people," Osceola said. "And I think about the 1950s, when the federal government said Indians no longer exist. That's how they responded to the 'Indian problem,' but I think we had a European problem."

Osceola was referring to the attempts in the 1950s to assimilate all Indian tribes and make them give up tribe status and heritage. The plan was dropped in 1970 by President Richard Nixon.

After Monday's ceremony, Osceola took some kidding from tribe members about his tone, but said he was just trying to unite the Seminoles after a bitter election.

"I have to keep repeating our [history] because we don't want people forgetting it," Osceola said.

John Holland can be reached at jholland@sun-sentinel.com or 954-385-7907.

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NCAA Executive Committee Issues Guidelines for Use of Native American Mascots at Championship Events

For Immediate Release
    Friday, August 5, 2005

Contact
Bob Williams
Managing Director of Public and Media Relations
317/917-6117

INDIANAPOLIS --- The presidents and chancellors who serve on the NCAA Executive Committee have adopted a new policy to prohibit NCAA colleges and universities from displaying hostile and abusive racial/ethnic/national origin mascots, nicknames or imagery at any of the 88 NCAA championships.

The Executive Committee, meeting Thursday in Indianapolis, also approved recommended best practices for schools who continue to use Native American mascots, nicknames and imagery in their intercollegiate athletic programs.

"Colleges and universities may adopt any mascot that they wish, as that is an institutional matter," said Walter Harrison, chair of the Executive Committee and president at the University of Hartford. "But as a national association, we believe that mascots, nicknames or images deemed hostile or abusive in terms of race, ethnicity or national origin should not be visible at the championship events that we control."

The policy prohibiting colleges or universities with hostile or abusive mascots, nicknames or imagery from hosting any NCAA championship competitions takes effect February 1, 2006.

"The NCAA objects to institutions using racial/ethnic/national origin references in their intercollegiate athletics programs," said NCAA President Myles Brand. "Several institutions have made changes that adhere to the core values of the NCAA Constitution pertaining to cultural diversity, ethical sportsmanship and nondiscrimination. We applaud that, and we will continue to monitor these institutions and others. All institutions are encouraged to promote these core values and take proactive steps at every NCAA event through institutional event management to enhance the integrity of intercollegiate athletics related to these issues."
Other elements of the policy approved Thursday require that institutions with hostile or abusive references must take reasonable steps to cover up those references at any predetermined NCAA championship site that has been previously awarded, effective February 1, 2006.

Institutions displaying or promoting hostile or abusive references on their mascots, cheerleaders, dance teams and band uniforms or paraphernalia are prohibited from wearing the material at NCAA championships, effective August 1, 2008.

Last, and effective immediately, institutions with student-athletes wearing uniforms or having paraphernalia with hostile or abusive references must ensure that those uniforms or paraphernalia not be worn or displayed at NCAA championship competitions.

Harrison stressed that institutions affected by the new policy can seek further review of the matter through the NCAA governing structure.

The committee also strongly suggested that institutions follow the best practices of institutions that do not support the use of Native American mascots or imagery. Model institutions include the University of Iowa and University of Wisconsin, who have practices of not scheduling athletic competitions with schools who use Native American nicknames, imagery or mascots.

Additionally, the committee suggested that institutions should review their publications and written materials for hostile and abusive references and remove those depictions, which is the current policy of the NCAA National Office.

Last, member institutions are encouraged to educate their internal and external constituents on the understanding and awareness of the negative impact of hostile or abusive symbols, names and imagery, and to create a greater level of knowledge of Native American culture through outreach efforts and other means of communication.

The recommendations stemmed from discussions in June at the NCAA Minority Opportunities and Interest Committee (MOIC) meeting in Boston. Those recommendations were forwarded to the Executive Committee Subcommittee on Gender and Diversity Issues earlier this week. The subcommittee then forwarded its recommended changes to the Executive Committee, which is the highest ranking committee in the NCAA governance structure.

Three events prompted initial discussion on mascots within the Association in April 2001—membership feedback; ongoing issues surrounding the Confederate Battle Flag; and the U.S. Commission on Civil Rights' statement on the use of American Indian imagery as sports symbols.
In November 2004, 33 schools were asked to submit self evaluations to the NCAA National Office to determine the extent, if any, of the use of Native American imagery or references on their campuses. Specific aspects of the self evaluations centered on three NCAA Constitution principles that reference cultural diversity and gender equity (Article 2.2.2); the principle of sportsmanship and ethical conduct (Article 2.4); and the principle of nondiscrimination (Article 2.6).

Eighteen colleges and universities continue to use Native American imagery or references and are subject to the new policy:

* Alcorn State University (Braves)
* Central Michigan University (Chippewas)
* Catawba College (Indians)
* Florida State University (Seminoles)
* Midwestern State University (Indians)
* University of Utah (Utes)
* Indiana University-Pennsylvania (Indians)
* Carthage College (Redmen)
* Bradley University (Braves)
* Arkansas State University (Indians)
* Chowan College (Braves)
* University of Illinois-Champaign (Illini)
* University of Louisiana-Monroe (Indians)
* McMurry University (Indians)
* Mississippi College (Choctaws)
* Newberry College (Indians)
* University of North Dakota (Fighting Sioux)
* Southeastern Oklahoma State University (Savages)

Fourteen schools have removed all references to Native American culture or were deemed not to have references to Native American culture as part of their athletics programs: California State-Stanislaus University; Lycoming College; Winona State University; Hawaii-Manoa University; Eastern Connecticut State University; East Stroudsburg University; Husson College; Merrimack College; Southeast Missouri State University; State University of West Georgia; Stonehill College; San Diego State University; Wisconsin Lutheran College; and the University of North Carolina-Pembroke.

The College of William and Mary has been given an extension to complete its self-study on the mascot issue.

In other action from the Executive Committee, members updated the Association's alcohol policy, recommending that member colleges and universities review a number of suggested actions.
"As college presidents, we are very concerned about the use of alcohol on our campuses and the abuse of it by our students and in society at large," Harrison said.

The suggestions include prohibiting the sale of alcohol during all college sports events (preseason, regular season, conference and postseason); encouraging fans to drink responsibly and legally outside stadiums or arenas; and prohibiting onsite alcohol advertising during all college sports events, taking into account contractual issues already in place with advertisers.

The revised policy also suggests prohibiting media advertising of alcohol that exceeds six percent of alcohol by volume; and limiting advertising of malt beverages, beer and wine products. Such ads should not comprise more than 60 seconds per broadcast hour, two minutes during any game telecast and no more than 14 percent of a game program or publication, and they should include tag lines such as "Drink Responsibly" and "Be Legal."

Furthermore, the alcohol policy calls for NCAA colleges and universities to provide programs and resources for education, prevention and treatment of alcohol abuse.

The NCAA has for years banned sales and advertising of all alcohol at its 88 championships. The association also limits broadcast advertising during championships to not more than 60 seconds per broadcast hour and two minutes in any championship telecast or broadcast. Many of the alcohol ads contain language stressing the legal and responsible use of alcohol.

-30-

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View online at:
http://www2.ncaa.org/media_and_events/press_room/2005/august/20050805_exec_comm_rls.html

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GUIDELINES FOR COMPLETING THE INSTITUTIONAL SELF EVALUATION:

The NCAA Executive Committee has requested that the NCAA staff seek additional information, including the institution’s current position regarding American Indian mascots, nicknames and logos. Throughout this self-evaluation process, the chief executive officer is encouraged to make the evaluation a priority and it is hoped that the entire institution take responsibility for its completion.

It is recommended that the chief executive officer appoint a steering committee to oversee the development of this self evaluation. The Executive Committee expects the institution to include interested staff members and institutional constituents who worked on the previous self study and could be of assistance. The steering committee should have the representation of a broad-based group of the institutional community as well. If possible, the committee chair should be a member of the institution’s senior management team and not a member of the department of athletics.

The institution must return the completed institutional self evaluation to the national office by May 1, 2005.

INTRODUCTION TO THE INSTITUTIONAL SELF EVALUATION

[Note: Please complete this form and include it at the beginning of the institution’s self evaluation.]

Institutional Information
Name of Institution ________________________________________

Mascot, Nickname and Logo for the Institution

1. List all current mascots, nicknames and logos for your institution.
2. Describe how your institution uses its mascot, nickname and or logo.

Institutional Self Evaluation Information

1. Steering committee chair (name and title):
2. Chief report writer/editor of institutional self evaluation (name and title):
3. Describe the extent of broad-based participation of campus constituencies in the self evaluation. Specifically, report on the opportunities that actually were provided to various
individuals or groups within the campus community to: (a) offer input into the self evaluation report before its findings and possible plans for improvement were formulated, and (b) review the self evaluation report after it was drafted.

Governance

1. Based on the institution's experience in the last ten years, list the decisions related to the use of an American Indian mascot, nickname or logo in which the institution's governing board, chief executive officer, athletics council, faculty senate or department of intercollegiate athletics has been significantly involved. Please provide the dates, the nature of the issues, the ultimate outcome or resolution and the nature of involvement from the various constituencies.

