

“The Centerpiece of College Athletics:” Prioritizing Education in the College Sports Reform Movement

Aaron Miller

California State University, East Bay

This article, which is based upon long-term fieldwork observations of a revenue-generating National Collegiate Athletic Association (NCAA) Division I women’s college basketball team, proposes concrete and specific reforms that would more sufficiently compensate the professional role revenue-generating college athletes perform, without sacrificing the educational connection that is vital to the core of college sports for all male and female athletes, regardless of revenue-generation. It argues that colleges involved in revenue-generating college sports should expect college athletes to be students first, encourage them to earn pay for their names, images, and likenesses (NILs), and strike a better balance between providing education to athletes and entertainment to the public. Specific reforms include raising eligibility requirements, giving athletes more time and financial assistance to finish their degrees, and tying coaching pay to graduation rates, all of which would support the notion that universities treat athletes ethically.

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“I think everyone is a teacher. Everyone!”

- John Wooden (Quoted in Gallimore & Tharp, 2004, p. 119)

The current economic model of National Collegiate Athletic Association (NCAA) Division I (hereafter, D-I) intercollegiate sports (hereafter, “college sports”) creates a great entertainment product, but it does not sufficiently allow for positive educational experiences for many college athletes in revenue-generating sports such as basketball and football, either because education is not prioritized institutionally, and/or because the broader culture encourages and incentivizes athletes to focus on their athletic pursuits (Sack, 2009b; Lanter & Hawkins, 2013). This is ultimately a matter of institutional integrity; we need to put the “college” back into college sports, and the way we do so will speak volumes to future generations of athletes and students.



In 2017, Gurney, Lopiano, and Zimbalist argued that there are two paths to college sports reform – either marketize college sports or improve the education (Gurney et al., 2017) – but I and others (e.g., Meyer & Zimbalist, 2020) believe that both can be accomplished, and that both must be accomplished to operate both men's and women's sports ethically.

However, the way that college sports are to be "marketized" should be done carefully, so that athletes can share in the profits of this billion-dollar entertainment industry, but also so that college sports can remain a viable means of higher education for those who wish to prioritize their own identity as a student (Those who do not wish to be students now have more options than even just ten years ago, such as playing for the Professional Collegiate League (PCL), <https://thepcleague.com>). Setting up a hybrid model, which would allow each college to have a certain number of players be non-matriculated "pros" who receive salary in explicit exchange for their athletic services (Zimbalist, 2001), does not seem fair. Moreover, other piecemeal reforms, such as limiting the numbers of scholarships available to college football players, which often have roster sizes that are double (53 for National Football League (NFL) teams, up to 125 for college) that of NFL teams, or by the NCAA taking control of basketball summer camps (Zimbalist, 2001), or by shortening the length of the season and the number of hours coaches can contact athletes, would not go far enough to ensure that education is improved for all athletes.

Based on long-term fieldwork observations of a NCAA D-I women's college basketball team, which is part of an elite academic institution (defined to be "elite" as having a top ten ranking in the latest *US News & World Report*), and based on broader observations of the big-time college sports landscape (Miller, in press), I believe that the distinction between athletes whose universities provide them with a high-quality education, and those who do not, is just as important as the distinction between "revenue-generating sports" and "non-revenue generating sports", and that for so-called "big-time" – that is, profitable, professionalized, and pressurized (generally, Power 5 schools) – intercollegiate sports to operate in an ethical manner, more universities need to strive to provide a high-quality education to all athletes, which includes the provision of education regarding how to profit from their "names, images, and likenesses" (NILs).

One might argue that any reforms undertaken at the NCAA or college level should ensure compensation to athletes is proportional to the services rendered to the university, both real and symbolic, and that these payments must come directly from university coffers. Big-time athletes are, by this argument, underpaid laborers on the court and field, and that for this problem to be redressed, the beneficiary of their sweat – universities, primarily – must pay. After all, athletes' NILs are also used by universities officially in billboards and advertisements, and as such these athletes should be compensated properly.

But *college* sports cease to have *raison d'être* if athletes are paid salaries directly by universities, as professional athletes would be, so pay should be limited to "freeing" athletes to profit from their own NILs. The NCAA itself recognized this in late June 2021, when its Board of Governors officially suspended its rules forbidding athletes

from selling their NILs (Murphy, 2021). Colleges are not NCAA franchises; they are NCAA *member schools*, with the operative term being “schools”, so this NCAA change, while historic and important, does not indicate the end of the reform road. Now, NCAA member schools should focus their efforts on re-centering education as college sports’ main priority and providing athletes with education that includes NIL courses so that they can maximize their profits during college.

Many scholars and high-profile institutions have encouraged education-focused reforms, and from their work, we can see that the universities’ core business is and should be education, not sports entertainment (see e.g., Gerdy 1997, Staurowsky & Ridpath, 2005). Contrary to what some would say, education *is* as important as access to pay, because it provides an opportunity for personal growth for *all* athletes, regardless of background, gender, social class, race, talent, or ability. In 2018, the Commission on Collegiate Basketball, which was led by Condoleezza Rice, concluded that, “the answer to many of college basketball’s problems can be found in a renewed commitment to the college degree as the centerpiece of intercollegiate athletics” (Commission on College Basketball, 2018, p. 2). The Commission concluded this because they believed intercollegiate athletics was based on “trust” and the “promise” that “athletes play for their schools and receive a realistic chance to complete a college degree in return,” adding that “any policy or action that violates that trust” would be “morally wrong” (Commission on College Basketball, 2018, p. 2).

I am persuaded by such a moral position, since the business of college sport involves human beings and their bodies to whom respect and ethical treatment should be assured. I also believe that the best way to assure such respect and treatment is to prioritize education and make concrete reforms that would cement that prioritization. As such, this article suggests a comprehensive solution that reforms college sports in a way that provides more to those who create college sports entertainment, but *also* encourages the provision of a better educational offering to those who choose to go to college to play sports *and* get an education, which is to say, many if not perhaps even most college athletes. We *can* more sufficiently compensate the professional role big-time college athletes perform, all *without* sacrificing the educational connection that is vital to the core of *college* sports. Even if reclaiming college sports *for* higher education may not be an easy project, I believe it is a necessary one.

