

## **BREAKING FAITH WITH THE COLLEGE ATHLETE: HOW ATHLETIC SCHOLARSHIPS ARE DESTROYING COLLEGE SPORTS IN AMERICA**

Linda Bensel-Meyers

Director, The Drake Group

*Football has the same relation to physical culture that bull fighting has to agriculture.*

--Thorstein Veblen, ca. 1900

*Football has the same relation to education that bull fighting has to agriculture.*

--Robert Hutchins, ca. 1939

*Expecting intercollegiate athletics to care about academics is like expecting a bull not to attack you because you are a vegetarian.*

--Linda Bensel-Meyers, 2003

Until we address the contradictions inherent in the athletic scholarship, our attempts to reform collegiate athletics will never go far enough. Periodic academic reforms, including those most recently adopted by the NCAA, make it appear as if there is only a temporary imbalance in the uneasy relationship between education and competitive athletics. However, the temptation to use collegiate sports for the institution's rather than the student's benefit has been present since the beginning. Resisting this temptation, though, became impossible once the NCAA institutionalized under-the-table professionalism by approving athletic scholarships as educational "pay-for-play." A cursory review of the history reveals just why, when we hear the term "collegiate" applied to an athlete like Maurice Claret, we think only of his age and not his educational level.

Perhaps the most unconscionable aspect of intercollegiate sports is how we have broken faith with the students for whom it should exist. Students who want to play sports often cannot compete with the pre-professional athletes that are brought into the schools on athletic scholarships, and those who develop their athleticism to open the door to a college education, often find they are denied the opportunity to put education before their sport. We all know the attractions that collegiate sports has for the spectator, for the merchants, for the schools, but we seldom ask what attractions it has for the student players themselves. The athletic

scholarship implies we give athletes an education in exchange for their service to the institution, whereas the most successful recruiting arguments are how much media exposure the athlete will receive, how playing for the school's team will increase the athlete's chances making it to the pros, and even how much the athletic program can do to "ease" the athlete through academic requirements. Athletes who want an education are often prevented from getting one due to the demands of intercollegiate sports on their time, particularly when many are recruited without the prerequisite skills of other students; those who don't want an education usually have no choice but to take the college route to enter the pros, seeing it as the only place to develop and showcase their athletic skills. In practice, the athletic scholarship serves the pre-professional players better than the students themselves, particularly when we realize how it takes away enrollment places from non-athletic students who might better profit from access to a college education. Even if we were to say it serves a purpose for the pre-professional athletes who may not be aware that an education will avail them well, particularly when (as is more often the case) they do not make it in the pros or suffer a career-ending injury, too often it doesn't provide an education nor reward the athletes for their lucrative service to the university. The athletic scholarship breaks faith with the athlete since it does not guarantee access to an education as a normal scholarship would nor does it serve as adequate "pay for play"—in fact, with the machinations many schools go through to avoid having athletic scholarships taken away from their program by the NCAA, athletes are often "paid" with all of the wrong lessons: that "might makes right" and that "it is only a foul if you are caught."

These aren't the lessons that sports within a college setting could teach. In 1900, Thorstein Veblen referred to early college football as "bull fighting," presumably because of its propensity, even during those early years, toward violence and spectacle. Contrasted to this he set agriculture, the cultivation of nature, to symbolize the ideal role for sports in education. Ostensibly, college football was "planted" in institutions of higher education to cultivate "physical culture" in young men. Hence, the first athletic programs were "Departments of Physical Culture," and coaches were hired as instructors to teach young men the classic Olympic ideals of physical excellence coupled with courage, fair-play, honor, and sportsmanship. In description, college sports programs were designed to serve the students who played them; in practice, though, even the earliest sports programs were co-opted by the institutions for non-educational ends. As Robin Lester has pointed out, when William Rainey Harper became the first president of the University of Chicago, he hired Amos Alonzo Stagg as a tenured professor of physical culture, but with the charge to build a competitive football program that would bring attention to the fledgling university. By the 1890s, President Harper and Coach Stagg had already devised tuition scholarships for the players as payment for what they described as "student service" [1]. Within fifty years, another president of that institution, Robert Hutchins, revisited Veblen's "bull fighting" metaphor, only this time the taunting and slaying of bulls was contrasted not with a long-dead ideal of "physical culture" but with "education" itself. By 1936, Hutchins had discovered that attempts to resurrect a competitive intercollegiate football program at the University of Chicago would require

weakening the new undergraduate core curriculum for all students in the College. Football had come into direct conflict with the school's educational program.