2. Describe the process by which the institution makes major policy decisions related to intercollegiate athletics. In so doing, describe the role and authority of the institution's governing board, chief executive officer, the athletics board or committee (if one exists), the faculty athletics representative(s), the director of athletics, and any other appropriate campus constituencies (e.g. faculty, students, student-athletes) in this process.

3. Explain the institution's philosophy as it relates to the use of American Indian mascots, nicknames and logos.

NCAA Constitution 2.2.2

NCAA Constitution 2.2.2 states that it is the responsibility of each member institution to establish and maintain an environment that values cultural diversity and gender equity among its student-athletes and intercollegiate athletics department staff.

1. Explain how the institution is organized to monitor, evaluate and address activities that promote valuing diversity and gender equity among its student-athletes and intercollegiate athletics department staff.

2. Explain how the institution's use of an American Indian mascot, nickname and/or logo is consistent or inconsistent with the aforementioned NCAA Principle. In instances in which the use or depiction appears inconsistent, the institution should include a detailed plan that outlines how the institution has modified or will consider modifying its use of American Indian mascots, nicknames and logos to ensure that it is consistent with NCAA Constitution 2.2.2.
3. Provide a copy of the institution’s policy on nondiscrimination. Explain how the institution’s use of an American Indian mascot, nickname and/or logo is consistent with this policy.

Educational and Outreach Initiatives

1. Describe your institution’s educational programs and initiatives as related to American Indian history and culture.

2. Describe your institution’s efforts to build relationships and provide support to the American Indian community.

3. Describe efforts to educate the institutional community on American Indian history and culture.

4. Describe efforts to educate the athletics staff, student-athletes and athletics supporters on American Indian history and culture.

5. Describe how your institution ensures a safe environment for all fans, including American Indians during athletics contests and other events that the institution’s American Indian mascot, nickname or logo is being used and on display.

Assessment

1. Describe the institution’s efforts to assess the feelings of its constituent groups as to whether the institution should continue or discontinue the use of an American Indian mascot, nicknames or logos. If some assessment has been completed, please provide the dates of the assessment and its conclusions.

2. Describe the institution’s efforts to assess whether its use of an American Indian mascot, nickname or logo is offensive to American Indians. If some assessment has been completed, please provide the dates of the assessment and its conclusions.

3. Please provide (and describe the nature) a full description of any formal complaints filed within the past thirty-six months that have been made against the institution for its use of an American Indian mascot, nickname or logo.

Conclusions
1. After reviewing the answers to the institutional self evaluation items noted above, how would the institution describe the reasoning behind the use of American Indian mascots, nicknames and/or logos?

2. In light of the information set forth above, will the institution continue to use its current mascot, nickname or logo? Why or Why not?

3. In light of the information set forth above, will the institution make any modifications to the manner that it uses its current mascot, nickname or logo?

THANK YOU FOR YOUR ASSISTANCE IN PROVIDING THE NCAA EXECUTIVE COMMITTEE WITH THIS DATA.

Please forward your completed Institutional Self Evaluation by May 1, 2005 to:

Ronald J. Stratten  
Vice President for Education Services  
NCAA  
P.O. Box 6222  
Indianapolis, IN 46206-6222
Questions

NCAA Constitution 2.2.2 states that it is the responsibility of each member institution to establish and maintain an environment that values cultural diversity and gender equity among its student-athletes and intercollegiate athletics department staff.

1. Explain how the institution is organized to monitor, evaluate and address activities that promote valuing diversity and gender equity among its student-athletes and intercollegiate athletics department staff.

2. Explain how the institution’s use of an American Indian mascot, nickname/or logo is consistent or inconsistent with the aforementioned NCAA Principle. In instances in which the use or depiction appears inconsistent, the institution should include a detailed plan that outlines how the institution has modified or will consider modifying its use of American Indian mascots, nicknames and logos to ensure that it is consistent with NCAA Constitution 2.2.2. Creekmore

NCAA Constitution 2.4 indicated that member institutions’ intercollegiate athletics programs must promote the character development of participants. To enhance the integrity of higher education and to promote civility in society, student-athletes, coaches, and all others associated with the athletics programs and events the institution should adhere to such fundamental values as respect, fairness, civility, honesty and responsibility. These values should be manifest not only in athletics participation, but also in the broad spectrum of activities affecting the athletics program. It is the responsibility of each institution to:

    (a) Establish policies for sportsmanship and ethical conduct in intercollegiate athletics consistent with the educational mission and goals of the institution; and

    (b) Educate, on a continuing basis, all constituencies about the policies referenced above.
1. Indicate how the provisions of NCAA Constitution 2.6 support or do not support your use of an American Indian mascot, nickname and/or logo. When providing your explanation, please use specific references to the manner that the institution uses its mascot, nickname and/or logo. Creekmore, Hanks,

2. Explain whether your institution’s use of an American Indian mascot, nickname and/or logo supports the American Indian culture.

3. Provide a copy of the institution’s policy on nondiscrimination. Explain how the institution’s use of an American Indian mascot, nickname and/or logo is consistent with this policy.

Educational and Outreach Initiatives

1. Describe your institution’s educational programs and initiatives as related to American Indian history and culture.

2. Describe your institution’s efforts to build relationships and provide support to the American Indian community. (Information from Robert Flowers – Department of Academic Compliance) (Origins Series presentation by Pete Gregory – March 4th) etc.

3. Describe efforts to educate the institutional community on American Indian history and culture. Joe McGahan, Joe Saunders, Marsha McGee

4. Describe efforts to educate the athletics staff, student-athletes and athletics supporters on American Indian history and culture. Creekmore, Hanks, Anderson, Saunders

5. Describe how your institution ensures a safe environment for all fans, including American Indians during athletic contests and other events that the institution’s American Indian mascot, nickname or logo is being used and on display. Hanks, McGee, Creekmore
Assessment

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3. Please provide (and describe the nature) a full description of any formal complaints filed within the past thirty-six months that have been made against the institution for its use of an American Indian mascot, nickname or logo. Creekmore

Conclusions

1. After reviewing the answers to the institutional self evaluation items noted above, how would the institution describe the reasoning behind the use of American Indian mascots, nicknames and/or logos?

2. In light of the information set forth above, will the institution continue to use its current mascot, nickname or logo? Why or Why not? Creekmore

3. In light of the information set forth above, will the institution make any modifications to the manner that it uses its current mascot, nickname or logo? All Committee Members

ULM
Aug. 5, 2005

*** STATEMENT FROM FSU PRESIDENT T.K. WETHERELL ***

TALLAHASSEE, Fla.—Florida State University is stunned at the complete lack of appreciation for cultural diversity shown by the National Collegiate Athletic Association's executive committee, which announced today a policy banning schools using Native American names and symbols from hosting NCAA championship events. That the NCAA would now label our close bond with the Seminole Tribe of Florida as culturally "hostile and abusive" is both outrageous and insulting.

On June 17, the Tribal Council of the Seminole Tribe of Florida spoke unequivocally of its support for Florida State University in its use of the Seminole name and related symbols. Accordingly, I intend to pursue all legal avenues to ensure that this unacceptable decision is overturned, and that this university will forever be associated with the "unconquered" spirit of the Seminole Tribe of Florida.

National surveys have shown in recent years that an overwhelming majority of Native Americans are not offended by the use of Native American names and symbols. In making its decision, the executive committee has been swayed by a strident minority of activists who claim to speak for all Native Americans. It is unconscionable that the Seminole Tribe of Florida has been ignored.

The rules as we understand them would have us cover the Seminole name and symbol as if we were embarrassed, and any committee that would think that is a proper and respectful treatment of Native Americans should be ashamed.

###

(NOTE TO MEDIA: President Wetherell slipped and broke his wrist on campus earlier today. He will have surgery this afternoon and will not be available for further comment. He is doing well and is expected to be at work on Monday.)
The list of schools affected by the NCAA's decision Friday on American...

Associated Press

INDIANAPOLIS - The list of schools affected by the NCAA's decision Friday on American Indian mascots and nicknames:

- Alcorn State University (Braves)
- Central Michigan University (Chippewas)
- Catawba College (Indians)
- Florida State University (Seminoles)
- Midwestern State University (Indians)
- University of Utah (Utes)
- Indiana University-Pennsylvania (Indians)
- Carthage College (Redmen)
- Bradley University (Braves)
- Arkansas State University (Indians)
- Chowan College (Braves)
- University of Illinois (Illini)
- University of Louisiana-Monroe (Indians)
- McMurry University (Indians)
- Mississippi College (Choctaws)
- Newberry College (Indians)
- University of North Dakota (Fighting Sioux)
- Southeastern Oklahoma State University (Savages)
VIA FACSIMILE [850-644-9936]

President T.K. Wetherell
Florida State University
211 Westcott Building
Tallahassee, Florida 32306

Dear President Wetherell:

During their August 4, 2005, meeting, the presidents and chancellors who serve on the NCAA Executive Committee adopted a new policy to prohibit NCAA colleges and universities from displaying hostile or abusive racial/ethnic/national origin mascots, nicknames or imagery at any of the Association’s national or regional championship competitions. This policy will be effective February 1, 2006. Prior to the effective date, member institutions impacted by the terms of this new NCAA policy may seek further review of the application of that policy to their schools through the NCAA governance structure.

