

## POSITION STATEMENT

### A CONTINUING DISGRACE – INTERCOLLEGIATE ATHLETICS RACE ISSUES

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## EXECUTIVE SUMMARY

The Drake Group believes that the commercialization of intercollegiate athletic programs has not only challenged the academic integrity of higher education but resulted in a predominantly White community of higher education administrators, athletic department administrators, coaches and staff turning a blind eye to the racism underlying the economic, education and other forms of exploitation harming college athletes. This in-depth review of current athletic program practices and national and conference governance association rules and policies reveals the manner in which racism is experienced by all stakeholders within this culture, how it is purposely hidden, and how it harms athletes and employees of color. The Drake Group proposes detailed recommendations which, if implemented, would begin to remedy this “continuing disgrace.” Recommendations include:

- A call for the NCAA to commission an “independent” comprehensive investigation of athletic program racism.
- Initiation of aggressive programs to recruit young minority athletes to participate in low minority-participation sports.
- Adoption of institutional hiring policies that maximize the number of minority candidates in applicant and finalist pools.
- Confrontation of internal athletic department racial microaggression and education of all stakeholders of diversity commitment.
- Elimination of the NCAA’s Graduation Success Rate and Academic Progress Rate as flawed academic metrics, enforcement of institutional and Federal Graduation Rate standards, transparency of a proper Coach Graduation metric, and enforcement of a minimum continuous athletic eligibility standard of a cumulative 2.0 GPA.
- Drastically reduce allowable hours for athletics-related activities
- Require mandatory five-year athletic scholarships.
- Require an institutional match for initial eligibility of high school graduates.
- Academic disclosure and peer review of educational outcomes by race/ethnicity.
- Adoption of a trauma informed mental health care strategy for athletes of color including first year screening and mental health education and mandatory employee mental health education and reporting.
- Establishment of conference diversity/equity/inclusion task forces to address racism and prejudiced behavior.
- Governance organization adoption of coach conduct standards, complaint procedures and investigation, adjudication and disciplinary processes to protect college athletes from abusive, racist and other behaviors that cause mental and physical harm.
- Required mental health screening of all injured athletes.
- Governance organization establishment of mental health service standards.
- NCAA leadership to increase diversity of athletics mental health practitioners.
- Establishment of professional ethics standards for sports psychologists.
- Call for institutions to fully support the rights of all athletes to freely express their concerns about racism
- Call for athletic department s to proactively identify, expose, and retire vestiges of racism and intentionally support the history and cultural identity of college athletes of color.
- Call for Congress to immediately act to guarantee full college athlete NIL rights, enact health and medical protection, and address the need for more comprehensive intercollegiate athletics reform to address issues of racism and educational exploitation.

# A CONTINUING DISGRACE – INTERCOLLEGIATE ATHLETICS RACE ISSUES<sup>1</sup>

## I. Introduction

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The Drake Group believes intercollegiate athletics<sup>2</sup> is frozen in a challenging disconnect between an anachronistic system of predominantly white intercollegiate athletic program administrations that continue to openly exploit Black<sup>3</sup> students who participate in revenue sports and an American population and undergraduate higher education environment that is increasingly less white/non-Hispanic and more Asian, Hispanic, and interracial. We examine whether athletes of color, especially those in revenue-producing or brand-enhancing sports, are being provided with a meaningful education. Why are they underrepresented in the vast majority of nonrevenue NCAA sports and overrepresented in basketball and football? To what extent are today's athletes of color experiencing forms of abuse from coaches and athletics staff analogous to historical mistreatment of marginalized or minority groups in our larger society? We believe that the impact of athletic program racism<sup>4</sup> on Black athletes and employees is neither acknowledged nor addressed. The Drake Group (TDG) reviews these issues and recommends how we can and must remedy serious deficiencies.

### **Recommendation 1.**

#### **The NCAA Should Initiate an Independent and Comprehensive Investigation into the Existence and Impact of Athletic Program Racism in College Athletics**

**As the largest national collegiate athletic governance organization that includes the most commercially successful athletic programs, the NCAA should commission an “independent” comprehensive investigation of athletic program racism. The study should identify the manner in which racism is experienced by athletes, athletics staff members, and followers, those practices which may perpetuate racism or abuse, and remedies which should be considered.**

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<sup>1</sup> Gill, E., Lopiano, D., Smith, B., Sommer, J., Gurney, G., Lever, K., Porto, B., Ridpath, D.B., Sack, A., Thatcher, S., and Zimbalist, A. (2021) The Drake Group Position Statement: A Continuing Disgrace – Intercollegiate Athletics Race Issues. Retrieve at: <http://thedrakegroup.org>

<sup>2</sup> This paper examines intercollegiate athletics and use of the term “athlete” or “college athlete” is limited to participants in the institution’s intercollegiate athletic program. Although many talented athletes participate in club sports, intramurals, and open recreation programs, these individuals are not the subject of this paper.

<sup>3</sup> When we use the terms “Black” or “Hispanic” or “Asian” or any other subset descriptor of a nonwhite population, we are referring to this specific minority segment as referenced by the data being cited. When we use the terms “athletes of color,” “employees of color,” or “persons of color,” we refer to all racial/ethnic minority subsets other than White/Non-Hispanic. When we use the term “Black and Brown,” “Latinx,” or other unique descriptors we are using the term as it was used in the literature we cite for this reference.

<sup>4</sup> Throughout this paper, our use of “racist” and “racism” is not intended to imply intentionality. Rather, we believe that differences in treatment based on race reflect a deep prejudice in our amazingly diverse American culture that has been unaddressed. When our society refuses to openly discuss stereotyping, discrimination, or antagonism directed at any marginalized or minority group and we remain isolated among homogeneous groups that reinforce such prejudice, we remain uneducated and unlikely to recognize our bias or remedy harmful behavior.

## II. Current and Future Race/Ethnic Composition of Higher Education in the United States

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The American population and undergraduate higher education environment continue to be increasingly less White/Non-Hispanic and more Asian, Hispanic, and interracial and this trend will continue. See Table 1 for details.

**Table 1. Racial and Ethnic Composition of the U.S. Population Aged 18 to 24 (2000 and 2017) and U.S. Higher Education Undergraduate Enrollment by Gender, Race, and Ethnicity (1976 and 2018)**

	U.S. Population Aged 18-24*		Male Undergraduates**		Female Undergraduates**	
	2000	2017	1976	2018	1976	2018
White Non Hispanic	62%	54%	85.30%	57.00%	83.10%	53.90%
Black	14%	14%	8.30%	11.50%	11.00%	14.70%
Hispanic	18%	22%	3.70%	19.10%	3.40%	19.90%
Asian/Pacific Islander	4%	6%	1.80%	7.30%	1.70%	6.80%
Amer. Indian/Alaska Native	1%	1%	0.70%	0.70%	0.70%	0.80%
2 or more races	1%	3%	---	3.90%	---	3.90%

\*SOURCE: U.S. Department of Commerce, Census Bureau, 2000 Population Estimates, retrieved August 14, 2012, from <http://www.census.gov/popest/data/national/asrh/2011/index.html>; and 2017 Population Estimates, retrieved September 5, 2017, from <https://www.census.gov/data/datasets/2016/demo/popest/nation-detail.html>. See *Digest of Education*

\*\*SOURCE: U.S. Department of Education, National Center for Education Statistics, Digest of Education Statistics, 2013, NCES 2015-011 (2015), Table 306.10, "Total Fall Enrollment in Degree-Granting Postsecondary Institutions, by Level of Enrollment, Sex, Attendance Status, and Race/Ethnicity of Student: Selected Years, 1976 through 2012" (<http://nces.ed.gov/fastfacts/display.asp?id=98>).and 2017 Population Estimates, retrieved September 5, 2017, from <https://www.census.gov/data/datasets/2016/demo/popest/nation-detail.html>. See *Digest of Education Statistics 2017*, table 101.20.

Complicating the culture and environment of higher education is a projected 15 percent decline in higher education enrollment starting in the mid-2020s primarily created by a decline in birth rates.<sup>5</sup> Institutions are facing at least a decade in which the potential pool of college applicants is smaller than the last. Although college attendance rates will continue to vary by parent education, family income, race/ethnicity, and geography, the predicted steady decline of enrollment will not affect all types of educational institutions equally. Experts project a continued demand to access flagship public and elite private four-year institutions during the 2020-2030 period. Although we do not yet have enrollment data that reflect the adverse economic impact of the pandemic, preliminary indications of enrollment decline

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<sup>5</sup> Grawe, N.D. (2018) *Demographics and the Demand for Higher Education*. Retrieve at: <https://jhupbooks.press.jhu.edu/title/demographics-and-demand-higher-education>

appear to reflect an unwillingness to embrace online pedagogy.<sup>6</sup> One bright spot on the horizon, accelerated by enrollment concerns, is that higher education appears to be embracing more holistic admissions standards rather than relying so much on racially biased standardized testing under the guise of “merit-based” admissions criteria.

Unfortunately, as the next sections reveal, intercollegiate athletics’ student and employee populations are not reflecting the diversity of their larger student and employee populations.

### III. Racial and Ethnic Composition of the College Athlete Population

The racial composition of the college athlete population is lagging behind the increased diversity of the student body. Table 2 below examines the racial and ethnic composition of NCAA college athletes by division and among all divisions:

**Table 2. Racial and Ethnic Composition: College Athletes Compared to Undergraduate Student Enrollment at NCAA Member Institutions<sup>7</sup> by Division (N=498,691) 2018-2019**

Racial/Ethnic Category	NCAA D-I, II, III		NCAA D-I		NCAA D-II		NCAA D-III	
	Undergrad Enrollment	Athletes	Undergrad Enrollment	Athletes	Undergrad Enrollment	Athletes	Undergrad Enrollment	Athletes
White/Non-Hispanic	55%	64%	55%	56%	51%	59%	58%	74%
Black	10%	16%	10%	21%	12%	19%	9%	10%
Hispanic/Latino	15%	6%	14%	5%	18%	7%	13%	6%
Two or more races	4%	4%	4%	5%	4%	4%	4%	3%
Non-Resident Alien	5%	4%	6%	6%	4%	6%	5%	1%
Unknown	3%	3%	2%	4%	6%	3%	3%	3%
Asian/Native Hawaiian/Pacific Islander	8%	2%	9%	1%	6%	1%	8%	3%
American Indian/Alaska Native	0%	1%	0%	1%	1%	1%	0%	0%
Total	100%	100%	100%	99%	102%	100%	100%	100%

*NCAA Demographics Database - 2018-19 data - Retrieve from <http://www.ncaa.org/about/resources/research/ncaa-demographics-database>*

While the larger higher education population is roughly 54% to 57% White/Non-Hispanic and 43% to 46% Non-White, data by NCAA competitive division and aggregated among all competitive divisions show a mixed picture of athlete racial composition. Athletes are predominantly White/Non-Hispanic in Division III (74%) and among all divisions (64%) and closer to the larger higher education population range in Divisions I (56%) and II (59%). Black athletes (10% to 21%) are overrepresented compared to their presence in the larger student body (9% to 12%).

<sup>6</sup> Juskiewicz, J. (July, 2020). Trends in Community College Enrollment and Completion Data, Issue 6. Washington, DC: American Association of Community Colleges. Retrieve at: [https://www.aacc.nche.edu/wp-content/uploads/2020/08/Final\\_CC-Enrollment-2020\\_730\\_1.pdf](https://www.aacc.nche.edu/wp-content/uploads/2020/08/Final_CC-Enrollment-2020_730_1.pdf)

<sup>7</sup> The NCAA is the largest national governance association for athletic programs at four-year institutions of higher education and the only association that tracks demographic composition with 1,091 members in 2020-21. Retrieve at: <http://www.ncaa.org/about/who-we-are/membership/composition-and-sport-sponsorship-ncaa-membership>.

However, data in Tables 3 and 4, which examine racial/ethnic data by gender and sport, reveal that Table 2 is deceiving. The overrepresentation of Black male athletes in four of the highest men's participation sports—basketball, football, indoor track and outdoor track—show the significant overrepresentation of Black athletes (see yellow highlighted rows), especially in the revenue-producing sports of basketball and football in all competitive divisions. Separating indoor and outdoor track is deceiving because, in reality, there is one track and field team with the same athletes participating in indoor and outdoor seasons. They are counted as separate sports because there is an NCAA championship in each season. Thus, Black male athletes are significantly overrepresented in 4 of 19 NCAA championship sports<sup>8</sup> and significantly underrepresented in all others.

**Table 3. Racial and Ethnic Composition of NCAA Male College Athletes by Sport, White/Non-Hispanic, Black, and Other (N=279,244), 2018-2019**

Division	DI-FBS-Power Five			DI-FBS-Group of Five			DI-FCS			DI-No Football			D-II			D-III		
Racial/Ethnic Category	White	Black	Other	White	Black	Other	White	Black	Other	White	Black	Other	White	Black	Other	White	Black	Other
Men's Baseball	78%	4%	17%	77%	5%	18%	74%	9%	17%	77%	4%	19%	77%	6%	18%	85%	2%	13%
Men's Basketball	26%	51%	23%	20%	59%	21%	23%	59%	18%	23%	54%	23%	33%	50%	17%	54%	33%	13%
Men's Cross Country	72%	6%	21%	67%	6%	26%	66%	14%	20%	69%	8%	22%	64%	12%	24%	78%	6%	15%
Men's Fencing	54%	2%	44%	50%	0%	50%	43%	3%	48%	61%	11%	28%	32%	0%	68%	59%	4%	37%
Men's Football	37%	46%	17%	33%	52%	15%	38%	48%	13%	0%	0%	0%	40%	46%	14%	62%	23%	15%
Men's Golf	66%	0%	33%	70%	0%	30%	71%	5%	25%	72%	1%	27%	71%	3%	26%	88%	0%	11%
Men's Gymnastics	65%	3%	31%	65%	8%	28%	89%	0%	16%	67%	25%	22%	0%	0%	0%	62%	5%	33%
Men's Ice Hockey	76%	1%	23%	73%	0%	27%	63%	0%	36%	65%	1%	34%	74%	1%	26%	79%	1%	20%
Men's Indoor Track	52%	26%	22%	51%	28%	21%	51%	30%	19%	55%	25%	20%	56%	25%	19%	69%	15%	16%
Men's Lacrosse	86%	3%	11%	86%	2%	11%	79%	4%	17%	82%	3%	16%	79%	5%	15%	87%	4%	9%
Men's Outdoor Track	52%	26%	22%	50%	28%	22%	52%	29%	18%	55%	23%	22%	52%	26%	21%	68%	16%	15%
Men's Rifle-CO-ED	39%	0%	39%	43%	0%	8%	49%	1%	0%	0%	0%	0%	53%	0%	11%	41%	7%	24%
Men's Skiing	38%	0%	62%	82%	0%	18%	71%	0%	29%	72%	0%	28%	66%	0%	34%	92%	0%	7%
Men's Soccer	52%	10%	38%	43%	10%	47%	52%	9%	38%	47%	10%	44%	44%	7%	49%	66%	9%	25%
Men's Swimming	68%	2%	30%	72%	1%	26%	72%	3%	25%	72%	1%	26%	68%	2%	30%	78%	2%	19%
Men's Tennis	45%	2%	53%	39%	2%	59%	37%	6%	58%	36%	0%	64%	34%	5%	61%	68%	4%	27%
Men's Volleyball	74%	4%	22%	64%	2%	34%	58%	3%	39%	75%	3%	22%	55%	5%	38%	70%	7%	23%
Men's Water polo	77%	1%	22%	68%	0%	32%	61%	0%	38%	68%	0%	31%	66%	3%	31%	69%	0%	31%
Men's Wrestling	70%	8%	22%	73%	10%	17%	76%	4%	20%	73%	6%	22%	71%	9%	19%	75%	7%	17%

NCAA Demographics Database - 2018-19 data - Retrieve from <http://www.ncaa.org/about/resources/research/ncaa-demographics-database>

Table 4 reveals that the same is true for Black female athletes. Black female athletes are overrepresented in 5 of 21 NCAA championship sports—basketball, indoor track, outdoor track, volleyball, and bowling—and significantly underrepresented in all others.<sup>9</sup> Only 83 of 1,100 NCAA member institutions sponsor women's bowling, which accommodates 783 female participants (Div. I-34

<sup>8</sup> Demographic data are only available for the 19 NCAA championship sports offered for men and not for six non-championship sports (bowling, equestrian, rowing, rugby, sailing, and squash) in which only 3,470 males, 1.2% of all male athletes (284,191), participated. Although NCAA championships are not offered in these six, they are offered by the nonschool national sport governing bodies in those respective sports.

<sup>9</sup> Demographic data are only available for the 21 NCAA championship sports offered for women and not for six nonchampionship sports (equestrian, rugby, squash, synchronized swimming, triathlon, and wrestling) in which only 2,546 females, 1.2% of all female athletes (221,041) participated. Although NCAA championships are not offered in these six, they are offered by the national sport governing bodies in those respective sports.

schools/325 athletes; Div. II-32 schools/302 athletes; Div. III-17 schools/158 athletes).<sup>10</sup> This is a traditionally Historically Black College and University (HBCU) sport.<sup>11</sup>

**Table 4. Racial and Ethnic Composition of NCAA Female College Athletes by Sport, White/Non-Hispanic, Black, and Other (N=219,447), 2018-2019**

Division	DI-FBS-Power Five			DI-FBS-Group of Five			DI-FCS			DI-No Football			D-II			D-III		
Racial/Ethnic Category	White	Black	Other	White	Black	Other	White	Black	Other	White	Black	Other	White	Black	Other	White	Black	Other
Women's Basketball	32%	45%	27%	25%	50%	24%	37%	44%	18%	33%	42%	24%	48%	34%	18%	68%	18%	15%
Women's Beach Volleyball	67%	3%	30%	63%	2%	35%	75%	8%	17%	66%	4%	31%	74%	5%	22%	79%	6%	15%
Women's Bowling	67%	0%	33%	68%	16%	16%	48%	37%	14%	59%	20%	22%	64%	22%	14%	88%	4%	8%
Women's Cross Country	76%	4%	21%	67%	7%	25%	70%	12%	18%	69%	7%	24%	67%	11%	23%	79%	5%	16%
Women's Equestrian	93%	0%	7%	90%	0%	10%	80%	1%	19%	97%	0%	3%	93%	0%	7%	85%	1%	11%
Women's Fencing	47%	2%	51%	59%	12%	29%	41%	3%	56%	57%	4%	40%	43%	3%	53%	43%	4%	53%
Women's Field Hockey	75%	2%	23%	78%	1%	21%	78%	1%	21%	69%	1%	31%	82%	2%	16%	87%	2%	11%
Women's Golf	47%	1%	53%	51%	0%	49%	59%	6%	35%	55%	3%	42%	69%	2%	29%	79%	2%	20%
Women's Gymnastics	62%	11%	27%	71%	8%	21%	63%	8%	29%	74%	4%	21%	74%	5%	21%	78%	6%	16%
Women's Ice Hockey	68%	1%	32%	35%	0%	65%	61%	0%	39%	52%	0%	48%	76%	0%	24%	88%	0%	12%
Women's Indoor Track	54%	23%	23%	48%	29%	23%	53%	29%	18%	55%	23%	22%	60%	22%	18%	74%	10%	15%
Women's Lacrosse	83%	2%	15%	88%	2%	10%	84%	4%	12%	87%	1%	11%	80%	5%	14%	85%	3%	12%
Women's Outdoor Track	53%	23%	24%	48%	29%	23%	53%	29%	18%	55%	22%	23%	57%	23%	20%	73%	10%	16%
Women's Rifle	92%	0%	8%	69%	0%	31%	68%	21%	11%	0%	0%	0%	60%	0%	40%	75%	0%	25%
Women's Rowing	75%	2%	23%	69%	3%	27%	68%	3%	29%	73%	2%	25%	71%	4%	26%	80%	2%	18%
Women's Rugby	0%	0%	0%	71%	23%	6%	57%	10%	32%	62%	15%	23%	40%	10%	51%	73%	9%	18%
Women's Skiing	52%	0%	48%	90%	0%	10%	72%	0%	28%	58%	0%	42%	66%	0%	34%	93%	0%	7%
Women's Soccer	66%	9%	25%	64%	6%	30%	68%	9%	23%	69%	5%	25%	71%	4%	25%	81%	3%	16%
Women's Softball	68%	6%	25%	69%	6%	25%	67%	12%	21%	71%	3%	25%	73%	7%	20%	83%	2%	15%
Women's Swimming	76%	1%	23%	70%	1%	29%	77%	2%	22%	75%	1%	23%	74%	1%	25%	81%	1%	17%
Women's Tennis	43%	5%	53%	34%	2%	64%	37%	9%	54%	38%	5%	56%	44%	7%	49%	74%	5%	21%
Women's Triathlon	64%	0%	36%	0%	0%	0%	85%	0%	15%	0%	0%	0%	71%	2%	27%	100%	0%	0%
Women's Volleyball	64%	14%	22%	63%	13%	23%	62%	20%	17%	63%	10%	27%	68%	13%	19%	78%	6%	15%
Women's Water Polo	70%	3%	27%	66%	1%	33%	68%	1%	31%	59%	1%	40%	68%	2%	31%	62%	1%	36%

NCAA Demographics Database - 2018-19 data - Retrieve from <http://www.ncaa.org/about/resources/research/ncaa-demographics-database>

The above participation data provide an important context for subsequent sections of this paper that explore the roots of Black athlete exploitation in the major men's revenue sports of football and basketball and racial/ethnic discrimination in the United States. Parents of Black athletes are more likely to play into the exploitive culture of college and professional sports when they see astronomical pro athlete salaries and Black participation that exceeds their proportion in the general population and know that traditional avenues of financial and career success like higher education and employment in many fields have been closed because of racial stereotyping and bias. They are also more likely to see college sports as a primary means of paying for college and giving their children the mobility that comes with a college degree. Indeed, "parents of African-American youth rated the pursuit of a college [athletic]

<sup>10</sup> Ibid.

<sup>11</sup> Fewer than 10 percent of all athletic programs across Divisions I, II, and III represent HBCUs, yet the schools make up 40 percent of women's collegiate bowling. Gordon, B. (2019) Kim Terrell-Kearney and Gazmine Mason trying to add some color to women's bowling. *TheUndeclared.com* (June 12, 2019) Retrieve at: <https://theundeclared.com/features/kim-terrell-kearney-and-gazmine-mason-trying-to-add-some-color-to-womens-bowling/>



scholarship as 23% more important and a pro sports opportunity as 26% more important than White parents, according to an Aspen Institute Project Play survey.<sup>12</sup>

Many sports with low minority participation are beyond the financial means of many lower-socio-economic households. Thus, unless the more expensive sports are sponsored by high schools or do not require year-round travel team participation to advance to more elite participation levels, minority participation in sports like equestrian, fencing, field hockey, golf, gymnastics, ice hockey, lacrosse, rowing, and skiing will be lower than their proportion in the larger population. It is more than the cost of travel teams or program fees that influence participation numbers. Transportation—the inability of families to transport kids beyond their immediate neighborhoods—is a major limiting factor. White children are 69% more likely to be driven to practice by their parents and three times more likely than Black children and four times more likely than Hispanic children to use taxis, Uber, Lyft, or other ride-sharing services.<sup>13</sup>

We must also consider the impact of predominantly White/Non-Hispanic coaches at the college level and the effect of racial discrimination as a significant factor in collegiate athletics recruiting, a factor that we address in the next section. It is a well-established fact that there are concentrations of minority participation in the so-called country club sports in various parts of the country. Serena and Venus Williams (the Williams sisters are famous professional tennis players) maintain a tennis academy in Los Angeles, and more than 200,000 kids in the 50 largest U.S. markets have access to free or low-cost tennis programs run by the National Junior Tennis and Learning network and the USTA Foundation.<sup>14</sup> The Peter Westbrook Foundation (Westbrook is a minority USA saber champion and Olympian) fencing academy in New York City is a similar epicenter producing numerous racial/ethnic minority college champions and USA national team members. Few realize that while there are over eight million high school athletes, there are only 630,000 college athletic opportunities at two-year and four-year institutions of higher education. Thus, only 8 percent of all high school athletes advance to college play. This is the recruiting pool. It is reasonable to ask whether predominantly White/Non-Hispanic college coaches are making the effort and commitment to reach out to these minority participation hubs that might not be in their traditional geographical recruiting areas.

### **Recommendation 2.**

#### **Initiate Aggressive Programs to Recruit Young Minority Athletes to Low Minority Participation Sports**

**National sport governing organizations should initiate a rule change allowing college coaches in low minority participation sports who conduct summer camps to provide camp scholarships to minority athletes in grades 9 through 12 who live within 30 miles of the camp and who have maintained a cumulative GPA of 3.0 or better. The NCAA should be encouraged to fund such outreach via the NCAA diversity initiative. National organizations should also initiate efforts to identify programmatic hotbeds**

<sup>12</sup> The Aspen Institute Project Play. (2020) Survey: African-American youth more often play sports to chase college, pro dreams. Retrieve at: <https://www.aspenprojectplay.org/national-youth-sport-survey/african-american-youth-more-often-play-sports-to-chase-college-pro-dreams>

<sup>13</sup> Ibid.

<sup>14</sup> Associated Press. (2018) Venus and Serena Williams help inspire diversity in tennis. Retrieve at: <https://www.usatoday.com/story/sports/tennis/2018/09/02/venus-and-serena-williams-help-inspire-diversity-in-tennis/37696635/>

of minority youth participation in sports in which they are underrepresented, encouraging their members to include such programs in their talent identification initiatives.

Increasing minority participation in country club sports will take more than college summer sports camps being able to offer scholarships to youth underrepresented in those sports or increased minority recruitment in sports in which athletes of color are underrepresented. The data are clear. Black and other athletes of color are underrepresented in some sports and overrepresented in others. Their financial exploitation is evident as is the fact that these revenues support the sports where they are underrepresented. And, on the other side of the coin, it is also evident that Black athletes in particular have been more attracted to the revenue sports because that is where the prospect of becoming a pro is most financially alluring and where they are sought after and valued despite exploitation, racism, and even abuse because doors to other careers and opportunities either are closed or represent pursuits in which they are more likely to experience the barriers of prejudice. Alas, we recognize that part of the remedy lies in rectifying the economic status of Black population in our country.

