

SENATE REMONSTRANCE NO. 1

Whereas, the University of Missouri-Columbia has a long tradition of athletic achievement in many sports and is a member of the National Collegiate Athletic Association (NCAA); and

Whereas, student-athletes at Mizzou spend countless hours maintaining a balance at achieving both academic and athletic excellence and should be commended for their dedication and work ethic; and

Whereas, the athletic department at Mizzou became aware of irregularities involving a tutor for some of the student-athletes; and

Whereas, in response to such awareness, the athletic department and administration immediately ended any association with the tutor and began an internal investigation and engaged in a joint investigation with the NCAA; and

Whereas, the athletic department was open and forthright with both the NCAA and the Southeastern Conference about the allegations; and

Whereas, unlike other member institutions of the NCAA, Mizzou did not try to obstruct the NCAA investigation and, in fact, cooperated fully with the NCAA; and

Whereas, there was no evidence in the resulting NCAA investigation that any administrator or university personnel in any way pressured the tutor into completing the student-athletes' work; rather that the tutor acted of her own accord and the NCAA report said as much when it was written that "Missouri did the right thing" in cooperating with its investigation and found fault with the tutor who received a ten year show-cause penalty; and

Whereas, despite the lack of any evidence of systemic problems in the athletic department and having the full cooperation and openness of the University, the NCAA Division I Committee on Infractions handed down a disproportionate penalty to the University of Missouri football, baseball, and softball programs, including a ban on post season play for their upcoming seasons as well as limitations on scholarships and recruiting and vacation of some wins and records; and

Whereas, the penalty is inconsistent and arbitrary when compared with the penalties handed down to other member institutions for far worse offenses and where the institution did not cooperate with the investigation; and

Whereas, this unjust and harsh penalty demonstrates the continued erosion of the credibility of the NCAA as a governing body for collegiate athletics; and

Whereas, if this unjust and harsh penalty is not reversed upon appeal by the University of Missouri, then serious questions should be asked about the continued need for the NCAA; and

Whereas, because of these onerous, unfair, and overly punitive sanctions, student-athletes who were not at fault in the least for the actions of the tutor will be the ones to suffer the punishment and deleterious effect on their collegiate athletic careers; and

Whereas, the decision of the NCAA tells other collegiate programs that doing the right thing and cooperating with an investigation should be the last resort; and

Whereas, the decision will erode what little faith many people had left in the ability of the NCAA to oversee collegiate athletics; and

Whereas, it is the duty of this body to speak out and demand the NCAA reverse its decision regarding the University of Missouri:

Now, Therefore, Be It Resolved by the members of the Missouri Senate, One-Hundredth General Assembly, First Regular Session, hereby remonstrate against the NCAA for its unfair and harsh sanctioning of the athletic department of the University of Missouri-Columbia; and

Be It Further Resolved that the Secretary of the Senate be instructed to prepare a properly inscribed copy of this resolution for Mark Emmert, President of the NCAA.