As you may know, the issue of Native American mascots and images in college athletics has been the subject of discussion among NCAA members, its Minority Opportunities and Interests Committee (MOIC) and the NCAA Executive Committee Subcommittee on Gender and Diversity Issues for the past five years. Several years ago, the Executive Committee, through MOIC, solicited further information from institutions that possess Native American mascots, nicknames or imagery. A self-evaluation study completed by each of the 33 institutions (attachment) provided a detailed review of this issue on each campus. Based on this review, the Executive Committee determined that 18 institutions fall within the parameters of this new policy.

The NCAA, as a membership association, objects to member colleges and universities using hostile or abusive racial/ethnic/national origin references in their intercollegiate athletics programs. One of our core purposes is to govern competition in a fair, safe, equitable and sportsmanlike manner. Other core principles include promoting an atmosphere of respect for and sensitivity to the dignity of every person and integrating intercollegiate athletics into higher education so that the educational experience of the student-athlete is paramount.

Several colleges and universities have made changes that adhere to these core values of the NCAA Constitution pertaining to cultural diversity, ethical sportsmanship, an inclusive culture and respect for institutional autonomy and philosophical differences. We applaud those efforts, and we will continue to monitor those universities and others, according to the standard NCAA institutional self-study process. All NCAA colleges and universities are encouraged to promote these core values and take proactive steps at every NCAA event through institutional event management to enhance the integrity of intercollegiate athletics related to these issues.
Certainly, these issues are quite complex, and colleges and universities need to retain institutional autonomy to address these matters. Choosing a sports team mascot is inherently an institutional decision. However, while the NCAA supports institutional autonomy as a key component of the overall mission of the Association, we have a duty to address actions and behaviors that are inconsistent with core values and principles of the NCAA Constitution. It is the responsibility of everyone associated with an intercollegiate athletics program and event, including student-athletes, fans and coaches, to establish an environment of respect for and sensitivity to the dignity of every person. NCAA championship competition takes a national stage and has significant impact in the public forum. As such, we believe that mascots, nicknames or images deemed hostile or abusive in terms of race, ethnicity or national origin should not be visible at our events.

An institution may wish to challenge this policy. There are two avenues to do so. An institution may appeal the applicability of the policy to its particular situation. For example, it may argue that its use of Native American names, symbols or mascots does not create a hostile or abusive environment. Additionally, an institution may seek to amend or modify the policy itself. In that case, it would use a modified process of that normally used for amending legislation at the presidential level.

In more detail, an institution that wishes to appeal its standing as an affected institution should submit a written appeal describing its unique circumstances, as well as the relevant grounds for appeal, to the Executive Committee Subcommittee on Gender and Diversity Issues prior to the policy's effective date of February 1, 2006. An adverse decision of this subcommittee may be appealed to the Executive Committee. Appeals received by the Executive Committee will first be referred to the appropriate divisional presidential body to ensure thorough feedback and consideration by the divisional structure. Specifically, the divisional presidential bodies will be asked to provide a recommendation to assist the Executive Committee in its consideration. In order to assist you in a timely resolution of such appeals, please note that the NCAA Executive Committee and the divisional presidential bodies are scheduled to meet in person October 27, 2005, and January 9, 2006.

Any institution, group of institutions or conference also may seek to amend or change the policy itself. Such a request should be submitted through the respective divisional presidential governing body for its consideration. These bodies will develop a recommendation for the Executive Committee's consideration. Such appeals shall set forth the terms and rationale for the suggested amendment or policy change.

We recognize that these issues are multifaceted and continue to be quite challenging. The national office staff stands ready to assist you in this process.

Sincerely,

Myles Brand
President

MB:jw

Attachment
FOR IMMEDIATE RELEASE
Tuesday, August 9, 2005

CONTACT:
Ken Lundberg (202) 228-5957
Melissa Shuffield (202) 228-5113

MARTINEZ: FSU'S RELATIONSHIP WITH THE SEMINOLE TRIBE OF FLORIDA IS A POSITIVE SOURCE OF PRIDE
Calls on NCAA to revisit decision

JACKSONVILLE, FL - U.S. Senator Mel Martinez (R-FL) today issued the following statement in response to the recent NCAA decision regarding the Seminole Tribe of Florida and Florida State University.

"I think the position of the NCAA is disrespectful and insulting to the relationship between the Seminole Tribe of Florida and Florida State University. FSU's relationship with the Seminole Tribe of Florida is a positive source of pride and is leading to increased opportunities for higher education for members of the Tribe.

"This was a decision made without consultation with the Seminole Tribe of Florida or FSU, two of the affected parties, and therefore I am asking the NCAA to consider seriously that this policy is insensitive to the long-standing relationship existing between the Seminole Tribe and the University. It is my understanding that FSU will appeal this decision, and I hope the NCAA will reconsider its decision in light of this appeal."

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FSU Trustees meet on NCAA Ban. Live audio webcast August 10, 1:00 p.m.

Florida State University responds to NCAA decision banning use of Native American symbols

FSU President T.K. Wetherell has issued the following statement in response to action August 5 by the National Collegiate Athletic Association baning the use of American Indian mascots during NCAA championship games. In taking the action, the NCAA deemed FSU's use of the Seminole name and symbols as "hostile or abusive," despite the recent formal endorsement by the Seminole Tribe of Florida for their use. (more)

MAX B. OSCEOLA, JR., SEMINOLE TRIBE OF FLORIDA COUNCIL REPRESENTATIVE, GREETS FSU PRESIDENT T.K. WETHERELL PRIOR TO THE TRIBE'S RECENT FORMAL ENDORSEMENT OF FSU'S USE OF SEMINOLE NAME AND SYMBOLS.

VIDEO: Florida State University thanks Seminoles for historic vote

VIDEO: Reading of Full Resolution & Unanimous Vote

FSU oceanography professor wins international honor

Top national award brings happy days to FSU dining facility

Enter raffle to win Golden Chief seats at FSU football games

Creative writing program makes headlines

Libraries struggle to meet demand as more patrons check out Internet

FSU scientist warns North Atlantic right whale facing extinction

All FSU Virtual Marketplace Vendors

Preferred Vendors

Arts
Theatre FSU
FSU's School of Theatre

Bookstores
Florida State University Bookstore
Bill's Bookstore

Circus
FSU Flying
Agenda
Florida State University Board of Trustees
Conference Call
August 10, 2005
1:00 PM–2:30 PM

1. Call to Order and Roll Call
   Jim Smith, Chair

2. NCAA Ruling - Remarks
   T.K. Wetherell

3. Overview
   Dave Hart

4. Discussion
   Board of Trustees Members

5. Summary
   T.K. Wetherell

6. Closing Remarks
Call to Order and Roll Call
Jim Smith, Chair

- Good afternoon. Welcome to our emergency conference call meeting of the FSU Board of Trustees. I want to call the meeting to order. Laura Brock will call the roll.

- I would like a motion to suspend the Board of Trustees' Operating Procedure Section 203(b) to take up the items listed on the agenda and any supplemental materials passed out today.

- I called this meeting to discuss the impact of the recent NCAA policy on the use of American Indian names.

- As you all know the policy will be effective Feb. 1, 2006, and would prohibit Universities such as Florida State from displaying what it calls “hostile and abusive racial/ethnic/national origin mascots, nicknames or imagery at any of the 88 NCAA championships.”

- The NCAA Executive Committee has included FSU in its list of 18 colleges and universities that “continue to use American Indian imagery or references and are subject to the new policy.”

- The prohibition doesn't absolutely keep teams out of post-season play -- but they must cover up or remove any offending logos and bench their symbols for playoff games. It does not apply to football's post-season Division I bowl games, which do not fall under NCAA authority.

- NCAA said that: “Institutions affected by the new policy can seek further review of the matter through the NCAA governing structures.”

- Florida State has a long-term relationship with, and support of, the Seminole Tribe of Florida. In June — at an unprecedented meeting of the FSU president and tribal leaders, in Hendry County — the tribe reaffirmed its endorsement in a very formal manner.

- We are very disappointed at this arbitrary ruling and-- I think I speak for this board — we will not stand by and let this happen without a fight.
• I have asked Dr. Wetherell to provide some opening remarks. Then Dave Hart will discuss the policy, its impact, and our options in more detail. We will then hear from the trustees and Dr. Wetherell will close the meeting.

