

The Academic Reform of Intercollegiate Athletics: The Good, the Problematic, and the Truly Worrisome

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The purpose of this paper is to provide a response to Harrison's (2012) work. The author highlights the positives associated with many of the academic reform efforts Harrison highlights (i.e., the good); addresses concerns about academic clustering, rewarding teams performing at high academic levels, and athletic administrators' resistance to upset the status quo (i.e., the problematic); and the strong association between efforts for academic reform and large revenue streams found in men's basketball and football (i.e., the truly worrisome). Recommendations and conclusions are advanced.

The Good

There is a lot to like in Dr. Harrison's (2012) comprehensive account of the recent work of the National Collegiate Athletic Association (NCAA) Committee on Academic Performance (CAP), which he chairs, that is charged, as its name suggests, with bolstering the academic achievement of student athletes, especially those of Division I men's football and basketball. To begin, the Committee's guiding aims to improve the academic performance of these intercollegiate athletes by rewarding them for their academic successes rather than merely penalizing them and their home athletic departments for their failures, and to do so without having a disparate impact on the ethnic minorities that make up a large percentage of men's football and basketball, are entirely laudable goals. Further, the Committee's adoption of new metrics such as the Graduate Success Rate (GSR), which replaces the Federal Graduation Rate (FGR), and the Academic Progress Rate (APR), which provides a contemporaneous measure of the academic performance of student athletes, goes a long way in remedying some of the well-known problems that plagued the old metrics used by the NCAA in this regard. Equally noteworthy are CAP's commitment to use the best data available in formulating their policies, and to probe further both the intended and unintended consequences of the policies they put forth. Finally, the new eligibility requirements CAP proposed for student athletes, which

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created an “academic redshirt” group for academically at-risk athletes that allows them to receive athletically based financial aid but forbids them from competing and traveling to away games, and for student athletes who transfer from two-year colleges, which raised their required grade point average (GPA) and strengthened their core academic subjects, and finally for postseason competition, which penalized academic underperforming players by limiting practice time and replacing it with academic activities, are all welcome developments to say the least.

The Problematic

However, the prospect for accomplishing the sort of genuine academic reform of intercollegiate athletics at the Division I level proposed in Dr. Harrison’s (2012) paper looks much less promising as soon as one considers the economic climate in which high-profile college sports currently operate. Several hard to miss problems surface when the work of CAP is so situated, all of which can be traced to strategic responses by the NCAA member institutions, mainly, but not exclusively, initiated by their respective athletic departments to inoculate themselves against meaningful academic reforms that threaten their financial bottom line.

The first such problematic area is the evident clustering of football players into less academically demanding majors—a development discussed by university presidents at a summit hosted by NCAA president Mark Emmert, to meet the new more strenuous academic benchmarks put in place by CAP. For example, a recent Associated Press survey of 68 colleges in conferences that receive automatic bids to the Bowl Championship Series, which also included Notre Dame and soon to be Big East member TCU, showed that over half engage in such clustering—at 22 schools, to be yet more precise, 50% or more of football players pursued degrees in 3 majors (Newberry, 2011, p. 1).¹

A second dark cloud on the academic horizon of intercollegiate athletics can be found in Dr. Harrison’s (2012) paper itself. I am referring to the committee’s already noted desire to reward athletic teams that are performing at a high academic level. The initial discussions of CAP focused on allocating “direct financial rewards” for teams that score high on the APR. But the member institutions themselves torpedoed that idea. The reason for their opposition was, in Dr. Harrison’s own words, that “any allocation of NCAA funds for this purpose would have been a reallocation from some other intended or planned use” (p. 71). That such reallocation of NCAA funds would be required to achieve this purpose is plain to see; what is not so plain to see, however, is why any member institution would think this is a reason, let alone a good one, not to financially reward academically high performing athletic programs. In the end, CAP decided to recognize publicly teams with APRs in the top 10% for that sport—hardly a resounding victory for those seeking meaningful change on the academic front.