Although President Hutchins' ultimately successful battle with the Board of Trustees to abolish college football at the University of Chicago might appear an aberration of an elitist institution, the rapid rise and fall of its football program reveals just how quickly college sports can blind institutions to their educational mission, and the point-of-no-return appears to hinge on that moment when we stop seeing college athletes as students but as corporate assets. Although the NCAA has used the term "student-athlete" to address the problem, the term has only enabled us to accept as a functional commonplace the institution's free exploitation of the college athlete. In 1999, when I attempted to have academic administrators at the University of Tennessee address an institutionalized plagiarism mill in the Athletics Department's tutoring center, a primary argument made by administrators, faculty, and fans alike was that to expect college athletes to not be given academic shortcuts was to be opposed to college sports. It is true that no Division I football program today could successfully compete without these shortcuts; as I was told repeatedly, "Everyone does it." Unilateral disarmament would destroy an athletic program's ability to compete. No one argued overtly that institutionally-sanctioned academic fraud was educationally acceptable, but they did argue (vehemently) that, for blue-chip recruits, it was necessary. The prevailing assumption was that those recruited for athletic scholarships were not interested in learning, could not learn even if they were interested, and would be distracted from their real role in the institution even if they could learn. When the NCAA announced it would not bring charges against the university because the university had announced no problems had occurred, the public accepted the NCAA as the guardian of the program's academic integrity. Few showed concern when I revealed that the NCAA investigator had informed me he could not evaluate academic issues, that he had to trust the institutions themselves to enforce the NCAA's academic requirements.

For everyone, except perhaps the students themselves, winning was more important than educating the athletes who played the sport. I learned several things quickly: 1) big-time collegiate sports were about winning prestige for the institution, building revenues from subsidiary merchandising and media contracts--not about the athlete, 2) neither the faculty nor the NCAA but those with vested economic interests had any authority over the "education" the school's athletes received; and 3) the athletic scholarship was the vehicle that gave them that authority over academics. When the University of Tennessee's chief academic officials worked together with the athletic director to justify academic fraud to the NCAA, they adopted the amazing rationalization that there were no violations because none of our academic policies were enforceable for any students, setting a precedent that would undermine the quality of education we could give any of the other 25,000 students at the school. For the University of Tennessee, one of the few successful, revenue-producing Division I football schools, we had already broken faith with the athlete who sought an athletic scholarship as a ticket to higher education; now we were extending that exploitation beyond the handful of students who were athletes. To protect the university from the loss of athletic scholarships, which were necessary to preserve public prestige and revenues (both internal and

external) that were attached to the success of the school's football program, the faculty's educational policies were being replaced with the unenforceable standards of the NCAA by-laws.

One might say that what I witnessed at Tennessee at the end of the century was not that different from what was happening at institutions with successful intercollegiate programs at the beginning. It is true that the erosion of academic standards at Tennessee was similar to the compromising of curricular standards that Hutchins fought at Chicago in the thirties. A primary distinction, though, is that President Hutchins fought to protect academic standards whereas Tennessee's president, largely controlled by the Board of Trustees and business interests in the state, knew his job depended on doing whatever was necessary to protect the football program from losing scholarships. Those who cared about academic standards, the faculty and students, had no voice, and for speaking out, I became a public enemy of the state and was subjected to hate mail, death threats, tapped phones, and office break-ins. For the public and the Board of Trustees, as well as for the President and the Athletics Department, the guardian of academics at the institution had become the NCAA by-laws. This is quite different from Hutchins' situation: he clearly had to lobby hard to convince the trustees that an "excellent" football program could not coexist with an "excellent" academic program, but he did have academic authority. Today, it is not just that football has no more to do with education than bullfighting has to do with agriculture, but that we can't expect athletics not to attack academics anymore than we can expect a bull not to attack vegetarians. What the "bull" of commercialized sports feeds on is the academic mission of the university.