This article therefore offers concrete and specific suggestions for how these tasks may be accomplished, based on my own observations and on the latest and best reform proposals made by reformers, scholars, and journalists. It argues that we “free” all athletes *with their education in mind*, strike a better balance between academics and athletics, detail coaching “deliverables”, raise eligibility and academic standards, give athletes more time and financial assistance to finish their degrees, certify and give academic credit for sports training and sports study, give awards to institutions and individuals that take their duty to educate seriously, and tie coaching pay to graduation rates. In other words, to “stand up for academic principles in the face of commercial temptations” (Clotfelter, 2019, p. 310), and take steps to make the college degree the “centerpiece of college athletics” (Commission on College Basketball, 2018, p. 2).

Free The Athletes (With Their Education in Mind)

The year 2020 was one to remember, in college sports and out. History may recall it as a curiosity that the COVID-19 pandemic and Black Lives Matter protests happened in the same year, but both are linked in significant ways. Just like the virus itself, colleges and universities that operate revenue-generating basketball and football teams disproportionately exploit and sometimes devastate black lives, since the college athlete work force in these sports is made up of many young people of color. COVID-19, the disease caused by the novel coronavirus, disproportionately impacts communities of color, too, since health care in America tracks alongside socio-economic status, and American Blacks earn only a fraction of what whites earn.

The last few years have provided landmark moments in the fight for gender equity, too. One example was during the 2021 March Madness basketball tournament, in which images of subpar training facilities for women's basketball teams emerged on social media, highlighting how female athletes remain underserved (Manza Young, 2021a). The NCAA's unequal treatment of these players reminded us that sports are a "male preserve" and that women athletes are often cast aside or overlooked not only by the sports media but also by the very organizations who insist that they are giving them opportunity (Cooky et al., 2013).

These intersecting pandemics – racism, sexism, coronavirus – have shown college athletes that they can be activists for their own causes, and that they have latent power that they can leverage to contribute to the reform movement. Indeed, one might argue that it was the athletes themselves, by standing up for themselves in 2020 and 2021, who were instrumental in swaying public opinion enough to convince the Supreme Court to rule in their favor in *NCAA v. Alston* and to convince the NCAA to strike down its own NIL restrictions.

That said, the primary reform on many college athlete's minds has long been pay-for-play, and even with these historic moments, it remains so. Various groups and individuals, such as Jeremy Bloom (Freedman, 2002), Jason White (Nocera & Strauss, 2016), Ed O'Bannon (see, e.g., Bishop, 2013; Eder, 2013; Eder & Bishop, 2013; Nocera & Strauss, 2016), Ellen Staurowsky and Ramogi Huma (see e.g., Staurowsky & the National College Players' Association (NCPA), 2012), Shawne Alston, Nick Kindler, D.J. Stephens, Afure Jemerigbe (Hagens Berman Law Firm, 2017), Martin Jenkins (Berkowitz, 2018; Farrey 2014; Tracy 2019), Allen Sack (Sack 2009a, 2009b), Andy Schwarz, Nancy Skinner, Steven Bradford, and Jay Bilas (Nocera & Strauss, 2016.; Schlabach, 2013) have fought for better athlete pay for years, in the courts of law and public opinion.

Progress has been made, most recently due to public calls that athletes be able to access the free market to sell themselves as spokespersons or sign endorsement deals (i.e., to control their NILs, Byers & Hammer, 1997). In 2019, a bill called the "Fair Pay to Play Act" (SB 206) passed the State Assembly of California. The FPPA, which was passed unanimously, would, starting in 2023, effectively forbid California colleges and universities from controlling the NIL of college athletes.

Some universities lobbied against the bill, but California Governor Gavin Newsom signed it into law (As of 2020, 36 states had passed legislation like California's). The NCAA responded to the FPPA by arguing in a letter to Governor Newsom that "the bill would wipe out the distinction between college and professional athletics and eliminate the element of fairness that supports all of college sports" (NCAA, 2019). It was a spurious argument, though, which rested on the false assumption that college sports at the big-time level are already "fair", which they are not. Although the NCAA has portrayed itself as the guardian of a "level playing field", competition between revenue-generating college sports programs is far from fair, since budgets, coaching staffs, and equipment/facilities vary widely.

Eventually, though, the NCAA Board of Governors determined in June 2021 that athletes could make money by teaching sports camps, monetizing their social media accounts, signing autographs, participating in advertising campaigns, and signing with agents to find endorsement deals (Murphy, 2021). The June 2021 NCAA vote on NILs marked a watershed, but one might argue that they wanted to take control of the issue before more Americans began to call for athletes to be paid directly by universities. Opinion polls regarding pay-for-play proposals are convoluted, sometimes because the issue of athletes earning from their NIL is often conflated with the issue of colleges paying athletes directly. While a 2017 *Washington Post*-UMASS Amherst poll found that while 52% of Americans believe an athletic scholarship is enough to compensate athletes for their services to the university, 60% said they believed college athletes should be paid "based on revenue they generate" (Among African Americans, the percentage was even higher (54%), while among whites (32%) and Hispanics (41%) it was lower.) On the issue of NIL, the response was higher, with 66% of Americans saying that, "college athletes should be paid when their name or image is used in video games or to sell merchandise" (Hobson & Guskin, 2017). By contrast, in 2020 Knoester and Ridpath found that the "majority of U.S. adults now support, rather than oppose, allowing college athletes to be paid" (Knoester & Ridpath, 2020, p. 2).

Some universities already do pay players, at least if one considers the receipt of "grant-in-aid" funds to be a form of "pay". There is also a lucrative black market for the best athletes, despite NCAA restrictions that have forbid such transactions. As a result, receiving monetary reward for one's athletic abilities has become a quasi-criminal act (I say "quasi" because the NCAA does not have legal authority).

For some college athletes, what is already given is perceived as a good deal (Danley 2009). However, it is open for debate whether the amount universities pay is currently enough, since "enough" depends on a variety of factors, such as personal background, race, class, and quality of education provided. Recruited athletes receive a uniform "grant-in-aid" that is essentially a stipend capped by the members of the NCAA, which is not available to non-athletes and is "awarded without regard to the financial need or the academic attainment of the recipient" (Byers & Hammer, 2017, p. 373). How much this "award" is worth exactly depends on the institution granting it, since tuition, room, and board range widely across the country. In 2018, the Commission on Collegiate Basketball concluded that athletic scholarships were

worth between "\$13,392 to \$71,585 for in-state students and from \$18,125-\$71,585 for out-of-state students, depending on the institution" (Commission on College Basketball, 2018, p. 7). Many athletes receive ancillary benefits on top of that, some of which can be worth many more thousands of dollars.