The third trouble spot once again had to do with the reticence of NCAA member institutions to upset the status quo. This time around, the matter was the all-important one of athletic scholarships, which are presently one-year offers renewable at the sole discretion of coaches. Recently, President Emmert, with the full backing of the NCAA Board of Directors, proposed giving colleges the option of offering a four-year athletic scholarship. The importance of this change for improving the academic lot of football and basketball players and their peers is obvious even

to the casual observer. But yet again member institutions rebelled and enough of them, mainly at the behest of their athletic representatives and conference commissioners, signed on to an override petition that forced the NCAA to withdraw the four-year scholarship option. Their reasoning in this case was as shallow and as self-serving as the previous one. The following two objections to the four-year scholarship proposal obtained from an internal NCAA document by a lawyer who specializes in sports law clear up any doubt as to why they killed this option: "The new coach may have a completely different style of offense/defense that the student no longer fits into." In the same vein, another institutional defender of the athletics-first academics-be-damned agenda argued that the four-year scholarship option might result in the school being forced to provide financial aid to "someone that is of no 'athletic usefulness' to the program" (Nocera, 2011, p. A21). So much for the effort to fortify the student part of the student-athlete equation.

The Truly Worrisome

What accounts for this pushback from member institutions and their athletic counterparts to such good faith and entirely reasonable efforts to boost the academic prowess of the student athlete is no mystery. The short answer, which is also the long answer, is the huge revenue stream that men's football and basketball presently command. The numbers are truly staggering, and there is no reason to think they will not remain so as long as the media is willing, an understatement if there ever was one, and able to pay the eye-popping broadcast fees that underwrite the college football and basketball enterprise. This financial windfall obviously does not bode well for the reform measures CAP and the NCAA Board of Directors have in mind for these sports, since they are simply no match for the financial forces and incentives that actually drive the behavior of NCAA member institutions and that presently constitute the culture of intercollegiate sports. That means not only that CAP's new rewards-based, nonpunitive, approach to academic reform is doomed to failure, but as well its beefed-up punitive approach to institute more effective penalties to deter academic underperformance. When you add to this disquieting picture the fact that the NCAA enforcement division is woefully understaffed (it presently is made up of around 55 individuals or so to oversee over a 1,000 colleges) and lacks not only subpoena power but even the ability to hold those accountable who do testify but do so falsely (it lacks legal authority to charge such truth-shredders with perjury) and finally, as a consequence of its weak legal standing, is forced to rely mainly on the self-reporting of violations by member institutions, there is little question who is going to win this battle over the academic heart and soul of intercollegiate athletics. Here is a hint: it will not be the good guys.

My skepticism about the prospects for this new wave of academic reform succeeding, however, does not mean I think the forces behind this reform initiative should surrender to the powers that be, that they should waive the white flag and give up on the idea that intercollegiate sports can be redeemed academically or otherwise. I will not be arguing then for the professionalization of college sports, for the view that we might as well formally recognize and sanction them for what they have ostensibly become, namely, professional sports masquerading as amateur ones to deprive student athletes of their just market share. For what is at stake here is not primarily the market share of the producers of this athletic wealth, the players,

but the value of intercollegiate sports with close ties to educational institutions whose main goals sit uneasily, if at all, with the unbridled pursuit of the almighty dollar. In short, educational institutions are not and should not be markets, nor are or should be the social practices conducted in their name, despite the undeniable entrepreneurial turn most of them have taken of late, in the desperate search for cash to keep their athletic ambitions viable. This is a large claim that requires a large argument, which I cannot give here. But I would like to sketch out ever so briefly why I think colleges and college sports should resist the temptation to let the money-changers in their midst control their athletic agenda. For if that were to happen, then everything about college sports, to include, of course, their academic standing, would be lost.

