

Tony Perkins: It Looks Like the NCAA is Going Back to Just Sports

Following the National Collegiate Athletics Association's decision to restore North Carolina's eligibility to host national championship contests in the wake of the state legislature's vote to further amend its HB2 "bathroom bill," Family Research Council Tony Perkins issued the following statement:

It would appear the NCAA is beginning to address the question that NCAA's Mark Emmert raised in his press conference last week at the Final Four: 'What's the appropriate role for a national athletic association in public policy issues?' The NCAA's latest decision to accept the slight modifications the North Carolina legislature made to HB 2 suggest either they decided to stick to sports or they are starting to ignore the small but rowdy agitators who have used the NCAA to fight their losing political battle over North Carolina's public safety bill.

It's now clear that there is no way for the NCAA to placate the far left, which will accept nothing less than the total surrender of those opposed to its agenda of opening every shower, locker room and bathroom to both men and women.

The NCAA announcement is also positive news for supporters of the Texas Privacy Act, a bill quite similar to the law now in effect in North Carolina. We encourage the Texas House Speaker Joe Straus, who has said he won't block the Texas Privacy Act, to schedule a floor vote on this legislation to help ensure the safety and well-being of Texas women and children.

Here's what the NCAA's statement said:

In August of 2016, the NCAA Board of Governors instructed the relocation of NCAA championships scheduled in North Carolina during the 2016-17 academic year because of the cumulative impact HB2 had on local communities' ability to ensure a safe, healthy, discrimination-free atmosphere for all those watching and participating in our events.

Last week, the elected officials of North Carolina enacted compromise legislation that repealed HB2 and replaced it with a new law, HB142, that addressed a number of the concerns that led to the relocation of the NCAA championships. As with most compromises, this new law is far from perfect.

The NCAA did not lobby for any specific change in the law. The Board of Governors, however, was hopeful that the state would fully repeal HB2 in order to allow the host communities to ensure a safe, healthy, discrimination-free atmosphere for the championship sites. While the new law meets the minimal NCAA requirements, the board remains concerned that some may perceive North Carolina's moratorium against affording opportunities for communities to extend basic civil rights as a signal that discriminatory behavior is permitted and acceptable, which is inconsistent with the NCAA Bylaws.

However, we recognize the quality championships hosted by the people of North Carolina in years before HB2. And this new law restores the state to that legal landscape: a landscape similar to other jurisdictions presently hosting NCAA championships.

We are actively determining site selections, and this new law has minimally achieved a situation where we believe NCAA championships may be conducted in a nondiscriminatory environment. If we find that our expectations of a discrimination-free environment are not met, we will not hesitate to take necessary action at any time.

We have been assured by the state that this new law allows the NCAA to enact its inclusive policies by contract with communities, universities, arenas, hotels and other service providers that are doing business with us, our students, other participants and fans. Further, outside of bathroom facilities, the new law allows our campuses to maintain their own policies against discrimination, including protecting LGBTQ rights, and allows cities' existing nondiscrimination ordinances, including LGBTQ protections, to remain effective.

In the end, a majority on the NCAA Board of Governors reluctantly voted to allow consideration of championship bids in North Carolina by our committees that are presently meeting. The NCAA championships previously awarded to North Carolina for 2017-18 will remain in the state. The board, however, directs that any site awarded a championship event in North Carolina or elsewhere be required to submit additional documentation demonstrating how student-athletes and fans will be protected from discrimination.

Texas Lt. Gov. Dan Patrick has defended the Texas Privacy Act against critics, who said it somehow violates the NCAA's nondiscrimination goals. He said the NCAA's decision to restore North Carolina just reinforces his position:

Senator Lois Kolkhorst, R-Brenham, and I had a personal conversation several weeks ago with NCAA President Mark Emmert to underscore this point, noting that the legislation passed in Texas was different from North Carolina's original legislation. The Texas Privacy Act is common-sense legislation that provides safety and privacy to women and girls and is supported by a broad majority of Texans from both political parties and every racial and ethnic group.
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