Since 2012, some NCAA athletes have received more compensation than their predecessors, too. In 2012, the NCAA drafted a reform package that included a proposal to give NCAA athletes \$2,000 stipends for more financial leeway, and by 2015, that proposal had been implemented, with athletes in some sports and at some schools receiving stipends ranging from \$2,000 to \$7,000 (Berkowitz & Kreighbaum, 2015). These stipends are based on a financial aid analysis that is applicable to all students at the institution.

What remains, then, is not the question of *whether* athletes are paid by universities, but *who* controls those payments, *how* much they will be, and *where* the additional money will come from. Paying players beyond what they already earn will likely be achieved by encouraging them to sell their NILs, especially if universities actively educate them on how to do so. Certainly, there is a good case to be made, as Huma and Staurowsky (2020) have done, that certain college athletes are deserving of much more direct pay than they currently are, pay that would (or perhaps should) come directly from universities. In their 2020 study, Huma and Staurowsky conclude that the average fair market value of a Football Bowl Subdivision football player was \$208,208 in 2018-19, which amounts to \$832,832 over a four-year span. For basketball players, the figures were higher - \$370,085 for one year, and \$1,480,340 for four (Huma and Staurowsky 2020, pp. 2-3). These figures may be even higher for football and basketball players in some of the highest revenue conferences.

Huma and Staurowsky (2020) base these estimates on the revenue that these athletes generate for their NCAA member schools, so there is good reason to believe that they deserve a bigger piece of this pie. Moreover, if "pay-for-play" came directly from university coffers, there would be less need for the NCAA's enforcement apparatus, which currently monitors and polices athletes' reception of "impermissible benefits." There are over 400 pages of NCAA rules, (Bishop, 2013), and eliminating some of this enforcement apparatus would free up more money to pay players, and likely diminish much of the tension between the NCAA, its member universities, and athletes. What we might call "direct pay-for-play" would also likely limit the pay gap – and the power gap – between those who "play" for universities and those who coach them. College coaches can earn huge sums of money, and money is power, so they often have leverage not only over their players but also over the university, which does not want to fire an expensive employee and must pay their salary as well as that of their replacement. Sometimes, highly paid coaches have also abused their power over players, but some of that abuse may end if players earned salaries closer to those of the coaches. If athletic labor were to be more sufficiently paid, then the relative power imbalance between coaches and athletes that currently exists might to some degree be mitigated.

Yet there are many potential problems that might arise from "direct pay-for-play", which are important to consider when answering the question of how players

will be paid. First, direct pay-for-play might make some colleges bankrupt, at least if we are to believe the veracity of college's self-reported financial statements (Zimbalist, 2009). Title IX also plays a role, as Buzuvis explains, since "paying athletes in revenue sports, coupled with the commensurate obligation under Title IX to pay female athletes, would be prohibitively expensive" (Buzuvis, 2015, p. 297.) Next, colleges insist that if they pay players, the NCAA and universities might lose their tax exemptions as not-for-profit educational organizations. Would direct pay-for-play put colleges in "business unrelated to education," which would then eliminate colleges' entitlement to a tax break (Edelman 2017)? After all, why should colleges be exempt from paying taxes as any other profitable business would? Finally, some see paying players directly from university coffers as a "slippery slope." In 2011, Zimbalist argued that "monetizing relationships" at the university might lead to salaries for the best actor in theatrical productions or violinist in the school orchestra, and "allocating course enrollments slots" for the most popular professors "to those students who bid the highest" (Zimbalist, 2011). In later work, Zimbalist (with Meyer) called for Congress to give the NCAA a limited antitrust exemption but stopped short of demanding that colleges and universities pay players directly (Meyer & Zimbalist, 2020).

It is easy to see how freeing college athletes to profit from their NILs will allow the most popular athletes to benefit in the free market, but it will also allow all athletes to capitalize on their unique abilities. There was never good reason why athletes should not be allowed to use their own NIL, so it is good news that the NCAA finally universally agreed without the aid of judicial decisions to "free the athletes". NILs are athletes' own property to begin with, and there should never have been anything in a NCAA contract that, in the words of economist Andy Schwarz, "abrogates" those rights (quoted in Aspen Institute, 2018). However, perhaps given its enduring reluctance to free athletes, the NCAA is not the best organization to oversee transactions involving NILs, and that a new "honest broker" is required (The Drake Group, 2020), but if the NCAA remains the organization of administrative record, it should encourage athletes to self-report the selling of their NIL, for transparency purposes. Otherwise, there should be "no involvement of institutional representatives and other controls" (Lopiano et al., 2017). Even as the legal prospect of such a solution remains unclear, "freeing the athletes" fully is the ethical thing to do.

However, why not free athletes to access the free market *and* improve their education at the same time, thereby re-centering the importance of education in this ecosystem? We can tie together these reforms, too, by requiring their NIL earnings to be locked in a trust fund that they can access only after graduation (waivers can be filed and exceptions can be made where necessary) (Drexel Now, 2011; McKechnie, 2013). This would, theoretically, improve graduation rates. Given that in the long run "a college diploma is substantially *more valuable* than any pay [he] might receive," (Easterbrook, 2013, p. 138) and by some estimates a diploma "adds \$1 million to the average person's lifetime earnings" (Easterbrook, 2013, p. 141), this is the right

move. Some young athletes today may not realize or appreciate how valuable a college degree can be. Why not reform the system in a way that more effectively incentivizes behavior that is in athletes' best long-term interest, and in the interest of the society to which they will inevitably join? Isn't this the best way to do that to free athletes with their education in mind? After all, the last thing anyone wants is a battered former college athlete, discarded by their school after their NCAA eligibility is gone, without a degree.

Free Female Athletes, Too

Lurking in many reform proposals is the sexist idea that one *only* need to consider male athletes when addressing the question of pay-for-play. This sexism is based upon the mistaken premise that "women do not play big-time sports", but this is not always the case. In 2011, for example, Nocera proposed paying male college athletes but suggested that women's sports such as basketball did not "occupy a [sufficiently] different role on campus" like football and men's basketball, and therefore did not "deserve" to be paid. He added, "If the time comes when women's basketball is as commercialized and profit-driven as men's basketball, then yes, the women should be paid as well. But we're a long way from that point" (Nocera, 2011, p. 30). However, Nocera's makes a questionable assumption here. Such a distinction may be true on some American campuses (e.g., where women's basketball is not relatively popular), but there are plenty of examples to the contrary (e.g., the University of Connecticut, Tennessee). If big-time male athletes *deserve* to be paid, then why shouldn't big-time women also *deserve* to be paid? Furthermore, social media feeds are now incredibly lucrative, especially for female athletes, and these athletes have every right to be paid just as male athletes do. Eight of 10 the most followed college athletes on social media are women, raising the prospect that these athletes can profitably monetize their NILs (Manza Young, 2021b). Meyer and Zimbalist note that women athletes often have fewer professional opportunities than that of male athletes, so college is a crucial time for them to maximize their time in the public spotlight and earn money while they can (Meyer & Zimbalist, 2020). Some female athletes have already cashed in on their NILs, endorsing products and earning tens of thousands of dollars (Karpen, 2021).