But before I do so, however, I need to answer a powerful objection to my proposal to change wholesale the culture of Division I intercollegiate sports. It is a powerful objection because it is an entirely plausible one given how things presently stand. That objection is simply that any effort to chase the money changers out of the temple of these sports is at best a quixotic gesture and at worst a hopelessly naïve pipedream. And here my own previous words seem to speak against me, since I have just admitted that the economic titans that presently control college sports are much too powerful for CAP and likeminded academic reformers to succeed. That would appear to be doubly so for anyone foolish enough to think they can somehow dethrone these titans and change not just the academic face of college sports but the economic infrastructure upon which they presently rest.

My reply is that I am well aware of what I am arguing for, and no less aware that it will not be easy, to court an obvious understatement, to accomplish. But I do not think it is either quixotic or mere wishful thinking. That is because the present economic foundation of intercollegiate sports is itself shaky to say the least.² That is, it is not a question of whether the economic edifice that supports college sports will topple, but only of when it will do so. For despite the ever-growing influx of cash into college sports, and the deep pockets of the broadcast media that is the main source of this cash, it has not been able to keep up with the profligate spending of athletic departments on such things as coaches' salaries, facilities upgrades, boosters' perks, and so on. For instance, of the 120 football programs that comprise the Football Bowl Subdivision, which includes such athletic and economic powerhouses as Texas and Florida that generate upward of 40 to \$80 million of revenue, only 14 are operating in the black. That means 88% of those football programs are operating in the red (Davis, 2011, p. 2). But while the great majority of these programs are hemorrhaging money, that has not stopped them from continuing to try to outdo one another, including their presently well-off 14% competitors, to win an athletic arms race that eventually will bankrupt all of them. To put it bluntly, what we have here is the makings of an economic calamity. My argument is not only that this makes the move to professionalize intercollegiate sports and pay players for athletic services rendered a bad practical idea in addition to being a bad idea period, but that it gives us good reason now rather than later to seek to change the market culture of these sports.

But why is the notion of professionalizing college sports a bad idea in itself, that is, incompatible with the ostensible educational aims of institutions of higher education. My necessarily short answer is that markets are what the philosopher Gauthier (1986) calls zones of "mutual unconcern." What Gauthier means by this

provocative phrase is that markets are nothing if not self-regarding mechanisms in which the self-interests of market actors trump everything else. That does not mean, of course, that market actors take no interest in one another, but only that the interest they take in others and their actions is predicated exclusively on furthering their own self-interests, in ensuring they end up getting what they want. Ayn Rand, the great godmother of unbridled capitalism, captures well what Gauthier was getting at here. She writes, "Many words have been granted me, . . . but only three are holy; 'I will it! . . . Whatever road I take, the guiding star is within me; the guiding star and lodestone which point the way. They point in but one direction. They point at me'" (as quoted in Midgley, 1991, p. 98). Here in a nutshell is the problem with monetizing colleges and their athletic programs; it encourages individuals and institutions to see themselves as self-subsistent units, and to regard their self-subsistence and the self-regarding ways that are its signature feature as something to protect and hang on to, as a badge of honor, that is not to be compromised or weakened in our interactions with others. In short, it encourages individuals and institutions to retreat within themselves, and so, to view dependence on others as a bad rather than a good thing. One especially pernicious feature of such insularity is a general suspicion of any project or initiative that transcends such self-interests, that calls on agents and institutions to become part of something larger than themselves and their parochial aspirations—especially if such endeavors require reining in one's private aims as CAP's reforms clearly do. By contrast, educational institutions rightly understood aim to broaden our horizons, to expand and transform our self-understanding, to engage us in endeavors whose main point is to get us to see our lives from a less insular and parochial perspective. It is no accident that college mission statements are burnished with just such self-enlarging rhetoric, whether to promote good citizenship, or service learning, or good sportspersonship.