#### IV. Racial and Ethnic Composition of Coaches and Administrators

Table 1 revealed a stunning change in the ethnic/racial composition of students attending American higher education institutions from 84% White/Non-Hispanic in 1976 to 55% in 2018. Faculty diversity has not followed suit, with 2018 data showing that 75% of full-time faculty are White/Non-Hispanic. Movement toward more diversity among higher education faculty is slow because employment change is dependent on attrition and strong presidential leadership. Elevating the importance of diversity and inclusion is often obstructed by the vestiges of racism among the powerful and wealthy whose influence as donors and trustees has not supported the need for such change and whose lack of interest in turn influences the commitment of college presidents.

**Table 5. Percentage of Full-time Faculty at Degree-Granting Postsecondary Institutions, by Race and Ethnicity: 1993 Compared to 2018**

	1993 <sup>15</sup>	2018 <sup>16</sup>
White/Non-Hispanic	81%	75%
Black	4%	6%
Hispanic	3%	6%
Asian	5%	12%
Other	7%	1%

However, this foot-dragging is being challenged by the current considerable national unrest that is creating strong pressure to confront our nation's past and present pervasive racial injustices. Higher education is coming under increased scrutiny, not only to improve these numbers but also to play a leadership role. Larry E. Davis, founding director of the Center on Race and Social Problems and the founder and chairman of the editorial board of *Race and Social Problems*, has clearly issued the challenge:

<sup>15</sup> U.S. Department of Education, National Center for Education Statistics, Integrated Postsecondary Education Data System (IPEDS), "Human Resources Survey," Fall 1993. Retrieve at: <http://nces.ed.gov/ipeds/>.

<sup>16</sup> U.S. Department of Education, National Center for Education Statistics. (2020) *The Condition of Education 2020* (NCES 2020-144), [Characteristics of Postsecondary Faculty](#).

*We can make our higher education institutions places that provide the most equitable employment opportunities for people of color in America. It is ironic that while some now call for the elimination of the U.S. Postal Service, many Black people have found it to be, at one time, the most racially equitable employer in America. I propose that our colleges and universities now take on this mantle and lead the country in being the most racially equitable employers in our country. Our colleges and universities have the opportunity to become citadels of economic opportunity for racial minorities. They can aggressively reach out to potential workers of color, as well as serve as engines for job creation in their institutions.<sup>17</sup>*

Athletic departments will not be immune from such pressure, especially given their vulnerable position of being accused of racially exploitative practices in collegiate basketball and football programs, including athlete recruiting and hiring of coaches. Athletics will not pass muster because the data clearly reveal numbers lagging behind the 75 percent White/Non-Hispanic faculty. Just as athletics participants were significantly less diverse than their higher education classmates, athletics department professional employee ethnic composition is failing to keep pace with the changing racial/ethnic profile of higher education faculty. Tables 6 reveals those differences.

**Table 6. Gender, Racial, and Ethnic Composition of Selected Positions in NCAA Athletic Departments, 2018-2019 – Divisions I, II, and III Combined**

ALL DIVISIONS Position	White/Non-Hispanic			Black			Other		
	Total	Male	Female	Total	Male	Female	Total	Male	Female
Director of Athletics	85%	66%	19%	10%	8%	2%	4%	3%	1%
Associate Director of Athletics	84%	55%	29%	10%	6%	4%	5%	3%	2%
Assistant Director of Athletics	83%	55%	28%	9%	5%	4%	7%	5%	2%
Senior Woman Administrator	83%	0%	83%	12%	0%	12%	5%	0%	5%
Business Manager	83%	32%	51%	9%	3%	6%	8%	3%	5%
Development Manager	83%	54%	29%	9%	7%	2%	8%	4%	4%
Sports Information Director	91%	80%	11%	4%	3%	1%	5%	4%	1%
Compliance Coordinator	80%	38%	42%	12%	5%	7%	8%	4%	4%
Head Athletic Trainer	89%	61%	28%	4%	2%	2%	7%	5%	2%
Head Coach	85%	64%	21%	9%	7%	2%	6%	4%	2%
Assistant Coach	75%	53%	22%	16%	12%	4%	10%	7%	3%
Strength Coach	79%	67%	12%	12%	11%	1%	9%	8%	1%
NCAA Demographics Database - 2018-19 data - Retrieve from <a href="http://www.ncaa.org/about/resources/research/ncaa-demographics-database">http://www.ncaa.org/about/resources/research/ncaa-demographics-database</a>									

While the proportion of black professional employees in athletics is larger than the faculty population, the percent of all Non-White categories is significantly lower. Blacks in college athletics remain significantly underrepresented compared to their 14% proportion in the U.S. worker population in all professional

<sup>17</sup> Davis, L.E. (2020) Colleges Can Help Resolve Our Racial Crisis. *InsideHigherEd.com* (September 24, 2020) Retrieve at: [https://www.insidehighered.com/views/2020/09/24/colleges-must-work-establish-cultures-are-just-world-they-profess-value-opinion?utm\\_source=Inside+Higher+Ed&utm\\_campaign=83da3f9035-WNU\\_COPY\\_01&utm\\_medium=email&utm\\_term=0\\_1fcbc04421-83da3f9035-197583421&mc\\_cid=83da3f9035&mc\\_eid=17b542af8d](https://www.insidehighered.com/views/2020/09/24/colleges-must-work-establish-cultures-are-just-world-they-profess-value-opinion?utm_source=Inside+Higher+Ed&utm_campaign=83da3f9035-WNU_COPY_01&utm_medium=email&utm_term=0_1fcbc04421-83da3f9035-197583421&mc_cid=83da3f9035&mc_eid=17b542af8d)

positions except assistant coach, where a Black assistant coach of color is perceived to be critical to the recruitment of Black athletes.

When examining athletics department employee composition by competitive division (see Tables 7 through 9 below), Division I and II staff diversity is better than Division III in which the over 90% White/Non-Hispanic composition is striking.

**Table 7. Gender, Racial, and Ethnic Composition of Selected Positions in NCAA Athletic Departments, 2018-2019 – Division I**

<b>DIVISION I</b>	<b>White/Non-Hispanic</b>			<b>Black</b>			<b>Other</b>		
<b>Position</b>	<b>Total</b>	<b>Male</b>	<b>Female</b>	<b>Total</b>	<b>Male</b>	<b>Female</b>	<b>Total</b>	<b>Male</b>	<b>Female</b>
Director of Athletics	<b>79%</b>	69%	10%	<b>14%</b>	12%	2%	<b>6%</b>	5%	1%
Associate Director of Athletics	<b>84%</b>	58%	26%	<b>11%</b>	6%	5%	<b>5%</b>	3%	2%
Assistant Director of Athletics	<b>80%</b>	56%	24%	<b>13%</b>	6%	7%	<b>8%</b>	6%	2%
Senior Woman Administrator	<b>75%</b>	0%	75%	<b>20%</b>	0%	20%	<b>5%</b>	0%	5%
Business Manager	<b>81%</b>	34%	47%	<b>10%</b>	4%	6%	<b>9%</b>	4%	5%
Development Manager	<b>82%</b>	53%	29%	<b>10%</b>	7%	3%	<b>8%</b>	4%	4%
Sports Information Director	<b>90%</b>	78%	12%	<b>6%</b>	4%	2%	<b>4%</b>	3%	1%
Compliance Coordinator	<b>76%</b>	39%	37%	<b>15%</b>	7%	8%	<b>10%</b>	5%	5%
Head Athletic Trainer	<b>89%</b>	74%	15%	<b>5%</b>	3%	2%	<b>6%</b>	5%	1%
Head Coach	<b>80%</b>	61%	19%	<b>12%</b>	9%	3%	<b>7%</b>	5%	2%
Assistant Coach	<b>69%</b>	50%	19%	<b>21%</b>	16%	5%	<b>11%</b>	8%	3%
Strength Coach	<b>77%</b>	66%	11%	<b>27%</b>	13%	14%	<b>10%</b>	8%	2%

NCAA Demographics Database - 2018-19 data - Retrieve from

<http://www.ncaa.org/about/resources/research/ncaa-demographics-database>

**Table 8. Gender, Racial, and Ethnic Composition of Selected Positions in NCAA Athletic Departments, 2018-2019 – Division II**

<b>DIVISION II</b>	<b>White/Non-Hispanic</b>			<b>Black</b>			<b>Other</b>		
<b>Position</b>	<b>Total</b>	<b>Male</b>	<b>Female</b>	<b>Total</b>	<b>Male</b>	<b>Female</b>	<b>Total</b>	<b>Male</b>	<b>Female</b>
Director of Athletics	<b>82%</b>	68%	14%	<b>13%</b>	10%	3%	<b>5%</b>	4%	1%
Associate Director of Athletics	<b>84%</b>	51%	33%	<b>9%</b>	4%	5%	<b>6%</b>	4%	2%
Assistant Director of Athletics	<b>82%</b>	51%	31%	<b>10%</b>	6%	4%	<b>8%</b>	6%	2%
Senior Woman Administrator	<b>81%</b>	0%	81%	<b>14%</b>	0%	14%	<b>6%</b>	0%	6%
Business Manager	<b>82%</b>	54%	28%	<b>11%</b>	8%	3%	<b>7%</b>	6%	1%
Development Manager	<b>82%</b>	54%	28%	<b>11%</b>	8%	3%	<b>7%</b>	6%	1%
Sports Information Director	<b>86%</b>	80%	6%	<b>7%</b>	5%	2%	<b>8%</b>	7%	1%
Compliance Coordinator	<b>77%</b>	33%	44%	<b>15%</b>	6%	9%	<b>8%</b>	4%	4%
Head Athletic Trainer	<b>86%</b>	55%	31%	<b>5%</b>	2%	3%	<b>10%</b>	7%	3%
Head Coach	<b>81%</b>	64%	17%	<b>11%</b>	8%	3%	<b>8%</b>	6%	2%
Assistant Coach	<b>69%</b>	50%	19%	<b>17%</b>	13%	4%	<b>13%</b>	9%	4%
Strength Coach	<b>80%</b>	71%	9%	<b>9%</b>	8%	1%	<b>11%</b>	9%	2%

NCAA Demographics Database - 2018-19 data - Retrieve from

<http://www.ncaa.org/about/resources/research/ncaa-demographics-database>

**Table 9. Gender, Racial, and Ethnic Composition of Selected Positions in NCAA Athletic Departments, 2018-2019 – Division III**

DIVISION III Position	White/Non-Hispanic			Black			Other		
	Total	Male	Female	Total	Male	Female	Total	Male	Female
Director of Athletics	92%	63%	29%	5%	3%	2%	2%	2%	0%
Associate Director of Athletics	92%	46%	46%	5%	3%	2%	3%	1%	2%
Assistant Director of Athletics	92%	55%	37%	3%	2%	1%	3%	2%	1%
Senior Woman Administrator	91%	0%	91%	5%	0%	5%	4%	0%	4%
Business Manager	91%	32%	59%	3%	1%	2%	5%	1%	4%
Development Manager	92%	60%	32%	5%	4%	1%	3%	1%	2%
Sports Information Director	96%	84%	12%	2%	1%	1%	3%	2%	1%
Compliance Coordinator	91%	41%	50%	6%	2%	4%	2%	1%	1%
Head Athletic Trainer	92%	55%	37%	2%	1%	1%	6%	3%	3%
Head Coach	91%	67%	24%	5%	4%	1%	4%	3%	1%
Assistant Coach	84%	58%	26%	9%	7%	2%	7%	5%	2%
Strength Coach	88%	69%	19%	6%	5%	1%	5%	5%	0%

NCAA Demographics Database - 2018-19 data - Retrieve from  
<http://www.ncaa.org/about/resources/research/ncaa-demographics-database>

The NFL's experience with the Rooney rule, and any policy specifying that a minimum of one minority should be advanced to any finalist pool, is an invitation to practice tokenism. There is no NCAA policy addressing this issue, and the NCAA claims it is the responsibility of the member institution and not the governing organization to do so. In 2016, the NCAA adopted its own version of token action by asking member schools and conferences to sign the following optional "Pledge and Commitment to Promoting Diversity and Gender Equity in Intercollegiate Athletics":

*Consistent with our mission and values, our institution, a member of the National Collegiate Athletic Association, pledges to specifically commit to establishing initiatives for achieving ethnic and racial diversity, gender equity and inclusion, with a focus and emphasis on hiring practices in intercollegiate athletics, to reflect the diversity of our membership and our nation.*

*We recognize and value the experiences individuals from diverse backgrounds bring to intercollegiate athletics. To that end, we will strive to identify, recruit and interview individuals from diverse backgrounds in an effort to increase their representation and retention as commissioners, athletics directors, coaches and other athletics leadership positions. As part of this commitment, we will also engage in a regular diversity, inclusion and equity review to inform campus policy and diversity initiatives.*

*We understand this to be a collective responsibility we owe to student-athletes, staff, our athletics programs and the entire campus community.<sup>18</sup>*

It appears that the West Coast Conference (11 member institutions with 11 white presidents and 11 white athletic directors) and the Great Lakes Valley Conference (13 white presidents and 14 white

<sup>18</sup> National Collegiate Athletic Association. (2016) NCAA Presidential Pledge. Retrieve at:  
<http://www.ncaa.org/about/resources/inclusion/ncaa-presidential-pledge>

athletic directors) are the only NCAA conference members that have adopted minority recruitment policies. Their adoption of the “Russell Rule” requires each member to include “a member of a traditionally underrepresented community in the pool of final candidates for every athletic director, senior administrator, head coach and full-time assistant coach position” and to annually report diversity progress.<sup>19</sup> While more positions are included than the NFL’s Rooney Rule, the obligation to advance only one minority candidate does not remove the temptation of tokenism. Several coaches and women’s organizations have endorsed the policy but, as of the date of this paper, no other institutions or conferences have followed suit.

Key to solving the issue of tokenism is to (1) recognize the research demonstrating the inclination of hiring managers to choose employees that look like them, thus the need to ensure there is diversity among hiring managers, (2) understand that the hiring system involves multiple steps and, therefore there is a need within each step, to address achieving a critical mass of minority applicants (rather than “one”), and (3) make sure the diverse pool is consistent with regard to applicant quality. Tokenism is the result of a system that allows low numbers of minority applicants coupled with failure to recruit highly qualified minority applicants within the marketplace. Thus, any athletic department policy intended to move the diversity needle must take a comprehensive approach to hiring that includes policy requirements for a critical mass of minorities on search committees, among all position applicants prior to closing a position, and for more than one minority applicant being advanced for finalist consideration.

### **Recommendation 3.**

#### **Adopt Comprehensive Hiring Policies That Maximize the Number of Minority Candidates in the Applicant and Finalist Pools**

The Drake Group believes that institutional policies must adopt aggressive minority hiring policies in order to realize success:

- Athletic departments should compile and publicly post annual staff diversity reports.
- Athletic directors should annually review the minority (gender, race/ethnicity, etc.) composition of the athletics staff at every level via end-of-year annual evaluation meetings with each supervisory staff member responsible for hiring (e.g., senior cabinet, head coaches, assistant athletic directors, etc.). The annual evaluation of supervisors should include measuring diversity progress of their respective staffs as an evaluation criterion, jointly setting goals for increasing minority hires, and reviewing succession plans for each staff member supervised.
- The athletic director should share and discuss an annual report on the minority composition of each sports program and administrative unit at least once a year at a staff meeting devoted to review of department hiring policies and successful marketplace identification, cultivation, and recruiting practices to be used in the development of succession plans.
- All department search committees should consist of a majority of minority members by policy.
- The current occupant of each supervisory position should be required to have a succession plan that includes a sufficient number of minority prospects for each staff member supervised.
- Hiring supervisors should be expected to recruit from the marketplace, soliciting minority applicants, rather than depend on paper applications.

<sup>19</sup> West Coast Conference. (August 3, 2020) The Russell Rule: West Coach Conference Diversity Hiring Commitment. Retrieve at: <https://wccsports.com/news/2020/8/2/general-russell-rule-diversity-hiring-commitment.aspx>; see also Reid, A.A. (November 21, 2020) NFL Does Little, NCAA Does Nothing to Increase Minority Hires. Retrieve at: [http://www.stlamerican.com/sports/sports\\_columnists/sports\\_eye/nfl-does-little-ncaa-does-nothing-to-increase-minority-hires/article\\_a3b3217a-2c49-11eb-bdf4-0fdc5913e65e.html](http://www.stlamerican.com/sports/sports_columnists/sports_eye/nfl-does-little-ncaa-does-nothing-to-increase-minority-hires/article_a3b3217a-2c49-11eb-bdf4-0fdc5913e65e.html)

- **By policy, position availability should be widely known to minority communities.**
- **Before a position is closed, the athletic director should meet with the hiring supervisor to review all applications to ensure a sufficient number and quality of minority applicants prior to formally closing the position.**
- **By policy, at least half of the applicants advanced to finalist status should be minority applicants.**
- **By policy, the athletic director should be involved in all finalist interviews of all professional positions.**

Further, contrary to the NCAA's position, TDG believes that both national athletic governance associations and conferences have an obligation to address diversity by adopting policies required of all members. For example, national and conference organization distribution of funds to members or conditions of membership can easily be conditioned on member institutions having diversity policies and plans in place, annually reporting both athlete and employee diversity statistics, or requiring regular external reviews of diversity.

In addition to fixing the hiring system, athletic departments must address the significant challenges confronted by minority administrators and coaches faced with a majority white male culture that has not been sensitive to minority needs. In a 2020 study of Black senior-level athletics administrators at FBS institutions, Howe and Rockhill<sup>20</sup> pointed to the plight of individuals who, in many cases, were hired to advance the minority voice, including:

- Because these minority administrators "recognize their opportunities are limited and they are less likely to receive a second chance when compared to their White counterparts," there is an "increased pressure to be perfect."
- They were the only minority or one of few of their race within the athletic department and often the lone minority in important decision-making committees/groups.
- "Black administrators experience prejudices and racism from critical stakeholders invested in the institutions" (e.g., white coaches, administrators, athletes, and others within the predominantly white institution) in the form of racial microaggressions.
- The racism and microaggressions<sup>21</sup> that occur are often camouflaged as simple mistakes, or covert racism, by the guilty parties.

It is clear that predominantly white athletic departments must go beyond hiring to address these real barriers to integration and acceptance. Systemic racism is revealed in many ways. Black coaches are seldom given second opportunities at other schools compared to their White counterparts.<sup>22</sup> Black

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<sup>20</sup> Howe, J.E., and Carter, C.A. (2020) Feelings That Others Won't Necessarily Have: Experiences of Black Athletic Administrators Navigating the Collegiate Athletic Setting. *Journal of Issues in Intercollegiate Athletics*. 13: 170-188.

<sup>21</sup> Microaggression is a term used to describe subtle, indirect, or unintentional discrimination against members of minority groups that take the form of statements, actions, incidents, and insensitive comments (e.g., "you don't look like you are gay," "you are lucky to be Black, it's easier to get into college," to a woman, "you have such a great body," inviting members of a group to a social event and leaving out minorities in the group, minorities overhearing comments between friends like "she's a bitch," "he's a stud," etc.

<sup>22</sup> Schrottenboer, B. (November 19, 2020) Plenty of white coaches get recycled in college football, but only four Black head coaches in history have been rehired in the Power Five conferences. *USA Today*. Retrieve at:



coaches are hired as recruiters to be sure they are assets in the recruiting of Black athletes, rather than being placed in coaching positions that lead to head coach or offensive/defensive coordinator positions.

Although coach abuse of Black or minority athletes is discussed later in this paper, this is also an employment issue. Professional misconduct, including acts of racism and racial microaggression, must be confronted. Employees cannot be allowed to feign lack of awareness or profess “a simple mistake.” That is why racial sensitivity education and employee misconduct policies must specifically state that such acts are cause for disciplinary action up to and including termination of employment. National collegiate athletic governance organizations also have an important role to play in confronting this issue by promulgating coaching codes of conduct that include more than sportsmanship platitudes. Adoption and enforcement of such codes should be conditions of national governance association membership. Antiracism values must be more than voiced. They must be institutionalized by written employment policy.

#### **Recommendation 4.**

##### **Confront Internal Racial Microaggression and Educate All Stakeholder Groups on Diversity Commitment**

**Athletics administrators must invest in staff antiracism training, install more intentional induction processes that purposefully include minorities in social networks and assign mentors, and include diversity within position statements and other communications that reach fans and donors, thereby extending this educational process to other stakeholder groups.**

## **V. Education – Mechanisms of Racism and Educational Exploitation**

### **A. Institutional Awareness of Racism and Academic Fraud**

Prospective athletes, their parents, the general public, and higher education officials understand that college coaches recruiting high school athletes are “selling” the opportunity to combine their love of the pursuit of excellence in sport with a bona fide college education. This is a promise fulfilled by many institutions, but often not by many universities with highly commercialized basketball and football programs. At these institutions, coaches dangle the carrot of a stepping stone to professional sports riches and the promise of a bona fide baccalaureate degree, but their realization is fulfilled by very few of these institutions. It is also a matter of common knowledge among college athletes and their families that accepting an athletic scholarship or a favorable financial aid package to participate in these highly competitive sport programs may involve a “devil’s bargain”—a school mostly fulfilling its athletics promise but sacrificing educational promises. Athletes and their families are also fully aware that athletes will be most likely to suffer physical, psychological, and emotional abuse in silence. If a victim of academic fraud, the athlete will not speak out for fear of losing his or her athletic scholarship, a starting position, and the skill development attention of the coaching staff. This silence is perceived as a small price to pay for the sliver of a chance to enter the professional athlete ranks, the status of momentary campus fame, and privileged access to lavish athletic facilities and training tables. Some parents fear losing their status among their friends—bragging rights related to their children being on athletic scholarship. And, for some, being silent is a small price to pay for an expensive college education. This “devil’s bargain” is prevalent

<https://www.usatoday.com/in-depth/sports/2020/11/19/black-college-football-coaches-seldom-get-second-chances-power-five/6270750002/>



among the 130 institutions in the NCAA's Football Bowl Subdivision that are dependent upon multimillion-dollar revenues from the sale of television rights for basketball and football games and that are engaged in an uncontrollable and unsustainable "arms race." It also exists at any NCAA, NAIA, or NJCAA school that places a high emphasis on success in one or two sports and puts pressure on coaches to win.

College presidents and athletic administrators are fully aware of this morally wrong "bait and switch"—promise everything during recruitment, get the prospect's signature on the dotted line of a National Letter of Intent, and then do whatever it takes to win once the talent is on campus, including the withdrawal of all promised and fraudulent deliverables. They know that 56 percent of Division I men's basketball and 49 percent of Division I football participants are Black with small minorities of White/Non-Hispanic athletes. They give their full approval to waivers of normal admissions standards to enable the admission and exploitation of highly talented but academically ill-prepared Black athletes. They know that excessive athletics time demands reduce athletes' time to study or sleep and recover. They know that abusive or manipulative treatment affects the mental health and well-being of these athletes. They are aware that academic counselors are pushing athletes into less challenging courses and majors and classes that don't conflict with team practices. They understand the pressure on tutors to keep athletes academically eligible by threading the needle between proper and improper assistance. They are fully aware that the financial and alumni pressure to win demands their silence because they fear that powerful donors and members of boards of regents/trustees will withdraw their support and put their personal positions and salaries and the financial well-being of the institution or athletic department at risk. Yet college presidents and athletic administrators are complicit in their silence. They don't say a word objecting to the abusive treatment of powerful coaches or the seven- and eight-figure salaries, with extensive perquisites, paid to them. Indeed, 80 percent of all Division I college presidents publicly confess they cannot control their athletic programs.<sup>23</sup>

The NCAA is also complicit through the advancement of an academic metrics system that is purposefully intended to inflate the perception of academic success, hide embarrassing data that would reveal huge education failures affecting Black athletes in football and basketball, and intentionally prevent the comparison of athlete academic performance with that of the general student body. Throughout this section we reiterate the prior work of The Drake Group related to metrics being used to measure academic success and to determine initial eligibility and progress toward degree.<sup>24</sup> The policies and practices that advance exploitation of college athletes for their revenue-producing or alumni-pleasing possibilities are numerous, purposely deceiving, and must be revealed. Solutions must be real and morally defensible. In the next section we address how the promise of an education has been undermined and must be remedied.

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<sup>23</sup> Knight Commission on Intercollegiate Athletics. (2009) Quantitative and Qualitative Research with Football Bowl Subdivision University Presidents on the Costs and Financing of Intercollegiate Athletics Report of Findings and Implications. Retrieve at:

[http://www.knightcommissionmedia.org/images/President\\_Survey\\_FINAL.pdf](http://www.knightcommissionmedia.org/images/President_Survey_FINAL.pdf). It is likely that this lack of presidential control ability has only grown worse since 2009.