Unfortunately, the courts have largely sidestepped this question of whether colleges need to pay athletes for the use of their NILs directly, and whether Title IX plays any role. In March 2019, Judge Claudia Wilken ruled in *NCAA v. Alston* that the NCAA was in violation of the 1890 Sherman Antitrust Act and that they had to eliminate their caps on the value of "grants-in-aid" and allow member schools and their conferences to determine the value of the scholarship they offer athletes (Murphy, 2019). The ruling was upheld on appeal in 2020. Effectively, this meant that, "schools . . . will be able to compete [with each other] by offering athletic scholarships of higher value" (McCann, 2019), although Wilken limited her ruling to include costs related to education (e.g., books, computer purchases). The Supreme

Court ruled on *Alston* in June 2021, deciding that the NCAA can no longer in the name of “amateurism” prohibit schools from providing athletes with educational benefits such as laptops or paid internships. (NCAA v. Alston et al., 2021).

However, *Alston* fails to remedy the question of whether big-time male and female athletes *should* receive the same or a similar amount in pay, and whether it would be a violation of Title IX if they were not. The NCAA wanted the Supreme Court to determine if Wilken’s decision in *Alston* “blurs the line between student-athlete and professional” (Remy, 2020), but that line was blurred long ago, as the Supreme Court’s ruling in *Alston* attests.

The remaining urgent issue is whether NCAA member schools must pay athletes directly, and if they were to do so, whether Title IX would apply. It seems clear that this law would apply (Meyer & Zimbalist, 2020), but universities could skirt it by stopping short of paying players directly for their NIL, and instead encouraging them to capitalize on their NILs.

Strike a Better Balance Between Academics and Athletics

Many scholars have emphasized the need to improve the education of college athletes (see e.g., Gerdy, 1997; Ridpath, 2008). In court filings, the NCAA also maintains that its “basic purpose” is to “maintain intercollegiate athletics as an integral part of the educational program and the athlete as an integral part of the student body and, by so doing, retain a clear line of demarcation between intercollegiate athletics and professional sports” (*NCAA v. Alston*, p. 6). The NCAA has implemented branding campaigns that suggests that it provided “opportunity” to young athletes (alongside “wellbeing” and “fairness”), and that it “celebrates college athletes”.

Still, given the enormous sums that these NCAA member schools earn off their athletic efforts, more must be done to prove that the education of big-time athletes is a true priority, and that these advertisements are more than obfuscatory rhetoric. At some big-time programs, neither athletes nor university officials are particularly concerned about education; rather, it is *eligibility* that is prioritized. To simply revolutionize the system by allowing athletes to monetize their NILs, while also overlooking the educational element of the enterprise, would amount to a shortsighted solution, not to mention ignoring research that proves that sports participation has various educational benefits. By making the educational exchange between university and athlete more explicit, more athletes will see how this exchange can be beneficial to them in the long run.

Detail “Coaching Deliverables”

Here is what universities can do to prioritize education. For starters, be more explicit about the educational role college sports play and hire and fire coaches based on *educational criteria*. As Meyer and Zimbalist (2020) argue:

The answer to the bloated spending [e.g., on college sports coaches' salaries] is not to pay the athletes a salary; it is to cap coaches' and administrators' salaries, limit the expenditures on lavish facilities used for a single sport, and reinforce the educational mission of the school" (p. 262)

Setting these conditions would require an antitrust exemption. Similarly, universities can craft detailed statements about coaching "deliverables", and hold coaches to them. They can also make detailed statements about what athletes can reasonably expect from their coach/educators on and off the court, and what will be expected of them in return.

Raise Eligibility Requirements

Next, universities could unilaterally end special admissions consideration for exceptional athletes (who do not make the grade). Currently, many colleges tweak academic and admissions policies, creating "special admit" status, even at academically rigorous schools that field athletically talented teams. If a student has not made the proper academic preparations for college, the student may disrupt peer learning, or disrupt a professor's lesson plans, who might otherwise teach a higher-level subject matter. Admitting academically underprepared students can thus have a deleterious impact on the overall learning environment, and that may lower the quality of education a particular university provides to all students. The athletes themselves may also become disillusioned in a difficult classroom and give up on their education, wrongfully concluding that it is "their fault". Gurney therefore calls special admissions processes for athletes' college sports' "original sin" (quoted in Lens 2021, p. 199). These are hardly the outcomes anyone wants. This may not be an easy step to take, but it is a step available to universities hoping to create a more positive educational culture. It would be much easier for individual universities to enact if a regional or national association of universities did so together. Some conferences, including the Ivy League, Patriot League, and the New England Small College League, have historically imposed higher admission standards and GPA requirements on their student-athletes (Easterbrook, 2013). Some individual colleges, including Stanford, Boston College, Duke, and Notre Dame, insist that they keep their own academic standards higher than other colleges (Easterbrook, 2013). Yet few other institutions of higher education have raised academic standards beyond what the NCAA requires.

In 2005, Staurowsky and Ridpath argued for the adoption of a 2.0 minimum GPA to create the "potential to empower athletes to place their educational interests above their athletic interests" (Staurowsky & Ridpath, 2015, p. 118). The NCAA has since adopted a 2.3 minimum GPA in core high school courses to ensure D-I eligibility. However, the GPA standard could be even higher, given that the 2.3 GPA standard represents a C average, which hardly seems to represent the kind of "excellence" colleges say that they expect of student-athletes.

Raising the GPA alone, though, would not be enough, and it could lead to other problems such as academic fraud. Therefore, The Drake Group (Gurney et al., 2015) has suggested that low-performing high school students who are recruited to play

college sports be deemed ineligible from athletic participation in their freshman year if they are “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” (p. 5). Moreover, the Drake Group suggests that

... the institution that admits the athlete must 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. (Gurney et al., 2015, p. 5).

