

# **Ending Academic Corruption In Collegiate Athletics Won't Be Easy**

*Two Related Commentaries*

*By Dr. Frank G. Splitt*

*Prepared for Distribution at:  
The 2010 Scholarly Conference on College Sport*

*April 21-23, 2010*

*Sponsored by the College Sport Research Institute  
The University of North Carolina at Chapel Hill  
Chapel Hill, North Carolina*

*The Drake Group*  
*<http://thedrakegroup.org/>*

*March 7, 2010*

## The Author

Frank G. Splitt, a member of The Drake Group, is a former McCormick Faculty Fellow at Northwestern University, and a vice president emeritus of NTI (the U.S. portion of the former Nortel Networks Corporation).

He was the recipient of the *2006 Robert Maynard Hutchins Award* for his courageous defense of academic integrity in collegiate athletics and was the author of “Reclaiming Academic Primacy in Higher Education,” a brief with a Foreword by the Rev. Theodore Hesburgh, C.S.C., President Emeritus of Notre Dame University and a founding Co-Chairman of the Knight Commission on Intercollegiate Athletics.

Dr. Splitt also authored “The Faculty-Driven Movement to Reform Big-Time College Sports,”—the sequel to the “Reclaiming” brief—with a Foreword by Dr. James Duderstadt, President Emeritus of the University of Michigan, and an Afterword by Dr. Jon Ericson, former provost and Ellis & Nelle Levitt Professor Emeritus at Drake University. These documents are accessible at <http://thedrakegroup.org/splittessays.html>.

## The Drake Group

**The Drake Group Mission:** The mission of The Drake Group (TDG) is to help faculty and staff defend academic integrity in the face of the burgeoning college sport industry. The Drake Group's national network of college faculty lobbies aggressively for proposals that ensure quality education for college athletes, supports faculty whose job security is threatened for defending academic standards, and disseminates information on current issues and controversies in sport and higher education. The Drake Group seeks to form coalitions with other groups that share its mission and goals.

**The Drake Group Vision:** The Drake Group vision is to create an atmosphere on college campuses that encourages personal and intellectual growth for all students, and demands excellence and professional integrity from faculty charged with teaching.

**Contact:** Contact The Drake Group directly with any questions at [info@thedrakegroup.org](mailto:info@thedrakegroup.org).

## The Past and the Present: Hutchins Revisited

**Circa 1930s** – *A college racing stable makes as much sense as college football. The jockey could carry the college colors; the students could cheer; the alumni could bet; and the horse wouldn't have to pass a history test.*

— Robert Maynard Hutchins, former president of the University of Chicago

**Circa 2006** – *A college racing stable makes as much sense as pro-level college football and basketball. The jockey could carry the college colors; the students could cheer; the alumni could bet and invest; the horses wouldn't have to attend classes; pass tests, or maintain a 925 APR; and school officials wouldn't have to lie and cheat trying to prove that their horses are real horses.*

— Frank George Splitt, former faculty fellow at Northwestern University

# Reclaiming Academic Primacy and Integrity in Higher Education

*Clips Guest Commentary*

*In his signature style, our guest author draws an analogy to the tireless (and successful) efforts of conservationist John Muir as a lesson for reform of college athletics.*

*By Frank G. Splitt, The Drake Group, 2-9-10*

*Taking on the formidably resourced and politically connected NCAA cartel—with its ability to maintain secrecy to hide academic corruption and permit athletic priorities to trump academic priorities—represents a daunting challenge.*

**Like the Yosemite and Yellowstone national parks**, the athletics programs at America's institutions of higher learning can be considered to be precious resources. As we learned from their tireless advocate John Muir, the parks can enrich the life experience of their visitors. Similarly athletic programs can enrich the life experience of college students.

Unfortunately, both resources are vulnerable to relentless exploitation, over commercialization, and ruin if not operated and managed with transparency, accountability and oversight appropriate to the task.

As Muir found in the late 1800s and early 1900s, protecting the natural beauty of national parks—and for that matter the parks themselves—is a daunting task requiring the utmost in focus and perseverance to minimize debilitating exploitation by powerful commercial and political interests. During the course of his crusading efforts, he found it necessary to appeal to U.S. Presidents and the Congress to take action to help preserve and protect large natural areas.

So too it is with protecting athletic programs from exploitation by the commercial interests of their sponsoring colleges and universities via their membership in the NCAA cartel. The cartel does not play by its own rules—also doing its best to avoid meeting federal requirements and the application of federal law. Consequently, the cartel has an amazing ability to maintain secrecy to hide academic corruption—allowing athletic priorities to trump academic priorities.

Coping with the powerful forces and pressures stemming from the cartel's formidable resources—financial, legal, and political—not to mention its symbiotic relationship with the TV, cable, and print media, represents a truly daunting challenge.