2. NCAA Ruling - Remarks
   T.K. Wetherell

3. Overview
   Dave Hart

4. Discussion
   Board of Trustees Members

5. Summary
   T.K. Wetherell

6. Closing Remarks

• Is there a motion to: 1) appeal the ruling through the NCAA processes as far as possible; and 2) authorize the University to continue to proceed in any manner deemed appropriate from a legal perspective?
The Florida State University Board of Trustees
Conference Call
August 10, 2005
1:00 PM- 2:30 PM

SUMMARY MEETING MINUTES

Members Present: Dr. Jim Cobbe, Mr. Christopher Schoonover, Mr. David Ford, Dr. Jessie Furlow, Mr. Mammy Garcia, Mr. Andy Haggard, Mr. Harold Knowles, Dr. Stanley Marshall, Mr. Jim Smith, Mr. Derrick Brooks, and Dr. Ann McGee, and Mr. John Thrasher.

Members Absent: Mrs. June Duda had an excused absence.

1. Call to Order and Welcome – Mr. Jim Smith, Chair

Chairman Jim Smith called the emergency conference call meeting to order. He said that he called the meeting in order to discuss the impact of the recent NCAA policy on the use of American Indian names. The policy will be effective Feb. 1, 2006, and would prohibit universities such as Florida State from displaying what it calls "hostile and abusive racial/ethnic/nациональной этнической эмблемы or imagery at any of the 88 NCAA championships. The NCAA Executive Committee has included FSU in its list of 18 colleges and universities that "continue to use American Indian imagery or references and are subject to the new policy." The prohibition does not absolutely keep teams out of post-season play – but they must cover up or remove any offending logos and bench their symbols for playoff games. It does not apply to post-season Division I football bowl games, which do not fall under NCAA authority. The NCAA said that: "Institutions affected by the new policy can seek further review of the matter through the NCAA governing structures."

Chairman Smith said that Florida State has a long-term relationship with, and support of, the Seminole Tribe of Florida. In June — at an unprecedented meeting of the FSU president and tribal leaders, in Hendry County — the tribe reaffirmed its endorsement in a very formal manner. He said that the Board is very disappointed at this arbitrary ruling and will not stand by and let this happen without a fight.

Chairman Smith said that Florida State has over 20 years in the relationship with the Seminole Tribe of Florida. FSU and the Seminoles have enjoyed an outstanding relationship. He said that as Attorney General he was in several fights for civil rights to avoid a lot of the issues that the NCAA policy says it is trying to prohibit. He concluded by saying that as an FSU Board Member, as a former public official, and as an FSU graduate, that this NCAA action is insulting.

2. NCAA Ruling – Remarks by President Weiherell

President Weiherell indicated that Mr. Dave Hart, Athletics Director, would provide a detailed report and explain the process by which the NCAA came to this conclusion.

A two-minute video produced in conjunction with the Seminole Tribe of Florida was presented to the Board.

Dr. Weiherell indicated that for over fifty years, Florida State University has made a very concentrated effort to work with the tribe to develop not just an athletic relationship, but also an academic relationship. The University has developed scholarship programs, courses, and activities with tribe participation. He said that he has a ruling of this nature when neither the University, nor the tribe was asked to participate is particularly offensive. Dr. Weiherell said that the University is studying the NCAA letter on how to conduct the appeal.

3. Overview – Mr. Dave Hart, Athletics Director

Mr. Hart reiterated the importance and value of the relationship with the Seminole Tribe of Florida for many years. He said the words "hostile and abusive" when describing Florida State's relationship with its symbol namesake and its honoring of the Seminole Tribe of Florida appear to be devoid of logic, reason, and a genuine evaluation of that relationship by the committee who forwarded this recommendation. The NCAA has chosen to ignore the reality and instead is focused on applying arbitrary standards in general with a broad brushstroke based upon unrepresentative examples and inadequate data. There is a complete lack of standards, consensus, or definition regarding what is meant by the terms "hostile and abusive." To the extent that there is any discussion whatsoever about hostile and abusive mascots or namesakes within the NCAA structure it should be done on a case-by-case basis in a transparent manner with the membership, listening and participating and having input into that discussion with clearly defined standards and definitions and evaluated upon any appropriate information that any reasonable person would then rely upon in conducting his or her affairs.

Mr. Hart indicated that the NCAA has set its agenda first, then focused on selecting a filtered reality.
designed to concur with their agenda. There has been a failure to get truly meaningful information from the true stakeholders in this process, i.e. the individual schools that make up the association and the other participating conferences and universities in the overall issue and certainly the Seminole tribe of Florida. The policy announced by the executive committee contradicts the findings of the same committee, made up of different people, but the same committee in 2002. In 2002 the committee’s decision was that any decision on symbols or mascots—and we do not use the word mascot ever in any media guide—never referencing the symbol that we’re so proud to utilize. But in 2002 that was deemed by the committee to be an institutional decision, which did not fall under the authority of the NCAA. The irony of this reversal of policy is that the NCAA has promoted institutional autonomy for years and now passes a policy, which is in direct conflict with a long held stance. In fact, it appears to be heading toward elimination of University autonomy.

Mr. Hart said that the process by which the NCAA arrived at this policy was very flawed and circumvents the association’s ultimate responsibility, which is to reflect the consensus of its membership. In fact the meetings by the committees were being conducted in an almost clandestine fashion giving no transparency to the process association-wide. He said that the NCAA has been rightfully proud of its stance that the institutions—we are the NCAA. Mr. Hart said that he personally has defended the NCAA over the years in the profession using that same terminology. The special committee not only determined that it would speak for the entire membership, but also kept the institutions in the dark during the final process, including the President who represents the Atlantic Coast Conference and the Chair of the Management Council. The flawed process raises the question as to whether this was an association recommendation or one driven by a small special interest group with personal agendas. A number of independent polls have suggested both specific American Indian populations and those reflecting that population conflict with a policy suggested by the committee. An open and membership-driven dialogue could have resulted in a discussion to attempt to determine the definition by which symbol is deemed hostile or abusive and would have addressed the larger issue whether this should remain an institutional decision as was determined in 2002.

Mr. Hart said that the committee’s recommended policy change in language would seem to demand inclusion of an examination of a variety of other mascots, symbols, that they also be offensive to any number of people. He said that the nature of the process played a larger role in the fact that the resulting policy recommendation can be reviewed as contradictory, hypocritical, inappropriate, inconsistent, and even embarrassing. Among the most intolerable elements of the entire discussion is the fact that the very committee who built their platform on addressing interst sextivity would then suggest that it should be palatable to the Seminole Tribe of Florida and Florida State University to cover-up symbols during NCAA championship events. This was the reasonable and thoughtful solution arrived at after four years of discussion, keeping in mind that the same committee came to a totally different conclusion a little more than 2 years ago.

Mr. Hart said that the ruling suggests that FSU can remain honored and proud to be called Seminoles in the regular season, but not if the University is to compete in NCAA championship events. Further, he said why was it that Florida State University and the Seminole tribe of Florida were not extended the courtesy of addressing this committee regarding their relationship and history. Why wasn’t the Seminole Tribe of Florida asked if they felt represented hostile or abusive qualities? There was no invitation to Florida State or the Seminole tribe of Florida to testify before the committee.

Mr. Hart concluded by saying that it was his personal opinion that this decision was an abuse of discretion by the committee and the University will pursue through appropriate NCAA avenues all remedies to appeal our inclusion on this list. He said that if the University cannot receive a serious and open-minded response the University would continue to seek a more attentive and objective audience through the legal arena in order to uphold the privilege to call us Seminoles. Mr. Hart said that the University would collectively go through the appeals process to have Florida State’s name removed from that list because it simply does not belong there.

Mr. Hart explained the appeals process.

4. Discussion -- Board of Trustees Members

The Board of Trustees discussed the NCAA issue at length. Trustee Haggard asked about the legal appeals process. Trustee Thresher talked about the legal aspects surrounding the issue and said that after a review of the NCAA Constitution and Bylaws, that the executive committee may not have the authority to establish and direct general policy for the Association. The Bylaws specify that the executive committee is supposed to afford legislation to the entire membership for a vote and there is no provision that it gives them the authority to “adopt policies” for the entire association. He said that if we decide that the NCAA process is unfair and lacks due process then the University should sue them.

Trustee McFarlan suggested that the President send the NCAA a letter asking them by what authority are they bringing this action. Trustee Furlow urged that the appeal ask the NCAA to consider each University on a case-by-case basis and not lump all Universities into one group. The University has treated the Seminole Tribe with a lot of respect and has incorporated the Seminole tribe into both the athletic and academic process of FSU. Perhaps there should be a joint letter from FSU and the tribe as a beginning point of the appeal.

Trustee Knowles urged immediate action. Trustee Cobbe asked about the self-evaluation study completed by FSU and when it was submitted. Dr. Weatherell responded that the University participated in that self-study and submitted their documentation to the NCAA and met with the tribe to be sure that it was correct.