<sup>24</sup> See Gurney, G., Lopiano, D., Snyder, E., Willingham, M., Meyer, J., Porto, B., Ridpath, D.B., Sack, A., and Zimbalist, A. (2015; revised 2017, 2019) The Drake Group Position Statement: Why the NCAA Academic Progress Rate (APR) and Graduation Success Rate (GSR) Should Be Abandoned and Replaced with More Effective Academic Metrics. Retrieve at: <https://www.thedrakegroup.org/wp-content/uploads/2015/06/Academic-Metrics-Position-Paper-REVISED-Nov-2019.pdf>; Gurney, G., Willingham, M., Lopiano, D., Porto, B., Ridpath, D.B., Sack, A., and Zimbalist, A. (2015) The Drake Group Position Statement: Freshmen Ineligibility in Intercollegiate Athletics. (April 20, 2015). Retrieve at: <https://www.thedrakegroup.org/wp-content/uploads/2019/06/tdg-freshman-ineligibility-position-paper.pdf>

## B. Hiding Athlete and Minority Athlete Graduation Rates—Why the NCAA Graduation Success Rate (GSR) Must be Discarded

A graduation rate metric is useful only if it enables a comparison of the graduation of athletes compared to nonathletes. The math for the Federal Graduation Rate is simple. The Federal Graduation Rate (FGR) computes the number of students who enter the institution as full-time students in September of every year and then determines the number of students in that cohort who graduate six years later at that institution. Then the graduation rate of students can be compared with those who participated in athletics and received athletic scholarships. The Federal Graduation Rate (FGR) permits this comparison. The NCAA Graduation Success Rate (GSR) does not allow a comparison with nonathlete students because it significantly changes the original FGR scholarship athlete cohort by allowing removal of transfers out (dropouts and stopouts), addition of transfers in and the counting of non-athletic scholarship recipients (Ivy League and military academies) as scholarship athletes. The institution which recruited and enrolled the athlete is not held accountable for those who leave the college. The result is a mathematically flawed overcompensation bias and purposefully<sup>25</sup> deceiving graduation rate metric that produces GSR rates that are estimated significantly higher percentage points higher than the FGR for the following reasons:

1. The GSR does not count “Left Eligibles” in the numerator or denominator. The GSR *does not count* any athlete who leaves the institution and would have been eligible to participate if he or she stayed (termed “left eligible” or “LEs”) whether those athletes transferring out actually enrolled in another institution. By eliminating LEs who simply dropout from their institutions, which lowers the denominator, graduation rates are deceptively inflated. No effort is made to examine who these students are (sport, race, gender, etc.) or their experiences in intercollegiate athletics that caused their departures. Here is an example of what happens. The cohort comprised of the 2017-2020 classes (the latest available GSR calculation consisting of athletes who entered six years previously) had a total number of 124,931 enrolled athletic scholarship athletes and the reported GSR was a whopping 90% (an estimated 112,438 of the 124,931). This dataset deleted 25,637 LEs.<sup>26</sup> If we return this liability to the total enrollment denominator, the NCAA’s reported 90% graduation rate becomes an estimated 74.6% percent. Thus, the inclusion of LEs who do not enroll in another institution and unaccounted for inflates the GSR by 15.4 percent. The NCAA considers LEs as “likely transfers”. The TDG considers this group as dropouts that is consistent with the Federal definition of students who leave the institution.<sup>27</sup>
2. In addition to the 15.4% GSR-compared-to-FGR inflation effect described above, we estimate that the GSR is further inflated by another 10% by the inclusion of all Ivy League and military service academy athletes in the GSR which is supposed to include only those athletes who receive athletic

<sup>25</sup> The NCAA is aware of these deficiencies and has not addressed them.

<sup>26</sup> Gurney, G., Eckard, W., and Southall, R. See Gurney, G., Lopiano, D. Snyder, E., Willingham, M., Meyer, J., Porto, B., Ridpath, D.B., Sack, A., and Zimbalist, A. See Gurney, G., Lopiano, D. Snyder, E., Willingham, M., Meyer, J., Porto, B., Ridpath, D.B., Sack, A., Zimbalist, A., and Southall, R. (January, 2018) *The Hoax of NCAA Graduation Rates. Legal Issues in Collegiate Athletics*. Hackney Publications.com. The authors based their calculations on data from the NCAA GSR table in NCAA Research, “Trends in Graduation Success Rates and Federal Graduation Rates at NCAA Division I Institutions” (November 2016), p. 5, retrieve at: [http://www.ncaa.org/sites/default/files/2016RES\\_GSRandFedTrends-Final\\_sc\\_20161114.psf](http://www.ncaa.org/sites/default/files/2016RES_GSRandFedTrends-Final_sc_20161114.psf); See also Sack, A., and Gurney, G. (2019) *The NCAA’s Miraculous Graduation Rate!* *Sports Business Journal*. May 6, 2019. Retrieved at f: <https://www.sportsbusinessjournal.com/Journal/Issues/2019/05/06/Opinion/SackGurney.aspx>

<sup>27</sup> [https://ncaaorg.s3.amazonaws.com/research/gradrates/RES\\_HowGradRateCalculated.pdf](https://ncaaorg.s3.amazonaws.com/research/gradrates/RES_HowGradRateCalculated.pdf)

scholarships. The FGR considers these Ivy/military academy athletes as “enrolled students” rather than scholarship athletes because their institutions do not offer athletic scholarships. When Ivy League and military service academy athletes numbering approximately 10,091 and graduating at 90 to 95 percent rates are included in the GSR as scholarship athletes,<sup>28</sup> the impact of their inclusion is estimated at 8%.

Bottom line, the NCAA created an opaque graduation metric that could not be compared to the non-athlete student body, produces a more favorable, albeit mathematically biased graduation rate for college athletes and effectively disguises the lower graduation rates of Black athletes. By not identifying the racial composition of LEs, the public may never know the attrition rates of Black athletes. The NCAA consistently conceals data to enable independent researchers to replicate their graduation metric and simply expect their fantastic graduation rates to be accepted without scrutiny.

As Gurney, Eckard, and Southall explain, transferring out athletes encourages gaming of the system because retention is not important and absolves original schools of their responsibility to graduate the athletes they recruit.<sup>29</sup> Equally distressing is that athletic programs with the most financial resources can manipulate the GSR to their advantage. For instance, an institution can push out an unwanted (from a talent perspective) and academically weak basketball or football athlete by combining a threat with an incentive. The institution informs the player that it will not renew his or her financial aid unless the athlete attends summer school and raises a deficient GPA enough that the current institution will not lower its GSR (transfers out who are academically eligible are removed from the GSR calculation). Also, the institution benefits by not suffering an APR point loss. This ploy is most prevalent in football and men’s basketball, sports in which recruiting underprepared<sup>30</sup> athletes is common owing to the financial payoff from winning. Even without such summer school and transfer shenanigans, richer athletic programs can afford a cadre of academic support staff devoted to keeping athletes eligible to play. The incentive for the athlete to leave eligible is largely related to financial aid and the ability to qualify for immediate competition under the recently passed legislation for a one-time transfer exception for all sports.<sup>31</sup>

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<sup>28</sup> UniversityStats.com for Ivy League retrieve at: <https://www.univstats.com/comparison/ivy-league/graduation-rate/> and for military academies retrieve at: <https://www.collegetuitioncompare.com/edu/197036/united-states-military-academy/graduation/>

<sup>29</sup> Ibid.

<sup>30</sup> We use this term to refer to athletes with a broad range of academic capabilities whose commonality is that they do not meet the published academic admissions standards of the institution that specially admits them, knowing they are likely to be disadvantaged in the classroom that includes better prepared students. To the extent that this group includes athletes with significant reading and math deficiencies, deficits that can only be overcome with significant remediation, we believe that failure to provide such remediation and reduce athletics time commitments to maximize academic efficacy represents an ethically indefensible and exploitative practice.

<sup>31</sup> NCAA rule 14.5.5.2.10 One-Time Transfer Exception

**Recommendation 5.**  
**The NCAA's Graduation Success Rate Is Flawed and Should be Abandoned**

The NCAA should discard the GSR as a metric based on its deceptive statistical reliability and validity. The NCAA should not invent its own academic metric designed to portray the academic performance of athletes in a better light than the data support. The NCAA must follow its own statement of sound academic principles by using “*consistent standards adopted by the institution*” for the student body in general. Higher education should commit to measuring the academic success of athletes and nonathletes by means of the same instrument available—the FGR. The GSR has no non-athlete comparator; therefore, it prohibits a comparison to college athlete peers.

**C. Academic Progress Rate—A Failed Academic Metric Disproportionately Affecting Black Athletes**

Established in 2003 and enforced beginning in 2005, the Academic Progress Rate (APR) is a direct measure of retention and an indirect measure of scholarship athletes’ academic eligibility, including both minimum grade point average and satisfactory progress toward a degree. The APR is not a measure of academic success or the quality of education received by individuals or teams. It is a real-time predictor of GSR, the NCAA’s inflated graduation metric. “Each student-athlete receiving athletically related financial aid earns one retention point for staying in school and one eligibility point for being academically eligible. A team’s total points are divided by points possible and then multiplied by one thousand to equal the team’s Academic Progress Rate score.”<sup>32</sup> Teams failing to achieve the minimum APR requirement, which has been increased from an initial standard of 900 to 930 in 2014-15, may be declared ineligible for post-season championship play,<sup>33</sup> and a three-level penalty system corresponding to each consecutive year in which the benchmark is unmet is imposed. APR penalties, which may include ineligibility for NCAA post-season play and the financial rewards generated therefrom, routinely and disproportionately impact teams at HBCU institutions, which comprise 23 (6.6%) of the 350 Division I member institutions.<sup>34</sup>

Thus, like the GSR, the APR is flawed in that athletic programs with significant financial resources are better able than less affluent institutions to keep athletes eligible through manipulation of the existing rules. Larger, wealthier institutions also provide additional course offerings, which may allow for an easier pathway to a degree at such institutions. For large-roster teams like football, affluent institutions can increase their APR scores by recruiting some academically gifted players to compensate for those who are not. The NCAA has received heavy criticism about the lack of affluent, high-profile Football Bowl Subdivision teams among those penalized for failing to meet the APR benchmark while disproportionately punishing low resource institutions and HBCUs. Besides directing athletes to easy courses and majors and providing excessive tutoring help, these institutions manipulate the APR by means of:

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<sup>32</sup> National Collegiate Athletic Association. (2015) Frequently Asked Questions About Academic Progress Rate. Retrieve at: <http://www.ncaa.org/about/resources/research/frequently-asked-questions-about-academic-progress-rate-apr>

<sup>33</sup> It should be noted that an institution can appeal this penalty due to unusual circumstances.

<sup>34</sup> National Collegiate Athletic Association. (2018-19) Academic Progress Rate database. Retrieve at: <https://web3.ncaa.org/aprsearch/aprsearch>

- **Extensive Use of Summer School Financial Aid.** Liberal use of summer school financial aid to boost athlete GPAs and ensure that transfers leave with GPAs that do not cause APR point losses is commonplace among the highly resourced FBS institutions, but less of an option for the HBCUs and smaller Football Championship Subdivision and Division I nonfootball institutions.
- **Learning Disability and Other Waivers.** Athletes who fail to meet initial eligibility standards and can demonstrate a learning disability will often be exempt from meeting standard initial eligibility requirements through an initial eligibility waiver. The NCAA may also waive the requirement to maintain a full-time academic load of 12 credit hours. A successfully written progress-toward-degree waiver can often allow athletes with certified learning disabilities who fail to meet NCAA standards to be granted continuing eligibility by passing enough degree-applicable credit hours. It takes highly skilled staff to maximize these opportunities. Gurney and Southall revealed that institutions that were successful utilizing these waiver and exception strategies for gaming the APR penalty system were those with the financial resources to employ large numbers of compliance staff writing waivers:

*Navigating this educational landscape is a bureaucratic challenge for many NCAA institutions. However, the disparity between compliance staffing at FBS schools and "limited-resource" HBCU institutions is enormous...*

*As a result of their personnel largesse, "un-limited-resource" institutions have staff whose primary duties involve writing admissions waivers and exceptions, as well as monitoring athletes' satisfactory progress toward degree. At one Big 12 institution, a typical year's waiver writing assignments for a compliance attorney included one initial eligibility waiver and up to seven reduced-hour or other progress-toward-degree waivers and exceptions. Having someone specifically assigned to these tasks is necessary in order to make certain the institution does not suffer embarrassing penalties or fail to compete in postseason competition. Overworked and understaffed, HBCU athletic departments simply lack the human resources to address these issues. Being overwhelmed by the minutia of NCAA eligibility paperwork, they find it impossible to even address waivers.<sup>35</sup>*

- **Medical Waivers and Missed Term Exceptions.** Two common exceptions for satisfactory progress primarily used to manipulate APR scores are the medical exception and the missed term exception. "Athletes or members of their families who become ill with incapacitating injuries or illnesses may also escape APR eligibility penalties through being granted an exception. Athletes who experience depression or suffer other mental illness may avoid progress-toward-degree consequences by withdrawing from classes or dropping down to a part-time academic load. Alcoholism, depression, or substance abuse, for example, may be considered an incapacitating illness. The missed term exception permits athletes to miss one or more semesters one time

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<sup>35</sup> Gurney, G.S., and Southall, R.M. (2012) College Sports' Bait and Switch. ESPN.com (August 9, 2012). Retrieve at: [http://espn.go.com/college-sports/story/\\_/id/8248046/college-sports-programs-find-multitude-ways-game-ncaa-apr](http://espn.go.com/college-sports/story/_/id/8248046/college-sports-programs-find-multitude-ways-game-ncaa-apr) The disparities in compliance staffing between HBCU and FBS institutions noted in this 2012 article still persist in 2021. An examination of the 2020-21 online staff directories of the 23 NCAA Division I HBCU schools, revealed that ten had only one compliance staff member, eight had two compliance personnel and five had three compliance positions in 2020-21 while a random sample of FBS institutions during this same academic year revealed much larger compliance staffs: U. of Oklahoma (10), USC (12), U. of Alabama (6), U. of Texas (7), Penn State U (7), Ohio State U. (13), Arizona State U. (8) and UCLA (11).

during their career if they leave eligible. The missed term exception may be used even if the athlete's absence is due to a suspension for academic dishonesty if they were eligible prior to the absence."<sup>36</sup> Again, processing such appeals takes considerable staff time.

- **Supporting Nongraduates' Return to School.** Affluent schools also manipulate APR scores by providing financial aid to nongraduates who have exhausted their athletics eligibility so that they can return to the institution and earn their degrees. Such degree-completion programs may not be feasible for underfunded athletic programs. An example of the benefits of institutional affluence is the University of California at Berkeley, which recently implemented a Degree Completion Program (DCP) for athletes who had exhausted their eligibility without obtaining a degree.<sup>37</sup> For many low resource institutions, degree-completion programs are not economically feasible because of the escalating costs associated with running athletics departments.

However, the most serious flaw of the APR is that it is not the metric it purports to be. The original 900 APR penalty calculation was supposed to correspond to a FGR of 50%. Even the elevated 930 APR is nowhere near reflecting a FGR of 50%. When the NCAA realized the 900 APR standard was nowhere near the goal metric, instead of adjusting the APR to correspond to a 50% FGR, it pegged the APR standard to a 50% GSR that only approximates a 40% FGR. This is a "bait and switch" of the worse kind. Arguments that the GSR takes into consideration athletes leaving in good academic standing and athletes who transfer into an institution, and that it encompasses a larger percentage of athletes, cannot and should not hold any weight if comparisons to the general student body are impossible.

*As a result, since the introduction of the GSR, NCAA athletes' reported graduation success has dramatically increased. What has been lost amid the NCAA's public relations campaign is the continued existence of large (30-40 percent) negative graduation gaps between NCAA Division I football and men's basketball players and the general student population. In some cases, teams report Federal Graduation Rates of zero. Simply put, the athletes on whose skill the entire commercial enterprise depends, college football and men's basketball players, are dramatically less likely than other students to obtain a degree. This is to say nothing about the quality of the education to which they have access.*

*By consistently simply asserting the GSR is a better metric and "more accurately assesses the academic success" of college athletes and steadfastly referring to GSR rates, NCAA members have convinced the media to almost exclusively use the new, more-favorable metric. Intentionally or not, the NCAA's APR and GSR metrics confuse the media, fans and the general public. Using the GSR and APR to tout graduation success and increased academic standards is undoubtedly savvy marketing and public relations, but these metrics are fundamentally nothing more than measures of how successful athletic departments are at keeping athletes eligible, and have increasingly fostered acts of academic dishonesty and devalued higher education in a frantic search for eligibility and retention points.<sup>38</sup>*

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<sup>36</sup> Ibid.

<sup>37</sup> McDonald, C. (2015) Back in the game: Cal program helps former student-athletes graduate. Retrieve at: <http://alumni.berkeley.edu/california-magazine/spring-2015-dropouts-and-drop-ins/back-game-cal-program-helps-former-student>

<sup>38</sup> Ibid.



If the GSR is used instead of the FGR, the numerous exceptions for athletes should not be allowed. No FGR exclusions are permitted for members of the general student body who drop out in good academic standing, experience family issues, medical issues, and learning disabilities. Neither should athletes be granted such exceptions in the GSR. Also, athletes have a huge retention advantage compared to the general student body in that they are required to be full-time students and they receive financial aid so that they do not have to work. Furthermore, athletes benefit from sophisticated academic support programs. The FGR does not reflect such general student advantages; indeed, it is artificially low as a comparable standard because many initially full-time nonathlete students drop down to part-time and are unable to graduate in six years, but must still be counted.

#### **Recommendation 6.**

**Discard the Academic Progress Rate (APR) as an Academic Metric, Establish the Federal Graduation Rate (FGR) or a 2.0 Minimum GPA as the Proper Metric, and Impose Coach and Institutional rather than Athlete Penalties for Failure to Deliver the Promise of an Education**

The APR should be discarded because its original purpose is to be a real-time predictor of GSR, which is a flawed metric for the reasons discussed above, most notably that it does not compare the academic performances of athletes and nonathletes. Besides being easily manipulated by affluent institutions, the APR, in eliminating teams from post-season play, unfairly penalizes less affluent institutions, disproportionately penalizes HBCUs, and disproportionately affects sports with the highest percentages of Black participants. The athletes penalized have often left the institution at the time the penalty is imposed. The institution should be held responsible for their institutions' failure to recruit academically prepared athletes. A firm 2.0 cumulative GPA standard for athletic eligibility standard, rather than current satisfactory progress rules that allow a lower standard, should be enforced to maintain the integrity of regular season and post-season championship eligibility. The 2.0 cumulative GPA properly holds the athlete accountable for his or her academic responsibilities, with loss of individual eligibility for competition as the proper penalty. The FGR can hold institutions and coaches accountable for fulfilling the promise of an education to the athletes they recruit. These penalties can be reductions in NCAA revenue distributions with a condition that the institution not decrease academic support program expenditures.

### **D. Graduation Rates Reveal Black Athlete Exploitation**

It is useful to examine the various graduation rates using a race filter. Focusing on football and basketball as a proxy for race is defensible given the facts that 56 percent of Division I men's basketball and 49 percent of Division I football participants are Black. Table 10 examines the 64 men's basketball teams that qualified for the 2019 Division I Basketball Championship Tournament. The table is intended to reveal the extent to which the NCAA's GSR metric—usually presented to the public as an all-sports aggregated, total athlete and by competitive division percentage—attempts to hide the disaggregated deplorable graduation rates of Division I men's basketball players when examined by institution. The table also demonstrates the extent to which the NCAA's GSR metric is inflated compared to the federal graduation metric (FGR) that enables a comparison of athlete and general student body graduation rates.

**Table 10: Federal Graduation Rates Compared to NCAA Graduation Success Rates—2019 NCAA Division I Final Four Field<sup>39</sup>**

2019 NCAA Men's Basketball Championship Field of 64					
<u>School</u>	FEDERAL GRADUATION RATES (FGR)			NCAA GRADUATION SUCCESS RATE (GSR)	
	<u>4-yr Student Body</u>	<u>4-yr Men's Basketball</u>	<u>Percentage Point Difference of MBB from Student Body</u>	<u>MBB GSR</u>	<u>Percentage Point Difference of MBB GSR from MBB FGR</u>
Duke	95%	69%	-26	100%	31
N.D. State	56%	77%	21	83%	6
Michigan State	79%	54%	-25	100%	46
Bradley	75%	58%	-17	100%	46
LSU	65%	17%	-48	86%	69
Yale*	97%		-97	94%	
Va. Tech	84%	33%	-51	73%	40
St. Louis	77%	50%	-27	75%	25
Liberty	48%	50%	2	92%	42
Miss. St.	59%	43%	-16	91%	48
Maryland	86%	29%	-57	73%	42
Belmont	70%	90%	20	100%	10
Minn.	79%	62%	-17	73%	11
Louisville	54%	54%	0	89%	35
UCF	70%	54%	-16	73%	19
VCU	64%	75%	11	92%	17
Gonzaga	85%	54%	-31	100%	46
Far. Dick.	49%	38%	-11	83%	45
Michigan	91%	47%	-44	100%	56
Montana	49%	55%	6	82%	27
TX Tech	60%	23%	-37	73%	50
N. Kentucky	40%	38%	-2	82%	44
FSU	81%	64%	-17	90%	26
Vermont	76%	62%	-14	100%	38
Murray St.	51%	7%	-44	54%	47
Marquette	81%	31%	-50	88%	57
Buffalo	75%	50%	-25	69%	19
AZ. State	66%	23%	-43	100%	67
Florida	88%	43%	-45	82%	39
Nevada	57%	50%	-7	79%	39

<sup>39</sup> Note that these data are based on the most recent six-year 2009-2012 entering cohorts and that the four-year student body and men's basketball percentages represent an average of the last four years.



**Table 10 Continued: Federal Graduation Rates Compared to NCAA Graduation  
Success Rates – 2019 NCAA Men’s Basketball Final Four Field of 64<sup>40</sup>**

<u>School</u>	<b>FEDERAL GRADUATION RATES (FGR)</b>			<b>NCAA GRADUATION SUCCESS RATE (GSR)</b>	
	<u>4-yr Student Body</u>	<u>4-yr Men's Basketball</u>	<u>Percentage Point Difference of MBB from Student Body</u>	<u>MBB GSR</u>	<u>Percentage Point Difference of MBB GSR from MBB FGR</u>
Virginia	94%	47%	-47	100%	53
Gardner-Webb	49%	27%	-22	82%	55
Tennessee	70%	60%	-10	90%	30
Colgate	90%	100%	10	100%	0
Purdue	78%	46%	-32	67%	21
Old Dominion	52%	33%	-19	71%	38
UC Irvine	86%	50%	-36	62%	12
Kansas St.	63%	57%	-6	100%	43
Oregon	72%	15%	-57	33%	18
Wisconsin	86%	64%	-22	78%	14
Villanova	90%	46%	-44	100%	54
St. Mary's	74%	57%	-17	69%	12
Iowa	73%	64%	-9	83%	19
Temple	71%	70%	-1	92%	22
Oklahoma	67%	38%	-29	69%	31
Ole Miss	61%	38%	-23	45%	7
North Carolina	90%	44%	-46	73%	39
Iona	66%	20%	-46	90%	70
Kentucky	64%	16%	-48	75%	59
Ab. Christian	63%	43%	-20	60%	17
Houston	54%	15%	-39	79%	25
GA. St.	54%	36%	-18	60%	24
Kansas	63%	14%	-49	100%	86
Northeastern	86%	81%	-5	93%	12
Auburn	76%	29%	-47	71%	42
N.M. State	45%	22%	-23	62%	45
Ohio State	83%	55%	-28	75%	20
Iowa State	74%	25%	-49	100%	75
Wofford	81%	50%	-31	89%	39
Seton Hall	66%	45%	-21	100%	55
Washington	84%	55%	-29	80%	25
Utah State	48%	20%	-28	82%	62
<b>Mean</b>	<b>76%</b>	<b>48%</b>	<b>-28</b>	<b>87%</b>	<b>39</b>

\*Ivy League does not award athletic scholarships

<sup>40</sup> Note that these data are based on the most recent six-year 2007 cohort and that the four-year student body and men’s basketball percentages represent an average of the last four years.

More important, we see embarrassing graduation rates, whether using the FGR or the GSR, among schools whose student bodies are predominantly White on teams that are predominantly Black:

- The mean FGR for nonathlete students was 71% compared with the mean FGR for Division I male basketball athletes of 45%, 25 percentage points LOWER than their student bodies.
- Only six (9%) of the 64 teams had FGRs equal to or better than the FGRs of male nonathletes at their institutions.
- A total of 43 (67%) of the 64 institutions had FGRs that ranged between 20 and 97 percentage points BELOW their student body classmates.
- A total of 58 (90%) of the 64 institutions had FGRs that were, on average, 25 percentage points BELOW their student body classmates.
- Demonstrating the incredible inflation of the misleading GSR metric, 40 of the 64 institutions had men's basketball GSRs that were 30 to 86 percentage points HIGHER than men's basketball FGRs

Another useful exercise related to race is to examine the same FGR and GSR data for Historically Black Colleges and Universities (HBCU), whose student bodies are predominantly Black. We urge caution and acknowledge the context of examining these HBCU only data for the following reasons:

- Generally, HBCUs are underresourced and, like underresourced predominantly White institutions, have graduation rates that are lower compared to predominantly White highly selective and better resourced white institutions.
- The FGR is highly sensitive to socioeconomic status in that the six-year cohort initially counts only full-time students and examines whether they graduate six years later. Students with limited resources are more likely to drop out or to become part-time students who take longer to graduate. However, because athletes are required to be full-time students in order to be eligible for athletics, athlete graduation rates should be higher than the student body FGRs.
- HBCU student populations have larger proportions of students from low socioeconomic status ("low-SES") households. Low-SES students graduate at half the rate of middle-income students.<sup>41</sup>

Table 11 compares HBCU student body to men's basketball FGRs and examines the relationship between men's basketball GSRs and FGRs.