How did we let this happen? I contend that the situation is worse today than that Hutchins was addressing because we have enabled the NCAA to take over the academic mission of Division I institutions, and the primary vehicle for doing so was the evolution of the "athletic scholarship." Ultimately, its pretense to amateurism has not only instituted the NCAA as the academic authority over football schools such as the University of Tennessee, but, to interpret Bowen and Levin's recent findings, has created an entertainment industry and cultural climate that places pressure on even those schools without scholarship programs [2]. Since collegiate sports is most visibly represented by those programs that serve primarily as professional farm leagues for the lucrative entertainment sports, schools at all levels accept this pervasive image as what collegiate sports should be, particularly for school alumni with visions of excellence according to what Lester calls "athletic Darwinist" standards. The burgeoning entertainment industry and the commercialism that attends collegiate sports was essentially legitimized by a scholarship awarded primarily for athleticism than for intellectual development. As a cursory review of the evolution of the athletic scholarship reveals, it was introduced primarily as a capitulation to the capitalistic forces that had already been corrupting amateurism. Instead of defending the university's mission, the academic scholarship became the means by which that mission could be "legally" co-opted by business interests.

## THE EVOLUTION OF THE ATHLETIC SCHOLARSHIP

As early as the 1890s, intercollegiate football was already affecting the academic climate at American universities. Coaches, regulated only by presidents seeking the public prestige a winning team could bring to the university, increasingly devised unorthodox methods for recruiting athletes, at times providing free tuition and admitting them before completion of high school. Because of concern over how these practices affected the student player's academic experience, the first reform group, the Intercollegiate Conference of Faculty Representatives, was organized in 1895. Its intent was "to legislate and control two facets of player behavior: that of the 'amateur idea' and that of proper academic standards" [1]. However, efforts to rein in academic abuses were unable to stop the effects of "athletic Darwinism": colleges which attempted to comply were forced to consider abolishing athletics altogether since they could not successfully compete with those who persisted in unorthodox recruiting practices. Already, the temptation to see athletics primarily as a marketing tool had driven colleges to put winning for the institution ahead of serving the needs of the student players. A telling remark is one made by a Chicago player as early as 1897: "I have no more fun in practice games. It isn't amusement or recreation any more. It is nothing less than hard work" [1]. It is not surprising, then, that the nature of reform movements took a dramatic turn when a rival reform group took up the cause in 1906 because there were other aspects of the game affecting its marketability: increasing violence and deaths on the field were detracting from its entertainment value. The Intercollegiate Athletic Association of the United States (IAAUS), in order to save intercollegiate sports, repeated efforts to retain the amateur ideal while instituting reforms in the rules of play. Their reforms helped increase the entertainment of the game (it legalized the forward pass and increased the down yardage from five to ten yards) but had little effect on the academic issues. Renamed as the National Collegiate Athletic Association (NCAA) in 1912, it increasingly found itself as the regulator of fair competition in the burgeoning entertainment industry rather than as a guardian of the student player's academic experience.

To be fair, at first the NCAA did try to maintain some semblance of amateurism. However, as Sack and Staurowsky have so eloquently stated, "Many of that organization's actions, especially after 1948, can best be understood as rearguard accommodations to professionalism rather than efforts to preserve amateur ideals" [3]. And their biggest capitulation to the forces of "athletic Darwinism" occurred with the ironically named "Sanity Code," an attempt to legitimate the unorthodox tuition waivers they were unable to control. The "Sanity Code," first approved in 1948, recognized the inevitable need for the NCAA to manage unorthodox recruiting practices if they were to maintain control over the business of college sports. They were faced with having to maintain the appearance of amateurism while ensuring its marketability as an entertainment industry. To not do so would make the burgeoning industry vulnerable to government regulation. That this was a conscientious effort is clear in their campaign to use the term "student-athlete," adopted in 1953 to defend themselves against workmen's compensation claims for injured players [4]. Just as the term "student-athlete" used

the cloak of amateurism at the expense of the student player, so did the “Sanity Code,” which instituted the ironic concept of an “athletic scholarship” to accommodate current business practices. Initially, the NCAA approved the athletic scholarship for need only, and with the proviso that it could not be rescinded even if the athlete did not play. Ratification was extremely difficult, though, and ultimately, by 1957, the scholarship had been redefined so that it was no longer awarded on the basis of need but to cover basic “educational expenses,” including room and board. Although it still had the proviso that it could not be reduced or rescinded based on the athlete’s performance, it represented a contract for educational “pay-for-play,” a promise of access to an education in exchange for athletic participation. Access to an education, though, was simultaneously compromised by the scholarship, which legitimated recruiting and admitting athletes on the basis of their athleticism rather than their academic preparation, ensuring that athletics was to be their profession rather than their avocation. Subsequent changes to the athletic grant even more radically compromised the student player’s educational opportunities. In 1967, the “nonrescindable” proviso was altered with an amendment that “allowed universities to immediately terminate scholarships for perceived insubordination or failure to take sports seriously” and, in 1973, the four-year scholarship was reduced to an annually renewable grant that gave coaches control over the athlete’s academic opportunities [3]. Although the NCAA by-laws have constantly been revised and amended to give the appearance that the coach cannot meddle in the faculty’s attempt to educate athletes, the institution of the athletic scholarship ensures that those rules are unenforceable in practice

