

The Drake Group

Defending Academic Integrity in the Face of Commercialized College Sports

May 27, 2009

Subject: Higher Education

Dear Mr. President:

This letter is a follow-up to our previous letter¹ written on behalf of The Drake Group (TDG), a national network of reform-minded volunteers. It reiterates our request for help by way of assistance to Senator Charles Grassley in his efforts to enforce compliance to federal requirements for tax exemptions and adds an appeal for your personal intervention in college sports via a recommendation to establish an Office of the Commissioner of Intercollegiate Athletics.

As stated in the referenced letter: We believe that academic integrity has been compromised and higher education's academic mission subordinated by the college sports entertainment industry, more specifically, by the National Collegiate Athletic Association (NCAA) and its member institutions. We also said:

TDG continues to persevere in an effort to have the nonprofit NCAA justify the tax breaks that help fuel its uncontrolled growth. To this end, we have been working with the House Committee on Ways and Means and the Senate Finance Committee. TDG's work has led to: 1) A 2006 letter to the NCAA president from the HCW & M chair containing sharply worded questions re: the justification of the NCAA's tax-exempt status; 2) Comments in 2007 on the Draft of a Redesigned IRS Form 990; and, 3) A 2009 request to the IRS, via Senator Charles Grassley, ranking member of the SFC, to not only report on the NCAA as it has on nonprofit hospitals, but also increase pressure on NCAA members to further disclose their inner financial workings

Most recently, the Congressional Budget Office (CBO) released the results of an investigation requested by Senator Grassley in its May 2009 report, "Tax Preferences for College Sports". In April 2006, TDG provided the Senator's staff with data that prompted the Senator to request the CBO investigation.

Regrettably, the CBO report focused on the financial implications that various tax changes might have on collegiate athletics without questioning the justification for their present tax-exempt status. The primary issue in college sports stems not from the exorbitant financial spending of college athletic departments (which is merely systemic), but rather from the fact that commercialization and professionalization have corrupted the original intent of college athletics and compromised the integrity of our institutions of higher learning.

It is now absolutely clear that real college sports reform will never occur without responsible leadership.² We believe that you, like former President Theodore Roosevelt, in 1908, can help clean up the college sports mess and return college athletics to its appropriate place in our institutions of higher learning where they complement learning, rather than supplanting it. The purpose of our young peoples' engagement in athletics is to teach them values; such values, as

you must be aware, are being eroded as college athletics has strayed from its original purpose and currently exists as a moneymaking business enterprise.

Mr. President, we again ask that you assist Senator Grassley in his efforts to enforce compliance to federal requirements, necessitating that the NCAA provide transparency and accountability as it pertains to its stated basic purpose of maintaining intercollegiate athletics as an integral part of a school's educational program and the athlete as an integral part of the student body, and also comply with its principle of amateurism.³

To this end, we also respectfully ask you to intervene in intercollegiate athletics by establishing an Office of the Commissioner of Intercollegiate Athletics—akin to the establishment of the Office of the Commissioner of Baseball when Judge Kenesaw Mountain Landis was called upon to take control of Major League Baseball when its integrity was in question some 90 years ago.

This intervention—not unlike that of President Teddy Roosevelt's—would lead to the necessary independent oversight of collegiate athletics at the NCAA and our colleges and universities. The Commissioner would need to be empowered with a mandate for change with the authority to affect serious reform in all areas pertaining to intercollegiate athletics. Any less empowerment would all but guarantee the steady degradation of our institutions of higher learning in exchange for commercialized, professional college sports.

No doubt, the establishment of an Office of the Commissioner of Intercollegiate Athletics would generate vigorous opposition from defenders of the status quo similar to that of the health-insurance industry's opposition to meaningful health care reform. In this case, the college sports entertainment industry would rightly fear the beginning of the end of its stranglehold on schools supporting big-time football and men's basketball programs.

Political realities indicate that your personal intervention is required for serious college sports reform. Notwithstanding strong opposition, together, "WE CAN" restore academic primacy in higher education.

Respectfully submitted,

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1. Otto, Kadie and Splitt, Frank G., "Open Letter to the President and His Administration," March 18, 2009, <http://thedrakegroup.org/Obama.pdf>

2. Splitt, Frank G., "College Leaders Again Urged to Consider Solutions for Sports Mess: To No Avail Unless ... " http://www.thedrakegroup.org/Splitt_College_Leaders.pdf

3. Student-athletes shall be amateurs in an intercollegiate sport, and their participation should be motivated primarily by education and by the physical, mental and social benefits to be derived. Student participation in intercollegiate athletics is an avocation, and student-athletes should be protected from exploitation by professional and commercial enterprises (NCAA Manual, 2008-09, Bylaw 2.9 – Principle of Amateurism).