Gerald Gurney of the University of Oklahoma started the nation’s first athletic study center, having grown concerned as he saw his university do somersaults to get underprepared athletes eligible to play, even as it seemed to care little about whether they received a good education. While in 1982 there were only 24 athletic tutoring programs nationwide (Zimbalist, 2001), now every D-I university must have one. A national association of athletic academic advisors exists to share best practices, too. Thus, additional education resources abound at most schools, with some providing big-time athletes with extra instruction, including remedial instruction, but athletes are often disincentivized by the institution, faculty, coaches, and peers from focusing on schoolwork. If the GPA required to be eligible were raised, and academically low-performing high school athletes remediated, these incentives would likely change.

Raise Academic Standards for All Athletes and All Students

The chance to be challenged at an academically rigorous institution is beneficial for anyone who in high school may not have been challenged to reach their cognitive potential, for those who are “late bloomers,” or for those who may have come from a disadvantaged background where the K-12 schools are not high quality. In that sense, our society may be better off when universities “take risks” on athletes who may not demonstrate academic achievement before college but show academic *potential*.

Yet there is still the lingering sense that while populations underserved at the K-12 level should be given an equal opportunity to gain admission to universities, giving those opportunities *primarily* to athletes from such backgrounds sends a dubious message: that it is balls and not books that should be the focus of a youth’s free time. It is also arguably indefensible, since if the goal is to offer opportunity to those historically underserved, why should an athlete rather than a stellar student receive that scholarship?

In the end, this is not the best course for any nation to take, and therefore not the message universities should be sending with their prioritization of athletic entertainment over education. Democracy dies in darkness and focusing on sports to the detriment of academic pursuits can lead to an underinformed/undereducated voting populace.

That is why I believe that receiving an athletic scholarship should be considered a privilege that is *earned through one's studies and through one's athletic accomplishments*, not something granted to talented athletes who care little about school but are stellar at sports. Some worry that if we raise academic standards for all athletes, we might be excluding students who might not have otherwise made it to college. For example, an athletic department official at a private elite institution told me in 2013:

Let's [say that we] make [the GPA standard for eligibility] a 3.3, which would be a huge jump from where it's at now. Are we then excluding, and I think you would, people who, for no fault of their own, were born into a[n education] system where they just didn't have the opportunity? Is that right? I don't know how to answer that. I don't know how to start to put more value on academics, or if we should. If you're phenomenal at football . . . maybe it's not for me to say? . . . When you try to institutionally and across an entire policy mandate something, you're always going to have an outlier or a group of outliers that were negatively impacted (personal communication, January 11, 2013).

This official then went on to add:

Somehow this country has got to back our educational system a little bit more than they are . . . I don't know the way to do that . . . The private schools have cropped up and that allows this more privileged group to get the education they deserve. That's crap, now we're just rich is getting richer, poor is getting poorer, how do we systematically across the board start to value education?

Obviously, this official's comments illustrate that college sports reform is only part of the solution to this systemic societal problem, but the time is ripe for reform, and so it should be seized. In the long run, a failure to keep a high academic standard *for all* only ensures that big-time athletics will continue to have a tenuous connection to the core values of higher education, and that the misguided priority structure will invariably trickle down to lower levels of education and incentivize young people to choose sports over school, when what we should want is a better balance between the two.

Give Athletes More Time and Financial Assistance to Finish Their Degree

If athletes are underprepared for college schoolwork, they may take more time to graduate. Some studies have suggested that graduation rates for big-time athletes are lower than the average student (Southall, 2012a; Southall, 2012b). So, in 2012, members of NCAA D-I agreed to award multiyear scholarships (Sack et al., 2014). Previously, athletes were only given one-year scholarships subject to renewal each year. In 2015, the Power 5 conferences instituted measures to make it less likely that athletes would have their athletic scholarships revoked "for athletic reasons," but the measures did not cover all NCAA schools. While these are steps in the right direction, no student who is recruited for sports should lose their scholarship if they are injured, does not get along with the coach, or decides that academics are more important than sports and chooses to quit the team. In 2018, the Commission on

Collegiate Basketball therefore recommended that big-time colleges pay “for the degree completion of student-athletes with athletic scholarships who leave member institutions after progress of at least two years towards a degree” in order to “to restore credibility to the phrase student-athlete” (Commission on College Basketball, 2018, p. 7).

Some scholars have called for guaranteed, good-for-life scholarships for big-time athletes (e.g., Jackson, 2018), but the Commission’s recommendation seems more sensible, especially given the financial struggles academic departments at many universities now face. If athletes are to have lifetime scholarships, payment for their studies ought to be transferred from the athletic department to the academic department at the time of granting the scholarship, so as to prevent academic budget shortfalls.

Give Athletes Freedom to Transfer, Without Restriction

Athletes should also be able to transfer to a new school without restriction, because education rather than competitive imbalance between sports programs should be the ultimate priority. If an athlete believes he/she will be better educated elsewhere, then so be it.

For too long, the NCAA required that athletes in big-time sports sit out a year before they could play again. As recently as 2019, the NCAA stated on its website that D-I athletes could only play for a new school if the athlete was transferring out of D-I into D-II or D-III, or if the athlete was “transferring to a Division I school in any sport other than baseball, men’s or women’s basketball, football (Football Bowl Subdivision) or men’s ice hockey” (NCAA, n.d.). However, this language clearly prioritized the maintenance of competitive balance between sports programs in certain revenue producing sports, and controlling the “assets” of college athletic bodies, rather than the education of each individual athlete.

The NCAA rules further stated, “If you are transferring to a D-I school for any of the previously-listed sports, you may be eligible to compete immediately if you were not recruited by your original school and you have never received an athletics scholarship” (i.e., if you were a “walk-on” rather than an official “recruit”) (NCAA, 2015). But what difference should it make? Why did the sport one plays have any impact on one’s freedom to choose where to attend college and play sports? The rule was used to ensure that talented players did not transfer to rival schools, but the players should have the right to play for whatever team they want, whenever they want. If in Olympic sports, athletes can use a one-time waiver, why not in other sports?

In April 2018, the NCAA temporarily loosened the restrictions on D-I athletes’ transfers, though in June 2019 it tightened these rules. As the Drake Group noted in a press release at the time, the waiver request must now have “documented extenuating, extraordinary and mitigating circumstances outside of the athlete’s control that directly impacts the health, safety, or well-being of the student-athlete” to be approved (Lopiano, et al, 2018). The 2020 global pandemic was certainly an “extraordinary” circumstance, and so many athletes have been able to transfer as a result.