## **HOW THE ATHLETIC SCHOLARSHIP AFFECTS INSTITUTIONAL CONTROL**

In addition to the subsidiary effect of athletic scholarships, the fact that they prevent athletes from access to an education while taking away admission opportunities from better prepared students, there are more subtle and central systemic effects that compromise the university’s educational mission. Once the NCAA had established governance over the awarding of scholarships, it had to institute a system by which it could control academic abuses. This is most evident in the structure the NCAA by-laws created to regulate each institution’s academic control of athletics through a faculty athletics representative (FAR). As stated in the NCAA handbook, “The faculty athletics representative should be responsible, either directly or indirectly, for institutional compliance activities or responsibilities, which involve campus entities outside the Athletics Department.” Of course, those “entities outside the Athletics Department” are all departments that attend to the university’s primary mission: Admissions, the Registrar, the faculty and academic deans. One faculty member, the FAR, carries the primary responsibility for how the Athletics Department works within the academic structure on a day-to-day basis. Even if one faculty member had the time to do this responsibly, he or she would not very easily have the authority to do so, for, as stated elsewhere in the handbook, the FAR’s duties are negotiated “[t]ogether with the chief executive officer and the

director of athletics, [to] develop a comprehensive plan for the institutional control of intercollegiate athletics and ensure that appropriate and explicit assignments of both responsibility and authority are made.” The president of the institution, revealingly referred to as the CEO throughout the document, and the athletics director are supposed to be equal partners in this triumvirate, but the power imbalance is obvious since the faculty member is merely an employee of the CEO, creating a conflict of interest in even the most conscientious faculty member who has bills to pay. The FAR has little authority over what the president and athletics director decide is best to maximize the profile of the athletics program.

Both the president and the athletics director have a non-academic stake in the success of the athletics program because their continued employment is dependent upon it. We all know the exorbitant salaries paid athletic directors and coaches, which represent a significant financial investment by the institution to ensure winning teams; we also know how easily coaches and athletic directors can be fired after one losing season. The president’s stake in the athletics program, though, has not often been noted. Although the Knight Commission has called on the presidents to step up and regulate the academic integrity of their collegiate sports programs, many of them don’t have the freedom to do so since they are hired and fired by Boards of Trustees that are often well-heeled alumni more interested in the prestige and subsidiary economic benefits of a winning athletic program than in the educational mission of the university. The corporate model that colleges and universities have increasingly adopted to govern the institution has led to a bottom-line mentality, where the graduation rates are more important than the education they do (or do not) represent and where the win-loss record is more important than fair play. This has inevitably led to a system in college sports where the appearance of compliance is more important than the integrity of the operation: although the NCAA’s rules were instituted to regulate competition, the need to win, not just compete, creates the incentive to see these rules merely as benchmarks rather than as a mode of operating. The game has become how to meet the letter of the NCAA law, to avoid loss of scholarships and other NCAA sanctions, while ignoring its spirit. In another version of the on-field “it is only a foul if you are caught,” the academic machinations that schools go through to ensure that under-educated athletes meet the NCAA requirements were what astounded me at the University of Tennessee. In order to legitimate having the tutors do work for the athletes, the school had them tested and labeled as “learning disabled” by the department’s contract psychologist. To enable athletes to maintain the appearance of academic progress, they created course schedules for them with a meaningless array of easy classes taught by “friendly faculty,” and when they needed to prove to the NCAA that the athletes had declared a major by their junior year, sent specially-designed Degree Declaration Forms (DDFs) that were no more than “what I want to be when I grow up” declarations since the athletes had not taken the general education requirements that would enable them to be accepted into the majors by the respective department. Many athletes were placed into courses taught by adjunct faculty because, in fear of losing continued employment, they were the teachers most likely to comply to a request from the athletic department to give an athlete a second chance (e.g., change a grade), and these requests, to comply with the NCAA

letter of the law, would come from tutors who were easily “scapegoated” to protect the system should someone complain.

