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JOSH CENTOR: Welcome to Mondays with Myles.

Dr. Brand, I want to talk about a slightly controversial issue today -- that is student athletes who become pregnant. We've seen this in the news a little bit here -- either with student athletes maybe losing the scholarship or one who says she was forced into an abortion by a school because she wanted to keep that scholarship.

Can you weigh in on the topic for us?

DR. MYLES BRAND: Yes. Title 9, to the best of my recollection, makes it illegal to take away a scholarship because of pregnancy.

The NCAA allows a student athlete to take time off without losing eligibility that's immediately replaced. Scholarships with given by schools, not by the NCAA, on a year-to-year basis. And institutions have that ability internally to set policies about when they want to give scholarships to students and not. And that's most often on the basis of performance. And so whether they believe that some student athlete is now no longer able to perform at the rate -- or at the quality level that they were before is an open question.

The issue about whether a young lady is

1 being forced to an abortion because of the potential loss
2 of scholarship, I find morally repugnant. I mean, that
3 is absolutely unthinkable, and we should never let that
4 happen. But what -- the real question is really what
5 should be the best practices in terms of university
6 policies, in terms of renewing scholarships and keeping
7 young women on scholarship while they are pregnant?

8 We've turned this over to the Committee for
9 Women's Athletics, the CWA. And we are expecting a
10 report by them, and they are looking into it. And we
11 should have a uniform policy, a more consistent policy
12 nationally after their recommendations come in.

13 JOSH CENTOR: Why are these institutional
14 decisions -- you went back and you said that scholarships
15 are administrated by schools, not by the NCAA. Why?

16 DR. MYLES BRAND: Institutions decide who
17 they want to give scholarships to -- I mean, who they
18 think could perform at the highest levels that they need.
19 And we can't, at the national office, replace our
20 judgment for what happens on the campuses.

21 But we do have certain policies about when
22 student athletes are eligible, when you take away
23 scholarships. We talk about fair procedure -- oh, if the
24 scholarship is taken away, what recourse does the student
25 athlete have to appeal that and to make sure that they're

1 treated fairly?

2 We also have a requirement, as does every
3 state in the union, to follow the law. And in that case,
4 again, by Title 9, they -- a scholarship cannot be taken
5 away.

6 JOSH CENTOR: A female student athlete
7 becomes pregnant. She has the baby. The school removes
8 her scholarship and says it's because of performance.
9 How are we supposed to determine if that's the case or if
10 she's being biased against? Is that something CWA is
11 going to look at?

12 DR. MYLES BRAND: I think what they'll look
13 into is the procedures and process for making that
14 determination. The scholarships for athletics have to be
15 based upon the ability to perform. These are not
16 need-based scholarships, and they're not scholarships for
17 academic merit. They're scholarships for athletic
18 performance within certain limits.

19 And I think if the student athlete feels
20 that she has been unfairly judged, there has to be some
21 fair, open, objective procedure in which that judgment
22 could be made.

23 And I would hope that CWA would come back
24 with a best practices for setting up the processes on
25 each campus, so that we can consistently, across all our

1 members, make that determination.

2 JOSH CENTOR: Well, it's definitely a hot
3 button issue. And we're going to keep our eyes on it.

4 DR. MYLES BRAND: Thank you.

5 JOSH CENTOR: Thank you.

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