

# An Ongoing American Tragedy in Higher Education: Where is the Outrage and Where Are the Governing Boards?

By Frank G. Splitt

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*When the most highly paid employee is the football coach, not the president, it's clear something is awry. When football tickets and fancy student centers are the currency of the day, rather than affordable and quality education, clearly something is awry. When most classes are scheduled only between Tuesday and Thursday and the institutional answer is to build more buildings to accommodate the demand, something is awry.*<sup>1</sup>—Anne Neal

**ABSTRACT** – This essay tells a sad but hopeful story—revealing what’s really going on with the continuing erosion of higher education in America and what can be done about it. The essay also serves as a challenge to members of college and university governing boards to rise to the occasion and recognize that they are directly responsible for the actions of the leadership at their institutions. Unfortunately, this leadership has led to an ongoing tragedy in higher education. This tragedy is fraught with interrelated problems and issues—sports-related academic corruption, excessive commercialization, mission creep with outsized focus on social justice issues (diversity, inclusion, and equity), administrative bloat, admission shenanigans, student loans and debt, the lowering of standards, and the graduation of students who can’t write or think critically and who won’t be able to compete in the global marketplace. Suggestions for remedial action are provided.

**INTRODUCTION & BACKGROUND** – My work on reform spanning college sports and higher education began some 17 years ago after I finished reading the book *Intercollegiate Athletics and the American University* by Jim Duderstadt, President Emeritus of the University of Michigan. Inspired by his book and our subsequent conversations, a campaign on college sports reform was initiated that, in turn, led to Notre Dame's Fr. Ted Hesburgh writing the foreword for the brief, "Reclaiming Academic Primacy in Higher Education"<sup>2</sup> as well as my affiliation with The Drake Group. It was fitting that Duderstadt was able to write the foreword to the brief's sequel, "The Faculty-Driven Movement to Reform Big-Time College Sports."<sup>3</sup>

Both pieces were chronicled in my book *An Odyssey of Reform Initiatives, 1986-2015: From Engineering, K-12 and Higher Education to the Environment, National Information Infrastructure, and Collegiate Athletics*. The recently published sequel to this book, *Reflections, 2016-2019*, with a preface by Donna Lopiano and foreword by Nick Infante, provides a summary of my thinking as I continue to write about reform at the beginning of my 90<sup>th</sup> year.

Reference to the *Odyssey* and *Reflections* books, (accessible at [www.futurevectors.com](http://www.futurevectors.com)) will show that college sports, the so-called front porch for America’s elite colleges and universities, not only have had a debilitating impact on the academic mission of these institutions, but that there are derivative negative actors at play as well. A number of these factors were discussed in my 2018 commentary, “How Colleges Cope with a Perfect Storm.”<sup>4</sup>

Sometime early in 2011, at the behest of the late Stanton Cook, then a Life Trustee at Northwestern University and a former fellow member of the McCormick School of Engineering’s Advisory Council, I began to send copies of my commentaries to Anne Neal, then the president of the American Council of Trustees and Alumni (ACTA, an organization committed to academic freedom, excellence and accountability at America's colleges and universities). The 2013 commentary "A Developing American Tragedy in Higher Education,"<sup>5</sup> a precursor to this piece, was among the copies emailed to Neal. My hope at the time was that ACTA would be able to formulate a response as to what best might be done about the tragic situation described in the commentary – the deterioration of higher education in America—thus helping to stem the tide of the debilitating forces that can potentially reduce America to a second-rate world power.

**AN EMBEDDED CHALLENGE** – The present commentary is still another attempt to illuminate what’s really going on in the continuing erosion of higher education in America. It also serves as a challenge to members of college and university governing boards to rise to the occasion and recognize that they are directly responsible for the actions of the leadership at their institutions—

leadership that has led to an ongoing tragedy in higher education—excessive commercialization, the lowering of standards, and the graduation of students who can't write or think critically and who won't be able to compete in the global marketplace.

**EXCESSIVE COMMERCIALIZATION** – Attention is first called to today's excessively commercialized institutions of higher education with particular focus on elite schools that support big-time, revenue-generating football and men's basketball programs.