The rigid language regarding "transfer terms" points to the NCAA's prioritization of entertainment rather than education. As McCullough explains, "This transfer rule is essentially a noncompete clause like a company uses to keep an employee from hopping to a competitor . . . the NCAA wants to treat its most valued athletes as employees only when it suits the schools' agenda" (McCullough, 2019). These rules fuel the narrative that the NCAA is not acting in the best interest of the athletes, but rather in the interests of the institutions that it represents (As of early October 2020, there were reports that suggested that the NCAA would vote to institute a one-time transfer exception for all athletes in all sports; Auerbach, 2020).

Certify And Give Academic Credit for Sports Training

Another way to send the right educational message would be to certify football, basketball, and other big-time sports as *academically* valuable subjects of study, and then develop relevant curriculum to properly credit students' efforts in studying them. As Kretchmar argues, "we can be involved in acts on the dance floor and in the gymnasium that are just as insightful and brilliant as the acts of the philosopher, mathematician, or writer" (Kretchmar, 2005, p. 116.) At Penn State University, where Kretchmar taught, "students can even get a master's degree in a program that focuses on skillful activity such as singing, dancing, or playing the piano," and yet, while "the gatekeepers of higher education apparently see these kinds of advanced motor performance as cultured, creative, and intelligent," there is "no performance major in exercise, sport, or any other kinesiology movement" (Kretchmar, 2005, p. 112). By certifying courses in the strategy and tactics of sport, and sports courses regarding recruiting, advertising, history, or sociology, athletes could begin to reverse this stigma. Of course, the curriculum would have to be rigorous and approved by a faculty panel that included but was not limited to coaches, but such certification could also ensure that athletes have a leg up on the competition for jobs in the sports industry. It is only an intellectual bias against kinesthetic learning that prevents these kinds of courses and even degree programs from materializing.

Give Awards to Institutions and Individuals That Take Their "Duty To Educate" Seriously

In 2018, the Commission on College Basketball recommended that significant punishments be implemented to disincentivize cheating and to encourage coaches, athletic directors, and college presidents to offer proper oversight to expose wrongdoing and deter bad behavior before it happens (Commission on Collegiate Basketball, 2018, pp. 10-11), but perhaps an approach to reform that incentivizes prosocial behavior (Bénabou & Tirole, 2016; Exley, 2018) would work better.

One possibility would be to give public awards to universities that deliver on their promises to make "athlete-students" into "student-athletes". One could also rank universities in order of their relative priority given to education. Easterbrook suggests that college football rankings formulas could incorporate graduation rates as 25% of the total formula (Easterbrook, 2013, p. 317ff). A group called Next College Student Athlete (NCSA) also produces its own proprietary "Power Rankings", which

are based on “size, location, academics, and cost”, and aimed at helping recruits decide which schools are best for student-athletes (NCSA.com, n.d.).

Faculty must be part of this process. Staurowsky and Ridpath (2005) note that while universities may not have a legal duty to educate their students, the faculty do have a professional duty to advocate for their own legal interests, and that these interests include the securing of an environment in which all students can be educated. College faculty who are members of organizations such as the American Association of University Professors (AAUP) are thus theoretically obligated by their association’s statement of professional ethics to “advocate for mechanisms that will protect the access athletes have to academic freedom” (Staurowsky & Ridpath, 2005, p. 121). According to Hilborn, universities fail to fulfill their own missions when they fail to fulfill their “duty to educate” and do not ensure that athletes can study and play their sports in an environment where they reasonably meet academic requirements. It is not enough for universities to provide scholarships for athletes; they should also acknowledge their duty to ensure that the scholarship can be honored by the athlete in and out of the classroom (Hilborn, 1995, p. 769).

If there existed better metrics to measure a university’s fulfillment of this “duty to educate”, would-be freshmen athletes would be able to see if and how schools upheld their promises of providing a quality education, graduating their students, and helping them secure jobs. They might even be able to see how athletes and students differ in these regards, and they would be able to make informed decisions about their future.

Creative rewards could also be devised to incentivize individual coaches, athletic directors, and college presidents to prioritize education over winning. Awards like Lowe’s CLASS award, which is given to the nation’s best college scholar-athletes, already exist, and similar awards for coaches, athletic directors, and college presidents could incentivize them to balance success in academics and athletics. Why not imagine a corporate-sponsored award for big-time coaches who graduate 100% of their athletes each year *and* have 100% approval ratings from their players? It could come along with a bonus, too, which would incentivize coaches and encourage companies to donate for the positive public relations benefit. The rankings that currently exist focus too heavily on sports performance, which is indicative of entertainment value, but we should also try to measure the education received, the lessons learned, and the degrees earned (Gerdy, 1997).

Tie Coaching Base Pay to Graduation Rates

As it stands, too many big-time coaches earn salaries that are vastly higher than what players receive, which creates an imbalanced power dynamic. If coaches disregard academics in favor of athletics, their players may (be forced to) do the same, or at least feel tension if they want to disobey their coach’s orders.

There are reforms we can make. For example, coaches’ base – not bonuses – compensation packages could be tied to graduation rates, thereby ensuring that the educational promise of college sports is realized and positive incentives rather than negative penalties drive coaching behavior (Easterbrook, 2013). Colleges

could also tie coaching bonuses to how student athletes *improve* academically, not necessarily how their students perform at one given moment in time, or how many graduate. If these reforms were instituted, coaches would be hired and fired by how well they prepare their players for life outside of sports, and, since so few will play professionally, these coaches could be seen as faculty members.

Easterbrook (2013) suggests suspending coaches for a year if they oversee a program which does not graduate its players at a rate above that university's average, that such penalties follow the coach to another university should he be hired elsewhere and that all NCAA sanctions and penalties follow a coach, not stay with a program, as is currently the case. He also suggests refusing to pay severance packages for fired coaches whose players did not meet high standards for graduation rates during their tenure (Easterbrook, 2013).

I prefer tying the base pay of coaching salaries to educational deliverables because then the institution makes it clear to the employee what is expected of them, and it amounts to a more positive reform. Colleges could offer coaches end-of-year bonuses if their graduation rates are higher than average for the conference, or higher than last years' rates. Tying bonuses alone to graduation rate does not, in my opinion, go far enough.

The issue of college coach pay is in some ways like the issue of CEO pay in corporate America. The interests of coaches, universities, and corporations, rather than players, are prioritized, just as in corporate America the interests of CEOs and shareholders are prioritized over the interests of employees. But the NCAA could create a metric for coaching pay based upon the ratio of scholarships given to the players who graduate, along the lines of what Robert Reich has suggested. In *Saving Capitalism*, Reich argues that America could lower CEO pay by tying corporate tax rates to the ratio of CEO pay/average employee pay (Reich, 2016). If colleges agreed to a similar metric for college coaches, they would also help incentivize coaches to do as much as they can to raise graduation rates. In the process, they might even create a more level playing field among teams, since coach pay would be effectively capped and there would not be as much competition between the best coaches for the highest pay jobs.