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<sup>41</sup> Southern New Hampshire University College For America Staff. (2017) Addressing the College Completion Gap Among Low-Income Students. Retrieve at: <https://collegeforamerica.org/college-completion-low-income-students/>

**Table 11: Federal Graduation Rates Compared to NCAA Graduation Success Rates at Historically Black Colleges and Universities**

FGR Compared to NCAA GSR at Division I HBCUs 2018-2019 4-year rates					
<u>School</u>	FEDERAL GRADUATION RATES (FGR)			NCAA GRADUATION SUCCESS RATE (GSR)	
	<u>4-yr Student Body</u>	<u>4-yr Men's Basketball</u>	<u>Percentage Point Difference of MBB from Student Body</u>	<u>MBB GSR</u>	<u>Percentage Point Difference of MBB GSR from MBB FGR</u>
Alabama A&M	35%	33%	-2	67%	34
Alabama St.	27%	50%	23	77%	27
Alcorn St.	34%	20%	-14	30%	10
Bethune-Cookmn	36%	33%	-3	68%	35
Coppin St.	21%	22%	1	79%	57
Deleware St.	40%	58%	18	71%	13
Fla. A&M	44%	10%	-34	71%	61
Grambling	35%	18%	-17	56%	38
Hampton	58%	40%	-18	67%	27
Howard	61%	54%	-7	73%	19
Jackson St.	38%	50%	12	86%	36
Miss.Valley St.	28%	13%	-15	86%	73
Morgan St.	35%	63%	28	58%	-5
Norfolk St.	37%	43%	6	64%	21
N.C. A&T	47%	40%	-7	77%	37
Prairie View A&M	30%	29%	-1	77%	48
S.C. St.	36%	36%	0	75%	39
Southern @ BR	31%	11%	-20	38%	27
Tenn St.	31%	80%	49	90%	10
TX Southern	20%	25%	5	91%	66
Ark.Pine Bluff	27%	50%	23	50%	0
MD. East. Shore	36%	50%	14	67%	17
New Orleans	35%	33%	-2	67%	34
<b>Mean</b>	<b>36%</b>	<b>37%</b>	<b>2</b>	<b>69%</b>	<b>31</b>

Three important observations need to be made examining this group of HBCU institutions with more predominantly Black populations. First, the average difference between HBCU basketball players and student body FGRs is only two percentage points whereas the difference between basketball player GSRs and basketball player FGRs is 31 percentage points. This is a stark example of how the GSR is ridiculously inflated compared to the FGR.

A second observation is that, in addition to HBCUs being underresourced as institutions, HBCUs do not have specialized academic support units serving athletes. Most Division I FBS institutions operate one-to-two-million-dollar-per-year academic support programs that provide one-on-one tutoring support for every course to high academic risk athletes. One need only examine the FGR and GSR rates of HBCUs to recognize the impact of financial resources on athlete graduation rates.

Third, we observe with regard to both Tables 10 and 11, that the FGRs of these basketball teams are not higher than the student body FGRs as they should be. Athletes should have higher FGRs because NCAA eligibility rules require athletes to be full-time students whereas student body FGRs are negatively affected by full-time students dropping down to part-time status owing to financial circumstances that increases their time to graduation beyond the six-year cohort limit. It appears reasonable to assume that these institutions may be recruiting talented basketball players who are underprepared for college work compared to their student body peers and/or placing athletic demands on athletes that negatively influence their ability to graduate.<sup>42</sup> In analyzing Tables 10 and 11 we use race as a reasonable proxy only because we know the composition of Division I basketball teams is 56% Black.

The USC Race and Equity Center 2018 report, “Black Male Student-Athletes and Racial Inequities in NCAA Division I College Sports,”<sup>43</sup> examined graduation rates among the NCAA Football Bowl Subdivision “Power Five”<sup>44</sup> conferences disaggregated by race. These 65 institutions field the most competitive athletic programs in Division I. The report found:

- *“Black men were 2.4% of undergraduate students enrolled at the 65 universities but comprised 55% of football teams and 56% of men’s basketball teams on those campuses.*
  - *Across four cohorts, 55.2% of Black male student-athletes graduated within six years, compared to 69.3% of student-athletes overall, 60.1% of Black undergraduate men overall, and 76.3% of undergraduate students overall.*
  - *59% of the universities graduated Black male student-athletes at rates lower than Black undergraduate men who were not members of intercollegiate sports teams.*
  - *At 40% of the universities, Black male student-athlete graduation rates have declined over the past two years. By an average of 6.5 percentage points, rates increased at 36 institutions in the Power Five conferences. Rates remained unchanged for Black male student-athletes at the University of Illinois and Clemson University.*
- p. 3

The College Sport Research Institute (CSRI) developed an Adjusted Graduation Gap (AGG) metric to partly address FGR and GSR limitations. The AGG compares an adjusted FGR for full-time students and the reported FGR for college athletes for selected Division I sports. Importantly, the CSRI metric enables a focus on the revenue sports of basketball and football graduation rates—a comparison of Football Bowl Subdivision (FBS) Power Five versus FBS Group of Five—AND a comparison of Black versus White athlete graduation rates in those sports. The latter had to be inferred from previous data examined because data by race/by sport/by division were not available. The 2019 and 2020 AGG reports revealed significant

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<sup>42</sup> Although not generally available, GSR/FGR comparisons are available on the following website.  
[https://ncaaorg.s3.amazonaws.com/research/gradrates/2019D1RES\\_FedGSRTrends.pdf](https://ncaaorg.s3.amazonaws.com/research/gradrates/2019D1RES_FedGSRTrends.pdf)

<sup>43</sup> Harper, S. R. (2018). *Black male student-athletes and racial inequities in NCAA Division I college sports: 2018 edition*. Los Angeles: University of Southern California, Race and Equity Center.

<sup>44</sup> A total of 65 institutions are members of the following Power Five conferences: Atlantic Coast Conference, Big Ten Conference, Big 12 Conference, Pac 12 Conference, and the Southeastern Conference. There are 1,091 NCAA member institutions as of September 1, 2020. Retrieve at: <http://www.ncaa.org/about/who-we-are/membership/composition-and-sport-sponsorship-ncaa-membership>

differences between Black versus White and athlete versus nonathlete graduation rates among the 130 FBS institutions:

Selected results from the 2019 AGG report for NCAA FBS Football:<sup>45</sup>

- *Power Five Conference AGGs continue to be large: the football player graduation rate in these conferences averages 16.5 percentage points lower than the general male student body.*
- *Black and White Power Five AGG difference remains striking. The Black AGG is -21.6 compared to only -1.0 for the White AGG, over 20 percentage points worse.*
- *The College Football Playoff Top 10 has an average AGG of -26.9, as compared to -14.6 for the other Power Five schools.*
- *The Group-of Five Conference average AGG remains sizable at -8.5. Nevertheless, it is 8.0 points better than the Power Five, the largest difference in our 10 years of reporting.*
- *The Group-of Five/Power Five AGG difference is caused almost entirely by a difference in Black AGGs, as White AGGs are almost the same for the two sets of schools.*

-p. 2

Selected results from the 2020 AGG report for NCAA Division I Basketball<sup>46</sup> rates:

#### Men's Basketball (MBB) AGG Results:

- *The overall D-I MBB AGG remains large, at -23.6 percentage points, i.e., 23.6 points below the adjusted general male student body graduation rate.*
- *The major conference AGG of -34.4 percentage points is very large and is almost twice the mid-major conference AGG of -18.5 points.*
- *The D-I MBB Black AGG of -23.0 percentage points is 4.7 points worse than the White AGG of -18.3, a statistically significant difference.*
- *The major conference Black AGG of -37.0 percentage points is a large 11.3 points worse than the White AGG of -25.7, a statistically significant difference. In contrast, the Black-White gap for the mid-majors is an insignificant 2.0 points.*

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<sup>45</sup> Southall, R., Nagel, M.S., and Wallace, A. (2019) 2019 Adjusted Graduation Gap Report: NCAA FBS Football. College Sport Research Institute. Retrieve at: <https://static1.squarespace.com/static/5de5182fe743cb648d87d098/t/5e3491d8e35b7148dd0bde49/1580503512081/2019-20+CSRI+NCAA+FBS+FB+AGG+Report.pdf>

<sup>46</sup> Southall, R., Nagel, M.S., and Wallace, A. (2020) 2020 Adjusted Graduation Gap Report: NCAA Division-I Basketball. College Sport Research Institute. Retrieve at: <https://static1.squarespace.com/static/5de5182fe743cb648d87d098/t/5e3491d8e35b7148dd0bde49/1580503512081/2019-20+CSRI+NCAA+FBS+FB+AGG+Report.pdf>

- *All 31 D-I conferences have negative AGGs, i.e., not one D-I conference basketball graduation rate equals, let alone exceeds, the adjusted general male student body rate.*
- *For the Power Five football conferences, the average men's MBB AGG is more than twice the FB AGG, -36.6 versus -16.5, a very large difference of 20.1 percentage points.*

#### Men's Basketball (MBB) AGGs Trends:

- *The D-I MBB AGGs continue to show a negative trend over the decade since our initial report in 2011, i.e., the athlete-student body gaps are getting worse. This includes all D-I conferences, and both the major and mid-major conferences.*
- *Though gradual, all three negative trends are statistically significant.*
- *The D-I MBB AGG of -23.6 is 3.6 percentage points worse than 2011.*
- *The major conference AGG of -34.4 percentage points is 3.6 points worse than in 2011, although there was a slight improvement of 0.7 point over 2019.*
- *These results contrast sharply with the NCAA's narrative of a long-term trend toward a significant closure of the gap between athlete graduation rates and general student body rates.*

#### Women's Basketball (WBB) AGG Results:

- *The overall D-I women's AGG is sizable, at -12.9 percentage points.*
- *D-I women's AGGs nevertheless are much better than men's AGGs, overall and for all analyzed subgroups. For example, the women's overall D-I AGG is only 55% of the men's AGG (-12.9 vs -23.6).*
- *The women's major conference AGG of -18.8 percentage points is 8.7 points worse than the mid-major AGG of -10.1 points.*
- *Women's D-I Black AGGs are slightly better than their White AGGs, in sharp contrast to men's D-I basketball where Black AGGs are significantly worse.*
- *Among major conferences, the best performers are the Big East (-10.2) and Big 12 (-14.5).*
- *Among all D-I conferences, the best are the SWAC (+5.3) and Mid-Eastern (+1.3), HBCU conferences.*
- *Among all D-I conferences, the worst are the Mountain West (-26.7) and the Atlantic Coast (-25.2).*
- *Only three of 31 D-I conferences have a positive AGG. In other words, only three D-I conferences have a women's basketball graduation rate that is higher than the adjusted full-time female student body graduation rate.*

### Women's Basketball (WBB) AGGs Trends:

- *The women's D-I basketball AGGs continue to show negative trends, similar to men's basketball. In other words, the athlete-full-time student body graduation gaps are getting worse.*
- *Though gradual, the negative trends nevertheless are statistically significant.*
- *The women's D-I AGG is 4.0 percentage points larger than in our initial report of 2011. Similar differences exist for both the major and mid major conferences, at 4.2 and 3.9 percentage points, respectively.*
- *These results contrast sharply with the NCAA's narrative that athlete graduation rates are improving relative to general student body rates.*

-pp. 2-5

The report concludes:

*The College Sport Research Institute's (CSRI) annual analysis of NCAA Division-I (D-I) men's (-23.6) and women's (-12.9) basketball players' Adjusted Graduation Gaps (AGGs) reveals players' AGGs continue a negative trend. The AGG is especially troubling for Black male basketball players in Major conferences, at -37.0 percentage points. This is 11.3 points worse than the (-25.7) AGG for White players. Among all D-I conferences for both men and women, the best performers continue to be SWAC men's (-3.7) and women's (+5.3) and Mid-Eastern (MEAC) men's (-1.4) and women's (+1.3), both of which are conferences comprised of historically black colleges and universities (HBCUs).* – p. 1

According to Eckard's study of *men's basketball* GSR graduation bias, the GSR's metrics causes it to overestimate rates.<sup>47</sup> His paper is the first estimate of the size of this statistical bias in the big revenue sport of men's basketball in the so-called Power Five conferences plus the Big East Conference. The small size of basketball squads allowed a reasonably accurate estimate of GSR cohort sizes based on publicly available data. This in turn enabled the calculation of a "corrected" GSR. The results indicate that the GSR exaggeration is large, perhaps as much as 20 percentage points and raised fundamental questions about the success of the GSR as a useful graduation rate metric. The NCAA claims that its GSR is superior to the federally-mandated downward-biased FGR. The analysis, however, suggests that the GSR errs in the opposite direction, and might substantially exaggerate athlete graduation rates. Thus, the GSR's success in providing "a more complete and accurate" graduation rate metric, per NCAA claims, is questionable.

Graduation data derived from multiple metrics (FGR, GSR, and AGG) reviewed above support the contention that Black athletes in football and basketball are graduating at much lower rates than White athletes in the same sport, their student body counterparts, and White athletes in all sports.

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<sup>47</sup> Eckard, E.W. (February, 2020) The NCAA's Graduation Success Rate: How Successful Is It? *Research in Higher Education*. 61 (2) Retrieve at: [https://www.researchgate.net/publication/339459205\\_The\\_NCAA%27s\\_Graduation\\_Success\\_Rate\\_How\\_Successful\\_Is\\_It](https://www.researchgate.net/publication/339459205_The_NCAA%27s_Graduation_Success_Rate_How_Successful_Is_It)

### Recommendation 7.

**Adopt a Multifaceted Approach to Improving Educational Outcomes: (a) Establish the Federal Graduation Rate as the Proper Metric to Measure Educational Outcomes, (b) Enforce a 2.0 Cumulative Grade Point Average Standard for Athletic Eligibility to Improve Athlete Academic Accountability, (c) Drastically Reduce Allowable Hours Related to Athletics Activities, and (d) Require Mandatory Five-Year Scholarships.**

**a. Hold Institutions Accountable for a Goal FGR Metric.** The NCAA should establish a rule that requires *each sport program* of a member institution to compute and maintain an FGR, without any exceptions for athletes, that equals or exceeds the national average FGR or the institution's own FGR, whichever is lower. Failure to achieve this benchmark should NOT be used to declare a team ineligible for post-season play. Rather, institutions should absorb the penalties for such failure, which penalties should increase if benchmark failure continues for consecutive years:

First Year	The institution should be prohibited from receiving 25% of (a) media rights fees, sponsorships, advertising, licensing, or gate receipt revenue distributions from any national championship, bowl, or other post- or pre-season NCAA sponsored or sanctioned event <i>in that sport</i> , (b) any conference regular season or championship media rights fees, sponsorships, advertising, licensing, or gate receipt revenue distributions <i>in that sport</i> , and (c) any nonsport-specific NCAA revenue distributions. The institution should not be permitted to decrease academic support program expenditures.
Second Year Consecutive	The institution should be prohibited from receiving 50% of (a) media rights fees, sponsorships, advertising, licensing, or gate receipt revenue distributions from any national championship, bowl, or other post- or pre-season NCAA sponsored or sanctioned event <i>in that sport</i> , (b) any conference regular season or championship media rights fees, sponsorships, advertising, licensing, or gate receipt revenue distributions <i>in that sport</i> , and (c) any nonsport-specific NCAA revenue distributions. The institution may not decrease academic support program expenditures.
Third Year Consecutive	The institution should be prohibited from receiving 100% of (a) media rights fees, sponsorships, advertising, licensing, or gate receipt revenue distributions from any national championship, bowl, or other post- or pre-season NCAA sponsored or sanctioned event <i>in that sport</i> , (b) any conference regular season or championship media rights fees, sponsorships, advertising, licensing, or gate receipt revenue distributions <i>in that sport</i> , and (c) any nonsport-specific NCAA revenue distributions. Additional penalties, as determined by the NCAA Committee on Academics, may be levied including coaching suspensions, financial aid reductions, recruiting limitations, and restricted NCAA membership.

Because more than 1,100 institutions offer academic programs of varying academic rigor, the institutional comparator FGR is of critical import. The optional use of the national average FGR in lieu of the institutional FGR gives reasonable leeway to highly selective institutions. Use of the FGR, which emphasizes athlete retention and graduation from one's original institution, will reduce the current practice of discarding athletes for whom an institution finds more talented replacements. Most importantly, it will require institutions to recruit student-athletes capable of competing academically with other students attending and graduating from that institution. This standard will create academic



expectations of athletes that are equal to those the institution has for the rest of the student body and will hold the institution accountable for fulfilling its promise of an education.

b. Enforce a 2.0 cumulative GPA standard for athletic eligibility. The 2.0 cumulative GPA properly holds the athlete accountable for his or her academic responsibilities, with loss of individual eligibility for competition as the proper penalty.

c. Reduce Allowable Hours of Athletics-Related Activities. The current NCAA 20-hour rule is a myth because of numerous exceptions, loopholes, and a flawed definition of countable athletics-related activities. See the [Drake proposal for reforms](#).

d. Five-Year Guaranteed Scholarships. Key to desired effect on graduation is to replace the current *option* of guaranteeing athletic scholarships for five years with a *requirement* that athletic scholarships be guaranteed for five years. Institutions must be encouraged to recruit athletes who are capable of graduating and to invest in athletes' academic success for the duration of their college careers.

## E. Special Admissions as the “Original Sin”<sup>48</sup> of Black Athlete Educational Exploitation

When we examine the list of 64 institutions in Table 10 that qualified for the NCAA Division I Final Four National Championship, most are highly selective institutions of higher education with academic admissions standards far above the low initial athletics eligibility standards of the NCAA. When a basketball or football coach at one of these institutions recruits a talented prospective athlete who does not meet the institution's published admissions academic standards, the coach asks for a waiver, arguing that failure to admit the talented player means the school team will not be able to compete against schools with lower academic standards. These institutions do not hesitate in granting these waivers. Due to systemic racism in education and lower resource communities, the vast majority of these special admits are Black male basketball or football players necessary to generating millions in television revenues. These students are more likely to have significant deficiencies in reading and other basic academic skills.<sup>49</sup>

This use of special admissions for athletes is considered the “original sin” leading to academic fraud because it is the first domino that falls in the five- or six-year higher education career of an athlete who never has the time to remediate reading, writing, math, or other deficiencies<sup>50</sup> and therefore is unable to compete in the classroom versus more academically prepared classmates. Rather than enter that demanding classroom, coaches and academic counselors dictate an awkward avoidance dance for the purpose of avoiding academic failure and maintaining athletic eligibility, toppling other academic fraud dominoes in the process. These athletes are counseled to select the least demanding academic majors<sup>51</sup>, register for the least demanding academic courses, sign up for courses conducted by professors

<sup>48</sup> Olson, E. (March 16, 2019) Special Admissions Called the “Original Sin” of College Sports. Associated Press. Retrieved at: <https://apnews.com/article/a842ec11faa645b7adf5e75034e8bbf4>

<sup>49</sup> Winters, C.A., and Gurney, G.A.. (2012) The Academic Preparation of Specially Admitted Student Athletes: A Question of Basic Skills. *College & University*, 88:2, pp. 2-9.

<sup>50</sup> Willingham, M.C. (2009) Academics & Athletics—A Clash of Cultures: Division I Football Programs. A Thesis Submitted to The Faculty of The Graduate School at The University of North Carolina at Greensboro. Retrieved at: [https://libres.uncg.edu/ir/uncg/f/Willingham\\_uncg\\_0154M\\_10097\\_updated.pdf](https://libres.uncg.edu/ir/uncg/f/Willingham_uncg_0154M_10097_updated.pdf)

<sup>51</sup> Cohen, B. (August 28, 2015) At Auburn, Athletics and Academics Collide. *The Wall Street Journal*. Retrieve at: <http://www.wsj.com/articles/at-auburn-athletics-and-academics-collide-1440635278>

with lax grading reputations, or register for independent study courses with professors who require minimal work product.

Another condition for course scheduling is to never register the athlete for a class that will conflict with a team practice. Athletes are provided with one-on-one tutors for every course and a required study hall system that raises questions whether the work produced is that of the athlete or the tutor. At many institutions, the academic support programs are administered and financed by the athletic department, a direct conflict of interest. The end product of these practices is the athlete (more likely to be a Black athlete) leaving the institution without graduating or graduating with a degree that doesn't translate into preparation for a viable career.

This special admission system is morally unacceptable for any student, but especially exploitative for predominantly minority Division I football and basketball players who accede to the institution's system of academic fraud and are not in a position to question its efficacy. The athletes know they are academically unprepared, but questioning the coach or academic counselor about time to devote to study seldom occurs for fear of losing their scholarships, starting positions, or positions of favor with the coaching staff. When athletics administrators or other institutional stakeholders are questioned about such educational exploitation, the rationalizations are numerous and unacceptable: "Even if they don't graduate, they've rubbed elbows with powerful and respected folks who can help them in the future." Or "We're making a difference in their lives. If they weren't here, they would be stuck in an environment of poverty with far fewer possibilities."

The issue of special admissions is complex because the institution should have the flexibility to make holistic admissions decisions and consider special talents unique to an individual. There may be no issue with an athlete whose academic credentials are only slightly below normal academic criteria. The issue is the indiscriminate use of admissions exceptions for individuals with athletic talents whose math, reading, and other academic deficiencies may require significant remediation prior to being able to compete in the classroom against more prepared peers. The issue is also the inordinate 40- to 50-hours per week time demands imposed on college athletes and athletics eligibility rules related to full-time enrollment and mandated degree progress minimum standards. When these requirements clash, powerful coaches refuse to cede their athletics demands, while remediation hours are not permitted by NCAA rules to replace minimum full-time enrollment in credit bearing courses or delay making progress on a bona fide degree program. Caught between these competing demands, well-intentioned advisors engage in the previously described mechanisms of academic fraud. Solutions that embrace early remediation of academic deficiencies that would enable the athlete to compete in the classroom and receive a bona fide education are not pursued.

### **Recommendation 8.**

#### **Require Institutional Match for Initial Eligibility of High School Students**

**Any student whose academic profile (high school grade-point average and standardized test score) is more than one standard deviation below the mean academic profile (based on high school grade-point averages and standardized test scores) of the previous year's incoming class at the recruiting institution should be ineligible for athletic participation during the freshman year. The institution that admits the athlete should be required to provide: (1) athletic scholarship assistance during the year of transition; (2) academic skills and learning disability testing; (3) if necessary, a remediation program supervised by academic authorities; (4) a reduced for-credit course load to**

accommodate the time required for remediation; (5) a 10-hour-per-week participation restriction applicable to athletics-related activities (practice, meetings, etc.); and (6) tenured faculty oversight of the student's academic progress throughout his or her enrollment at the institution. This recommendation would negate the need for NCAA initial eligibility standards and permit each member institution to focus on admission factors relevant to "good fits" for their unique institution. Athletes admitted with academic profiles below the entering class would be remediated and made college ready prior to athletic competition.<sup>52</sup>

## **F. Accountability for Exploitative Practices—Appropriate Coach Penalties for Failure to Deliver the Educational Promise**

Ultimately, the coach should be held responsible for the academic success and graduation of every athlete that coach recruits, earning a 1.0 for every recruit who graduates within six years of initial enrollment from the institution to which the coach recruited him or her. That number would be divided by the total number of athletes recruited. The institution should be required to publish the Coaches' Graduation Rate for each head coach or former head coach (i.e., one who has been fired or has moved to another institution) in its program aggregated for all athletes and disaggregated by race.<sup>53</sup>

The NCAA Coaches' Academic Progress Rate, established in 2003 by the Committee on Academic Performance at the request of the Division I Board of Directors, is fundamentally flawed. The Head Coach APR Portfolio (a database) was established "to create more transparency in the Academic Performance Program and strengthen the accountability of coaches for the academic performance of their student-athletes."<sup>54</sup> The Portfolio includes the single-year team APR for a head coach at each institution where he or she has held that post, along with the average single-year APR in the coach's specific sport for comparison purposes. Interim head coaches are not included in the database. This metric is fundamentally flawed because:

- The coach is evaluated based on the academic progress of athletes recruited by others as well as the academic progress of athletes the coach recruited himself or herself; and
- The APR metric is pegged to the NCAA Graduation Success Rate, itself a flawed metric for reasons already stated.

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<sup>52</sup> For a more complete discussion of freshmen eligibility issues, see Gurney, G., Willingham, M., Lopiano, D., Porto, B., Ridpath, D.B., Sack, A., and Zimbalist, A. (2015) The Drake Group Position Statement: Freshmen Ineligibility in Intercollegiate Athletics. (April 20, 2015). Retrieve at: <https://drakegroupblog.files.wordpress.com/2015/04/tdg-freshman-ineligibility-position-paper.pdf> See also Gurney, G., Lopiano, D., and Zimbalist, A. (2017) *Unwinding Madness: What Went Wrong with College Sports and How to Fix It*. The Brookings Institution: Washington, DC.

<sup>53</sup> Gurney, G.S., and Weber, J.C. (October 24, 2008) A Better Way to Measure Coaches' Wins and Losses. *The Chronicle of Higher Education*. Retrieve at: [https://www.chronicle.com/article/a-better-way-to-measure-coaches-wins-and-losses/?cid2=gen\\_login\\_refresh&cid=gen\\_sign\\_in](https://www.chronicle.com/article/a-better-way-to-measure-coaches-wins-and-losses/?cid2=gen_login_refresh&cid=gen_sign_in)

<sup>54</sup> Hosick, M.B. (2010) NCAA Releases Academic Progress Rates for Coaches. NCAA.org (December 15, 2010). Retrieve at <http://www.ncaa.com/news/basketball-women/article/2010-08-05/ncaa-releases-academic-progress-rates-coaches>

**Recommendation 8.**  
**Adopt the Proper Coach Metric**

The NCAA should abandon the Coaches' Academic Progress Rate as currently constructed and should replace it with a Coaches' Graduation Rate. A coach should be held responsible for the academic success and graduation of every athlete that coach recruits, earning a 1.0 for every recruit who graduates within six years of initial enrollment from the institution to which the coach recruited him or her. That number would be divided by the total number of athletes recruited. The institution should be required to publish the Coaches' Graduation Rate for each head coach or former head coach (i.e., one who has been fired or has moved to another institution) in its program.

**G. Transparency of Academic Metrics—Need to Disaggregate Data by Race and Sport and Install a System of Checks and Balances**

Academic metrics are important to the identification of education failures and successes. However, any focus on penalizing individuals or institutions for failures is reacting only after the proverbial "horse has left the barn." Thus, key to the achievement of academic integrity is oversight and transparency that will identify issues early in the educational career of the athlete so that they can be addressed and prevent failure. Academic integrity in intercollegiate athletics requires a system of checks and balances, transparent academic metrics, and metrics that disaggregate data by race and sport. These safeguards will ensure that learning occurs, not just that athletic eligibility is maintained. We also emphasize that these safeguards should apply to all institutions with athletic programs, no matter what their level of competition, because race/ethnicity data clearly reveal that institutions at all competition levels have athletic populations that are more Black than White in selected sports, more White than Black in the vast majority of sports, and noncongruent with the racial composition of their general student bodies. These are indicators of systemic racism.