Additional pressures coupled with real-world circumstances have made the protection task all the more difficult. For example, there are the pressures exerted by the school's governing boards, very wealthy boosters, athletic departments, and government officials who are all influenced by the strong pull of potential fame and fortune as well as the inexorable push of rabid fans and a sports-crazed public. The task is made even more difficult because of a lack of strong presidential leadership—the willful or forced abdication of the president's obligation to provide leadership in defense of academic integrity and priorities.

Over time these forces and pressures have combined to allow athletic programs to subordinate higher education's academic mission and morph into mass entertainment vehicles that tend to erode the very educational values and beneficial impacts that athletic programs ostensibly exist to promote.

Not only have the educational missions at many colleges and universities become warped and their financial burdens become weightier, but apparently the loss of academic primacy and integrity has become an acceptable cost of doing business in the college sports entertainment industry as well.

The reclaiming of academic primacy and integrity in higher education is in itself a daunting challenge. How daunting a challenge could this be? Many say the big money involved coupled with America's sports culture makes it an impossible task. Some reform-minded organizations have been persuaded to work with the cartel and so have become partially or totally co-opted.

Also consider the number of reform-minded college presidents who have experienced shortened tenures in office. An example of the incredible pressure that can be exerted on even a powerful president comes from the University of Miami where Donna Shalala allowed the admission of Willie Williams, a star football recruit, despite a lengthily arrest record and likely weak academic qualifications at a time (2004) when Shalala was totally focused on improving the school's academic image and squelching the perception that the Hurricanes were a team of "convicts."

Further consider the scarcity of faculty members who should be at the front lines fighting to reclaim academic primacy and integrity at their own schools. It appears that many faculty don't believe it's any of their business while others fear that working to reclaim academic primacy and integrity can not only be considered subversive, but also an invitation to intimidation and career-threatening retaliation by school administrations as well as being ostracized by fellow faculty and members of their communities. Untenured faculty members are too busy working to get tenure and usually are not in a position to challenge administrative policy on intercollegiate athletics.

Nonetheless, there is still a residual group of faculty who are addressing the challenge and persevering in the fight. They are members of The Drake Group (TDG)—a national network of volunteers consisting of college faculty, administrators, coaches and concerned citizens. Since its founding in 1999, TDG has fought to reclaim academic primacy in higher education—defending academic integrity in the face of the commercialized college sports entertainment industry.

Many of the issues related to this fight were discussed in two open letters sent to President Obama in 2009; see “The Drake Group's Open Letters to the President and His Administration” at <http://thedrakegroup.org/Obama.pdf> and <http://thedrakegroup.org/Obama2.pdf>. TDG is pursuing resolution of these issues with the U.S. Department of Education as well as with the U.S. Congress—dedicated to leading the fight to reclaim academic primacy and integrity in higher education. It is TDG's raison d'etre as it continues to stand as a reform-minded organization that is independent of the NCAA cartel.

To learn more about TDG, please go to <http://thedrakegroup.org/>. For other views see Mark Yost's *Varsity Green: A Behind the Scenes Look at Culture and Corruption in College Athletics* and Allen Sack's *Counterfeit Amateurs: An Athletes Journey Through the Sixties to the Age of Academic Capitalism*. Yost decries the hypocrisy and corruption that permeates big-time college sports and how sports have come to negatively impact America's youth while Sack tells how the NCAA abandoned its central principle of amateurism in its pursuit of big money in the form of highly commercialized and professionalized big-time college athletics.

## The NCAA Cartel: Enveloped by a Perfect Storm?

*Education Secretary Duncan's recent criticism, ongoing scandals, a class-action antitrust lawsuit, financial problems, book-length exposés, and global realities could be forming a perfect storm while sharpening the tipping point for real college sports reform.*

By Frank G. Splitt, February 22, 2010

*Intercollegiate athletics, as currently practiced by many universities, compromise admissions standards, weaken the curriculum, and threaten other essential academic values. Neither coaches nor athletic directors, nor presidents, nor trustees can bring about real reform without help. Faculty members have the most at stake in upholding academic values; they represent the best hope of achieving genuine progress in making the kinds of changes required. As a result, I warmly endorse the arguments contained in this brief for involving faculty in a campaign for integrity in college sports.*

—**Derek C. Bok**, the 300<sup>th</sup> Anniversary University Professor and former President, Harvard University

The above commentary on a 2003 brief<sup>1</sup> came with a thought-provoking question. The gist of Dr. Bok's question was: "Just how do you plan to go about the campaign for integrity in college sports? As best as I can recollect, I said I was going to follow a path similar to the one used for systemic engineering education reform.