Trustee Thresher indicated that Congressman Ferrey, U.S. Senators Martinez and Nelson and State Legislators are examining options to reverse the NCAA decision. Dr. Weatherell said that the NCAA has
found a way to unify Democrats, Republicans, Washington, D.C., and the State of Florida, so there will be plenty of help available.

5. Closing Remarks & Adjournment

Trustee McFarland made a motion to: 1) appeal the ruling through the NCAA processes as far as possible; and 2) authorize the University to continue to proceed in any manner deemed appropriate to obtain outside legal counsel. Trustee Furlow seconded the motion, which passed unanimously.

Chairman Smith thanked the Board for participating in the emergency conference call. The meeting adjourned at 1:40 p.m.

The Florida State University Board of Trustees approved the minutes on September 19, 2003.
VIA FACSIMILE [850-644-9936]

President T.K. Wetherell
Florida State University
211 Westcott Building
Tallahassee, Florida 32306

Dear President Wetherell:

During their August 4, 2005, meeting, the presidents and chancellors who serve on the NCAA Executive Committee adopted a new policy to prohibit NCAA colleges and universities from displaying hostile or abusive racial/ethnic/national origin mascots, nicknames or imagery at any of the Association’s national or regional championship competitions. This policy will be effective February 1, 2006. Prior to the effective date, member institutions impacted by the terms of this new NCAA policy may seek further review of the application of that policy to their schools through the NCAA governance structure.

As you may know, the issue of Native American mascots and images in college athletics has been the subject of discussion among NCAA members, its Minority Opportunities and Interests Committee (MOIC) and the NCAA Executive Committee Subcommittee on Gender and Diversity Issues for the past five years. Several years ago, the Executive Committee, through MOIC, solicited further information from institutions that possess Native American mascots, nicknames or imagery. A self-evaluation study completed by each of the 33 institutions (attachment) provided a detailed review of this issue on each campus. Based on this review, the Executive Committee determined that 18 institutions fall within the parameters of this new policy.

The NCAA, as a membership association, objects to member colleges and universities using hostile or abusive racial/ethnic/national origin references in their intercollegiate athletics programs. One of our core purposes is to govern competition in a fair, safe, equitable and sportsmanlike manner. Other core principles include promoting an atmosphere of respect for and sensitivity to the dignity of every person and integrating intercollegiate athletics into higher education so that the educational experience of the student-athlete is paramount.

Several colleges and universities have made changes that adhere to these core values of the NCAA Constitution pertaining to cultural diversity, ethical sportsmanship, an inclusive culture and respect for institutional autonomy and philosophical differences. We applaud those efforts, and we will continue to monitor those universities and others, according to the standard NCAA institutional self-study process. All NCAA colleges and universities are encouraged to promote these core values and take proactive steps at every NCAA event through institutional event management to enhance the integrity of intercollegiate athletics related to these issues.
Certainly, these issues are quite complex, and colleges and universities need to retain institutional autonomy to address these matters. Choosing a sports team mascot is inherently an institutional decision. However, while the NCAA supports institutional autonomy as a key component of the overall mission of the Association, we have a duty to address actions and behaviors that are inconsistent with core values and principles of the NCAA Constitution. It is the responsibility of everyone associated with an intercollegiate athletics program and event, including student-athletes, fans and coaches, to establish an environment of respect for and sensitivity to the dignity of every person. NCAA championship competition takes a national stage and has significant impact in the public forum. As such, we believe that mascots, nicknames or images deemed hostile or abusive in terms of race, ethnicity or national origin should not be visible at our events.

An institution may wish to challenge this policy. There are two avenues to do so. An institution may appeal the applicability of the policy to its particular situation. For example, it may argue that its use of Native American names, symbols or mascots does not create a hostile or abusive environment. Additionally, an institution may seek to amend or modify the policy itself. In that case, it would use a modified process of that normally used for amending legislation at the presidential level.

In more detail, an institution that wishes to appeal its standing as an affected institution should submit a written appeal describing its unique circumstances, as well as the relevant grounds for appeal, to the Executive Committee Subcommittee on Gender and Diversity Issues prior to the policy’s effective date of February 1, 2006. An adverse decision of this subcommittee may be appealed to the Executive Committee. Appeals received by the Executive Committee will first be referred to the appropriate divisional presidential body to ensure thorough feedback and consideration by the divisional structure. Specifically, the divisional presidential bodies will be asked to provide a recommendation to assist the Executive Committee in its consideration. In order to assist you in a timely resolution of such appeals, please note that the NCAA Executive Committee and the divisional presidential bodies are scheduled to meet in person October 27, 2005, and January 9, 2006.

Any institution, group of institutions or conference also may seek to amend or change the policy itself. Such a request should be submitted through the respective divisional presidential governing body for its consideration. These bodies will develop a recommendation for the Executive Committee’s consideration. Such appeals shall set forth the terms and rationale for the suggested amendment or policy change.

We recognize that these issues are multifaceted and continue to be quite challenging. The national office staff stands ready to assist you in this process.

Sincerely,

Myles Brand
President

MB:jw

Attachment
INDIANAPOLIS --- The presidents and chancellors who serve on the NCAA Executive Committee have adopted a new policy to prohibit NCAA colleges and universities from displaying hostile and abusive racial/ethnic/national origin mascots, nicknames or imagery at any of the 88 NCAA championships.

The Executive Committee, meeting Thursday in Indianapolis, also approved recommended best practices for schools who continue to use Native American mascots, nicknames and imagery in their intercollegiate athletic programs.

"Colleges and universities may adopt any mascot that they wish, as that is an institutional matter," said Walter Harrison, chair of the Executive Committee and president at the University of Hartford. "But as a national association, we believe that mascots, nicknames or images deemed hostile or abusive in terms of race, ethnicity or national origin should not be visible at the championship events that we control."

The policy prohibiting colleges or universities with hostile or abusive mascots, nicknames or imagery from hosting any NCAA championship competitions takes effect February 1, 2006.

"The NCAA objects to institutions using racial/ethnic/national origin references in their intercollegiate athletics programs," said NCAA President Myles Brand. "Several institutions have made changes that adhere to the core values of the NCAA Constitution pertaining to cultural diversity, ethical sportsmanship and nondiscrimination. We applaud that, and we will continue to monitor these institutions and others. All institutions are encouraged to promote these core values and take proactive steps at every NCAA event through institutional event management to enhance the integrity of intercollegiate athletics related to these issues."
Other elements of the policy approved Thursday require that institutions with hostile or abusive references must take reasonable steps to cover up those references at any predetermined NCAA championship site that has been previously awarded, effective February 1, 2006.

Institutions displaying or promoting hostile or abusive references on their mascots, cheerleaders, dance teams and band uniforms or paraphernalia are prohibited from wearing the material at NCAA championships, effective August 1, 2008.

Last, and effective immediately, Institutions with student-athletes wearing uniforms or having paraphernalia with hostile or abusive references must ensure that those uniforms or paraphernalia not be worn or displayed at NCAA championship competitions.

Harrison stressed that institutions affected by the new policy can seek further review of the matter through the NCAA governing structure.

The committee also strongly suggested that institutions follow the best practices of institutions that do not support the use of Native American mascots or imagery. Model institutions include the University of Iowa and University of Wisconsin, who have practices of not scheduling athletic competitions with schools who use Native American nicknames, imagery or mascots.

Additionally, the committee suggested that institutions should review their publications and written materials for hostile and abusive references and remove those depictions, which is the current policy of the NCAA National Office.

Last, member institutions are encouraged to educate their internal and external constituents on the understanding and awareness of the negative impact of hostile or abusive symbols, names and imagery, and to create a greater level of knowledge of Native American culture through outreach efforts and other means of communication.

The recommendations stemmed from discussions in June at the NCAA Minority Opportunities and Interest Committee (MOIC) meeting in Boston. Those recommendations were forwarded to the Executive Committee Subcommittee on Gender and Diversity Issues earlier this week. The subcommittee then forwarded its recommended changes to the Executive Committee, which is the highest ranking committee in the NCAA governance structure.

Three events prompted initial discussion on mascots within the Association in April 2001—membership feedback; ongoing issues surrounding the Confederate Battle Flag; and the U.S. Commission on Civil Rights’ statement on the use of American Indian imagery as sports symbols.
In November 2004, 33 schools were asked to submit self evaluations to the NCAA National Office to determine the extent, if any, of the use of Native American imagery or references on their campuses. Specific aspects of the self evaluations centered on three NCAA Constitution principles that reference cultural diversity and gender equity (Article 2.2.2); the principle of sportsmanship and ethical conduct (Article 2.4); and the principle of nondiscrimination (Article 2.6).