Institutions often use the Federal Education Rights Protection Act (FERPA) to hide evidence of academic corruption and exploitation of Black athletes from public scrutiny, particularly in the sports of football, men's basketball, indoor track, and outdoor track where the highest concentrations of Black athletes exist. They maintain that release of data by race and sport will reveal individual grades, particularly in smaller teams. So, institutions aggregate data of all sports and lean toward releasing only good news. They will release information about the "A" student but will not discuss the number of athletes clustered in an eligibility-friendly major or reveal the percentage of White compared to Black athletes placed in such majors. FERPA has also been used by institutions to deny knowledge of academic misconduct committed by athletic department staff, coaches, and even faculty members. The public cannot evaluate claims of academic improvement without knowing the classes that players take, the names of instructors, and overall course and team GPAs. Thus, true academic reform cannot occur without public accountability.

A careful reading of FERPA shows that only identifiable educational information is prohibited from being disclosed.<sup>55</sup> Dr. Jon Ericson, former provost at Drake University, and Matthew Salzwedel, an

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Reipenhoff, J., and Jones, T. (December 17, 2010). Secrecy 101. *The Columbus Dispatch*. Retrieve at: <https://www.dispatch.com/content/stories/local/2010/10/14/secrecy-redirect.html>

attorney, have presented a plan for academic disclosure that would comply with FERPA. In their article entitled “Cleaning Up Buckley: How the Family Educational Rights and Privacy Act Shields Academic Corruption in College Athletics,” they argue that The Buckley Amendment allows an appropriate level of academic disclosure regarding college sports, which disclosure will shame institutions into changing their behavior.<sup>56</sup>

A sound academic disclosure plan should not disclose individual athlete academic information. Academic disclosure is about *institutional behavior*; namely, the complicity of administrators and faculty in academic corruption and the resulting denial to many college athletes of a meaningful college education. Institutional resistance to full disclosure has occurred in past academic scandals, most notably at Auburn University, Syracuse University, and the University of North Carolina. All these universities were embarrassed, and made positive changes once their “eligibility manipulation” became public, albeit after some kicking and screaming. Faculty and others who desire to provide bona fide educational opportunities for college athletes need an effective tool for achieving that end. History shows that public humiliation prompts universities to operate with integrity.<sup>57</sup>

Apart from the issue of public disclosure of information, no law prohibits a tenured faculty oversight committee from examining individual athlete grades, course and major selection, and other practices that might reveal the different treatment of Black and white athletes. The NCAA currently requires athletes to consent to share their academic information with institutional employees who are responsible for determining eligibility. That same requirement should apply to the public disclosure of that information; as long as such disclosure does not reveal the identity of the athlete, it could reveal the athlete’s race and other demographic and academic details. Because disclosure would not reveal athletes’ names, no harm would occur to any individual student, nor would anyone’s privacy be invaded. Such use would be in keeping with the letter and spirit of FERPA. Such use of individual data would expose institutional misbehavior by identifying athletes’ course selections, their choices of professors and academic majors, their advisors, and team GPAs. Without identifying any student by name, this information would expose academic clustering, suspect courses, and issues like those that occurred at Auburn and the University of North Carolina and that appear to be common at other institutions. We note that, “A review of all LSDBi (NCAA Legislative Services Database) academic fraud cases reveals football and men’s basketball violations occurred within 158 of the 368 cases resulting in 43% of the infraction investigations (NCAA LSDBi, 2015).”<sup>58</sup> The failure of the NCAA infraction/penalty system to penalize such academic fraud falls most heavily on the Black athlete because it allows a continuation of their current educational exploitation.

Faculty oversight via the use of “peer review” committees consisting of faculty outside the department or program being evaluated and even committees from outside the institution are regularly used in certification programs conducted by higher education accreditation agencies. In fact, the NCAA had such a peer review certification program, which incorporated a comprehensive examination of athletic programs’ academic elements, including the disaggregation of data by race/ethnicity. The NCAA certification program required a significantly more comprehensive athletics program evaluation than that

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<sup>56</sup> Salzwedel, Matthew, and Ericson, Jon. (2004) Cleaning Up Buckley: How The Family Educational Rights and Privacy Act Shields Academic Corruption In College Athletics. *Wisconsin Law Review*, Vol. 2003, 6: 1054-1113. Retrieve atL <https://heinonline.org/HOL/LandingPage?handle=hein.journals/wlr2003&div=41&id=&page=>

<sup>57</sup> Ibid

<sup>58</sup> Ridpath, B.D., Gurney, G., and Snyder, E. (2015) NCAA Academic Fraud Cases and Historical Consistency: A Comparative Content Analysis, *Journal of Legal Aspects of Sport*, 25:75-103. Retrieve at: <http://dx.doi.org/10.1123/jlas.2014-0021>

conducted by the regional accreditation agencies. The program required each Division I institution to undergo an athletics certification process at least once every ten years. That process included peer review, by an external body funded by the Association, of a campus-wide self-evaluation conducted by various institutional committees assembled for that purpose. A majority of the members of these campus committees were tenured faculty members. It was a well-conceived model peer review program. The NCAA certification program was discarded in 2010 because its results were available through state open records requests, which were used by media and lawyers to embarrass the institution or advance lawsuits related to Title IX or allegation of coach abuse. It was replaced by a “dashboard” program, consisting primarily of aggregated data, which was available only to the institutional president and those designated by the president. In effect, the NCAA action to eliminate the program buried or fragmented data, making it difficult or impossible to focus on race/ethnicity.

Such actions by a national athletics governance organization support the allegations of American higher education reflecting systemic racism. The silence of professional associations of college and university presidents, regents and trustees, and faculty members over the demise of the NCAA Division I certification program was deafening. The NCAA’s Division II and III still require members to conduct self-evaluations according to standardized instruments, but have no requirements that protect against conflict of interest in such processes or comprehensive mandates related to race/ethnicity.

#### **Recommendation 9.**

##### **Academic Disclosure and Peer Review of Educational Outcomes by Race/Ethnicity**

The NCAA should require every member institution to establish an academic check and balance system consisting of an Academic Oversight Committee comprised of tenured faculty, a peer review certification program, and regularly issued public reports. At each institution, members of the faculty senate or the highest faculty governance authority should elect the Academic Oversight Committee. This committee should meet annually to review the academic progress of all athletes on every team and be required to examine data disaggregated by race. The committee should be required to report to the faculty senate (or other highest faculty authority) annually on the academic progress and admission qualifications of college athletes, disaggregated by race/ethnicity and sport, and to compare athletes to nonathletes. The methods of comparison would include average SAT and ACT scores by sport, Federal Graduation Rates by sport, independent studies and/or online courses taken by sport, the professors offering the independent studies and their average grade assigned, admissions profiles, athletes’ progress toward a degree, trends in selected majors by sport, examination of academic clustering, average grade distributions of faculty by major, incomplete grades by sport, grade changes by professors, and the name of each athlete’s faculty advisor.

A certification program should be instituted for all competitive divisions, requiring each member to undergo an athletics certification process at least once every ten years that includes an in-depth analysis of educational outcomes disaggregated by race/ethnicity. That process should include peer review, by an external body funded by the governance organization, of a campus-wide self-evaluation conducted by various institutional committees assembled for that purpose. A majority of the members of these campus committees should be tenured faculty members.

Each higher education institution should also make public an annual report, to include the following data:

- a. certification status of each member institution;



- b. federal graduation rate for all students, all athletes, athletes by sport, and for all athletes admitted with a waiver of admissions standards, also disaggregated by race/ethnicity;
- c. number and percentage of recruited athletes, disaggregated by race/ethnicity, required to complete one year in residency prior to initial eligibility;
- d. number and percentage of recruited athletes, disaggregated by race/ethnicity, admitted to the institution with a waiver of published admissions standards compared to the number and percentage of students overall, also disaggregated by race/ethnicity, receiving such admissions.
- e. Coaches' Graduation Rates of all head coaches employed by the institution, also disaggregated by race/ethnicity.

## VI. Impact of Racism on Athletes of Color

### A. Failure to Recognize the Mental Health Needs of Athletes of Color

The mental health needs of college athletes generally did not come to the forefront of athletic administrators' attention until the November 18-20, 2013, meeting of the NCAA Mental Health Task Force. The special needs of Black athletes or athletes of color did not appear as an agenda item. The meeting led to the NCAA's publication of *Mind, Body and Sport: Understanding and Supporting Student-Athlete Mental Wellness* in 2014<sup>59</sup> and the drafting of *Inter-Association Consensus Document: Best Practices for Understanding and Supporting Student-Athlete Mental Wellness* in 2016<sup>60</sup>. Only *Mind, Body and Sport* devoted a small section to "ethnic minorities." In 2017, the NCAA convened a Task Force to Advance Mental Health Best Practices Strategies<sup>61</sup> that generated various tools for the use of member institutions,<sup>62</sup> none of which did more than segment several athlete datapoints by race. The *Inter-Association Consensus* document would not be formally adopted by the NCAA membership until 2018 when legislation was passed requiring member institutions to make mental health services and resources available to all college athletes. All of these efforts acknowledged college athletes generally as a vulnerable and underserved population. Yet the NCAA Sports Science Institute has yet to employ a mental health expert to lead this area, and there is no requirement for all coaches and athletics staff members to complete coursework or participate in continuing education regarding college students and mental health.

Targeting and acknowledgment of the mental health issues of athletes of color would not occur until August 10-11, 2020, when the NCAA convened a Diverse Student-Athlete Mental Health and Well-

<sup>59</sup> Brown, G. *Mind, Body and Sport: Understanding and Supporting Student-Athlete Mental Wellness*. October 2014. Retrieve at: [https://www.naspa.org/images/uploads/events/Mind\\_Body\\_and\\_Sport.pdf](https://www.naspa.org/images/uploads/events/Mind_Body_and_Sport.pdf).

<sup>60</sup> NCAA Sport Science Institute, NCAA. (2016) *Mental Health Best Practices—Association Consensus Document: Best Practices for Understanding and Supporting Student-Athlete Mental Wellness*. Indianapolis, IN. Retrieve at: [https://ncaaorg.s3.amazonaws.com/ssi/mental/SSI\\_MentalHealthBestPractices.pdf](https://ncaaorg.s3.amazonaws.com/ssi/mental/SSI_MentalHealthBestPractices.pdf)

<sup>61</sup> NCAA Sport Science Institute, NCAA. (April 4, 2018) *Task Force to Advance Mental Health Best Practices Strategies*. Retrieve at: <https://www.ncaa.org/sport-science-institute/topics/task-force-advance-mental-health-best-practices-strategies>

<sup>62</sup> These tools were a Mental Health Workshop Planning Kit, a Mental Health Interdisciplinary Team Planner, and a Guide for Student-Athlete Mental Health, all of which can be located at: <https://www.ncaa.org/sport-science-institute/mental-health-best-practices-implementation-tools>

Being Summit.<sup>63</sup> Nine months later, a report of the meeting was still to be issued. This awakening was most likely influenced by the aftermath of George Floyd's May 2020 death, the pandemic's elevation of the issue of Black athlete exploitation created by questionable administrative decisions regarding the return of majority minority revenue sports athletes, and the elevation of Black athlete and Black Lives Matter campus organization voices. As demonstrated by the previously presented data, predominantly white athletic program coaches and administrators and employees of athletic governance organizations were in need of this late whistle of sorts because the mental health of Black athletes should have been of concern the day after the integration of college sports. College athletes of color have a myriad of social, economic, and psychological experiences that play out prior to college. Once they become college athletes, the college athletics environment can have a positive influence, or a neutral impact, or it can exacerbate existing vulnerabilities, but only if we understand these different experiences and needs.

## **B. Precollege Environmental Factors and Adolescents of Color Vulnerabilities**

The precollege experiences of males and females of color have an ongoing impact on all aspects of their college experience, including their choice to participate in elite football or basketball. High school football athletes have fewer family and socioeconomic resources than their peers who did not play sports<sup>64</sup>, and over half of Black male, Division I, college football players were raised in families with low socioeconomic backgrounds.<sup>65</sup> Yet the vulnerabilities that impact male and female college students of color and college athletes of color extend beyond the prevalence of single-parent households and income and include engagement with foster care and law enforcement systems, substance abuse, and the not insignificant hazard of living in a society replete with regular acts of racism.

Consider the data related to adverse experience Black male and female athletes might encounter before arriving on campus:

- The foster care placement rate for Black youth was 433 per 100,000, compared to a placement rate of 86 per 100,000 for White youth.<sup>66</sup>
- Black adolescents are more than twice as likely as White adolescents to be arrested.<sup>67</sup>

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<sup>63</sup> NCAA Sport Science Institute, NCAA. (August 27, 2020) *Diverse Student-Athlete Mental Health and Well-Being Summit*. Retrieve at: <https://www.ncaa.org/sport-science-institute/topics/diverse-student-athlete-mental-health-and-well-being-summit>

<sup>64</sup> Allison, R., et al. (2016) A comparison of hometown socioeconomics and demographics for black and white elite football players in the U.S. *International Review for the Sociology of Sport*, 53 (5) Retrieve at [https://www.researchgate.net/publication/309658449\\_A\\_comparison\\_of\\_hometown\\_socioeconomics\\_and\\_demographics\\_for\\_black\\_and\\_white\\_elite\\_football\\_players\\_in\\_the\\_US](https://www.researchgate.net/publication/309658449_A_comparison_of_hometown_socioeconomics_and_demographics_for_black_and_white_elite_football_players_in_the_US)

<sup>65</sup> Murty, K.S., et al. (2014) Race and Class Exploitation: A Study of Black Male Student Athletes on White Campuses. *Journal of Race, Gender & Class*, 21(3,4) Retrieve at: [http://www.elegantbrain.com/edu4/classes/readings/depository/A\\_A\\_S\\_reads/blackStudentAthletes\\_exploitation.pdf](http://www.elegantbrain.com/edu4/classes/readings/depository/A_A_S_reads/blackStudentAthletes_exploitation.pdf)

<sup>66</sup> The Sentencing Project. (September, 12, 2017) Black Disparities in Youth Incarceration. Retrieve at: <https://www.sentencingproject.org/publications/black-disparities-youth-incarceration/>

<sup>67</sup> Michaels, S. (September 13, 2017) Black Kids are 5 Times Likelier Than White Kids to Be Locked Up. *MotherJones.com*. Retrieve at: <https://www.motherjones.com/politics/2017/09/black-kids-are-5-times-likelier-than-white-kids-to-be-locked-up/>



- The data indicate the arrest disparity between Black and White youth is not because Black adolescents are committing more crimes, but because Blacks' socioeconomic status significantly contributes to their likelihood of being arrested and spending time in prison.<sup>68</sup>
- Almost 28 percent of Black adolescent males use marijuana compared to 24.5 percent of White males<sup>69</sup> The greater challenge is that Black adolescent males have a positive linear increase in marijuana use that is significantly greater than that of White adolescents.<sup>70</sup>
- One-third of Black adolescents are raised in single-parent households where the father is not present compared to 6.5 percent of White adolescents.<sup>71</sup> As a consequence, many Black adolescent males grow up without the paternal involvement necessary to help them develop with an understanding of what it entails for Black males to be productive citizens.

Black male and female environmental vulnerabilities are real. The environment and space surrounding many Black adolescent males and females include violent neighborhood and school crime, gang activity, and formerly incarcerated and sometimes unemployed peers.<sup>72</sup> What is discussed to a lesser extent, in college sports circles, are the cumulative effects of these environmental vulnerabilities on Black males and females who compete in high-profile college athletics. The impact of the environment on Black male behavioral health is complicated, but worthy of the following considerations:

- Almost 10 percent of Black male youth experience a major depressive episode.<sup>73</sup>
- Over 70 percent of Black adolescents with a major depressive episode do not receive treatment<sup>74</sup> and the chronicity and burden of depression are greater for Blacks.<sup>75</sup>

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<sup>68</sup> King, R.D., Johnson, K.R., McGeever, K. (2010) Demography of the legal profession and racial disparities in sentencing. *Law & Society Review*. 44(1); Retrieve at: <https://onlinelibrary.wiley.com/doi/abs/10.1111/j.1540-5893.2010.00394.x>

<sup>69</sup> Johnson, R.M. et al. (2015) Past 15-year trends in adolescent marijuana use: Differences by race/ethnicity and sex. *Journal of Drug and Alcohol Dependency*. October 2, 2015. Retrieve from: <https://pubmed.ncbi.nlm.nih.gov/26361714/>

<sup>70</sup> Keyes, K.M., et al. (2017) Race/ethnicity and marijuana use in the United States: Diminishing differences in the prevalence of use, 2006-2015. *Journal of Drug and Alcohol Dependence*, 179 (October 1, 2017). Retrieve at: <https://www.sciencedirect.com/science/article/abs/pii/S0376871617304131>

<sup>71</sup> Prince, Z. (December 31, 2016) Census Bureau: Higher Percentage of Black Children Live with Single Mothers. *Afro.com*. Retrieve at: <https://afro.com/census-bureau-higher-percentage-black-children-live-single-mothers/>

<sup>72</sup> Coulton, C.J., and Korbin, J.E. (1999) Neighborhoods and child maltreatment: A multi-level study. *Journal of Child Abuse and Neglect*, 23(11). Retrieve at: <https://pubmed.ncbi.nlm.nih.gov/10604060/> See also Dempsey, M. (2002) Negative coping as mediator in the relation between violence and outcomes: Inner-city African American youth. *American Journal of Orthopsychiatry*, 72 (1) Retrieve at: <https://psycnet.apa.org/record/2002-15486-011>

<sup>73</sup> National Institute of Mental Health. (2019) Major Depression: Prevalence of Major Depressive Episode Among Adolescents. Retrieve at: <https://www.nimh.nih.gov/health/statistics/major-depression.shtml>

<sup>74</sup> US Department of Health and Human Services, Office of Minority Health. (2019) Mental and behavioral health —African Americans. Retrieve at: <https://minorityhealth.hhs.gov/omh/browse.aspx?lvl=4&lvlid=24>

<sup>75</sup> Lindsey, M.S., et al. (2018) A Review of Treatments for Young Black Males Experiencing Depression. *Res Soc Work Pract*. 28 (3) Retrieve at: <https://www.ncbi.nlm.nih.gov/pmc/articles/PMC6289521/>

- The rate of bipolar disorders is the same among Blacks as it is for other races; however, Blacks are less likely to receive a diagnosis and treatment and are more likely to be misdiagnosed with a conduct disorder or antisocial behavior.<sup>76</sup>
- Almost 11 percent of Blacks, compared to 8 percent of Whites, ages 2 to 17, are diagnosed with Attention Deficit Hyper-Activity Disorder (ADHD).<sup>77</sup>

At the 2018 University of Texas at Austin Black Athlete Summit, Dr. Ryan Sutton noted that “We’re also seeing an over-diagnosis of behavioral-based mental health disorders (such as ADHD and conduct disorder) in African Americans, and under-diagnosis of effective-based disorders such as depression and anxiety. In short, race impacts what mental health disorders look like and how they’re diagnosed.”<sup>78</sup>

## C. The Athlete of Color Experience on the College Campus

**1. The Additive Mental Health Risk Perspective.** Some college athletes of color may arrive on campus after experiencing and adapting to strength-building experiences, but many will have also endured periods in life that have left them vulnerable. In this section we focus on the vulnerabilities created by athletic participation that need to be directly addressed by athletic departments and campus or other counseling support programs. These athletics-related factors are additive to the nonathletics-related risk factors they bring with them. We know that Black athletes are more likely than their White counterparts to experience a higher prevalence of chronic depression, have more serious, chronic, and severely debilitating depression disorders when they are diagnosed, come from families or have themselves experienced lower yearly income, socioeconomic positioning, poverty status, and employment insecurity, and/or have themselves experienced abject or perceived racism, communal violence, lower education outcomes, and other race-related disparities.<sup>79</sup> As each of the following athletic factors is discussed, coaches, counselors, athletics staff, and administrative practitioners must recognize the amplifying effect each pressure created by the athletic program. We can anticipate and put programs in place to prevent or diminish sport-related stressors rather than wait for the appearance of a debilitated athlete of color.

<sup>76</sup> Turner, J. (2013) Understanding Health Disparities: The Relevance of the Stress Process Model. *Journal of Society and Mental Health*. Retrieve at: <https://journals.sagepub.com/doi/10.1177/2156869313488121>

<sup>77</sup> Gustafsson, B.M., Danielsson, H., et al. (June 22, 2018) Hyperactivity precedes conduct problems in preschool children: a longitudinal study. Cambridge University Press. Retrieve at: <https://www.cambridge.org/core/journals/bjpsych-open/article/hyperactivity-precedes-conduct-problems-in-preschool-children-a-longitudinal-study/8620CD4742D0AB9547B20E534434D7FD>

<sup>78</sup> University of Texas at Austin (2018) Black Student-Athlete Summit. Video proceedings. Retrieve at: <https://www.google.com/search?client=firefox-b-1-d&q=2018+Black+Athlete+summit+proceedings>

<sup>79</sup> Bailey, R.K., et al. (2019) Racial and ethnic differences in depression: Current perspectives. *Journal of Neuropsychiatric Disorders* 15 (February 22, 2019). Retrieve at: <https://www.ncbi.nlm.nih.gov/pmc/articles/PMC6390869/>

Given these precollege risks, athletic departments must be prepared to deliver trauma-informed care.<sup>80</sup> Maurice Clarett, former Ohio State football player, made it back from prison, drug use, and significant mental health issues. He testified:

*We need to realize that Black male student-athletes have experienced a lot of trauma and need therapy. I didn't make the connection between some of the things that I was doing and trauma, but once it was explained... I understood it.*<sup>81</sup>

Adopting an overarching strategy of trauma-informed care (TIC) to address the unique needs of athletes of color institutionalizes a structure and treatment framework that assumes the college athlete is, more likely than not, entering college with legacy vulnerabilities. TIC recognizes the hypervigilance, attachment issues, lack of basic trust, view of the world as threatening, lack of self-confidence, and emotional dysregulation of many athletes of color who grew up in adverse conditions as expected characteristics given their unique backgrounds. TIC responds to recognized “trigger” dysfunctional behaviors promptly and without judgment and instead focuses on building a sense of control and empowerment.<sup>82</sup> TIC teaches resistance skills in response to triggers, but also anticipates that triggers will prevail in a class, in their sport, or when the athlete has to return home during break, and that although the athlete may rather stay on campus, this is an avoidance reaction rather than a functional coping strategy.

#### **Recommendation 10.**

#### **Institutions Should Adopt an Overarching Strategy of Trauma Informed Mental Health Care for Athletes of Color Including Mandatory Employee Mental Health Issues Education and Reporting**

**A Trauma-Informed Care (TIC) approach seeks to establish safety and security and develop basic trust as a predicate for effective mental health care in recognition that Black and Brown athletes are more likely than not to enter college with significant legacy vulnerabilities. Although a traumatic experience may not be a direct and/or prevailing threat, restoring a vulnerable athlete’s sense of safety is paramount. In addition to safety, a trauma informed approach stresses trustworthiness and transparency, collaboration and mutuality, empowerment and choice, requiring the cooperation of all staff members when dealing with athlete needs affected by racism, sexism, abuse, and college sport culture precipitated pressures.**

**Key to installing TIC is mandatory education of all athletic department employees and counseling center employees working with college athletes and mechanisms that require employee consultation and reporting to mental health professionals when mental health concerns are identified. A TIC approach should be integrated into each athletic department’s Mental Health Interdisciplinary Team Planner.**

<sup>80</sup> Sweeney, A., et al. (2018) A paradigm shift: Relationships in trauma-informed mental health services. *British Journal of Psychological Advances*. 24 (5) Retrieve at: <https://www.ncbi.nlm.nih.gov/pmc/articles/PMC6088388/>

<sup>81</sup> Clarett, M. (November 6, 2018). Strategies for Embedding Social Workers in Football/Basketball Program. Alliance of Social Workers in Sports 4<sup>th</sup> Annual Conference. Orlando, FL.

<sup>82</sup> Bath, H. (2008) The Three Pillars of Trauma-Informed Care. Retrieve at: [https://www.researchgate.net/publication/234706984\\_The\\_Three\\_Pillars\\_of\\_Trauma-Informed\\_Care](https://www.researchgate.net/publication/234706984_The_Three_Pillars_of_Trauma-Informed_Care)

**2. The Imposter Syndrome.** Imposter syndrome (IS) is an “internal experience of intellectual phoniness in people who believe that they are not intelligent, capable, or creative enough despite evidence of high achievement.”<sup>83</sup> The actual or perceived experience of others treating Black athletes as if they are intellectually inferior is starkly evident by common practices within the Division I college athletics culture:

- The routine waiver of academic admissions standards. The use of “special admissions,” especially among 80% to 90% of Division I Black football and basketball players, is well known among the admitted athletes themselves, other athletes, and staff in the athletic department, and, thanks to the Hollywood celebrities charged in the 2019 admissions scandal, to the general public now.<sup>84</sup>
- Counseling athletes to take less challenging courses and declare less challenging academic majors. The Black athlete victim of such academic fraud is fully aware of the practice and too fearful to object because the athlete believes he or she will be at risk for losing a scholarship, a starting position, or the skilled instruction that might make the difference between qualifying for a professional sports draft or not. Are academic advisors succumbing to their own bias, racially stereotyping Black athletes as less capable?
- Mandatory study halls, athlete-only computer labs, and tutors. Other nonathlete students on campus don’t receive such treatment. It is not a stretch to imagine the Black athlete thinking, “Why do athletes need such treatment? Is it because they are academically less capable?”
- In many instances, living in predominantly white institutions in predominantly white communities. Do the athletes of color feel that they belong?

