

Academic Corruption in Big-Time College Sports Demands Federal Intervention in Accreditation

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The State Higher Education Executive Officers (SHEEO), among others, are now questioning the wisdom of the Department of Education's aggressive approach to using federal regulation to change the behavior of colleges and accreditors.¹ It has always been my understanding that the federal government exists to promote and defend America's national interests and well being — doing those things when, for whatever reason, the states have not done, refuse to do, or, are unable to do themselves. Now is one of these times. Let me explain:

In a recent article, "Government Should Stay Out of Accreditation," A. Lee Fritscher, a professor of public policy at George Mason University and former assistant secretary for postsecondary education at the Department of Education and president of Dickinson College, said: "Involving accrediting agencies or the federal government in evaluating and regulating teaching and learning is an unhealthy departure from traditional arrangements. Outside involvement in those activities runs the risk of curbing the innovation and high levels of creativity that have been the hallmarks of American higher education for decades."²

Taken as a general guideline, Fritscher and others who oppose federal intervention such as Larry Arnn, president of Hinsdale College, are correct in the sense that federal intervention should be a last resort.³ Indeed, there are exceptions to this guiding principle. For example, the defense of America's system of higher education system from the negative impact of overly commercialized college athletics and its attendant cancer-like academic corruption is a salient example of the need for federal intervention in the accreditation process. Paraphrasing Fritscher, federal intervention would help curb the innovation and high levels of creativity that have been the hallmarks of the academic corruption related to intercollegiate athletics in American higher education for decades.

For all too long colleges and universities have been self reporting graduation rates, and now Academic Progress Rates for their so-called student-athletes who were/are in ostensibly accredited degree programs such as the general studies degrees described by Jon Solomon in his article, "Athletes make academic end run."⁴ Solomon found general studies and 'Jock' majors prevalent in Alabama schools during the newspaper's investigation this past fall. No doubt, similar 'diploma-mill-like' degree tracks have been engineered for athletes in other states by members of their school's academic support center staff. Likely all have been accredited by regional accrediting organizations.

Academic corruption in big-time college sports demands federal intervention in accreditation. And just what does the Department of Education's National Advisory Committee on Institutional Quality and Integrity (NACIQI) have to say about that?⁵

Breaches of academic integrity exist at multiple levels in America's higher education enterprise where integrity can be compromised by schools intent on winning at any cost. Rubber-stamp accreditation by weak, or, intimidated accreditation organizations make the breaching task a no-brainer for big-name schools. As Walter Byers, who served as NCAA Executive Director from 1951 to 1987, said when speaking of a college's reporting on the necessary progress that has been made on the rehabilitation of at-risk high school graduates: "Believe me, there is a course, a grade, and a degree out there for everyone."

School administrators seem to believe that outcomes assessment and strict accreditation are none of the government's business – ignoring the fact that all schools benefit from government programs in one way or another. The NCAA and its member schools use the Family Educational Rights and Privacy Act (FERPA) to shield academic corruption from public view — avoiding disclosure of any information that could prove damning or embarrassing, especially in the case of the academic performance of their athletes. This corruption not only allows them to sustain their phony 'student-athlete' ruse with its derivative tax-exempt status, but also to recruit, sign, and roster academically unqualified blue-chip athletes requisite to fielding professional-level teams for their moneymaking sports entertainment businesses.

Without an independent outcomes assessment of student learning, the government has to take a school's word on Graduation Rates and Academic Progress Rates for their athletes. If schools are ever going to produce, collect and publish meaningful information about student outcomes, accreditors need to force them to do so. Why? Because the NCAA will not require their member schools to do it. Sadly, neither will the states, all too many of which over-identify their state's stature with the state schools' success in big-time athletics. Disclosure of aggregated (Buckley-compliant) outcome assessments on the athletes in their football and basketball programs would expose the NCAA's student-athlete scheme to the light of day – jeopardizing the tax-exempt status as an institution of higher education.

Schools should require their athletes to perform as real students – maintaining them as an integral part of their student bodies where academic standards of performance for athletes are the same as for the general student body. However, that won't happen unless and until disclosure is mandated by the government – the Department of Education via more stringent accreditation guidelines or by the Congress via a demand for tangible evidence justifying the NCAA's tax-exempt status.⁶⁻⁸

It is time for more explicit minimum standards for the knowledge and skills required for different degrees to be set. As SHEEO's Paul Lingenfelter says, degree granting institutions should be held accountable "for rigorous academic standards resulting in demonstrable student achievement." This is precisely the outcomes approach taken by the Accreditation Board for Engineering and Technology (ABET) in their "Criteria for Accrediting Engineering Programs."⁹

Thus far, NACIQI has avoided getting involved with academic corruption in big-time college sports. However, momentum is building in Congress to investigate how universities with big-time sports programs use their tax-exempt status to pay multi-million-dollar coaches' salaries and build extravagant athletics facilities. Sen. Charles Grassley of Iowa, the senior Republican and past chair of the Senate Finance Committee, has asked the Congressional Budget Office to investigate the tax-exemption issue.¹⁰

In the meantime schools will continue to provide weakly-accredited degrees to academically undeserving athletes while federal tax policy will continue to force parents, students, and other American taxpayers to help foot the bill for multimillion-dollar academic (eligibility) centers and salaries for coaches, tax breaks for wealthy boosters, 'stadium wars,' and other artifacts of the big-time college sports arms race.

Notes

1. Lederman, Doug, "Back Off on Accreditation, States Urge U.S.," *Inside Higher Ed*, May 25, 2007, <http://insidehighered.com/news/2007/05/25/sheeo>. This essay is based in large part on the author's comment, "Questioning the wisdom of backing off," posted May 31, 2007 at *InsideHigherEd.com*.
2. Fritscher, A. Lee, "Government Should Stay Out of Accreditation," *The Chronicle of Higher Education*, p. B 20, May 18, 2007.
3. Arnn, Larry, "Hands Off Higher Education," *The Wall Street Journal*, May 12-13, 2007.
4. Solomon, Jon, "Athletes make academic end run," *The Birmingham News*, Oct, 29, 2006.
5. Splitt, Frank G., "Who Accredits Alternative Ed Programs for College Athletes?," http://www.thedrakegroup.org/Splitt_Alternative_Ed.pdf
6. _____, "The U. S. Congress, Higher Education, and College Sports Reform," April 2007, http://thedrakegroup.org/Splitt_The_Interface.pdf
7. _____, "The Congressional Challenge to the NCAA Cartel's Tax-Exempt Status," http://thedrakegroup.org/Splitt_Congressional_Challenge.pdf
8. _____, "Recommendations for Sports Program Transparency and Reporting at the NCAA and Its Member Institutions," May 4, 2007, http://www.thedrakegroup.org/Splitt_Recommendations_for_Transparency.pdf
9. ABET, "Criteria for Accrediting Engineering Programs," <http://www.abet.org/Linked%20Docu...PDATE/Criteria%20and%20PP/E001%2006-07%20EAC%20Criteria%205-25-06-06.pdf>.
10. Fain, Paul, "Senator Questions Colleges' Tax Breaks," *The Chronicle of Higher Education*, p. A26, April 13, 2007.