Eighteen colleges and universities continue to use Native American imagery or references and are subject to the new policy:

* Alcorn State University (Braves)
* Central Michigan University (Chippewas)
* Catawba College (Indians)
* Florida State University (Seminoles)
* Midwestern State University (Indians)
* University of Utah (Utes)
* Indiana University-Pennsylvania (Indians)
* Carthage College (Redmen)
* Bradley University (Braves)
* Arkansas State University (Indians)
* Chowan College (Braves)
* University of Illinois-Champaign (Illini)
* University of Louisiana-Monroe (Indians)
* McMurry University (Indians)
* Mississippi College (Choctaws)
* Newberry College (Indians)
* University of North Dakota (Fighting Sioux)
* Southeastern Oklahoma State University (Savages)

Fourteen schools have removed all references to Native American culture or were deemed not to have references to Native American culture as part of their athletics programs: California State-Stanislaus University; Lycoming College; Winona State University; Hawaii-Manoa University; Eastern Connecticut State University; East Stroudsburg University; Husson College; Merrimack College; Southeast Missouri State University; State University of West Georgia; Stonehill College; San Diego State University; Wisconsin Lutheran College; and the University of North Carolina-Pembroke.

The College of William and Mary has been given an extension to complete its self-study on the mascot issue.

In other action from the Executive Committee, members updated the Association’s alcohol policy, recommending that member colleges and universities review a number of suggested actions.
"As college presidents, we are very concerned about the use of alcohol on our campuses and the abuse of it by our students and in society at large," Harrison said.

The suggestions include prohibiting the sale of alcohol during all college sports events (preseason, regular season, conference and postseason); encouraging fans to drink responsibly and legally outside stadiums or arenas; and prohibiting onsite alcohol advertising during all college sports events, taking into account contractual issues already in place with advertisers.

The revised policy also suggests prohibiting media advertising of alcohol that exceeds six percent of alcohol by volume; and limiting advertising of malt beverages, beer and wine products. Such ads should not comprise more than 60 seconds per broadcast hour, two minutes during any game telecast and no more than 14 percent of a game program or publication, and they should include tag lines such as "Drink Responsibly" and "Be Legal."

Furthermore, the alcohol policy calls for NCAA colleges and universities to provide programs and resources for education, prevention and treatment of alcohol abuse.

The NCAA has for years banned sales and advertising of all alcohol at its 88 championships. The association also limits broadcast advertising during championships to not more than 60 seconds per broadcast hour and two minutes in any championship telecast or broadcast. Many of the alcohol ads contain language stressing the legal and responsible use of alcohol.

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Executive Committee Subcommittee on Gender and Diversity Issues

Legislation: 0

Liaisons: Ronald J. Stratten, Rosie Stallman, S. David Berst Jr., Ann Little

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Minority Opportunities and Interests Committee

Legislation: Twelve members, including six Division I representatives (including all subdivisions); three Division II representatives; three Division III representatives, and three student-athletes. The committee must include at least 8 ethnic minorities, four males and four females. One student-athlete from each division shall serve in an advisory capacity and may serve on the committee up to two years after the completion of his or her intercollegiate eligibility. In Division II and Division III at least one representative will be a member of the Management Council as addressed in Bylaw 21.8 and 21.6.

Liaisons: Ronald J. Stratten  
Chair: Robert C. Vowels, Jr. (Sep 2004 - Sep 2005)

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<td>Allison Tookes</td>
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* indicates a conference change occurring October 1, 2005


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<th>II</th>
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**Executive Committee**

**Liaisons:** Bernard Franklin, Delise S. O'Meally  
**Chair:** Walter Harrison (Apr 2005 - Apr 2006)

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<tr>
<th>Division</th>
<th>Title</th>
<th>Name &amp; Institution</th>
<th>Conference</th>
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| I-A      | AD    | Ronald D. Wellman  
Wake Forest University | Atlantic Coast Conference | APR 2006 |
| I-A      | President | G. Wayne Clough  
Georgia Institute of Technology | Atlantic Coast Conference | APR 2006 |
| I-A      | President | John D. Welty  
California State University, Fresno | Western Athletic Conference | APR 2007 |
| I-A      | President | Martin C. Jischke  
Purdue University | Big Ten Conference | APR 2009 |
| I-A      | President | Michael F. Adams  
University of Georgia | Southeastern Conference | APR 2009 |
| I-A      | President | Peter Likins  
University of Arizona | Paciﬁc-10 Conference | APR 2007 |
| I-A      | President | Philip E. Austin  
University of Connecticut | Big East Conference | APR 2007 |
| I-A      | President | Shirley Raines  
University of Memphis | Conference USA | APR 2006* |
| I-A      | President | Sidney McPhee  
Middle Tennessee State University | Sun Belt Conference | APR 2007 |
| I-AA     | President | Clinton Bristow Jr.  
Alcorn State University | Southwestern Athletic Conf. | APR 2007 |
| I-AAA    | President | Daniel Curran  
University of Dayton | Atlantic 10 Conference | JAN 2008 |
| I-AAA    | President | Robert Fisher  
Belmont University | Atlantic Sun Conference | APR 2007* |
| I-AAA    | President | Walter Harrison  
University of Hartford | America East Conference | APR 2006 |
| II       | Chancellor | Kathryn A. Martin  
University of Minnesota Duluth | No. Central Intercollegiate Athletic Conference | JAN 2006 |
| II       | FAR    | Paul H. Engelmann  
Central Missouri State University | Mid-America Intercollegiate Athletics Association | JAN 2006 |
| II       | President | Arthur F. Kirk Jr.  
Saint Leo University | Sunshine State Conference | SEP 2006 |
| II       |        | Ivory Nelson |            |                 |
| III      | President | Lincoln University  
(Pennsylvania) | Independent | JAN 2007 |
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<td>Bridgewater College (Virginia)</td>
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Division I Board of Directors

**Legislation:** Eighteen members comprised of chief executive officers (CEOs). All 11 Division I-A conferences have a permanent seat. Seven I-AA and I-AAA conferences rotate seats. As a minimal goal, the Board membership shall include at least one person who is an ethnic minority and at least one person who is of each gender and a single member shall not be considered to meet both minimums.

**Liaisons:** S. David Berst Jr., Beth DeBauche  
**Chair:** Philip E. Austin (Apr 2005 - Apr 2007)

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<tr>
<th>Division</th>
<th>Committee Positions</th>
<th>Title</th>
<th>Name &amp; Institution</th>
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| I-A      | Member              | Chancellor  | Stephen L. Weber  
San Diego State University | Mountain West Conference | APR 2008 |
| I-A      | Member              | President  | G. Wayne Clough  
Georgia Institute of Technology | Atlantic Coast Conference | APR 2006 |
| I-A      | Member              | President  | Gregory Geoffroy  
Iowa State University | Big 12 Conference | APR 2009 |
| I-A      | Member              | President  | John D. Welty  
California State University, Fresno | Western Athletic Conference | APR 2007 |
| I-A      | Member              | President  | Martin C. Jischke  
University of Georgia | Big Ten Conference | APR 2009 |
| I-A      | Member              | President  | Michael F. Adams  
University of Georgia | Southeastern Conference | APR 2009 |
| I-A      | Member              | President  | Peter Likins  
University of Arizona | Pacific-10 Conference | APR 2007 |
| I-A      | Chair               | President  | Philip E. Austin  
University of Connecticut | Big East Conference | APR 2007 |
| I-A      | Member              | President  | Shirley Raines  
University of Memphis | Conference USA | APR 2006* |
| I-A      | Member              | President  | Sidney A. Ribeau  
Bowling Green State University | Mid-American Conference | APR 2009 |
| I-A      | Member              | President  | Sidney McPhee  
Middle Tennessee State University | Sun Belt Conference | APR 2007 |
| I-AA     | Member              | President  | Bruce F. Grube  
Georgia Southern University | Southern Conference | APR 2009 |
| I-AA     | Member              | President  | Clinton Bristow Jr.  
Alcorn State University | Southwestern Athletic Conf. | APR 2007 |
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• The policy announced by the Executive Committee contradicts the findings of this same committee in 2002.

The Executive Committee’s decision in 2002 was that any decision on symbols or mascots was an institutional decision and did not fall under the authority of the NCAA. The irony of this reversal of policy is that the NCAA has promoted institutional autonomy for years and now passes a policy in direct conflict with that long held stance, in fact appears to head toward elimination of university autonomy.

• The process by which the NCAA arrived at this policy change is flawed and circumvented the association’s ultimate responsibility, which is to reflect the consensus of its membership. In fact, the meetings by these committees were conducted in almost clandestine fashion, giving no transparency to the process at all.

The NCAA is rightfully proud of its stance that we (meaning the institutions) are the NCAA, but in this case it became a special committee, which not only determined it would speak for the entire membership, but also kept the institutions in the dark during the final process, including the president who represents the Atlantic Coast Conference.

The flawed process raises the very fundamental question of whether this was an association recommendation or one driven by a small special interest group with personal agendas. National surveys have shown in recent years that an overwhelming majority of Native Americans are not offended by the use of Native American names and symbols. In making its decision, the executive committee has been swayed by a strident minority of activists who claim to speak for all Native Americans.