So construed, colleges have much more in common with social unions such as friendship and marriage, in which, as Hegel (1977) put it, the point is "to count for something in the other," and for that "other in turn . . . to count for something in me" (p. 261), than they do with the egoistic, self-interested perspective of the market. And like good friends and marriage partners, neither of whom regard their previous self-subsistence as something to cling to but as a defect or deficiency, a sign of their own incompleteness, and neither of whom regard their commitment to their partners as a limitation on their own freedom but as fulfillment of it, colleges and college sports are at their best zones of "mutual concern," rather than "mutual unconcern," in which the welfare of others is of paramount importance and projects that emphasize shared goals over those that emphasize private ones are actively promoted. It is in this sense that self-subsistence and self-regarding actions look less like virtues and more like vices, and ones we would do well to overcome rather than protect with all our might.

Critical Postscript

A critic might reproach me here for trying to pass off what looks like a new, educationally slanted argument for walling off intercollegiate sports from the long arms of the market, but which is in fact just another old and tired defense of the much and rightly maligned amateur ideal. That is, the objection is that my antimarket take

on college sports makes me simply another apologist for the athletic status quo, in which under the guise of amateurism, this time disguised as an educational ideal, athletes in high-profile sports are cajoled to work for free so that athletic departments and their respective universities can turn a hefty profit. Critics of the amateur ideal bristle with contempt for those who push this purist creed, especially the breathtaking hypocrisy of their vigilant efforts to tamp down the mercenary designs of student athletes every chance they get, (e.g., the recent NCAA probe of Auburn's star quarterback Cam Newton's and his father's alleged efforts to secure recruiting fees) all the while blithely ignoring the fifteen or so corporate logos festooned on Newton's uniform every football Saturday as part of the university's \$10-plus million contract with Under Armour sportswear company (Branch, 2011, p. 16).³

This criticism is not a wildly implausible one, since I readily admit that the position I defend here could easily be mistaken as a call for a return to the amateur standard in college sports. What is more, I am not entirely sure I find the accusation all that damning. For I agree with the Fifth Circuit Court of Appeals 1988 finding that although "the NCAA has not distilled amateurism to its purest form . . . [that] does not mean its attempts to maintain a mixture containing some amateur elements are unreasonable (quoted in Branch, 2011, p. 28). Still, I reject the charge that I am trying to smuggle amateurism in the back door, because no matter how much we might try to rehabilitate the ideal of amateurism, its complete rejection of any form of financial remuneration for athletic performance is a non-starter in the contemporary setting. Besides, while the ideal I am peddling in this paper is unmistakably market-averse, it is not, as I aim to show shortly, averse to non-market financial transactions or even to market ones that serve the common good rather than the private interests of a few. Rather, the main force of my argument to keep the logic of the market at arms length is that college sports are best conceived of as a type of intrinsic good, as a cultural practice worth doing ultimately not for the sake of some other end, monetary or otherwise, to which it is subordinate, but worth doing for its own sake. In other words, my position is that sports pursued under the aegis of education should serve as a counter to the kind of crude utilitarian outlook that pervades so much of life nowadays, thanks, I contend, to the dominance of the market, and that insists there always be some tangible payoff, some useful benefit, to anything one chooses to do. As I see it, the lesson college sports teach us at their best is not the widespread notion that one should always be on the take, ready to seize whatever advantage presents itself to us to get an edge over others, but rather to seek a life dedicated to excellence and marked by a fair regard for and respect of others. So construed, college sports are best thought of not as private zero-sum games, but as public practices whose shared goals can uplift us all so long as we do not let the money changers eager to exploit them for private gain have their way.

This conception of college sports as a kind of intrinsic good in which achieving genuine excellence rather than simply winning is the point, is, as I have said, market-averse but not averse to any sort of financial payment for athletic performance that serves its perfectionist aspirations. Ensuring that student athletes are paid a stipend beyond an athletic scholarship to cover the actual costs of their attendance is a case in point. The idea here is not that athletes be paid in proportion to their market share, to the large sums of money they bring in, but be sufficiently remunerated so that they can devote themselves to their athletic craft and academic commitments without having to worry where their next meal is coming from. This notion is not

foreign to us academics, who are accustomed to receiving honorariums for giving invited talks and the like, in which it is understood our recompense is not meant to be commensurate to their actual market value, the number of paying attendees our presence might generate, but rather to the scholarly value we add to such occasions, to the academic prestige of these events. Asking for our fair market share on such occasions would be viewed as insult all around, as a failure to understand both what is the meaning of an honorarium and what is the true value of scholarly presentations and inquiry.