Excessive commercialization has brought academic corruption, financial shenanigans, questionable admission practices, increasing expenditures on athletics, and money-focused presidents who appear to view sports programs as an economic necessity and undergraduate education as an expensive nuisance. To be sure, these undergraduates are not considered nuisances when it comes time to targeting them with tuition and a variety of other fees to keep sports programs afloat whenever revenues from the school's big-time sports programs prove insufficient to do so.

The additional background remarks that follow are taken from the aforementioned commentary "A Developing American Tragedy in Higher Education."<sup>5</sup>

For all intents and purposes, the U.S. government at all levels stands idle while many of its most prestigious schools prostitute themselves in a mostly futile quest for fame and fortune via their sports entertainment businesses. In December 2009, Darren Everson, Hannah Karp, and Mark Yost each published a college sports story in *The Wall Street Journal* that, taken together, offer chilling evidence that America's colleges and universities are helping to lead the way as the country slithers toward second-rate nationhood.

America's love affair with big-time college-sports entertainment in combination with excessive cynicism, apathy (if not purposeful ignorance), and gambling has been a recipe for growing commercialization at America's institutions of higher learning. Worse yet, greed, fanatic sports fans, an apathetic public and inconsistent government policies allow the commercially driven college-sports enterprise to grow unchecked, all but guaranteeing distracted, booster-beholden university administrators and an expanding set of fun-loving consumers for their entertainment business ... a business that has hijacked the academic mission of many universities.

If all of this is coupled with the rising costs of residential higher education (without corresponding improvements in academics) and improved technology-driven competitive education delivery systems, we are led to the conclusion that America's higher education enterprise is rapidly becoming untenable – unable to survive, just as predicted by Peter Drucker back in 1997.

**THE CHANGING MISSION OF HIGHER EDUCATION** -- There is a widely held view that American colleges and universities are academic institutions that have a mission that is primarily focused on the creation, preservation, and dissemination of knowledge, all based on freedom of inquiry. However, mounting evidence suggests that these institutions have subordinated their historic mission and are now operating as commercial businesses that are primarily focused on the pursuit of fame and fortune from their sports entertainment programs—graduating students who can't write or think critically and who won't be able to compete in the global marketplace, an American tragedy in higher education.

It was this tragedy that prompted Professor Richard Arum and ACTA to write to 10,000 college and university trustees in the early fall of 2011—calling on them to act. In his letter, Mr. Arum noted that "problems of learning in higher education are real, deepening, and demand urgent attention. . . . Institutions that fail to set meaningful expectations, a rigorous curriculum and high standards for their students are putting these students and our country's future at risk."<sup>1</sup>

America's colleges and universities have apparently adopted an additional mission—placing emphasis on a new type of civics and the related woke factor with corresponding outsized emphasis on social justice issues such as diversity, inclusion, and equity (fairness and impartiality).<sup>6,7</sup> "On campus, identity politics has become a dogma that damages independent thinking and the pursuit of truth," said Yale Law Professor Anthony Kronman.<sup>8</sup> Schools are

now attempting to accommodate students who apparently want to be coddled—asking for trigger warnings and safe places lest their feelings be hurt via exposure to controversial ideas, real-world problems, and issues.

As example of what’s going on, see Judge José A. Cabranes’ op-ed, "Higher Education’s Enemy Within," that was adapted from remarks he delivered on October 18, 2019, at an ACTA event honoring him with its Merrill Award for Outstanding Contributions to Liberal Arts Education.<sup>9</sup> Cabranes, a distinguished former university legal counsel and trustee, went so far as to say: “An army of nonfaculty staff push for action and social justice at the expense of free inquiry via alliances between student activists and nonfaculty administrators.” More examples of mission creep follow.

Heather Mac Donald has said: “Few things upset American college students more than being told they aren’t oppressed.”<sup>10</sup> Mac Donald, a fellow at the Manhattan Institute and author of *The Diversity Delusion: How Race and Gender Pandering Corrupt the University and Undermine Our Culture*, goes on to say “the promiscuous labeling of disagreement as hate speech and the equation of such speech with violence will gain traction in the public arena, as college graduates take more positions of power.” And this: George Washington University students claim that the Colonials, their team name, “glorifies the act of systemic oppression,”— apparently, America’s founding isn’t woke enough.<sup>11</sup>

Abigail Thompson, chair of the mathematics department at the University of California-Davis, has recently written: “‘Diversity, Equity and Inclusion’ statements, in which applicants for faculty positions profess their commitment to these social goals, have become required on eight UC campuses and at colleges across the country.”<sup>12</sup> Thus, a sad consequence of mission creep is not only the apparent loss of civility and first amendment rights relative to free speech on America’s college campuses, but the fact that faculty hiring based on disciplinary merit is bound to diminish—leading to a further dumbing down of higher education in America.