It was shortly thereafter that Dr. Jon Ericson extended an invitation to join The Drake Group. It was my good fortune that I linked up with this reform-minded organization as well as with Dr. Jim Duderstadt—each contributed a commentary on the brief. Little did I know at the time how difficult it would be to push back on the hypocritical claims the NCAA cartel and its supporters have made about the amateur basis and academic integrity of intercollegiate athletics and their benefits to higher education. Nevertheless, it seems that a storm has been slowly brewing over the ensuing seven years. Here's the story:

**Education Secretary Arne Duncan** really caught the attention of NCAA officials with his remarks at the 2010 NCAA convention this past January.<sup>2</sup> The critical tone of these remarks helped rekindle The Drake Group effort to bring senior officials at the U.S. Department of Education to an even more full awareness of the brutal truth about big-time college sports.<sup>3</sup>

More specifically, the Secretary's remarks refocused the Drake's on the crucial role played by the Family Educational Rights and Privacy Act (FERPA) in shielding academic corruption in college athletics.<sup>4</sup> That said, the aim of this and the author's previous commentary<sup>5</sup> is to give the reader a good sense of the present state of affairs in college sports reform given recent events.

**To begin**, most Americans have been led to believe that sports programs are an extracurricular activity—an integral part of the fabric of the postsecondary education experience. They have also been led to believe that these programs play a significant role in America's higher education system with beneficial impacts—helping to knit together the disparate supporters of these enterprises while galvanizing the school and the surrounding community around the spirit that comes with a successful athletic program

The general public is apparently unaware of the fact that the impacts of these programs are not all beneficial as they are often mixed with strong debilitating negative components. For one, big-time college sports are no longer extracurricular activities but rather businesses that provide multi-billion-dollar mass entertainment.

**Over the years** the NCAA and its member schools made freshmen eligible to play, lowered admission standards, and replaced four-year athletic scholarships with one-year renewable scholarships. All of this was done to increase their talent pool and professionalize big-time football and men's basketball programs—transforming the conferences affiliated with these big-time programs into minor league businesses supporting the NFL and NBA.

The relentless pursuit of increased revenues in these businesses has undermined attempts to maintain academic standards and integrity—fostering a legacy of academic corruption and an athletics-over-academics culture in which athletes are both excessively entitled, exploited, and effectively denied the opportunity to receive a legitimate college education.<sup>6-8</sup>

The extensive media coverage of the Binghamton University scandal<sup>9</sup> has provided another window to information on the corruption in big-time college sports to go along with past scandals at the University of Minnesota, the University of Georgia, Louisiana State University, the University of Tennessee, Florida State University, Auburn University, the University of Michigan, the University of Memphis, the University of Southern California, and the University of Colorado. To be sure there have likely been many more, but these are the schools we know about mostly via courageous whistleblowers.

**Although not yet fully understood**, the downstream implications of the denial of the NCAA's motion for dismissal of the class-action antitrust lawsuit on behalf of former college men's basketball players could prove to be profound.<sup>10</sup> The lawsuit has the potential to open a floodgate to information that the NCAA and its member schools have been successfully hiding from the public, the Congress, and athletes via their misuse/abuse of FERPA's privacy provisions.

No doubt, a host of NCAA cartel lawyers will be called upon to impede the outflow of information during the discovery process. This would certainly include information related to the academic corruption that has enabled the cartel's student-athlete charade, the professionalization of its college sports businesses, and the continuation of the tax-exempt status of these businesses.

**Taken together**, Secretary Duncan's criticism, multiple scandals along with financial problems,<sup>11</sup> the class-action lawsuit and the referenced book-length exposés<sup>6-8</sup> have enveloped the NCAA cartel in what might be called a perfect storm that could sharpen the tipping point for substantial college sports reform. But rest assured substantial reform will not come about easily—if at all.

Why not? Because there seems to be no end to the public's and the media's love of professional games—no matter how corrupt their underpinnings—and then there are the all too many powerful 'see-no-evil-hear-no-evil' apologists who have vested interests in maintaining the status quo.

It has been said that no other American institution has experienced greater crises and scandals than big-time college sports, and yet it has not only survived all of them but thrived.<sup>12</sup>

**Only time will tell** if the government will continue to ignore global realities and stand idly by while letting big-time college sports programs continue to practice as they do today—compromising the educational, economic, and physical, well-being of America.<sup>13</sup>

## NOTES

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Also, the authors avoid the real issues confronting colleges and universities supporting big-time football and men's basketball programs. The professionalization of these programs—wrought by the NCAA and its minions—is enabled by academic corruption. Furthermore, wealthy, highly influential sports boosters—not school presidents—occupy the power centers at these schools and so control America's major college sports programs. These boosters don't seem to realize that the schools are supposed to be in the education business, not the entertainment business. A new business model reflecting this understanding along with a clear prioritization of academics over athletics and full transparency regarding all aspects of athletic operations—including related academics and financials—would be a big step in the right direction.
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