Encourage Big-Time Sports Universities to "Stand Up for Academic Principles in the Face of Commercial Temptations"

University leadership must be more courageous, and some are. In 2003, Michigan's former president, James Duderstadt, called for the shortening of college sports seasons, the re-institution of the freshman ineligibility rule, and limiting the power of "celebrity coaches" by deferring or restricting the amount of money they could receive from outside business dealings (Duderstadt, 2003). In 2011, Brit Kirwan, the chancellor of the University of Maryland system, said "the huge TV contracts and excessive commercialization have corrupted intercollegiate athletics . . . [and] to some extent they have compromised the integrity of the universities" (Quoted in Nocera, 2011).

Duderstadt (2003) and Kirwan do not represent the majority. In 2001, the Knight Commission recommended that college trustees, presidents, faculty, athletic directors, and alumni “stand up for academic principles in the face of commercial temptations” (quoted in Clotfelter, 2019, p. 215). In practice, this might entail setting up an independent commission to better monitor contracts between media, corporate sponsors, and universities, prohibiting or limiting company logos on uniforms, controlling when games are played (i.e., not “school nights” like Tuesday night), or limiting the number of hours teams can practice. It might also mean limiting roster sizes, limiting (or changing the structure of) pay for coaches, or agreeing on a coaching salary cap that all universities must abide by. These steps could protect “academic principles in the face of commercial temptations”.

Discussion

Seek Integrity

“Integrity” is the key here; we do not want to eliminate college sports but rather bring their operations back in line with higher education’s core values. The issue of integrity exists in another sense, too. While universities have championed the educational (particularly, the character-building potential of sports), they have inadvertently ignored or overlooked their own potentially powerful role as institutional paragons of moral character in the community. After all, what kind of organization can serve the greater good if it is economically exploiting young men and women, especially in sports where the risks of bodily injury and long-term health problems are so high?

If universities are to continue producing big-time college sports (particularly, if public, taxpayer-funded universities are to do so), they should be required to revise their mission statements to reflect the centrality of sport. Orleans (2013) makes this point succinctly when he argues:

We have to make the case that athletics is directly related both to institutional missions and to student-athlete development: a case that shows faculty and alumni, students and parents, and legislators and taxpayers that athletics deserves support because it is educationally and institutionally important (p. 83).

Only then will universities hold themselves to a higher standard of ethical behavior and begin to regain their “integrity.” As Clotfelter (2019) argues, we need a “new candor” that would “begin with more accurate mission statements” which includes the acknowledgment of the centrality of college sports to universities’ bottom line and mission. These statements would also acknowledge the “century-old marriage between commercial athletics and American higher education” and its “benefits and costs” (p. 221).

If university leaders are serious about protecting academic principles and regaining their integrity, then they must ensure that no coach, administrator, or other university official under their employ is hypocritical about, or exaggerates the power of, the educational element of big-time sports until the institution can truly

deliver on such statements. Neither universities nor the NCAA should ever say that "student-athletes" are students first and foremost, if their treatment by the university proves, or even subtly suggests, that they are not. Until true reform comes, they should explicitly acknowledge that the education athletes receive will be *at best* unintentional, ancillary, and insufficiently delineated, as well as dependent upon a particular coach and his/her commitment to the value of education.

Thus, colleges should admit they are in the business of producing entertainment for consumers, and that the entertainers they contract with are athletes/students. Universities should also explicitly acknowledge, in their mission statements, that big-time college athletics are a central part of their branding/marketing plan, and that athletes are an (unpaid) part of it.

In concrete terms, restoring integrity would mean ensuring everyone involved in the university knows that classroom education (i.e., academic education), and education within sports participation (i.e., "sports education") are both to be respected and given a central role in the broader socialization process. Students can and do benefit from learning in each realm, but they learn different things in each realm. Life in a capitalist economy undoubtedly requires perseverance, hard work, and discipline, skills that can be gained both by playing sports and by studying. Life in a capitalist *democracy* equally requires educational credentials and critical thinking skills, which may be less commonly developed by participation in sports, especially if a "grand illusion" is offered to young athletes that the odds are in their favor of making the pros (Pappano, 2012). A higher education *in the classroom* can teach young people how to learn how to teach themselves, just as a higher education *on the court or field* can teach young people how to learn how to train themselves physically (and mentally).

At the end of the day, the verdict in the public debate over the economics of "opportunity" versus the economics of "exploitation" depends largely on whether college athletes' education is evaluated highly or not. If an athlete's education lives up to the promises that universities make about it, then "exploitation" may seem like an overly dramatic term, and "opportunity" may seem to fit. Without education, the term "*college sports*," let alone "higher education," ceases to have much meaning. Regardless of background, identity group, or political affiliation, anyone can get behind the idea of hard work paying off, and anyone can learn of its value and use it as a stepping-stone to create a better life. Moreover, if *quality* education takes place between the coach and player *on the field/court* (as opposed to inside a classroom), then an athlete's overall relationship to the university, which employs the coach, cannot so easily be called exploitation. However, if either of these kinds of education (classroom-based education or court/field-based education) are not satisfactory, then the economic exchange between university and athlete, and between coach and player, may become the primarily level of analysis, and some may reasonably conclude that this exchange does not constitute an equitable contract, but rather an "exploitative" relationship.

Conclusion

“Everyone Is a Teacher. Everyone.”

Universities, the NCAA, coaches, and athletic directors, can and should transparently and honestly acknowledge the *professional role of labor and service that big-time college athletes provide to and for the university*, while also reemphasizing the primacy of the *educational* endeavor (Mitten, et al., 2009). Everyone has a part to play. Universities must raise academic standards for all athletes, unilaterally and without NCAA mandate if necessary, and expect coaches to perform an educative role. The NCAA and/or universities must create new incentives for schools, coaches, and athletes to prioritize graduation and better balance between books and balls. Athletic department officials must ensure that education is as much of a priority as enhancing the “entertainment product.” Coaches must be more mindful about the time required for classroom education, and about the lessons learned through sports participation. Parents must more often stress the importance of striking balance between books and balls. Finally, athletes must choose to “buy in” to the idea that their academic efforts are as important as their athletic efforts, *even if that is not the clear impression that the broader sports culture currently sends them*. It may be hard for them to make that decision, but it is their demands as the consumers of the college education that carries the greatest leverage to advance systemic change, especially if it is done through collective action. Finally, everyone involved in college sports should do their part, because, as the late great UCLA basketball coach John Wooden once said, “Everyone is a teacher”. As adults, we should never forget the educational part we play when we seek to reform college sports, in the recommendations we promote of course, but also in the way we incentivize others to behave.