**ADMISSION PROBLEMS** – College admission is a process fraught with problems and issues, somewhat like a complex game, with players having different objectives and/or exhibiting bad behavior. Nonetheless, all are involved with making money in one way or another. The process has been described as stressful, unpredictable, inequitable, and seemingly irrational.<sup>13</sup>

To begin, Pulitzer prize-winning author Daniel Golden not only exposes how institutional greed taints educational decisions that ought to be driven by merit, but he also devotes an entire chapter in a new edition of his book to the sordid story of Rick Singer's criminal college admission scam that was the target of the federal Operation Varsity Blues investigation.<sup>14</sup> Golden had this to say about these elite schools: “Colleges have portrayed themselves as hapless victims of Rick Singer, in reality they have no one to blame but themselves.” This revealing quote was also used as an epigraph in Golden’s *Chronicle Review* commentary “The Epitome of Sleaze.”<sup>15</sup>

Sports recruiting is the real college-admissions scandal, while special admissions has been called the 'original sin' of college sports. College athletes, especially those in revenue producing sports, are more likely to receive waivers of the institution’s normal academic standards for admission which puts them at a competitive disadvantage in the classroom relative to their better-prepared, non-athlete student counterparts. These special admissions start the domino effect of academic fraud – counseling or forcing athletes to register in less demanding academic majors and classes that do not interfere with their training or classes with professors who are athletics-boosters. Subsequent to committing the 'sin' of special admission, corruption, cheating, and cover-ups have become endemic at those schools seeking fame and fortune via sports entertainment businesses. Often, despite the conflict of interest, athletic departments rather than campus academic authorities run their own academic support programs to create the outward appearance that the athletes are primarily students.

Colleges and universities supporting big-time football and men's basketball programs have developed methods of cheating, corruption and cover-ups to an art form, while school administrators and supporters live in a world of seemingly boundless hypocrisy. The college admissions racket is only the tip of the iceberg of fraud at our nation's colleges and universities supporting these revenue-generating sports programs. Sad to say, the flurry of reporting on this "tip" was overshadowed by the NCAA's billion-dollar March Madness bracket racket.

Poor graduation rates in the revenue sports of football and basketball are purposely hidden by aggregating graduation rates of athletes in all sports. Federal Graduation Rates of Division I basketball and football players are significantly below those of non-athlete students and athletes in other sports. Athletes of color are overrepresented in these populations and are more likely to receive waivers of the institution's normal academic standards for admission—a practice that not only puts them at a competitive disadvantage in the classroom, but also triggers a cycle of less demanding course and major selection as well as intense tutoring to keep athletes eligible for competition. All too often, these athletes either fail to graduate or they graduate with meaningless 'diploma-mill' degrees.

Reasonably high standards of admission have been a victim of the argument that standardized tests were unfair to minorities and/or poor students applying to elite schools. For example, the University of California System is considering dropping the College Board's SAT test as a requirement for admission notwithstanding the facts that the SAT is a fairly strong predictor of college performance when coupled with high school grades and that the College Board has redesigned the SAT test as well as introduced free online SAT tutoring with minorities and income inequality of the test takers in mind.<sup>16</sup>

It can also be argued that lower college admission standards begin with a pipeline of subpar K-12 graduates. America's entertainment and social media saturated K-12 students rank scandalously low on academic tests compared to their international peers—an inconvenient truth avoided by Washington politicians. The anti-testing trend tends to eliminate state requirements for end-of-course testing aimed at minimizing the graduation of students that are ill-prepared for college-level academics. "High schools confer diplomas that attest that a student can read, write and do math at a 12th-grade level when, in fact, most cannot. That means most high school diplomas represent fraudulent documents," says Walter Williams.<sup>17</sup> Shoehorning these unqualified, tuition-paying students into an educational regime with high standards leads to a need for expensive remedial education, their failure, or a lowering of standards.

