

Collegiate Athletics Reform: Answers for *The Chronicle*

a *CLIPS Guest Commentary*

By Frank G. Splitt, 12-18-11

Our guest author responds to a provocative question posed by The Chronicle and offers insights and perspectives relevant to approaches to reform as well as to the future of higher education in America

“*What the Hell Has Happened to College Sports? And What Should We Do About It?*” were two piercing questions that headlined the front page of the December 16, 2011 issue of *The Chronicle of Higher Education*. The headline was followed by the statement: “No wonder they call it big-time sports. College athletics programs pull in about \$10.6-billion in revenue annually. But the challenges facing college sports may outweigh any dollar amount” and another question: “What would you change, if you could?” That’s what *The Chronicle* asked “several innovative thinkers who know and care about sports.” In a nutshell, this is what they said:

Oscar Robertson, “Don’t Treat Athletes Like Gladiators”

Frank Deford, “Bust the Amateur Myth”

William C. Friday, “Get Out of Show Business”

C. Thomas McMillen, “Eliminate the Profit Motive”

Harry Edwards, “Share the Wealth”

Nancy Hogshead-Makar, “Tie Money to Values”

Richard H. Thaler, “Kiss the BCS Goodbye”

Len Elmore, “Exempt the NCAA From Antitrust”

The Chronicle asked readers to share their thoughts as well. My thoughts were posted as answers to *The Chronicle*’s questions on the website for the story¹ and were as follows.

What the Hell Has Happened to College Sports? – The simple answer to the question is that nothing has happened to college sports that hasn’t been the subject of numerous books and essays over the past eight years or so, see “Splitt Essays.”²

Over the years, the NCAA has not only made a number of rule changes that have emphasized athletics over academics so as to move their big-time football and men’s basketball programs to professional levels suitable for feeding the NFL and NBA, but has also demonstrated an amazing ability to avoid serious reform. For example, the NCAA has resisted providing college athletes meaningful opportunities to function as real students by not agreeing to:

- a) Restore first-year ineligibility for freshmen with expansion to include transfer athletes;
- b) Reduce the number of athletic events that infringe on student class time, with class attendance made a priority over athletics participation-including game scheduling that won’t force athletes to miss classes;
- c) Restore multiyear athletic scholarships-five-year scholarships that can’t be revoked because of injury or poor performance; and
- d) Require athletes to honor the terms of their multiyear athletic scholarship with appropriate penalties to the school and athlete for broken commitments such as ‘one and out’ to the NBA.

Unfortunately, until the Penn State scandal, scant heed has been paid to the mounting evidence of greed, corruption, and hypocrisy that has come to characterize big-time college sports.

And What Are We Going to Do About It? – The complete answers provided by *The Chronicle*’s “several innovative thinkers” can be found at *The Chronicle* story website.¹ These answers are to be compared to recommendations made by The Drake Group in “Comments by The Drake Group on the Draft of a Redesigned IRS

Form 990,"³ and in two 2009 open letters to President Obama.⁴ There follows a bit of historical background on the latter.

Beginning in July 2004, the abuse of FERPA, the Family Educational Rights and Privacy Act, by the NCAA cartel, the NCAA and its member institutions, formed the basis for The Drake Group's persistent efforts to have the U.S. Department of Education (DOE) and the U.S. Congress pressure the cartel to incorporate measures of transparency, accountability, and oversight into their operations so as to expose the corruption and hypocrisy that lies at the heart of the cartel's commercialized and professionalized big-time sports entertainment businesses.

Unfortunately, the DOE has avoided the issue and, with the notable exception of Senator Charles Grassley (R-Iowa), serving members of Congress have not dared endorse the Drake's appeal for "sunshine" in collegiate athletics—apparently fearing retribution by constituents, wealthy boosters and rabid sports fans to the extent that such an endorsement would necessitate giving up their political careers. The net result of Congressional paralysis is that the dirty business of government-subsidized, professional college sports could be with us for a good long time unless and until responsible leadership is engaged to restore integrity in collegiate athletics.

To that end, The Drake Group's letters to President Obama state and restate a request for help by way of assistance to Senator Grassley in his efforts to enforce compliance to federal requirements for tax exemptions with an added appeal—for the president's personal intervention in college sports via a recommendation to establish an Office of the Commissioner of Intercollegiate Athletics. The latter appeal was motivated not only by the NCAA cartel's obstinate resistance to serious reform, but also its success in co-opting organizations that work with it with the intention of bringing about significant reform.

A thoughtful reading of the Drake's comments on the revised IRS Form 990 and its two letters to President Obama as well as the author's most recent commentaries⁵ should provide insights and perspectives relevant to alternative approaches to reform as well as the future of higher education in America

It remains to be seen whether or not President Obama and his administration have the political will and the courage to look beyond the problems associated with college football playoffs and NCAA *March Madness* tournament bracketing to address the really serious issues related to the NCAA cartel's FERPA-enabled professionalization of big-time football and men's basketball programs.

Experience indicates that intervention by the federal government is the only way to bring about requisite action and reform. However, if the Penn State scandal does not prompt government intervention, then antitrust and other cases before federal courts are likely to do so.

In any case, the scandal could spark a shift in America's obsessive sports culture—with moral integrity and justice valued above winning via the fruits of bad behavior—a shift that could, over time, spawn systemic change in professionalized collegiate athletics that are presently driven by greed and sustained by corruption, hypocrisy, and the absence of government oversight.

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WEB LINKS

1. <http://chronicle.com/article//130071/>
2. <http://thedrakegroup.org/splittessays.html>
3. http://thedrakegroup.org/Splitt_TDG_IRS_Commentary_091207.pdf
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