Imposter syndrome may lead Black athletes to avoid pursuing new intellectual opportunities due to fear of failure and to accept the advice of academic counselors who infer such failure. Athletic departments must hold themselves accountable for providing Black athletes with a meaningful degree. Previously stated recommendations to increase the athletic eligibility standard to a consistent cumulative GPA of 2.0, hold coaches and institutions accountable for meeting average FGR goals, and mandated remediation of academic deficiencies of specially admitted students will address the importance of emphasizing graduation and academic competence expectations for all athletes. However, proactively addressing imposter syndrome with targeted mental health programming is also necessary, especially because research shows that Black students are unlikely to seek counseling.<sup>85</sup> Athletic departments should develop workshop programs that “specifically focus on helping students internalize confidence in

<sup>83</sup> Musarra, C. (2019). Imposter Syndrome Can Take a Heavy Toll on People of Color, Particularly African Americans. Retrieve at: <https://www.diversityinc.com/imposter-syndrome-can-take-a-heavy-toll-on-people-of-color-particularly-african-americans/>

<sup>84</sup> Friedman, Z. (March 12, 2019) Hollywood Celebrities Charged in Major Admissions Scandal. *Forbes.com*. Reporting on fifty people being charged by the U.S. Attorney in the District of Massachusetts of bribing coaches and athletic administrators to designate nonathlete applicants as recruited athletes eligible for special admissions treatment. Retrieve at: <https://www.forbes.com/sites/zackfriedman/2019/03/12/hollywood-celebrities-charged-in-major-college-admissions-scandal/?sh=4888fc4b1dc5>

<sup>85</sup> Wilkerson, T.A., et al. (February 1, 2020) Black Football Student-Athletes’ Perceived Barriers to Seeking Mental Health Services. *Journal of Issues in Intercollegiate Athletics*. Retrieve at: <http://csri-jiaa.org/black-football-student-athletes-perceived-barriers-to-seeking-mental-health-services/>

their intellectual abilities and help them to understand that instances of failure do not equal fraudulence.”<sup>86</sup>

### **Recommendation 11.** **Institute First-Year Black Athlete Mental Health and Mentor Programming**

In addition to all new athletes receiving mental health screening, athletic departments should offer proactive workshops led by mental health professionals of color for first-year athletes of color that directly address the impostor syndrome, barriers commonly faced by athletes of color hesitant to seek mental health assistance, and negative societal messages that may lead Black students to believe they are intellectually inadequate and do not belong. Such workshops should also include connecting with Black student organizations on campus and Black organizations within the community. Mental health professionals should check in with each Black college athlete at least four times per year (twice per semester), and Black faculty or community mentors should be assigned to each. Such an effort could be tasked to the athletic department’s Faculty Athletic Representative (FAR).

**3. The Covid-19 Pandemic.** In the summer and fall of 2020, college athletes were a large part of only a small handful of human beings who inhabited college campuses. College football athletes in the ACC, Big 12, and SEC started their seasons in September. College athletic departments, in conjunction with the NCAA, developed extensive COVID-19 protocols, but there were no documented national or conference-level mental health protocols in place for college athletes at the onset of the 2020-2021 academic year. How many athletic departments have mental health professionals embedded in athletics? How many do not? As M. Roy Wilson, president of Wayne State University, said:

We have to deal with those aspects with the same rigor and concentration as we do social distancing, wearing masks, sanitation of facilities. All those things are good. But we’ve got to look at the well-being of our student athletes also, because they’re not going to be able to come back if they don’t.<sup>87</sup>

In the fall 2020 follow up to the spring 2020 NCAA Student-Athlete COVID-19 Well-Being Survey<sup>88</sup>, compared with white student-athletes, Black and Latinx student-athletes were about twice as likely to report someone close to them being hospitalized or dying as a result of COVID-19.<sup>89</sup> At the onset of the pandemic 75 percent of Black male college athletes surveyed, compared with 92 percent of white males in the sample, said they had access to enough food, and 61 percent reported that healthy food options

<sup>86</sup> Bernard, D., and Lowe, T. (July 30, 2019) Impostor Syndrome, Black College Students and How Administrators Can Help. *DiverseEducation.com*. Retrieve at: <https://diverseeducation.com/article/150966/>

<sup>87</sup> Peter, J. (August 26, 2020) Medical experts warn that mental health of college athletes, and especially Black athletes, is being overlooked. *USA Today*. Retrieve at: <https://www.usatoday.com/story/sports/college/2020/08/26/ncaa-study-college-athletes-mental-health-overlooked-medical-experts/5636122002/>

<sup>88</sup> National Collegiate Athletic Association. Fall and Spring 2020. NCAA Student-Athlete COVID-19 Well-Being Study. Retrieve at: <https://www.ncaa.org/about/resources/research/ncaa-student-athlete-well-being-study>

<sup>89</sup> Johnson, G. (2021) Pandemic continues to impact student-athlete mental health. Retrieve at: <https://www.ncaa.org/about/resources/media-center/news/pandemic-continues-impact-student-athlete-mental-health>

are readily available to them, compared with 81 percent of white male participants.<sup>90</sup> Black and Latino college athletes in the sample were more likely to agree that a fear of exposure to COVID-19 is a barrier to training (50 percent and 53 percent, respectively) than white college athletes surveyed (41 percent).<sup>91</sup> Black and Latino participants were more often cited family or personal responsibilities as a barrier to training (both 40 percent), as compared with white student-athletes (27 percent) and those in other racial categories (34 percent).<sup>92</sup> Recently, evidence regarding deaths of despair among persons of color is now also on the rise, increasing from 2019 to 2020 by 45 percent among Blacks, 42 percent among Latinos, 25 percent among Asians, and 13 percent among whites.<sup>93</sup>

From another mental health perspective, greater financial pressures and more instability at home among Black athletes make separation from their teammates an even bigger issue in the return to athletics during the COVID-19 pandemic. The NCAA has a COVID-19 hotline<sup>94</sup> and a web site with over 66 resources, but no mental health hotline and a one-page COVID-19 mental health resource.<sup>95</sup>

Seldom discussed are the new COVID-19 academic stressors. Some college athletes of color, prior to COVID-19, were academically at-risk because of poor secondary school education. Add that risk to the daily challenges of attending classes at very competitive research institutions and the extraordinary time and athletic performance demands of Division I college sports and the result is an extraordinarily stressful environment. The onset of the pandemic forced many college students, including athletes, into academic schedules that included some or all online courses. For some college athletes of color, the traditional, high-contact, in-person learning environment has been critical to their ability to compete academically. The absence of in-person classes, combined with the lack of direct access to an academic advisor or tutor assistance amplified academic stress to incredible levels and negatively influenced their mental health.

**4. Racial Unrest and Campus Racism.** There were the national and international instances of police involved shootings (i.e., George Floyd, Breonna Taylor, etc.) and racial unrest that people of color and college athletes experienced. However, Black college athletes experienced a subset of racism unique to them. The NCAA Student-Athlete COVID-19 Well-Being Study revealed that Black student-athletes were twice as likely as other athletes of color (31% and 13%, respectively) to report personal experiences of racism or racial trauma within the last month as negatively impacting their mental health.<sup>96</sup>

Each risk factor identified in this and the previous section that impacts college athletes of color has its own unique effect on the individual because they occur at different times and to different degrees. Racism in particular is complicated because until recently we did not discuss the mental health implications of racism. Traditionally, we have explored the visible destructive racism such as position discrimination in sport, but the internal individual damage of overt and covert racism is equally if not more important. The racial unrest that followed the Floyd and Taylor killings may appear to be the tipping point

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<sup>90</sup> National Collegiate Athletic Association. (May 22, 2020) Survey shows student-athletes grappling with mental health issues. Retrieve at: <https://www.ncaa.org/about/resources/media-center/news/survey-shows-student-athletes-grappling-mental-health-issues>

<sup>91</sup> Ibid.

<sup>92</sup> Ibid.

<sup>93</sup> Arthur, R. (March 25, 2021)). Deaths of Despair Have Surged Among People of Color. Retrieve at: <https://nymag.com/intelligencer/2021/03/deaths-of-despair-have-surged-among-people-of-color.html>

<sup>94</sup> National Collegiate Athletic Association. (2020) COVID-19 Concern Hotline. Retrieve at: <https://www.ncaa.org/sport-science-institute/covid-19-concern-hotline>

<sup>95</sup> National Collegiate Athletic Association. (2020) COVID-19 and Mental Health. Retrieve at: <https://www.ncaa.org/sport-science-institute/topics/covid-19-and-mental-health>

<sup>96</sup> Id., Johnson (2021).



for addressing racist behavior by coaches, but this behavior has a long and well-documented history preceding this string of police-involved shootings. Several examples include:

- In 2018, Brandeis University fired its long-time men's basketball coach, Brian Meehan, and launched an independent investigation that resulted in the University accepting the resignation of Sheryl Sousa, the Vice President of Student Affairs, and demoting and placing on probation Athletic Director Lynn Dempsey and Vice President of Human Resources Robin Nelson-Bailey. Meehan engaged in years of athlete abuse, including telling one athlete he would "ship him back to Africa," calling another athlete "Jew boy," and chewing a player out on Senior Day in front of parents and the athletic department leadership. Meehan openly flaunted nepotistic roster moves by keeping his two sons on the team and made African and African-American players on the team feel ostracized by repeatedly using racist language in front of them.<sup>97</sup>
- Now former Penn State men's basketball coach Pat Chambers told now Iowa State college athlete Rasir Bolton "I want to loosen the noose that's around your neck" during a practice in 2019.<sup>98</sup>
- At Wichita State, now former men's basketball coach Gregg Marshall was accused of routinely physically and verbally abusing members of the program and demeaning his players with ethnic and racial slurs. Former player Shaquille Morris also alleged that he was punched twice by Marshall during a 2015 practice. Marshall was also accused of choking assistant coach Kyle Lindsted the following year.<sup>99</sup>
- Approximately 44 former University of Iowa football players spoke out on the abusive coaching techniques and racism that they experienced at the hands of strength and conditioning coach Chris Doyle, head coach Kirk Ferentz, and his son, assistant coach Brian Ferentz. Former Black male football player Laron Taylor shared that once Doyle asked him "if I gangbang in the offseason cause I ain't run track or wrestle," and Terrance Harris shared that Doyle threw out many derogatory comments such as "he'd gladly send me back to the ghetto" and that "this type of content was normal from him."<sup>100</sup>
- In June of 2020, using social media, three Liberty University football players announced their intent to transfer, citing "racial insensitivity" and "cultural incompetence." One player explained that he appreciated his relationship with coaches and teammates, but his decision was "bigger than football." Another player cited "racial insensitivity displayed by leadership at Liberty" led to his decision, adding that he hoped to get an opportunity to play at a school that "respects my culture and provides a comfortable environment." A female basketball player announced she was

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<sup>97</sup> Prince Lobel. (August 22, 2018) Summary Report of the Independent Investigation of Complaints Related to the Brandeis University Men's Basketball Program. Retrieve at:

<https://www.scribd.com/document/387801301/Brandeis-External-Investigation-Summary>

<sup>98</sup> Washington, J. (July 6, 2020). Noose comment by Penn State basketball coach points to a larger NCAA problem. *TheUndefeated.com*. Retrieve at: <https://theundefeated.com/features/noose-comment-by-penn-state-basketball-coach-points-to-larger-ncaa-problem/>

<sup>99</sup> Thomas, E. (October 8, 2020). Another example surfaces of abuse of Black players by white coaches. *TheUndefeated.com*. Retrieve at: <https://theundefeated.com/features/another-example-surfaces-of-abuse-of-black-players-by-white-coaches/>

<sup>100</sup> Ford, N. (June 11, 2020). Iowa football allegations: What former players said, when they played and which coaches they named. Retrieved at: <https://www.thegazette.com/subject/sports/hawkeyes/iowa-football/iowa-hawkeyes-football-allegations-tweets-20200611>

transferring, also citing “racial insensitivities.” The transfers were precipitated by Liberty president Jerry Falwell Jr. referring in a Tweet to Virginia Governor Ralph Northam as “Governor Blackface” and including photographs of a person in blackface and another person in Ku Klux Klan attire. Black Liberty staffers resigned and Christian leaders and alumni sent an open letter to Falwell, writing “While your Tweet may have been in jest about Virginia’s governor, it made light of our nation’s painful history of slavery and racism.”<sup>101</sup>

- West Virginia University defensive coordinator Vic Koenning departed by mutual agreement after a player reported that Koenning shared a conversation he had with his son about racial injustice protests, saying “If people did not want to get tear gassed, or pushed back by the police, then they shouldn’t be outside protesting.” The same player reported one incident when Koenning called him retarded for doing the wrong technique and another when, during a team meeting that included someone of Hispanic descent, Koenning spoke about President Trump and how he should build the wall and keep Hispanics out of the country.<sup>102</sup>
- At Oklahoma State, a t-shirt worn by head football coach Mike Gundy sparked allegations that he called LC Greenwood a “hood rat” and “thug” and threatened him over his clothing choices. Linebacker Patrick Macon alleged that Gundy would tell him and defensive back Kanion Williams they were in danger of being sent back to South Dallas and that Gundy would ignore him off the field.<sup>103</sup>
- On February 27, 2021, after a road loss, Creighton University men’s basketball coach told his team “Guys, we got to stick together. We need both feet in. I need everybody to stay on the plantation. I can’t have anybody leave the plantation.”<sup>104</sup>
- Currently, the University of South Florida is investigating men's basketball associate head coach Tom Herrion following allegations that he made multiple racially charged comments. Further, USF is also investigating head coach Brian Gregory for “failing to discipline said coach or report the matter to USF Athletics. Since the team's 2020-2021 season ended, six players—all of them Black—have entered the NCAA transfer portal.<sup>105</sup> Former USF basketball college athlete Madut Akec wrote: “I would like to make it known that I have always used basketball as an outlet to

<sup>101</sup> Adelson, A. (June 22, 2020) Two Liberty football players cite racial insensitivity in decision to transfer.

ESPN.com. Retrieve at: [https://www.espn.com/college-football/story/\\_/id/29348510/two-liberty-football-players-cite-racial-insensitivity-decision-transfer](https://www.espn.com/college-football/story/_/id/29348510/two-liberty-football-players-cite-racial-insensitivity-decision-transfer)

<sup>102</sup> Buhler, J. (July 22, 2020) WVU defensive coordinator out after racist accusations by player. *Fansided.com*. Retrieve at: <https://fansided.com/2020/07/22/west-virginia-defensive-coordinator-racist-accusations-player/>

<sup>103</sup> Bernstein, D. (July 16, 2020). Oklahoma State players allege racism from coach Mike Gundy as they rally around teammate. *SportingNews.com*. Retrieve at: <https://www.sportingnews.com/us/ncaa-football/news/oklahoma-state-players-allege-racism-from-mike-gundy/b9vaqvqss2mj17do5jc66pzz>

<sup>104</sup> Thorbecke, C. (March 5, 2021) Creighton University basketball coach suspended for ‘plantation’ analogy. *ABCNews.com*. Retrieve at: <https://abcnews.go.com/Sports/creighton-university-basketball-coach-suspended-plantation-analogy/story?id=76275857>

<sup>105</sup> Rickman, B. (March 18, 2021). Report: USF Investigating Associate Head Coach for Racist Comments. *SI.com*. Retrieve at: <https://www.si.com/college/2021/03/18/usf-assistant-coach-racially-charged-comments-investigation>



escape some of the hardships that I face as a black male in this society. But when these issues seem to follow, it becomes both uncomfortable and disturbing."<sup>106</sup>

Athletes of color also experience racism at the hands of their peer college athletes. On February 23, 2021, UCLA dismissed cross-country and track and field athlete Chris Weiland after a video and text message exchange surfaced on Instagram of him using racist and sexist language. UCLA's move to dismiss Weiland from athletics is commendable, but what is concerning and relevant to the mental wellness of college athletes of color is that the UCLA Black Student-Association claimed that UCLA knew about it for some time and "did very minimal actions about it."<sup>107</sup>

In addition to experiencing racism at the hands of coaches and fellow athletes, college athletes of color must also endure racism from boosters. Last June a University of Southern California football booster's season ticket and Trojan Athletic Fund membership privileges were revoked after he posted a racist tweet. According to published reports the tweets were posted by former LAPD Union attorney Marla Brown, who suggested that "protesters should be shot."<sup>108</sup> University of Texas at Austin wealthy boosters are holding the president and athletic director hostage, pledging to end their financial support of the university if the institution gives in to the demands of Black football players to end the playing of *The Eyes of Texas* after football games because of its racist history. So far it is a stalemate that may not come to a head until the start of the fall 2021 football season.<sup>109</sup>

The recent increase in athletes' public accusations made against college coaches and other athletes who use hate speech should be applauded as some athletes of color and their parents and allies find strong voices to challenge such conduct in the post-COVID-19/George Floyd era. At the same time, we recognize that the majority of athletes of color are still fearful about speaking out and require assistance from administrators to provide both adequate supervision to identify and stop such behavior and also mental health services from counseling professionals to assist athletes in coping with such racism. Similarly, administrators must confront fans and boosters who make racist comments and/or engage in prejudiced behavior, taking public action to condemn them while restoring a safe educational environment. Athletic administrators must be responsive to the mental health impact of these actions on athletes of color. Again, we must recognize the amplifying effect of such experiences. Not only are these athletes subject to the effects of racism outside of college, as they walk onto the college campus and our playing fields and courts, but they are also encountering new perpetrators of social injustice.

Anonymous racist comments and videos abound in the world of social media and are protected speech under the First Amendment at public institutions. Private institutions are able to respond more aggressively and many do by rescinding admissions or blocking class registration. As admissions standards become more holistic rather than based on test or other academic-metrics, there will be more room for

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<sup>106</sup> 10Tampa Bay (2021) Former USF men's basketball player releases statement on investigation into team's coaching staff. *WTSP.com*. Retrieve at: <https://www.wtsp.com/article/sports/former-usf-mens-basketball-player-releases-statement-on-investigation-into-teams-coaching-staff/67-659fd372-7e62-4657-9418-84f95a0a9ff1>

<sup>107</sup> Williams, J.H. (February 22, 2021) UCLA athlete dismissed from team after students decry racist comments. *OrangeCountyRegister.com*. Retrieve at: <https://www.ocregister.com/2021/02/22/ucla-athlete-dismissed-from-team-after-racist-comments-outcry-among-students/>

<sup>108</sup> Vanoni, M. (June 11, 2020). USC revokes football booster's privileges after racist tweets. *SBSun*. Retrieve at: <https://www.sbsun.com/2020/06/01/usc-revokes-football-boosters-privileges-after-racist-tweets/>

<sup>109</sup> McGee, K. (March 1, 2021) UT needs rich donors: Emails show wealthy alumni supporting "Eyes of Texas" threatened to pull donations. *TheTexasTribune.com*. Retrieve at: <https://www.texastribune.org/2021/03/01/ut-eyes-of-texas-donors-emails/>

public institutions to consider past offensive social media behavior under character criteria. No matter, athletes of color should be prepared for student and fan communications that are hurtful. Athletic departments should encourage reporting of such comments and must be sure to condemn and to the extent possible not tolerate hateful speech. As important is educating athletes to realize that unwelcome individuals will seek athlete public social media pages, so care must be taken before uploading life experiences.

### **Recommendation 12.**

#### **Establishment of Conference DEI Task Forces to Address Racism and Prejudiced Behavior**

Each athletic conference should be encouraged to establish a diversity, equity, and inclusion task force (DEI Task Force) consisting of a DEI liaison from each member institution for the purpose of developing a common set of principles, tasks, and objectives related to improving the (mental and behavioral health) climate for male and female college athletes of color with regard to addressing racism and/or prejudiced behavior. DEI liaisons should be responsible for ensuring that their respective athletic departments conduct education programs for athletes, staff members, donors, and fans regarding the impact of racism, prejudice, microassaults/aggressions, and like thoughts and behaviors on male and female college athletes of color.

**5. Abusive Coaching.** Emotional abuse is using emotions to criticize, embarrass, shame, blame, or otherwise manipulate another person.<sup>110</sup> Verbal abuse is a tool of emotional abuse that is an act of violence against an athlete in the form of speech that decreases self-confidence and adds to feelings of helplessness.<sup>111</sup> Too often, when coaches engage in such conduct, it is accepted as a sport culture anachronism. Such emotional and verbal abuse are challenging because they can be ambiguous, excused as “old school coaching,” or even portrayed as “pushing” or discipline that college athletes want and need. However, the number of such cases of emotional and verbal abuse cases in college sports appears to be increasing as what Harry Edwards describes is a fifth wave of social justice in sports.<sup>112</sup> Often racism intersects with coaching abuse. In addition to the Gregg Marshall, Wichita State, incident cited above, since 2018 we note the following occurrences:

- Siena men’s basketball coach, Jimmy Patsos, resigned after a team manager, who has an obsessive-compulsive disorder, made allegations of abuse against him claiming that Patsos referred to him as “the next Unabomber,” called the student “insane,” and teased the individual about medication being taken to treat his disorder.

<sup>110</sup> Gordon, S. (September 17, 2020) What is Emotional Abuse? *VeryWellMind.com*. Retrieve at: <https://www.verywellmind.com/identify-and-cope-with-emotional-abuse-4156673>

<sup>111</sup> Ozgule, M.T. (2016). Children’s perception of violence in daily life: A qualitative analysis of children’s verbal expressions and stories. *Psychology*. Retrieve at: <https://www.semanticscholar.org/paper/Childrens-perception-of-violence-in-daily-life-a-of-%C3%96zg%C3%BCle/73e1e04197f4908e869581f45a84a20db6058189>

<sup>112</sup> Barron, D. (August 29, 2020) A new wave of protests by athletes shows power shift. *Houston Chronicle*. Retrieve at: <https://www.houstonchronicle.com/texas-sports-nation/general/article/A-new-wave-of-protests-by-athletes-shows-power-15523470.php>

- Colorado State men's basketball coach, Larry Eustachy, resigned amid an investigation into allegations that he fostered a culture of fear and intimidation and emotionally abused his players and assistant coaches including telling assistant coaches to "shut the f--k up" and referring to his players as "f--king c--ts."<sup>113</sup>
- A publicly aired allegation via an anonymous letter, because the writer feared retribution, accused Howard head football coach Ron Prince of threatening, intimidating, and verbally abusing his players.<sup>114</sup>
- Reinstated following player allegations and an internal review, University of Nebraska softball players told athletic director Moos that a majority of players on the team sought counseling from athletic department psychologists and multiple players transferred out of the program because of head coach Rhonda Revelle's bullying, texting at all hours of the night, requiring players to report to her on their love lives. Moos refused to share the investigation report, warned the players not to speak about the investigation or obtain their own legal representation.<sup>115</sup>
- During the 2019 NCAA Final Four, Michigan State head coach Tom Izzo, apparently upset by a mistake or blown assignment, "had to be restrained by his players while berating freshman forward Aaron Henry during the Spartans' first-round win over Bradley." Reporter Thomas observed, "What stood out was less Izzo's violent outburst and more his players' familiar, resigned reaction to it, like it was nothing they hadn't seen before."<sup>116</sup>
- Stony Brook University dismissed the women's swimming coaching staff following allegations of emotional abuse by team members. Players detailed head coach Janelle Atkinson telling a player her anxiety was due to her own mishandling of being sexually assaulted, players being ignored when reporting illness or injury, individual players called into the hallway to be yelled at while the team practiced, swimmers told daily that they were not good enough or "real D1 athletes," and more daily threats that scholarships would be withdrawn.<sup>117</sup>
- Texas Tech University basketball players alleged that head coach Marlene Stollings created a toxic atmosphere involving ridicule and isolation of players, admonition of players for exhibiting symptoms of depression, improper use of conditioning for discipline, and maintenance of a

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<sup>113</sup> Nathan, A. (February 3, 2018) Colorado St. HC Larry Eustachy placed on leave amid investigation into conduct. *BleacherReport.com*. Retrieve at: <https://bleacherreport.com/articles/2757530-colorado-st-hc-larry-eustachy-placed-on-leave-amid-investigation-into-conduct>

<sup>114</sup> Finch, J. (November 7, 2019) Howard football coach accused of threats, verbal abuse put on leave. *NBCWashington.com*. Retrieve at: <https://www.nbcwashington.com/news/local/howard-football-coach-accused-of-threats-verbal-abuse-put-on-leave/2106606/>

<sup>115</sup> Strauss, B. (August 30, 2019) Complaints against Nebraska softball coach show college athletes' limited options. *WashingtonPost.com*. Retrieve at: <https://www.washingtonpost.com/sports/2019/08/30/complaints-against-nebraska-softball-coach-show-college-athletes-limited-options/>

<sup>116</sup> Thomas, Etan. (April 6, 2019) Tom Izzo's abuse of Aaron Henry was the act of a bully and coward. *TheGuardian.com*. Retrieve at <https://www.theguardian.com/sport/2019/apr/06/tom-izzo-aaron-henry-abuse-michigan-state>

<sup>117</sup> Neidigh, L. (January 26, 2018) Stony Brook University coaches dismissed after athletes allege abuse. *SwimSwam.com*. Retrieve at: <https://swimswam.com/stony-brook-university-coaches-dismissed-athletes-allege-abuse/>

culture of fear and anxiety. NCAA transfer waiver requests included descriptions of the basketball program as “extremely unhealthy” and “toxic environment” in which players were “mistreated” and “degraded.” Players further cited the coaching staff calling players “disgusting,” “trash,” “fat pig,” “grossly out of shape,” and “grossly disproportional.”<sup>118</sup>

- *The Insider* spoke with 17 former female college athletes from 10 universities around the US about their negative experiences with coaches revealing a pattern of psychological and emotional abuse in women's sports, including incidents at the intersection of racism and emotional and verbal abuse. For example, Northern Kentucky University women's basketball coach Camryn Whitaker was alleged to have humiliated, intimidated and manipulated her and others – including personal attacks about players' families, personalities, work ethic, and bodies -- to the extent that eight players quit the team. One Northern Kentucky White women's basketball player had her playing time cut in instances when she sat beside a Black player on the bus or on the bench. Whitaker was also alleged to tell certain players not to hang out with each other because they were “bad people” and came from “bad families.”<sup>119</sup>

In addition to emotional and verbal abuse, coaches regularly use conditioning as punishment or as tests of toughness that purposefully drive players to the point of collapse or exhaustion. Both practices are forms of physical abuse that should be prohibited by policy. For example, Ohio Dominican University head volleyball coach, Jennifer Kekpe, was alleged to have paid no attention when one of her players collapsed during a punishment exercise.<sup>120</sup> The death of Maryland football player Jordan McNair was well documented, when after a grueling series of 110-yard sprints during the team's first summer practice on a hot day, when gradual acclimatization should have been a primary professional coach's concern, McNair struggled with muscle cramps and his teammates were told to “drag his ass across the field.”<sup>121</sup>

Certainly, these unprofessional practices create extraordinary additional pressure on players in an already physically stressful Division I athletics environment. This sport environment is also psychologically stressful because of the self- and externally imposed expectations of competent sport skill performance, the unrealistic number of hours spent on athletics-related activities, and the sleep deprivation commonly experienced. Supervision and abuse prevention policy standards must be enforced to protect the athlete.