The primary concern for the athletic director and the president is that the athletics enterprise serve the institution rather than bring scandal. Avoiding NCAA sanctions and loss of scholarships takes precedence over fair treatment of the athletes, the tutors, or the faculty. Aware of this, many FARs are co-opted by the power structure to protect the viability of athletics at the institution. However, no matter how ethical the faculty athletic representative, the NCAA’s enforcement structure also places blame squarely on the shoulders of the FAR should academic fraud occur, making it profitable for the president and athletic director to scapegoat the FAR to avoid NCAA charges of “lack of institutional control.” (When academic fraud charges were first leveled at the University of Tennessee, the institution’s long-time faculty athletic representative, who was unaware of the sophistication of the tutoring program, woke up one morning to a newspaper announcing that a Vice Provost was the university’s new FAR.) The NCAA, by creating the role of the FAR to govern academic integrity in athletics programs, wittingly or unwittingly, instituted the ideal “scapegoat” to ensure collegiate competition is not compromised by exposure of academic fraud. This would not be possible if the NCAA didn’t have the power to regulate penalties through the removal of athletic scholarships, a penalty that limits access to the labor pool and can subsequently destroy the business of collegiate athletics at an institution.

## **GETTING THE NCAA OUT OF THE ACADEMIC BUSINESS**

The history of reform movements reveals how prevalent and persistent the conflict between collegiate sports and the academic mission has been. However, it wasn’t until the NCAA co-opted oversight of each program’s academic mission via the athletic scholarship that we completely lost control over the problem. Although the Knight Commission’s two reports have revealed the primary problems—rampant commercialism, the facility “arms race,” declining graduation rates, and lack of presidential control—none of these problems can really be addressed until we remove the NCAA from its superficial role as academic guardian. The only way for this to happen is to remove the NCAA from the business of athletic scholarships as a way to regulate trade. If, as The Drake Group proposes, athletic scholarships were replaced by need-based-aid offered through the academic side of the college, inner-city minority students might have a better chance to receive an education. Secondary schools (and lower) who tend to place athletically-inclined, inner-city and minority students into educational tracks geared toward winning an athletic scholarship at the expense of their education would no longer do so. Once these students are no longer “taught” that their chances for a college scholarship lie only in their athleticism, it would be easier for college faculty to advise them to put off sports until their sophomore year, making the “freshman ineligibility” reform not just a way to regulate programs but a natural result of putting the student player’s interests first. Perhaps the greatest result, though, is that professional leagues could no longer work with a “free” farm system. Pre-professional athletes with no interest

in an education would need a professional farm system to develop and showcase their talents, and the fact that many are too underdeveloped to go straight into leagues like the NFL would force professional leagues to create professional clubs that would pay these players and provide them with medical insurance and workman's compensation for the sacrifices they make to the game. College students, too, would no longer have to compete with semi-professional recruits to participate in sports. Collegiate sports might lose their attractiveness as an entertainment industry, but they would return to serve those for whom they were created: the students themselves. Instead of creating "sports stars," colleges can return to developing well-rounded human beings, who learn that winning is not as important as how you play the game. It would not be a money-making enterprise, but that would enable colleges to focus on those values that they were created to preserve and protect in the face of a laissez-faire economy. Only then, I suspect, will we be able to put the bull back into his own pasture and return to the "business" of cultivating students who can grown into humane citizens.

1. Lester, Robin. 1995. *Stagg's University: The Rise, Decline, and Fall of Big-Time Football at Chicago*. Urbana: University of Illinois Press. Cited passages: pp. 89; 134; 80; 45.
2. Bowen, William G., and Sarah A. Levin. 2003. *Reclaiming the Game: College Sports and Educational Values*. Princeton, NJ: Princeton University Press.
3. Sack, Allen L., and Ellen J. Staurowsky. 1998. *College Athletes for Hire: The Evolution and Legacy of the NCAA's Amateur Myth*. Westport, Conn.: Praeger. Cited passages: pp. 32; 83-4.
4. Zimbalist, Andrew. 1999. *Unpaid Professionals: Commercialism and Conflict in Big-Time College Sports*, Princeton, NJ: Princeton University Press. Cited passage: p. 37.
5. *The NCAA Faculty Athletics Representatives Handbook*. Cited passages: pp. 18; 20.