Adding even more fuel to the fire of questionable, if not deceptive, admission practices at elite institutions are the following. First, an exposé by *The Wall Street Journal* revealed how these institutions purchased SAT-Takers' names and personal information from the College Board for forty-seven cents each.<sup>18</sup> These data were then used in a scheme to enhance the appearance of their school's exclusivity. The second was the action by the National Association for College Admission Counseling (NACAC) that removed several provisions from its Code of Ethics and Professional Practice that will likely provide the rich and famous the ability to secure early admission to elite institutions via incentives.<sup>19, 20</sup>

**ADMINISTRATIVE PROBLEMS** – The absence of strong institutional leadership on the part of presidents looms large as a major contributor to the problems in higher education. Unfortunately, the government's continuing subsidy of college sports via favorable tax policies aids and abets the position taken by institutions re: the financial value of the institution's sports business as well as its false claim that its athletes are primarily students.

Presidents regularly focus on fund raising and the growth of their institutions while protecting the status quo. Emeritus Professor William Dowling, recipient of The Drake Group's 2012 *Robert Maynard Hutchins Award*, provides a must-read, inside view of the modus operandi of today's school presidents.<sup>21</sup>

**WHERE ARE THE GOVERNING BOARDS?** – If not the institution's president, who then should be ultimately accountable for the plight of America's institutions of higher education? Simply stated, it's the institution's governing board of trustees/regents. Here, I find myself in complete agreement with Anne Neal's assertions in a 2011 *Wall Street Journal* op-ed,<sup>1</sup> to wit: "Reckoning must begin and end with the governing board. It is responsible for the actions of university leaders, and its members owe taxpayers and students accountability and transparency.....It is the governing board's duty to address competing priorities and to ensure that the distinctive educational purpose of the American university remains at the forefront of every other activity." Here is a portion of my related email message sent to Neal:

The PSU board was likely heavy with very wealthy boosters. These boosters did not act to restrain the out-of-control football program and PSU's over-dependence on its revenues. No doubt, a conspiracy of

silence existed among the board members—enabling Joe Paterno to reign supreme while the board members basked in the reflected limelight.

Sadly, most, if not all, big-time college and university boards are populated with very wealthy boosters whose donations buy power to corrupt by compromising their school's integrity and core academic values so as to compete at the highest level in the murky world of big-time collegiate athletics.

It is ironic that trustees, who have the duty as well as the ultimate authority to ensure that all of their institutions programs are conducted ethically and responsibly, can be faulted for some of the problems in higher education. Unfortunately, many institutions offer no training for new board members. As a consequence, trustees are willing to accept the prestige and perks, but seem to believe that they are only expected to make substantial financial donations, provide political influence, and certainly not make waves by interfering with academic or athletic operations.

Therefore, it is no surprise that, for the most part, trustees look the other way as they stay behind the mask of institutional maintenance as fiduciary guardians and protectors of their school's reputation as well as its optics—embracing a cover-up play book as applied to campus sexual assaults as well as the loss of academic integrity at schools that strive to win at any cost.

**WHERE IS THE OUTRAGE?** – America has the most to lose as it confronts new global realities with its colleges and universities prioritizing athletics over academics—primarily focusing on the pursuit of fame and fortune from sports entertainment programs—and outsized focusing on social justice issues, all the while handicapped by the public's continued obsession with sports entertainment. America's present-day position does not present a pretty picture.

With all of the above background in mind, some might feel that a special dose of outrage is required after they come to know what's really going on in America's elite institutions of higher education. However, it is a sad reality that many, if not most, Americans must not only see that the government's continuing subsidy of college sports via favorable tax policies is helping to fuel the destruction of what has been one of our nation's most precious resources, but have also become numb to abuse, cheating, incompetence, and corruption in their churches, businesses and government. The upshot is that this background material will likely not give rise to a special dose of outrage, but rather, could very well be taken as just another story in an ugly catalog titled "Who Cares?" Consequently, those that do care have a lot more work to do.

**SUGESTIONS FOR REMEDIAL ACTION** – So what can really be done to help right the institutional ship? Commercialized college sports with attendant academic corruption, high-risk drinking, and sexual abuse among students are complex problems at America's colleges and universities with no easy solutions. Mitigating these problems requires a coordinated effort from all leadership at the schools. Insurance and risk management are a crucial part of that approach, so too would be the school's governing board. It would seem that a first order of business for schools that want to mitigate their problems would be the education of its governing board; this so that board members know that they are to serve as stewards of the professed educational mission and values of their institution as well as work to foster its long-term viability. It's time for college trustees to better understand what should be expected of them.