Treating the financial stipends college players receive for their participation as quasi-honorariums rather than wages does not mean, however, that athletic departments, university officials, or governing bodies like the NCAA have free reign to appropriate the surplus value athletes generate. For they too are, and should be held to the same market-averse standard as the athletes themselves, which means they are not and should not be in the money-making business but the educational “business” of cultivating and encouraging athletic excellence. That means the astronomical sums of money high-profile sports bring in should redound to the educational benefit of the student athletes themselves and to the educational mission of their athletic department and university stewards. This can take many different forms, such as investing the profit earned off of college sports in athletic trust funds to ensure more student athletes get their degrees, or requiring athletic scholarships be offered on a four-year basis rather than as they presently are on a renewable one-year basis. That also means that coaches in these high-profile sports be paid a fair market wage, rather than the grossly inflated wages and benefits they currently receive thanks to the good-old-boy athletic network (mainly boosters and athletic directors) that drives up their salaries not to mention those of their administrative heads—after all, if the football coach is paid millions of dollars surely the athletic director deserves something approximating that figure if only because he, and, rarely, she, is supposed to be the coach’s boss (Zimbalist, 1999, p. 83). That coaches be rewarded for their academic as well as athletic successes would follow as well. Finally, it means that the NCAA start acting like the nonprofit organization it is supposed to be, rather than the corporate entity it more often resembles. Running up tabs for chartering private aircraft, building palatial headquarters that would be the envy of any CEO, and devoting a scant 1% of their budget to enforcement, are not the sort of actions one expects of a nonprofit organization whose ostensible reason for existence is to ensure the well-being of intercollegiate sports

Conclusion

If I am right that the academic reform of intercollegiate sports cannot be achieved without a wholesale change in their culture, then I think we can explain why it is that in the absence of such a cultural change NCAA member institutions will continue to push back against CAP’s academic reforms, and coaches and their institutional surrogates will do the same, and, if necessary, cheat, despite escalating penalties and the best efforts of reformers to stop them. For as long as these parties see themselves first and foremost as private actors seeking their own private gain, they will continue to oppose such reforms and treat the larger educational and athletic goals that inform them, and that, in fact, they share in common, with contempt. That is why initiatives of the kind CAP and their kindred spirits propose will only

succeed if college sports themselves are, in effect, de-professionalized, a tall task we should not presently shrink from if only because the present economic course of college sports is unsustainable.

Notes

1. It is important to note here that athletes cluster into certain academic majors not just to get around stiffer academic requirements, but for a variety of reasons. As Jay Coakley pointed out to me in conversation over this matter at the 2012 Colloquium, one important reason especially African-American athletes do so, is because they are only made to feel welcome in certain academic units that are willing to treat them as genuine students, that don't let their athletic status get in the way of their regard for them as students.

2. The weak economic underpinning of intercollegiate sports is not the only threat they face. As Branch (2011) has noted, threats loom as well from Congress, the courts (lawsuits filed by athletes for damages incurred playing football), university students who faced with the quickly escalating cost of higher education are beginning to chafe at paying mandatory fees to support the athletic department, and a growing public disgust with the hypocrisy of college sports (p. 6). Aside from congressional intervention, after all, the current Congress seems incapable of getting anything important done, and possibly public disgust, which seems to vanish when their favorite teams are successful, the other threats Branch mentions are indeed real ones. But I remain convinced that the shaky finances of college sports is the most ominous threat they face.

3. For the curious among you, Branch details precisely what parts of Newton's uniform these corporate logos were affixed to: one on his jersey, one on his pants, four on his helmet visor, one each on his wristbands, six on his shoes, and one on the headband under his helmet (p. 16).

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