An open and membership driven dialogue could have resulted in a discussion to attempt to determine the definition by which a symbol is deemed “hostile or abusive,” and would address the larger issue of whether its use should remain an institutional decision. The committee’s recommended policy change, and language, would seem to demand inclusion of an examination of Fighting Irish, Ragin’ Cajuns, etc. It also suggests specifically that Warriors and Braves can be non-hostile or abusive. USC’s Trojan warrior on horseback with a sword might be considered hostile by some; this could be the case in numerous examples. Does this same committee decide which groups to assess next and which of those are hostile and abusive as well as which are not? Florida State University enrolls members of the Seminole Tribe. Does this committee also decide what percentage of the student body that is Native American qualifies an institution to be considered exempt?
The nature of this process has played a large role in the fact that the resulting policy recommendation can be viewed as contradictory, hypocritical, inappropriate, inconsistent, disturbing and embarrassing.

The handling of this decision undermines the democratic process. At the NCAA’s most recent annual convention, the NCAA president, himself, debunked the myth that he is the "czar of college sports" and the suggestion that he can "ride roughshod over the wishes of the membership and install a form of collegiate martial law."

"The democratic process through representative governance determines what decisions will be made," he said. And the driving force - the agents of change - in this process are the college and university presidents. The real czar of college sports is the will of the membership determined by university presidents."

- Among the most intolerable elements of the entire discussion is the fact that the very committee that built its platform on addressing “insensitivity” suggests that it should be palatable to the Seminole Tribe of Florida and Florida State University to “cover up its symbols” during NCAA championship events. This was the reasonable and thoughtful solution arrived at after “four years” of discussion; keeping in mind that the same committee came to a totally different conclusion a little more than two years ago. The ruling suggests that we can remain honored and proud to call ourselves Seminoles during the regular season but then must turn our backs on the Seminole Tribe of Florida when we compete in NCAA championships.

Why were FSU and the Seminole Tribe of Florida not extended the courtesy of addressing this committee regarding their relationship, history and feelings on this matter?

Why wasn’t the Seminole Tribe of Florida asked if it felt the use of their symbols represented hostile and/or abusive qualities. Why was there no invitation to testify?

- The process is without credibility.

Based on what we have learned from others, we must ask ourselves this question: Why would the NCAA Minority and Opportunities Committee seek only two people to testify before the committee on the issue, both were from the same school, a university that was an apparent target in these deliberations. When being asked about the relationship and formal approval of the Seminole Tribe of Florida regarding Florida State University using the Seminole symbol, the chair of the committee said recently that “the Tribe’s position made an impression.” Apparently, not an indelible one.

We have learned that despite the NCAA’s assertion that the issue proceeded through its normal channels, the report actually was submitted to the Management Council as an
informational item, not an action item. In fact, the Chair of the NCAA Management Council was not informed of the policy change until the eleventh hour.

The ACC’s presidential representative on the Executive Committee didn’t know what the recommendation would be the day before the vote, nor did he even know there was any movement toward this not remaining an institutional decision.

The taciturn nature of the process flies in the face of what the “association” process should reflect. The inappropriate and inconsistent application of this recommendation is striking even to a casual observer.

To summarize, it is my very strong feeling that this decision was arbitrary, capricious and abusive of discretion. Our University will pursue, through appropriate NCAA avenues, all remedies to appeal our inclusion on this list. If we can not receive a serious and open-minded response, we will continue to seek a more attentive and objective audience through the legal arena in order to uphold the privilege to call ourselves Seminoles.
June 17, 2005

Seminole Tribe Adopts Official Resolution Supporting the Ongoing Use
of the Seminole Name and Symbols by Florida State University

BIG CYPRESS SEMINOLE RESERVATION, Fla. — The Tribal Council of the Seminole Tribe of Florida today adopted an official resolution in support of the ongoing use of the Seminole name and Seminole symbols by Florida State University.

The five members of the Tribal Council, including Chairman Mitchell Cypress, Vice Chairman Moses B. Osceola, and Tribal Council Representatives David Cypress, Andrew Bowers Jr. and Max B. Osceola Jr. voted unanimously to adopt the resolution at their regular meeting, held in the gymnasium on the Big Cypress Seminole Reservation.

The resolution adopted by the Tribal Council states that the “Seminole Tribe of Florida has an established relationship with Florida State University which includes its permission to use the name, ‘Seminole’ as well as various Seminole symbols and images such as Chief Osceola.”

The resolution further states that the “Tribal Council of the Seminole Tribe of Florida wishes to go on record that it has not opposed and, in fact, supports the continued use of the name ‘Seminole’ and any associated head logo as currently endorsed by Florida State University” and that the “Tribal Council further extends an invitation to Florida State University and its officials to continue their relationship and collaborate on the development of logos and nicknames that all members of the Seminole Tribe of Florida and officials and students of Florida State University can be proud.”

Although previous Seminole Tribe officials have gone on record in support of the use of the Seminole name and symbols by Florida State University, today’s resolution is the first adopted by the Seminole Tribe of Florida to spell out its official relationship with Florida State University.

Also on hand for the reading and adoption of the resolution was T.K. Wetherell, president of Florida State University, who addressed the members of the Tribal Council as an invited guest during their meeting.

######
RESOLUTION BY THE TRIBAL COUNCIL
OF THE SEMINOLE TRIBE OF FLORIDA

WHEREAS, the Seminole Tribe of Florida has an established relationship with Florida State University which includes its permission to use the name “Seminole,” as well as various Seminole symbols, and images such as Chief Osceola for educational purposes; and

WHEREAS, the Tribal Council of the Seminole Tribe of Florida wishes to go on record that it has not opposed and, in fact, supports the continued use of the name “Seminole” and any associated head logo as currently endorsed by Florida State University; and

WHEREAS, the Tribal Council further extends an invitation to the Florida State University and its officials to continue their relationship and collaborate on the development of logos and nicknames that all members of the Seminole Tribe of Florida and officials and students of the Florida State University can be proud of, and

WHEREAS, the Tribal Council of the Seminole Tribe of Florida is otherwise fully advised.

NOW THEREFORE BE IT RESOLVED: that the Tribal Council of the Seminole Tribe of Florida hereby reaffirms its commitment and relationship with Florida State University and approves the expression of its intent by a letter to the President of said educational institution; and

BE IT FURTHER RESOLVED: that this resolution is hereby adopted.
To the Publisher:

RE: Seminole Nation of Oklahoma
Native American Mascots

To Whom It May Concern:

The Seminole Nation of Oklahoma General Council is the governing body of the Tribe. The Seminole General Council did not authorize any statements or representations your publication printed concerning the Tribe's position on the use of Native American mascots. Additionally, the position of the Seminole Nation was misrepresented by your publication.

The General Council addressed the issue of Native American mascots on July 16, 2005, and did not vote to condemn their use. Specifically, the Seminole Nation did not condemn the use of the Florida State University Seminole mascot.

Members of the Seminole Nation of Oklahoma are students at FSU, and the Seminole Nation is proud of its representation on campus. Furthermore, should any derogatory effects to our students be attributable to your unauthorized misrepresentation, we will take necessary steps to hold those responsible accountable.

The Seminole Nation sincerely desires that in the future your publication seek and reference the General Council to avoid confusion regarding who is authorized to speak on behalf of the Seminole Nation. Should you have any questions, please feel free to contact our Communications Director, Carla Norman at 405.257.6287.
March 16, 1992

Mr. Phillip Pordyce, Director
University Trademark Licensing
Florida State University
930 West Park
Tallahassee, FL 32306-4012

Dear Mr. Fordyce,

The Northwest Florida Creek Indian Council is a Statutory Agency of the State of Florida and represents all non-Federally recognized Creek Indian tribes in northern Florida.

On February 2, 1992 the Council voted to send a resolution showing our support for the Florida State Seminoles and Marching Chiefs for their enjoyable representation of the Indian spirit. Enclosed are two copies of this resolution.

We hope the resolution can be used to your benefit and if we can provide any further assistance please do not hesitate to call.

Sincerely,

William S. Thomas,
Council Aide

Enclosures
11m
A Concurrent Resolution Commending the Florida State University Fighting Seminoles

WHEREAS The Northwest Florida Creek Indian Council favorably resolves to commend the Indian spirit, and

WHEREAS America’s Indian symbolic cultural heritage is demonstrated by the Florida State University Fighting Seminoles, and

WHEREAS The Tomahawk Chop, the Marching Chiefs and the Indian logo are part of the Florida State University Seminoles, NOW, THEREFORE,

Be it resolved by the Northwest Florida Creek Indian Council concurring:

That the Florida State University Seminoles are a wholesome and enjoyable Indian representation as determined by the Northwest Florida Creek Indian Council.

BE IT FURTHER RESOLVED that this resolution, signed by the Chairman of the Northwest Florida Creek Indian Council be forwarded to the Florida State University Seminole Athletic Personnel as a lasting symbol of support from the Northwest Florida Creek Indian Council.