A governing board can only navigate the treacherous waters in higher education if its leaders recognize the devastating long-term consequences of letting their institution's problems go unresolved, for example, by not taking corrective action on their own by exploiting all available resources to educate board members who then can go on to provide transformational leadership for institution-wide corrective action. Suggested reading could begin by reading Robert Zaretsky's essay, "How Football Can Wreck a University,"<sup>22</sup> to be followed by Chait,<sup>23</sup> Sperber,<sup>24</sup> Arum,<sup>25</sup> Salzberg,<sup>26</sup> as well as via ACTA publications, ([www.goacta.org](http://www.goacta.org)).

Also, stories and commentaries that provide insights into the negative impacts of college sports and college admission scams, are not only notable in their own right, but would prove extremely valuable in future broader, all encompassing, investigative reporting as well. It is suggested that serious consideration be given to such reporting on America's elite institutions of higher education—spanning the gamut of the deceptive, deceitful, and exploitive practices employed by excessively commercialized colleges and universities. Investigative organizations that come

to mind are *ProPublica* ([www.propublica.org](http://www.propublica.org)) and *Reveal* ([www.revealnews.org/](http://www.revealnews.org/)), as do investigative reporters such as Douglas Belkin, Taylor Branch, Jodi Cohen, Dan Golden, and Joe Nocera.

The reporting should definitely include but not be limited to the lack of transparency at an institution's sports entertainment business and the institution's admission practices—asking tough questions to determine the underlying reasons why the Arum-ACTA letter campaign spawned no apparent corrective actions. Resulting comprehensive, fact-based reports would not only be compelling reads, but could hopefully serve as game changers for higher education in America as well.

The outcome of reason-based discussions on what can be done about America's dilemma can be amplified by the media. The discussions could be initiated by the leaders of ACTA, The Drake Group (TDG), the College Sports Research Institute (CSRI), the National College Players Association (NCPA), and other reform-minded organizations at venues such as the annual *CSRI Conference on College Sport*.

**OUTLOOK FOR THE FUTURE** – It is most likely that the aforementioned suggestions involving action to be taken by colleges and universities will not be acted upon since most, if not all schools are very comfortable with the status quo. School administrators and trustees seem to believe that sports-related academic corruption is simply the cost of doing business in the extremely competitive world of higher education. After all, this way of thinking is rooted in the chaotic history of higher education in America. As painful and seemingly draconian as it may be, it would seem that coercion via government intervention is required.

Is it likely that any of this will happen? Don't bet on it. America's governmental agencies and institutions of higher education will probably muddle on as they have successfully done in the past. College and university leaders will continue using fixers, lawyers, and their enormous power – both political and financial – to deal with legal challenges brought forth by students, parents, and concerned citizens.

**THE LAST WORDS** – Muddle on, perhaps that's the best that can be expected from institutions fraught with human frailties that operate in a divided nation where its citizens are seemingly addicted to sports entertainment and gambling—prioritizing athletics over academics, but it really doesn't have to go on this way. The Drake Group has as its mission the defense of academic integrity in higher education from the corrosive impact of commercialized college sports. Future efforts by The Drake Group and ACTA could represent hope for breaking the NCAA stranglehold on higher education. Indeed, that would be a Grand Challenge.

The Drake Group is presently working to catalyze resolution of the many troubling problems and issues in college sports that have had a profound negative effect on American higher education. The Group envisions the first step in this process being a two year Congressional study to not only exhaustively identify these problems and issues, but also identify optimal remedial mechanisms. A Congressional bill that aims to do this has been filed as H.R. 5528, titled "Congressional Advisory Commission on Intercollegiate Athletics Act of 2019." Work is in progress to get as many Democratic and Republican members of the House of Representatives as possible to provide bipartisan support for the bill.

The very last words are simply these:

We need to wake up and face reality: higher education in America is declining relative to education in nations that prioritize academics over athletics."<sup>27</sup>

*Things fall apart; the center cannot hold;  
The best lack all conviction, while the worst  
Are full of passionate intensity.*

—William Butler Yeats, "The Second Coming," 1919

## NOTES & WEB LINKS

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