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<sup>118</sup> Epstein, J., and Libit, D. (August 5, 2020) Texas Tech women's basketball players describe toxic culture: 'Fear, anxiety and depression.' *USAToday.com*. August 5, 2020. Retrieve at: <https://www.usatoday.com/in-depth/sports/ncaaw/big12/2020/08/05/marlene-stollings-texas-tech-program-culture-abuse-players-say/5553370002/>

<sup>119</sup> Dodgson, L. (October 30, 2020) Female college athletes from across the US say they've been bullied, manipulated, and psychologically abused by their coaches. *Insider.com*. Retrieve at: <https://www.insider.com/players-say-psychological-abuse-college-women-sports-coaches-2020-7>

<sup>120</sup> Ibid.

<sup>121</sup> Kirshner, A. (October 31, 2018) What we know about Jordan McNair's death and Maryland football's role in it. *SBNation.com*. Retrieve at: <https://www.sbnation.com/college-football/2018/8/11/17678652/jordan-mcnair-death-investigation-maryland>

### **Recommendation 13.**

#### **Intercollegiate Athletics Governance Organizations Should Establish Clear and Consistent Coach Conduct Standards, Athlete Complaint Procedures and Investigations, and Adjudication and Disciplinary Processes in Order to Protect College Athletes from Abusive, Racist, and Other Behaviors that Cause Mental and Physical Harm.**

National collegiate athletic organizations should adopt the following recommendations to address the professional conduct of coaches:

1. Adoption of a Coaching Code of Ethics that specifically defines unacceptable behaviors in the areas of physical abuse, romantic, sexual, and social relationships, sexual harassment, mental and verbal abuse, and discrimination based on race, ethnicity, religion, age, disability, gender, or sexual orientation.
2. Provisions for the implementation and enforcement of such a Code that include:
  - a. its mandated inclusion in employment agreements;
  - b. a trauma-informed process for educating athletes and receiving their complaints;
  - c. designation of all athletic department employees as mandatory reporters, excluding any medical staff with appropriate licensure;
  - d. whistle-blower protection for reporters and complainants;
  - e. fair plausibility, investigation, adjudication, and appeal procedures that protect accused coaches;
  - f. national collegiate athletic governance organization oversight to review all serious coaching misconduct cases and, if necessary, apply additional penalties up to and including banning employment at all member institutions; and
  - g. required publication by the national collegiate athletic governance organizations of all enforcement decisions related to serious coaching misconduct.
3. Exploration of the possibility of a partnership with the US Center for SafeSport for education, investigation, and adjudication services.
4. Establishment of specific minimum coaching credentials, required background checks, and other vetting of applicants for coaching employment including required self-disclosure of any disciplinary procedure related to professional misconduct.
5. Implementation of a peer-review certification program that includes an assessment of coach supervisory practices, athlete evaluation of coaching instruction, mental and physical health services, and the existence of a diverse and inclusive athletics staff.
6. Establishment of an “athlete ombudsperson office” funded by the national collegiate athletic governance organization but independently administered.

**6. Athletic Injuries as Current and Future Mental, Physical, and Financial Health Stressors.** We oftentimes hear coaches, when the media ask them about an injured athlete, say something like “I have to focus on who we have...” and, while true, this kind of response exemplifies how all injured college

athletes can become “out of sight and out of mind.” For a meaningful number of male and female athletes of color, injury can negatively impact the identity that is among the most important to their current context or situation: succeeding in a college environment in which they are already coping with the unique stressors of racism and isolation. College students of color are isolated because many are a small minority on predominately white college campuses or within predominantly white communities. Those who have dual status as athletes can become further isolated when injured. Injury is not a mental health disorder, but can trigger mental health issues such as anxiety, depression, suicide ideation, disordered eating and substance use, and substance abuse.<sup>122</sup> Not only are college athletes of color required to adjust to the decreased physical activity and contact with peers, but they also confront delayed goal gratification and other unique external pressures that can also influence mental wellness.

Given that the majority of athletes on revenue-generating Division I basketball and football teams are Black, they are also at higher risk for being prematurely returned to play from injury or illness because of the high financial stakes faced by such programs—so aptly demonstrated by pressures to return to campus for training and competition during the beginning of the 2020 COVID-19 pandemic. *Madness Inc.: How College Sports Can Leave Athletes Broken and Abandoned*, produced by U.S. Senator Christopher Murphy (D-CT), revealed that nearly 20 percent of college athletic directors reported instances where a coach played an athlete who had been deemed “medically out of participation,” putting them at risk for severe injuries.<sup>123</sup> The report indicates there are almost 20,000 injuries in college athletics per year.<sup>124</sup> Kroshus et al. reported that 53.7 percent of 483 athletic trainers and team physicians studied reported pressure from coaches to prematurely clear an athlete to return to participation after a concussion.<sup>125</sup> For example, Texas Christian University wide receiver Kolby Listenbee sued his coach, the university, and the Big 12 Conference, claiming that coaches and doctors pressured him to play through injuries that ultimately cut short his NFL career. He also alleged that coaches “continually harassed, humiliated, pressured and threatened” him following his injury diagnosis in an effort to pressure his early return to play. Head coach Patterson would routinely mock him in practice, saying the injury was faked and he was too soft for the NFL.<sup>126</sup>

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<sup>122</sup> Putukian, M. (2016) The psychological response to injury in student athletes: A narrative review with a focus on mental health. *British Journal of Sports Medicine*. 50 (3) Retrieve at: <https://bjsm.bmj.com/content/50/3/145.short>

<sup>123</sup> Radelat, A. (December 16, 2019) Murphy takes on NCAA on college sports injuries. *CtMirror.com*. Retrieve at: <https://ctmirror.org/2019/12/16/murphy-takes-on-ncaa-on-college-sports-injuries/>

<sup>124</sup> Ibid.

<sup>125</sup> Kroshus, E., et al. (2015) Pressure on sports medicine clinicians to prematurely return collegiate athletes to play after concussion. *Journal of Athletic Training*. 50 (9) Retrieve at: <https://pubmed.ncbi.nlm.nih.gov/26207440/>

<sup>126</sup> The lawsuit was eventually settled. Johnson, K., and Davison, D. (May 2, 2019) Former TCU star Listenbee settles suit with university over alleged abuse. *Fort Worth Star-Telegram*. Retrieve at: <https://www.star-telegram.com/sports/college/big-12/texas-christian-university/article229885544.html>

**Recommendation 14.**  
**Required Mental Health Screening of All Injured Athletes**

The national athletic governance organization should mandate and provide recommended guidelines for the required mental health screening of all injured athletes for the purpose of identifying existing or emerging mental health issues related to coping with their injuries. Trainers and sports medicine staff, along with athletic department clinicians, should be required to submit action plans to their conferences detailing mental health provisions for injured athletes. These provisions should include specialized considerations for the Black and Brown athletes that include strategies to overcome the perceived stigma and disparities in mental health care for Black and Brown populations.

**7. Athletic Department Neglect—The Racial Blindspot.** Coaches, administrators, athletic departments, and universities recruit male and female college athletes of color and hope that they can contribute to the university's athletic success, maintain their eligibility, and graduate. Simultaneously, many coaches, behavioral health professionals, and student-athlete development staff try to maintain the faith that any preexisting or evolving behavioral health conditions that derive from adverse child and adolescent experiences will not derail their male and female college athletes of color's academic progress and more important team athletic goals. However, few institutions provide coaches and staff with any education in either racism or mental health. As Kean University men's basketball head coach Adam Hutchinson said:

*What I took from my participation [in an NCAA mental health meeting] was an awareness of, 'I have a blind spot here. I have something that is an issue, and I need to be engaging and better prepared to contribute.'*<sup>127</sup>

Some athletic department sports medicine, academic, and coaching staffs look past documented or potential mental health disorders experienced by their athletes. Other sports medicine and coaching staffs attempt to deal with the issues internally with limited if any licensed professional mental health assistance. Only rarely do they depend on counseling center personnel to assist with prevention, intervention, or treatment. Athletes, recognizable on many campuses, are reticent to be identified as going to student health centers, a product of the stigmatization of seeking mental health services among Black students in particular. Further, research appears to indicate that mental health services outside the campus health center may not be easily accessible. A 2017 study of athletic trainers at 127 Division I institutions reported on the availability of mental health counseling to athletes and athlete access.

*Seventy-two percent of respondents noted that counseling took place in a counseling center, and 20.5% of respondents indicated that they had a mental health provider who worked in the athletic training room. Mental health clinician credentials included marriage and family therapist, psychologist, clinical social worker, and psychiatrist. The majority of athletic trainers (ATCs) noted that they are satisfied with the feedback from the mental health provider about the student-athletes' mental health (57.3%) and believe that they would be able to provide better care to student-athletes if mental health services occurred*

<sup>127</sup> During the August 2020 NCAA' Diverse Student-Athlete Mental Health and Well-Being Summit Kean men's basketball head coach Adam Hutchinson commented on his experience of never considering how athletics participation could be a source of mental illnesses like anxiety and depression.



onsite in the training room (46.4%). Fewer than half (43%) indicated that they use screening instruments to assess for mental health disorders.<sup>128</sup>

While more highly resourced men's and women's basketball and football programs may be able to access independent licensed mental health resources outside the campus setting, most Division I athletic programs are dependent on sport psychologists who have full access to athletics facilities but who may not be licensed mental health professionals bound by confidentiality obligations. Division II and III programs are less likely to have such sport psychologist resources.

In all cases, the availability of mental health professionals is different from actual use of mental health services. In the case of the previously mentioned alleged coaching abuses at Texas Tech, college athletes shared that athletic administrators had been informed or knew of the alleged abuse but took no action. In other cases, athletic department staff looked the other way rather than addressing the signs of depression or the aftereffects of brain trauma, especially in the case of star Black athletes in revenue sports, where coaches are inclined to exert pressure for early return to play. One only has to look as far as the University of Florida and the suicide of Aaron Hernandez whose signs of mental health issues were painfully ignored<sup>129</sup> and Kellen Winslow at the University of Miami, with a history of untreated depression and questionable treatment of brain trauma.<sup>130</sup>

Interestingly, 73 percent of student-athletes believe that their coach cares about their mental well-being. This figure is slightly higher in Division III and lower in some sports (e.g., 55 percent in Division I women's basketball). Although many student-athletes say they would feel comfortable talking to coaches about mental health issues, such comfort is much lower among women.<sup>131</sup>

**8. Female College Athletes of Color.** The mental health of female college athletes of color is impacted in ways similar to their male counterparts, but there are other risk factors unique to their experience owing to the intersectionality of race and gender discrimination.<sup>132</sup> Like male athletes of color, they struggle for social acceptance. But like female athletes they also deal with questions regarding their athletic prowess, body image, the need to seek safe places because of females' increased risk for sexual harassment and assault, and the struggle for equal treatment of females in sport —victims of sexism as well as racism. This situation adds a layer to the complexity of dealing with the previously discussed "impostor syndrome" and puts them in double jeopardy with regard to their mental health. Less than two decades ago female athletes of color were viewed as voiceless and invisible. Although their prominence in college sports spaces is improving, there is still much room for greater equity and equality.<sup>133</sup>

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<sup>128</sup> Sudano, L.E., and Miles, C.M. (2017) Mental health services in NCAA Division I Athletics: A survey of head ATCs. *Journal of the American Orthopaedic Society for Sports Medicine*. 9 (3) Retrieve at: <https://journals.sagepub.com/doi/abs/10.1177/1941738116679127>

<sup>129</sup> Pinak, P. (August 8, 2019) Aaron Hernandez: The superstar and dangerous villain Florida never expected. *FanBuzz.com*. Retrieve at: <https://fanbuzz.com/college-football/sec/florida/aaron-hernandez-uf-career-life/>

<sup>130</sup> Schrottenboer, B. (March 17, 2020) Why ex-NFL star Kellen Winslow II descended into darkness, according to family letters. *USAToday.com*. Retrieve at: <https://www.usatoday.com/story/sports/nfl/2020/03/17/kellen-winslow-descended-into-darkness-according-family-letters/5065811002/>

<sup>131</sup> Id., 2015 NCAA GOALS Study at p. 5

<sup>132</sup> Crenshaw, K. (1989) Demarginalizing the Intersection of Race and Sex: A Black Feminist Critique of Antidiscrimination Doctrine, Feminist Theory and Antiracist Politics. *University of Chicago Legal Forum*. 1 (1989- Article 8) Retrieve at: <https://chicagounbound.uchicago.edu/cgi/viewcontent.cgi?article=1052&context=uclf>

<sup>133</sup> Gill, E.L. (2006) The role of types of sport, race, and gender in the identity, self-concept, and grade point average of Division One student-athletes. Dissertation for the University of Maryland-Baltimore. Retrieve at:



**9. Impact of Moral Injury.** Lastly, when the Black college football and basketball players ask the questions, “Why am I not home with my family, like other students?” and “Why am I being brought back to campus to train or play when other students are told they cannot return for their own safety?” the answer is bluntly obvious. It is because they are being economically exploited and they know it. The performances of these players have been monetized as commercialized entertainment, with proceeds going into the back pockets of their coaches and athletic administrators. Coaches and administrators are not educators in service of student consumers. Rather, they have a selfish motive. The educational institution is not what the student-athletes thought it would be. The realization that the institution did not serve or protect them is a potent “moral injury”<sup>134</sup>—another impactful mental health stressor.

We address this syndrome in our previous Drake position statement, “College Athlete Health and Protection from Physical and Psychological Harm,” as follows:

*When coaches and other athletic program personnel use the power of their positions either to directly harm athletes, knowing they will not be held accountable, or to ignore or hide athlete mistreatment, they inflict moral injury as well as physical or psychological harm. Such moral injury is a betrayal of trust in leaders whom college athletes expect to be guided by a higher order duty to prevent harm and comply with rules. When coaches or other administrators place their own self-interest or an interest in protecting the brand of the athletic program, institution, or governance organization above their duty to protect college athletes, the resulting failure has a core value impact more damaging than even traditional mental (depression, anxiety, etc.) or physical harm. An extreme example is the failure of Michigan State University to protect more than 400 gymnasts from team physician Dr. Larry Nassar’s sexual abuse. How did that failure affect the athletes’ trust in the educational institution they attended – to realize that at the highest levels of the institution, leaders knew, refused to act, and were complicit in a cover-up? How do the silence, denial, and inaction compound the psychological impact of the harm itself?*

*Equally distressing is the reasonable assumption that the majority of Division I college athletes are fully aware of the highly commercialized and exploitative college sport system and do not expect fair treatment from powerful coaches and administrators. Perhaps the value of a scholarship, a small chance of entering the professional ranks, momentary fame, and privileged status among one’s classmates are the quid pro quo for acceptance of moral injury. Is there any choice but complicity for the predominantly minority Division I football and basketball players who know they do not meet regular academic admission standards, are specially admitted through academic waivers, and then accede to the institution’s system of academic fraud dedicated to maintaining their eligibility to play? This acceptance of moral injury means that the current intercollegiate athletics system*

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<https://search.proquest.com/openview/8ed1fa3e3dbc059c0cc79b0529faaf6c/1?pq-origsite=gscholar&cbl=18750&diss=y>

<sup>134</sup> For additional discussion on “moral injury,” see Jeremy Jinkerson. (May, 2016) Defining and Assessing Moral Injury: A Syndrome Perspective. *Traumatology*, 22(2). Retrieve at: [https://www.researchgate.net/publication/301937607\\_Defining\\_and\\_Assessing\\_Moral\\_Injury\\_A\\_Syndrome\\_Perspective](https://www.researchgate.net/publication/301937607_Defining_and_Assessing_Moral_Injury_A_Syndrome_Perspective); William Nash. (2019) Moral Injury: The War Inside. Retrieve at: <https://www.voa.org/moral-injury>

*must change fundamentally. Just expecting the institutions to improve their management of the system's negative moral, physical, and mental health consequences is unrealistic.*<sup>135</sup>

## **VII. Addressing Issues of Racism and Athlete Exploitation**

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The national collegiate athletic governance organization should protect college athletes from mental and emotional as well as physical harm related to their participation in athletics. Specifically, the national athletic governance organization should address the issues detailed in this section.

### **A. Passing the Trash<sup>136</sup>**

Revisiting the issue of athletic department neglect, athletic departments appear to “pass the trash” when they allow coaches or other staff members to resign rather than deal with the process or expense of a formal investigation, termination for cause, or risk the possibility of an employee lawsuit challenging a decision to terminate. Worse yet, even if such coaches are let go amidst considerable media coverage and public knowledge or athlete complaints or alleged transgressions, if the coach or staff member has a winning record or is regarded as a potentially valuable asset (as in the case of a talented strength and conditioning coach), a new institution is not hesitant to pick up the tainted employee. In such cases, the pressure to win and the financial stakes are priority considerations, enough so as to justify ignoring the probable criticism. Further, unlike nonschool Olympic sports, interscholastic and intercollegiate athletics are not covered by the 2017 Safe Sport Act,<sup>137</sup> which established an athlete abuse investigation and adjudication process conducted by the U.S. Center for Safe Sport (an independent agency) that may result in banning the coach or employee from future employment in any coaching capacity. No such protection for college athletes exists. The NCAA does not entertain coach conduct complaints unless there is a violation of NCAA rules, and there are no NCAA rules related to verbal, emotional, or physical abuse of athletes, racism, or similar coach misconduct. Passing the trash therefore results in the institutionalization of abusive athlete practices. Any solution must be a governance organization remedy. See Recommendation 12 on page 47.

### **B. Absence of Black and Brown Disaggregated Mental Health Data**

The 2015 NCAA GOALS study of 21,000 college athletes reported an increase from 2010 in the number of students experiencing mental health issues such as anxiety and depression, including 30 percent self-reporting that they had been “intractably overwhelmed” during the past month. Approximately one-third of respondents reported struggling to find energy for other tasks because of the physical demands of their sport. Nearly one-quarter (same divisional and sport pattern as noted above) reported being exhausted from the mental demands of their sport but did not report any specific data on

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<sup>135</sup> Lopiano, D., et. al. (2019) The Drake Group Position Statement: College Athlete Health and Protection from Physical and Psychological Harm. (October 1, 2019). Retrieve at: <https://www.thedrakegroup.org/2019/10/01/college-athlete-health-and-protection-from-physical-and-psychological-harm/>

<sup>136</sup> A slang term commonly used to describe the practice of institutions not disclosing information to the next employer about employees who have been asked to leave owing to allegations of sexual improprieties or other transgressions.

<sup>137</sup> S. 534 – 115<sup>th</sup> Congress (2017-18) Protecting Young Victims from Sexual Abuse and Safe Sport Authorization Act of 2017. Retrieve at: <https://www.congress.gov/bill/115th-congress/senate-bill/534/text>

Black athletes.<sup>138</sup> In the 2020 NCAA GOALS study, respondents also reported a higher sense of belonging on campus; 82% of White respondents compared to two-thirds of Black student-athletes indicated they felt like a part of the campus community.<sup>139</sup>

College is already considered an at-risk period for the development of depression symptoms. A 2013 study investigating depression rates in current and former college athletes found that 16 percent of current athletes had Wakefield depression scale scores consistent with depression, compared to just 8 percent of former, retired athletes, suggesting that engagement in college athletics may contribute to increased susceptibility to depressive symptoms.<sup>140</sup>

### **Recommendation 15.**

#### **Governance Organization Establishment of Mental Health Service Standards.**

The national collegiate athletic governance organization should protect college athletes from mental and emotional as well as physical harm related to their participation in athletics. Specifically, the national athletic governance organization should exercise this responsibility through:

- a. The establishment of a standing committee on athlete mental health consisting of licensed actively practicing mental health practitioners who are charged with developing minimum standards for the provision of consistent mental health care, recommending mental health clinician-to-college-athlete ratios and mental health screening instruments, recommending procedures for the regular collection of mental health data, and recommending research projects to be funded by the national organization to explore and develop evidence-based intervention and prevention practices addressing identified mental health issues.
- b. The adoption of legislation that specifies that all mental health protection rules and standards must be adopted by the governance organization's board of directors upon recommendation of the Chief Medical Officer and the Standing Committee on Athlete Mental Health, rather than by vote of any membership, divisional council, or competitive subdivision. All such rules should apply to all athletes in all membership divisions.

## **C. Addressing the Absence of Mental Health Professionals, Particularly Practitioners of Color**

Documentation of the lack of representation of employees of color, particularly Black employees, in college athletic departments has been detailed in Section IV of this report.

*You're the black student-athlete. With that came a lot of negative stereotypes and images that a lot of people have. Having someone they could talk to honestly about what was*

<sup>138</sup> Higher in Division I and in certain sports like football; lower in Division III. National Collegiate Athletic Association. (January, 2016) NCAA GOALS study of the student-athlete experience: Initial summary of findings. Retrieve at:

[https://www.ncaa.org/sites/default/files/GOALS\\_2015\\_summary\\_jan2016\\_final\\_20160627.pdf](https://www.ncaa.org/sites/default/files/GOALS_2015_summary_jan2016_final_20160627.pdf)

<sup>139</sup> National Collegiate Athletic Association. (January 23, 2020) 2020 NCAA GOALS study results shared at NCAA Convention. Retrieve at: <https://www.ncaa.org/about/resources/media-center/news/2020-goals-study-results-shared-ncaa-convention>

<sup>140</sup> Weigand, S., et al. (2013) Susceptibility for depression in current and retired student-athletes. *Journal of Sports Health*. 5 (3) Retrieve at: <https://www.ncbi.nlm.nih.gov/pmc/articles/PMC3658399/>

*going on, what they were afraid of, what they were stressed about was beneficial for them. There was also this stigma that if I seek help, I'm seen as weak.*

—Caroline Brackette, Associate Professor of Counseling, Mercer University<sup>141</sup>

Considering the reticence about seeking mental health services expressed by Black athletes and the higher mental health risks of this population, there is an obvious advantage for athletic departments to have easily accessible staff members of color, especially among mental health professionals. Such visible allies of color are critical given the low percentage of nonwhite faculty and athletics staff in most higher education institutions. Despite the 2019 NCAA legislation requiring access to licensed mental health professionals and education about mental health and wellness services, the stigmatization barrier is formidable and must be overcome.

In the most recent study of behavioral health providers in Power Five institutions, Athletes and Advocates for Social Justice in Sports examined the racial and gender composition of these practitioners.

- The overwhelming majority of behavioral health providers in college athletics are White (78.7 percent), followed by Black (16.6 percent) and Asian (3.6 percent)
- In terms of gender, females account for almost 60 percent of college athletics behavioral health providers, and males account for 40 percent.
- At the intersection between race and gender, White females (48.4 percent) and White males (30.3) percent make up the majority of behavioral health providers in athletic departments.
- Black females (8.3 percent), Black males (7.5 percent), Asian females (1.5 percent), and Asian males (1.5 percent) make up a much smaller percentage of behavioral health professionals in Power Five athletic departments.<sup>142</sup>

The lack of racial diversity among Power Five conference behavioral health providers could exacerbate disparities in the mental health treatment of college athletes of color.

The research suggests that race can make a difference in different phases of the therapeutic process.<sup>143</sup> Black football players discussed how their background affects their ability to speak with people about issues.<sup>144</sup> One participant shared that “race plays a part in not seeking services.” Another participant expressed that it is difficult to trust certain people. “Like I said, you just come from different backgrounds and you just can’t trust with that type of information it is just sometimes you don’t feel comfortable in trusting a person.” Maniar et al. suggest that student-athletes refuse mental health

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<sup>141</sup> Jones, M. (January 9, 2017). Black Student-Athlete Summit Raises Awareness About Mental health. Retrieve at: <https://theundefeated.com/features/black-student-athlete-summit-raises-awareness-about-mental-health/>

<sup>142</sup> Gill, E., Wasielewski, E., Parker, K., Hardin, T., and Waithe, M. (2020). 2020 Power Five Conference Behavioral/Mental Health Providers Race & Gender Report Card. Athletes and Advocates for Social Justice in Sports. Retrieve at: <https://socialjusticeinsports.org/report-cards%2Ftestimonies>

<sup>143</sup> Meyer, O.L., and Zane, N. (2013) The influence of race and ethnicity in clients’ experiences of mental health treatment. *Journal of Community Psychology*. 41 (7) Retrieve at: <https://www.ncbi.nlm.nih.gov/pmc/articles/PMC4228688/>

<sup>144</sup> Id., Wilkerson (2019).

treatment or counseling because of the title of the mental health professional, race, culture, and previous experience with a counselor or mental health professional.<sup>145</sup>

A number of Black college athlete associations and groups emerged in the aftermath of the Floyd and Taylor police-involved shootings, raising safety concerns related to return to play while the COVID-19 pandemic was reaching peak levels. Interestingly, Black student athlete association (BSAA) efforts at one ACC school and also at a PAC-12 conference school prioritized creating a safe space for college athletes of color to share their own experiences with racism and sexism, receive support, and respond to racism and sexism as a collective that could protect one another. These efforts may be an indicator that college athletes of color at these NCAA member institutions, and possibly others, do not believe they have access to mental health professionals who empathize with their individual and environmental mental health risk factors. These occurrences suggest that not only is diversity in the types of mental health professionals (psychologists, social workers, licensed professional counselors, etc.) important, but so also is diversity in the race and gender of providers. Important too is whether additional outreach is needed to demonstrate that mental health providers in athletics are culturally competent and cognizant of the reasons some college athletes of color might avoid seeking treatment or seeing it through.