Originated at the Council's meeting on February 2, 1992

R. Charles Pettis, Chairman of the Council
August 12, 2005

Dr. Myles Brand
President
National Collegiate Athletic Association
Indianapolis, IN 46202

VIA FACSIMILE: 317/917-6888

Dear President Brand:

The Florida State University family – its alumni, supporters and friends, including government and civic leaders – is offended by the inclusion of Florida State University on the NCAA’s list of 18 colleges and universities that it says “display hostile or abusive racial/ethnic/national origin mascots, nicknames or imagery.”

The purpose of this letter is to appeal the August 4 decision of the NCAA Executive Committee. We request that the NCAA immediately remove Florida State University’s name from this list because neither the name “Florida State Seminoles” nor any imagery that the university uses is “hostile or abusive” or disrespectful.

In fact, the opposite is true. We have a nearly 60-year history of honoring the Florida Seminoles. We believe use of the name “Florida State Seminoles,” as well as our tradition of tribute to the “unconquered” Florida Seminoles, is consistent with the core values and principles of the NCAA Constitution as described in your August 9 letter.

It is clear to us that the NCAA’s process of adopting this new policy was seriously flawed and undemocratic. A more open atmosphere and opportunity for in-person, two-way communication on an issue that NCAA Executive Committee members, themselves, have called “complex” could have averted this faulty policy. The obvious lack of accurate and well-documented information on this issue highlights the flaws in this process.

“Florida State Seminoles” is not a nickname. It is, rather, a name that we use to identify not only our athletics teams but also many other internal and external groups because it represents traits of a heroic people whom we admire and would like to emulate.
The name “Florida State Seminoles” was selected by vote of the university student body in 1947, when FSU became a coeducational institution. The name was selected to specifically honor the indomitable spirit of the Florida Seminoles — those people whom the Seminole Tribe of Florida’s history refers to as the “few hundred unconquered Seminole men, women and children left — all hiding in the swamps and Everglades of South Florida.” The name honors the bravery, courage, strength and determination of these people, who never surrendered and persevered to preserve their heritage and traditions, and who in 1842 were finally left at peace — free at last from government oppression.

The Seminole Tribe of Florida comprises the vast majority of those survivors in Florida, and it has supported Florida State University’s use of the name informally for decades.

On June 17, 2005, the Tribal Council of the Seminole Tribe of Florida voted unanimously in favor of a written resolution to reaffirm its ongoing support of the university’s use of its name and symbols. The significance of putting this resolution in writing is enhanced by the fact that traditionally the Seminole Tribe of Florida has not seen the need to commit these kinds of relationships or agreements to writing. Their word is their bond. During the presentation of that resolution to me at the Tribe’s Big Cypress Reservation, Tribal Council member Max Osceola said, “We have to respect each other’s views, and in the Seminole Tribe of Florida’s view, you honor us by using the name Seminole.”

As for the NCAA’s concern about “mascots,” we do not have them at the university. We use imagery in a tradition of tribute to the Florida Seminoles — namely a horse, a rider and a flaming spear — all of which were created after consultation with and the concurrence of the leadership of the Seminole Tribe of Florida.

To correct the record, there are two separate and sovereign tribes — the Seminole Tribe of Florida and the Seminole Nation of Oklahoma. Our use of the name is founded upon our understanding of the tribal sovereignty of the Seminole Tribe of Florida and its history as an “unconquered” people. We embrace all Seminoles. In fact, one of our “Seminole Scholars” is a member of the Seminole Nation of Oklahoma. Under the university’s Seminole Scholarship Program, all Seminole Scholars receive our highest-level scholarship.

Contrary to the NCAA’s statements, the Seminole Nation of Oklahoma is on record as unopposed to the use of the Seminole name. This past July, the Seminole Nation General Council, the legislative body for the Seminole Nation of Oklahoma, resoundingly defeated a motion to denounce the use of Native American nicknames and images in sports and other events. The vote was 18-2.

Moreover, Ken Chambers, principal chief of the Seminole Nation of Oklahoma, has said publicly that the name “gives the type of recognition that allows people to identify with the name Seminoles.” He also said, “As far as the mascot itself, it is not degrading to us. It is not humiliating.”
In addition, Kelly Haney, a former Oklahoma state senator who will become the principal chief of the Seminole Nation of Oklahoma in September, also has publicly said that his position is that “if the Seminoles in Florida decide it’s OK with them, I have no problems with it.”

In light of all this and in accordance with your August 9 letter, we are copying the NCAA Executive Committee’s Subcommittee on Gender and Diversity Issues so that it can reconsider the applicability of this new policy to Florida State University. We are also asking the Executive Committee to act—just as swiftly as it approved this new policy last week—to remove the name of Florida State University from the list of 18 said to be using “hostile and abusive” names and imagery. We hope to have the NCAA’s decision no later than August 29—the opening of fall classes—so that we can get back to the business of higher education.

As for your letter’s suggestion of a second avenue for challenging this policy, we suggest the policy be amended to recognize and respect tribal sovereignty and the rights of each tribe to determine whether their names are being used appropriately. Therefore, we urge that the Executive Committee ultimately remove from its list all colleges and universities whose “namesake tribes” have officially supported the use of their name and symbols. In our case, the Seminole Tribe of Florida is our “namesake tribe.”

The Executive Committee should consider what the American Indian Policy Center has said about Indian sovereignty: “The framers of the United States Constitution specifically recognized the sovereignty of Indian tribes. In Article 1, section 8, clause 3 of the Constitution, Congress is identified as the governmental branch authorized to regulate commerce with foreign nations, among the several states, and with the Indian tribes [italics added].” The Supreme Court reaffirmed this legal and political standing of Indian nations in a set of three 19th century court decisions known as the Marshall Trilogy. These cases serve as cornerstones to understanding Indian sovereignty in the U.S. political system as a clearly defined legal status that has constitutional standing.”

Florida State University and other universities have developed mutually beneficial relationships with their “namesake tribes” that have led to better understanding of Native American heritage and even increased opportunities for the higher education of young tribe members. As your letter suggests, we are copying the “respective divisional presidential governing body” so that they might support this amendment and develop a recommendation to the NCAA Executive Committee.

We believe that each and every college and university should bear the sole responsibility for respect and dignity in connection with namesakes, regardless of their derivation. To that end, we suggest that the NCAA heed the comment of its own Committee on Sportsmanship and Ethical Conduct, which is summarized in the October 2002 NCAA Minority Opportunities and Interests Committee Report, that “such issues may be addressed most effectively by the individual institution, its community and its conference, rather than at the national level.”
Finally, we hope that we can hold you to what you said in your remarks at the NCAA annual convention: “The democratic process through representative governance determines what decisions will be made (by the NCAA). And the driving force – the agents of change – in this process are the college and university presidents.” But we believe a truly democratic process would not ignore the special relationships between colleges and universities and their “namesake tribes.”

Sincerely,

[Signature]

T.K. Wetherell
President
Florida State University

Cc: Mitchell Cypress, Chairman, Tribal Council, Seminole Tribe of Florida
Moses B. Osceola, Vice Chairman, Tribal Council, Seminole Tribe of Florida
Max B. Osceola Jr., Hollywood Representative, Tribal Council, Seminole Tribe of Florida
Andrew Bowers Jr., Brighton Representative, Tribal Council, Seminole Tribe of Florida
David Cypress, Big Cypress Representative, Tribal Council, Seminole Tribe of Florida
O.B. Osceola Jr., Tribal Liaison – Naples, Seminole Tribe of Florida
William Osceola, Tribal Liaison – Tamiami Trail, Seminole Tribe of Florida
Sally Tommie, Tribal Liaison – Fort Pierce, Seminole Tribe of Florida
Ralph Sanchez, Tribal Liaison – Immokalee, Seminole Tribe of Florida
Richard Henry, Tribal Liaison – Tampa, Seminole Tribe of Florida
Florida State University Board of Trustees
Florida Board of Governors
Florida State Board of Education
Jeb Bush, Florida Governor
Charlie Crist, Florida Attorney General
Tom Gallagher, Florida Chief Financial Officer
Charles Bronson, Florida Commissioner of Agriculture
Florida Congressional Delegation
Allan Bense, Florida Speaker of the House
Tom Lee, Florida Senate President
Florida State University State Legislative Caucus
Atlantic Coast Conference University Presidents
Ron Wellman, Chair, NCAA Management Council
John Swofford, Commissioner, Atlantic Coast Conference
Other Conference Commissioners
Walter Harrison, Chair, NCAA Executive Committee
Clinton Bristow Jr., Chair, NCAA Subcommittee on Gender & Diversity Issues
Phillip Austin, Chair, NCAA Division I Board of Directors
Bernard Franklin, NCAA Senior Vice President for Governance and Membership
Charlotte Westerhaus, NCAA Vice President for Diversity and Inclusion
David Berst, NCAA Vice President for Division I Governance
Florida State University Faculty Senate Steering Committee
Florida State University Student Government Association
Florida State University Alumni Association
Florida State University Foundation
Florida State University Seminole Boosters, Inc.
Florida State University Research Foundation