With respect to Black administrators, the lack of diversity in athletics administrations, especially in Division I sports, suggests that it is less likely there are administrators in athletic departments actively observing college athletes of color who are experiencing mental health challenges, empathizing with their challenges, serving as a proxy between the athletic mental health provider and the college athlete. Likewise, Black administrators may also have a shared narrative that promotes a higher level of trust than that provided to college athletes of color by White administrators. College athletes of color may be less likely to report their concerns without support from Black administrators because of fear of loss of scholarship or playing time if they show any weakness.

#### **Recommendation 16.**

##### **NCAA Leadership in the Increasing Diversity of Athletics Mental Health Practitioners**

**The NCAA should develop a diversity initiative aimed at increasing race and gender (male) diversity among college sports mental and behavioral health practitioners. This effort should include a grant fund to support post-graduate opportunities in traditional mental health fields including social work and licensed professional counselors. The NCAA should amplify the exposure of a number of organizations, such as the Alliance of Social Workers in Sports (ASWIS), that include clinicians of color with experience in athletics.**

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<sup>145</sup> Maniar, S., et al. (2001) Student-athlete preferences in seeking help when confronted with sport performance problems. *Sport Psychologist*. 15 (2) Retrieve at: [https://www.researchgate.net/publication/232577254\\_Student-Athlete\\_Preferences\\_in\\_Seeking\\_Help\\_When\\_Confronted\\_with\\_Sport\\_Performance\\_Problems](https://www.researchgate.net/publication/232577254_Student-Athlete_Preferences_in_Seeking_Help_When_Confronted_with_Sport_Performance_Problems)

## D. Professional Ethics for Sport Psychologists

One of the other overriding barriers to treatment is the prevalence of *sports* psychologists to assist athletes in improving athletic performance rather than *counseling* psychologists specifically trained to address mental health issues. Sports psychology is a proficiency that uses *psychological* knowledge and skills to address optimal performance and well-being of athletes, developmental and social aspects of *sports* participation, and systemic issues associated with *sports* settings and organizations.<sup>146</sup> Traditionally, the focus of sports psychologists is to address the on-the-field performance of college athletes. At one point, there was a movement among Big 12 sports psychologists to increase the number of coaches who could be counted so that sports psychologists could be on-the-field, at practice, and travel with teams without violating NCAA or conference bylaws. Although some sports psychologists are also clinical and counseling psychologists, the foundation of their work is to focus on the mind/person and there is little disciplinary focus on the environment and the environmental factors that influence college athletes of color mental wellness. Equally important, psychologists are oftentimes not a provider of mental health services in communities of color and can be perceived as insensitive to the needs of Black clients.<sup>147</sup>

### **Recommendation 17.** **Professional Ethics for Sports Psychologists**

National athletics governing organizations, member conferences, and member institutions should seek clarity regarding the professional rules and ethics governing the confidentiality sports psychologists should provide college athletes, given their role in performance enhancement and its proximity to what happens on the court/field/etc. Sports psychologists travel with teams, participate in practices and provide mental health provisions that can complicate the privacy and confidentiality concerns of college athletes. Other disciplines like licensed professional counselors and social workers have clear rules, including their role as mandated reporters, but these laws/rules/ethics are unclear for sports psychologists, especially those who are also educated/trained as counseling and clinical psychologists.

## E. Confronting Difficult Forms of Racism at Predominantly White Institutions

**1. Protecting the Rights of Athletes to Protest.** The risk-averse nature and donor pandering of intercollegiate athletics and higher education generally has not changed. However, we are now in the midst of a campus culture clash analogous to the Vietnam antiwar protest and feminist movements of the 1970s, aided and abetted by the most racially and ethnically diverse college student population in history. New to this space are outspoken athlete leaders—past and current pros and current college players.

<sup>146</sup> American Psychological Association. Sports Psychology. Retrieve at: <https://www.apa.org/ed/graduate/specialize/sports>

<sup>147</sup> Thompson, V.L S., et al. (2004) African Americans' Perceptions of Psychotherapy and Psychotherapists. *Professional Psychology: Research and Practice*. 35 (1) Retrieve at: <https://psycnet.apa.org/record/2004-10365-003>; Davido, J.F., et al. (2008) Disparities and distrust: The implications of psychological processes for understanding racial disparities in health and health care. *Social Science & Medicine*. 67 (3) Retrieve at: <https://www.sciencedirect.com/science/article/abs/pii/S0277953608001524>

Sports and society have moved from criticizing Black athletes for using their public platforms to advocate for social issues (e.g., the castigation of Colin Kaepernick for his protests during the national anthem at NFL games) to admiration of the voices of Black and White athletes who are not only protesting racism in their communities but the exploitation of predominantly Black athletes within the college revenue sports of basketball and football. Racial justice is now at the forefront of our national dialogue and front and center within the intercollegiate athletics environment. Fundamental change in institutions and systems perpetuating racial inequality is coming.

It is important not only to embrace the rights of athletes to express their concerns but, in light of our previous discussion of the importance of safety and trust to uniquely vulnerable athletes of color, but also to condemn the donor and alumni backlash that has been exposed. A major challenge will be for coaches and administrators to recognize the “red flags” athletics departments have used to restrict or repress athlete views:

- Staff expression of the need to impose rules to “protect the brand”;
- Rules imposed in the name of team uniformity or advancement of team chemistry;
- Voices maintaining a need to protect a sponsor relationship;
- Treatment of athletes like children rather than the adults they are with the rationalization that we must save the athlete from making a mistake on a social media platform; and/or
- Efforts to make sure donors don’t get angry or diminish their financial support.

Athletic departments should consider whether athlete education programs, rather than restrictions of speech and other expression, are more appropriate responses to such concerns.

### **Recommendation 18**

#### **Institutions Should Support the Rights of All Athletes to Freely Express Their Concerns about Racism.**

Although the First Amendment only applies to public institutions, public and private institutions alike should honor First Amendment rights because freedom of inquiry lies at the heart of higher education. The following actions, policies, and programs should be adopted by college athletics departments:

- When considering restrictions on athletes’ viewpoints expressed by speech or behavior, institutions should answer these test questions: (1) does the restriction prevent a significant material disruption of the educational environment, (2) is the prohibited activity directed at others (individuals or groups) causing harm or creating a hostile or chilling educational environment, and (3) are other reasonable time, place, and manner restrictions available that could satisfy both the school’s interests and the athletes’ interests.
- Athlete codes of conduct and team rules should not conflict with institutional student codes of conduct and all team rules should require the approval of the athletic director to ensure protection of First Amendment rights.
- Athlete education programs on codes of conduct and First Amendment rights should occur annually and should cover protected forms of protests as well as unprotected activities (such as threatening speech or physical assault, bullying, hazing, sexual harassment, violations of law such as drug use or confidentiality of teammate medical information, etc.).
- Lawyers not employed by the athletics department should review proposed restrictions of athlete speech and behavior.



- Institutions should establish policies that mandate the reporting of violations of institutional policy (e.g., bullying, hazing, discrimination, harassment based on protected characteristics, hate or threatening speech, or physical action against any individual or group that may create an unsafe or fearful educational environment, etc.), encourage bystander responsibility, and protect whistleblowers from retaliation.<sup>148</sup>

**2. Retiring Symbols and Customs of the Racist Past.** As part of this antiracism/antihate era and movement, it has become clear that, like historically Black colleges and universities (HBCUs), many historically and predominately white colleges and universities have been fundamentally shaped by their segregationist pasts. We are repeatedly reminded of this fact by many predominately white colleges and universities' struggles and confrontations with upholding symbols, statues, building names, and rituals that celebrate and commemorate persons and racist histories. In some cases, institutions have remained strongly resistant to evolve, make changes in these areas, and dispense with these vestiges of racism in order to reflect a space welcoming for all races and ethnicities.

Understanding why predominantly white institutions are more likely to embrace racist attitudes and known racist symbolism is important. There can be several reasons for this stance:

- Those in power are mostly white.
- Those in power want to stay in power and may see racial equality as a threat to this structure.
- Whites feel comfortable in the "traditions" and status quo.
- Change is hard and sometimes expensive.
- White alumni and donors may exert pressure on institutions to retain the traditions they associate with the institution they know from the past, despite whether the traditions and institutions were historically racist.
- Disregarding or disputing "heritage" can be uncomfortable, especially for those who have been instrumental in building the reputation and physical presence of the institution.

In 1954, the United State Supreme Court outlawed segregation in schools in the landmark case *Brown v. Board of Education*. However, the vast majority of segregated schools were not integrated until many years later. Although there has been progress, predominantly white colleges and universities in the South have been even slower to integrate, despite there being many more Black students in the South.<sup>149</sup>

In football stadiums across the country, we find teams made up of largely Black athletes cheered by crowds made up of largely white fans. In college sports, we find the same dichotomy, particularly in the most revenue-producing sports at the Division I level. Despite this fact, some of these same institutions have maintained vestiges of racism such as stadium and building names, statues and monuments, symbols and rituals with known racist histories. A 2020 study conducted by sports administration and management faculty found that at least 18 different Football Bowl Subdivision (FBS) Division I basketball and football facilities on college campuses honor former administrators, coaches, and

<sup>148</sup> See the full Drake position paper on this subject: Thatcher, S.G., et al. (November, 2018) The Drake Group Position Statement: College Athlete Codes of Conduct and Issues Related to Freedom of Speech and Expression. Retrieve at: <https://www.thedrakegroup.org/2018/11/15/college-athlete-codes-of-conduct-and-issues-related-to-freedom-of-speech-and-expression/>

<sup>149</sup> Guo, J. (December 17, 2014) 4 decades of desegregation in American colleges, charted. *The Washington Post*. Retrieve at: <https://www.washingtonpost.com/news/storyline/wp/2014/12/17/4-decades-of-desegregation-in-american-colleges-in-charts/>



donors who exhibited known racist behavior.<sup>150</sup> Some of those honored had exhibited this behavior specifically aimed at Black college athletes. Indeed, the notions of fair play and good sportsmanship eluded some programs, coaches, and administrators when it came to interracial sports participation.<sup>151</sup> Examples of these facilities include the football stadium Kyle Field at Texas A&M, named for Edwin Jackson Kyle, the son of a captain in the Confederate army. The University of Tennessee football stadium, Neyland Stadium, is named for the former football coach, Robert Neyland, who refused to compete against college teams with Black players and had “verbally abused” a Black student when he attempted to try out for the basketball team.<sup>152</sup>

Although institutions continue to embrace these past figures, some institutions have made changes consistent with the growing national dialogue on racial injustice. The Georgia Institute of Technology’s basketball coliseum was originally named for former coach and athletic director William Alexander, who refused to compete against integrated teams with Black players. In 2012, the facility was renamed McCamish Pavilion to honor a Georgia Tech benefactor; however, a plaque memorializing William Alexander still remains in a courtyard near the arena. Historian Charles Martin traced racial change and alignment with big-time football in Georgia during the 1892 through 1957 so-called “age of segregation.”<sup>153</sup>

Reminders and commemorations of racist histories are not limited to campus facilities or monuments. In the summer of 2020 in the wake of the death of George Floyd, college athletes at the University of Texas at Austin made a collective request to the school to make several changes on campus including renaming buildings, removing Confederate statues, and no longer requiring the athletes to sing the school’s alma mater, “The Eyes of Texas,” which has known ties to the Confederate Civil War General Robert E. Lee and early performances at minstrel shows.<sup>154</sup> Although the institution made some changes including the renaming of the football field after former Black football players, Earl Campbell and Ricky Williams, an ongoing issue with the alma mater continues.

Other institutions including the University of Oregon, Georgetown University, and Yale University have removed campus structures considered racist, consistent with the national response encouraging the making of changes to reflect a more open and welcoming campus to all.<sup>155</sup> We can expect these challenges to acknowledge and condemn our racist past, as mechanisms of healing as well as reparation, to persist. The institution’s willingness to openly confront and remove symbols that continue to cause emotional anguish and insult to students and employees of color, rather than harboring racism at the

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<sup>150</sup> Turick, R., et al. (June, 2020) Who are we honoring? Extending the ebony and ivy discussion to include sport facilities. *Journal of Sport Management*. Retrieve at: [https://www.researchgate.net/publication/342413217\\_Who\\_Are\\_We\\_Honoring\\_Extending\\_the\\_Ebony\\_Ivy\\_Discussion\\_to\\_Include\\_Sport\\_Facilities](https://www.researchgate.net/publication/342413217_Who_Are_We_Honoring_Extending_the_Ebony_Ivy_Discussion_to_Include_Sport_Facilities)

<sup>151</sup> Anderson, G. (July 7, 2020) Project identifies athletic facilities named after figures with racist pasts. *InsideHigherEducation.com*. Retrieve at: <https://www.insidehighered.com/quicktakes/2020/07/07/project-identifies-athletic-facilities-named-after-figures-racist-pasts>

<sup>152</sup> Ibid.

<sup>153</sup> Martin, C.H. (1996) Racial Change and “Big-Time” College Football in Georgia: The Age of Segregation, 1992-1957. *Georgia Historical Society Quarterly*. 80 (3) Retrieve at: <https://history.msu.edu/hst329/files/2015/05/GAfootballrace.pdf>

<sup>154</sup> Justin, R. (June 12, 2020) UT-Austin football players demand school rename buildings named after racist figures, donate to Black Lives Matter. *TheTexasTribune*. Retrieve at: <https://www.texastribune.org/2020/06/12/ut-austin-football-players-buildings-racism/>

<sup>155</sup> Id., Turick (2020).

behest of those who are wealthy or powerful to demand that the institution do so, are important barometers of commitments to address systemic racism. Racism is perpetuated when it is institutionalized and allowed to continue to exist in the present through the naming of buildings or installation of statutes honoring those who practiced racism or when it is celebrated by continuing to practice or use customs, songs, or symbols rooted in racism. History cannot and should not be erased, because we learn from the lessons of history. The current era will test our willingness to place racism firmly in the past—to store it in our libraries and museums as learned lessons of our past rather than allow it to continue in the present.

#### **Recommendation 19.**

#### **Athletic Departments Should Proactively Identify, Expose, and Retire Vestiges of Racism.**

**Athletic programs should appoint special committees consisting of racially and ethnically diverse historians to identify, condemn, and permanently retire current and past expressions of racism.**

### **F. The Important Role of Historically Black Colleges and Universities (HBCUs) and Lessons To Be Embraced by Predominantly White Colleges and Universities (PWCUs)**

HBCUs have been able to achieve important educational outcomes and post-college income mobility, especially with low-income students, despite being lower resourced institutions compared to PWCUs:

- HBCUs enroll far more low-income students than PWCUs.
- More students experience upward mobility at HBCUs than at PWCUs.
- Nearly 70 percent of students at HBCUs attain at least middle-class incomes.
- Two-thirds of low-income students at HBCUs end up in at least the middle class, producing more upward mobility than PWCUs.
- There is less downward mobility at HBCUs than at PWCUs.
- Children of affluent parents who attended PWCUs were 50 percent more likely to stay affluent than children of affluent parents who attended HBCUs.<sup>156</sup>

Black student-athletes at the PWCUs scored lower on many measures of experiences relative to their non-Black counterparts at the same school, particularly with respect to athletic relationships, academic and athletic engagement, and academic, athletic, and social satisfaction. In contrast, Black student-athletes at the HBCUs reported that they were more satisfied socially with the campus environment, off-campus environment, social opportunities at school, and overall social experiences.<sup>157</sup>

<sup>156</sup> Nathenson, R.A., et al. (September, 2019) Moving Upward and Onward: Income Mobility at Historically Black Colleges and Universities. *Rutgers Center for Minority Serving Institutions*. Retrieve at: [https://cmsi.gse.rutgers.edu/sites/default/files/EMreport\\_R4\\_0.pdf](https://cmsi.gse.rutgers.edu/sites/default/files/EMreport_R4_0.pdf)

<sup>157</sup> Cooper, J.N., et al. (2014) The state of intercollegiate athletics at historically black colleges and universities (HBCUs): Past, present, and persistence. *Journal of Issues in Intercollegiate Athletics*. Retrieve at: <http://csri->

Significantly, HBCU Black athletes participating in the study reported spending two hours less per week compared to all other groups examined while spending comparable amounts of time on academic and social activities.<sup>158</sup>

#### **Recommendation 20.**

##### **Intentionally Support the History and Cultural Identity of College Athletes of Color**

**Athletic departments should make intentional efforts to connect athletes of color with faculty of color, student associations celebrating race/ethnicity, advocating for DEI, and addressing social injustices, and communities of color adjacent to the institution and to minimize athletics-related time demands in order to permit such relationships to develop. Further, athletic departments should arrange for programming that enables all athletes to identify and openly discuss the white privilege, structural racism, internalized racism, and racial stereotyping that exists within PWCUs generally and within commercialized collegiate athletic programs. Every effort should be made to create an environment in which athletes of color can be heard and their lived experiences validated separate from their identity as athletes.**

### **G. Amateurism Rules: Facially Neutral/Racist Impact**

At least through mid-2021, “amateurism” as it relates to college athletics has been part and parcel of a set of national athletic association rules that severely prohibit outside employment related to an athlete’s monetization of his or her athletics notoriety. Simultaneously, these rules limit the athletic scholarship compensation these athletes can receive to educationally related expenses. The impact of these rules is perpetuation of the current and historical power structure that restricts the payment of a predominantly college athletes of color labor force generating \$10 billion annually in Division I basketball and football while predominantly white athletic directors and coaches take what athletes would have been paid in an open sports marketplace to pay themselves higher salaries and bonuses than typical tax-exempt education organizations could afford. This rigged college athletics market has the practical effect of economically exploiting players of color who are overrepresented among Division I basketball and football teams and from families who are also overrepresented among lower-income groups. These athletes are therefore more likely to be adversely affected by such restraints. Amateurism, in part, is a tool of systemic racism. College “amateurism” rules are applicable to athletes prior to college entry, and both the NBA and the NFL do not allow athletes to move directly from high school to professional sports. Thus, high school basketball and football prospects have nowhere else to go. In effect, the college sports system acts as a no-cost minor league for these two professional leagues, allowing their predominantly white owners to reap the benefits of lower operating costs.

While the public has been conditioned to believe that having an athletic scholarship is a generous form of compensation to the athlete on behalf of the institution, the reality is that many college athletes,

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[jiiia.org/old/documents/publications/research\\_articles/2014/JIIA\\_2014\\_7\\_15\\_307\\_332\\_The\\_Case\\_of\\_HBSU.p  
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<sup>158</sup> Ibid.

especially Black athletes in Division I basketball and football, do not graduate, and of those who do, many leave with a very real “educational debt,” namely, the lack of a meaningful education—the failure to receive the education promised or expected. Given that fewer than 2 percent of NCAA football and basketball athletes ever play a game in the NFL or NBA, the failure to get a real education or a college degree is of major significance. Further, not all Division I athletes are on scholarship. The real picture is important:

- According to the NCAA, **327** of the **39,895** Division I athletes participating in football and men’s and women’s basketball actually are selected in a pro draft (52 to the NBA, 244 to the NFL, and 31 to the WNBA).<sup>159</sup> These athletes were promised the best coaches, the best facilities, and an opportunity to have their abilities displayed on TV. The post collegiate careers of the few drafted athletes will be economically lucrative. Whether they graduate or not, most likely they will not have been exploited economically. As a result of their participation in the institution’s extracurricular program, they have enhanced their economic prospects.
- Of the remaining 39,168 Division I men’s and women’s basketball and football players, 28,313 were on scholarship. Of these scholarship players:
  - **15,572 will NOT graduate**—52% of all D-I men’s basketball players; 38% of all D-I football players, and 38% of all D-I women’s basketball players who were full scholarship recipients and required to be full-time students will not graduate.<sup>160</sup> Thus, they will not realize the \$1 million incremental lifetime present value of a college education.
  - **12,741, the remainder of the scholarship players WILL graduate.** However, it is likely that many will not realize the \$1 million incremental lifetime value of a bona fide college education because 95% of the men’s basketball players, 80-90% of the football players, and 60% of the women’s basketball players were specially admitted and most likely were placed in less demanding majors/courses to keep them eligible. Significantly, the athletes with scholarships will leave college without the debt of typical students.
- The remaining **10,855 nonscholarship players were among the graduating athletes who may have received the education they were promised, but they are leaving college with the same \$30,000 average debt**<sup>161</sup> of their nonathlete counterparts.

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<sup>159</sup> We used the NCAA estimate of the percentage of NCAA athletes who were drafted by the NBA, WNBA, or NFL. The NCAA estimates that in 2019, in Division I, 4.2% of the draft eligible athletes were selected in the NBA draft, 3.8% in the NFL draft, and 2.8% in the WNBA draft. The WNBA players all played in the WNBA. However, the Division I football and men’s basketball numbers are over estimates because some may have never made it to opening day and because the NCAA methodology does not account for the fact that college players can go into the NBA draft after one year and into the NFL draft three years after the graduation of their high school class. The full NCAA methodology can be retrieved at: <http://www.ncaa.org/about/resources/research/estimated-probability-competing-professional-athletics>

<sup>160</sup> All graduation data are based on the most recent Federal Graduation Rates (FGR) four-year average of six-year cohorts, 2010-11 through 2013-14, that tracks graduation through 2019-20.

<sup>161</sup> Kerr, E. (September 15, 2020) See 10 Years of Average Total Student Loan Debt. *U.S. News & World Report*. Retrieve at: <https://www.usnews.com/education/best-colleges/paying-for-college/articles/see-how-student-loan-borrowing-has-risen-in-10-years>

- **All 39,168 of the non-NBA/WNBA/NFL athletes put in 35-50 hour athletic activity weeks and were exposed to the risk and actuality of athletic injury. There is no insurance parachute for dementia, ALS, Parkinson's, and CTE or for surgery to address chronic injuries after the normal two-year postinjury expiration of college athletic injury insurance coverage.**

This is the educational and financial reality for Division I football and basketball players who are predominantly Black. For those whose socioeconomic status qualified them to receive Pell Grants over and above their full athletic scholarships, those dollars were most likely sent home to help their families. For those that do graduate, many will struggle with lifelong physical, cognitive, or mental health issues that also are not remediated or covered by health insurance after the college athlete leaves the institution. This cycle contributes to the additive forces that maintain the adversity and lack of resources of the communities from which these college athletes come to campus.

Throughout 2019 and continuing into 2021, state and federal legislative bills were filed regarding the rights of college athletes to commercially exploit their own names, images, and likenesses. The various bills had different provisions, but all of them directly challenge National Collegiate Athletic Association's narrow and dubious amateur status rules. During this period the NCAA appointed a special committee to reexamine its rules regarding this issue. The Committee, with the approval of the NCAA Board of Governors, issued preliminary guidelines with numerous guardrails and instructed each of the three NCAA Divisions to propose rules based on the guidelines. Additionally, the media reported the strongly expressed opinions of various NCAA, conference, and institutional athletics administrators who maintained that allowing athletes to exploit their own NILs could not be accommodated without causing profound negative changes in college sports. The Drake Group disagrees with these contentions. We believe that national collegiate athletics governance organization control of athlete outside employment is overly restrictive. We also believe that commercial exploitation of athlete NILs by universities in conjunction with college athletic events can and should coexist with athletes' rights to employment outside the institution. Those athletes' rights should include the right to independently commercially exploit their own NILs, before and during the period of their collegiate eligibility, without being disqualified from collegiate competition.

#### **Recommendation 21.**

**Congress Should Act Immediately to Guarantee College Athletes Full NIL and Outside Employment Rights, Enact Health and Medical Expense Protections, and Address the Need for More Comprehensive Reform of Intercollegiate Athletics That Would Address Issues of Racism and Athlete Exploitation.**

**Congress should act immediately to give college athletes the right to monetize their own names, images, and likenesses outside the institution and to enjoy the same outside employment rights of nonathlete college students, short of being employed as professional athletes during their period of collegiate athletics eligibility. A medical trust fund should be established to provide long-term coverage for athletics injuries. A special Congressional Commission should be established to determine the need for more comprehensive reforms that would result in the improvement of educational outcomes, determine appropriate remedies for prevention of abusive and exploitative practices, and address persistent issues of racism.**

## Epilogue

*Documents in the Gilder Lehrman Center at Yale University reveal that every state in the Confederacy had laws to prevent slaves from being educated. In North Carolina, teaching slaves to read or write or distributing books or pamphlets to slaves "was punished by 39 lashes if the offender was a slave, or by a \$200 fine if the offender was white." Slave owners argued that educating slaves would "excite dissatisfaction in their minds, and produce insurrection and rebellion."*

*After emancipation, and well into the mid-twentieth century, schools remained segregated in the North and South, either by law or local customs. The legacy of past discrimination lives on in America's poorest communities, where children are still at a disadvantage when it comes to obtaining the basic reading and writing skills needed for success in college. One avenue for social mobility for minorities has been sports.<sup>162</sup>*

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<sup>162</sup> Sack, A. (July 4, 2015) Reform Due for Big-Time College Athletics. *Hartford Courant*. Retrieve at: <https://www.courant.com/opinion/op-ed/hc-op-sack-college-sports-ncaa-pressure-0704-20150702-story.html>