References

- Aspen Institute. (2018, May 1). *Future of College Sports: Reimagining Athlete Pay*. <https://www.aspeninstitute.org/events/future-college-sports-reimagining-athlete-pay/>
- Auerbach, N. (2020, October 6). *Sources: NCAA one-time transfer proposal, notification deadlines being finalized*. *The Athletic*. <https://theathletic.com/2118177/2020/10/06/ncaa-transfer-proposal-vote-division-i-council/>
- Bénabou, R., & Tirole, J. (2006). Incentives and prosocial behavior. *American Economic Review*, 96(5), 1652-1678.
- Berkowitz, S. (2018, March 28). Judge rules NCAA must defend limits on compensation to college athletes in new trial. *USA Today*. <https://www.usatoday.com/story/sports/college/2018/03/28/ncaa-must-defend-limits-compensation-college-athletes/467495002/>
- Berkowitz, S. & A. Kreighbaum. (2015, August 20). Cincinnati athletes lead in benefit boost from cost of Attendance. *USA Today*. <https://www.usatoday.com/story/sports/college/2015/08/20/ncaa-cost--attendance-cincinnati-bearcats/32062729/>

- Bishop, G. (2013, November 10). N.C.A.A. dodges a bullet, but change is on the way. *The New York Times*. <https://www.nytimes.com/2013/11/11/sports/ncaa-basketball/ncaa-dodges-a-bullet-but-change-is-on-the-way.html>
- Byers, W., & Hammer, C. H. (1997). *Unsportsmanlike conduct: Exploiting college athletes*. University of Michigan Press.
- Commission on Collegiate Basketball. (2018, May 1). Report and recommendations to NCAA Board of Governors, Division I Board of Directors and NCAA President Emmert. <https://wbca.org/sites/default/files/rice-commission-report.pdf>
- Cooky, C., Messner, M. A., & Hextrum, R. H. (2013). Women play sport, but not on TV: A longitudinal study of televised news media. *Communication & Sport*, 1(3), 203-230.
- Clotfelter, C. T. (2019). *Big-time sports in American universities*. Cambridge University Press.
- Danley, S. (2009). March money madness: Give Athletes Five-Year Scholarships. *New York Times*, March 18.
- Drake Group (2018, May 4). *The Drake Group finds that The Independent Commission on College Basketball missed an opportunity to recommend comprehensive reform*. www.thedrakegroup.com. <https://www.thedrakegroup.org/2011/05/04/the-drake-group-finds-that-the-independent-commission-on-college-basketball-missed-an-opportunity-to-recommend-comprehensive-reform/>
- Drake Group (2020, March 3). *The Drake Group Calls for 'Honest Broker' to Oversee College Athlete NIL Deals*. www.thedrakegroup.com. <https://www.thedrakegroup.org/2020/03/03/the-drake-group-calls-for-honest-broker-to-oversee-college-athlete-nil-deals/>
- Drexel Now. (2011, September 13). *Study: College Athletes Worth Six Figures Live Below Federal Poverty Line*. www.drexel.edu. <http://drexel.edu/now/archive/2011/September/Study-College-Athletes-Worth-Six-Figures-Live-Below-Federal-Poverty-Line/>.
- Duderstadt, J.J. (2003). *Intercollegiate athletics and the American university: A university president's perspective*. University of Michigan Press.
- Easterbrook, G. (2013). *The king of sports: Football's impact on America*. Macmillan.
- Edelman, M. (2017, February 22). From student-athletes to employee-athletes: Why a 'pay for play' model of college sports would not necessarily make educational scholarships taxable. *Boston College Law Review*, 58(1), 1137-1168.
- Exley, C. (2018). Incentives for prosocial behavior: The role of reputations. *Management Science*, 64(5), 2460-2471.
- Farrey, T. (2014, March 17). *Jeffrey Kessler suit against NCAA*. www.abcnews.com. <https://abcnews.go.com/Sports/jeffrey-kessler-suit-ncaa/story?id=22939019>.
- Finkel, R., Martin, T., & Paley, J. (Directors). (2013). *Schooled: The price of college sports*. [Film]. Strand Releasing and Makuhari Media.
- Freedman, L. (2002). Pay or play-The Jeremy Bloom decision and NCAA amateurism rules. *Fordham Intell. Prop. Media & Ent. LJ*, 13(2), 673-711.

- Gallimore, R., & Tharp, R. (2004). What a coach can teach a teacher, 1975-2004: Reflections and reanalysis of John Wooden's teaching. *Sport Psychologist*, 18(1), 119-137.
- Gerdy, J. R. (1997). *The Successful College Athletic Program: The New Standard*. American Council on Education/Oryx Press Series on Higher Education.
- Gurney, G., Lopiano, E. Snyder, D., 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*. <https://thedrakegroup.org/2015/06/07/drake-group-questions-ncaa-academic-metrics>
- Gurney, G., Lopiano, D. A., & Zimbalist, A. (2017). *Unwinding madness: What went wrong with college sports and how to fix it*. Brookings Institution Press.
- Hagens Berman Law Firm. (2017). Student-Athletes Reach \$208 Million Settlement with NCAA over Scholarship Antitrust Claims. Press Release. <https://www.hbsslaw.com/press/ncaa-scholarships-class-action/student-athletes-reach-208-million-settlement-with-ncaa-over-scholarship-antitrust-claims>
- Hilborn, H. B. (1995). Student-athletes and judicial inconsistency: Establishing a duty to educate as a means of fostering meaningful reform of intercollegiate athletics. *Northwestern University Law Review*, 89(2), 722-766.
- Hobson, W., Guskin, E. (2017). Poll: Majority of black Americans favor paying college athletes; 6 in 10 whites disagree. *Washington Post*. https://www.washingtonpost.com/sports/colleges/poll-majority-of-black-americans-favor-paying-college-athletes-6-in-10-whites-disagree/2017/09/14/27fa5fc2-98df-11e7-87fc-c3f7ee4035c9_story.html?noredirect=on&utm_term=.7b3d68b3b15a
- Huma, R., & Staurowsky, E. J. (2012). *The \$6 billion heist: Robbing college athletes under the guise of amateurism*. [www.ncpanow.org. http://assets.usw.org/ncpa/pdfs/6-Billion-Heist-Study_Full.pdf](http://assets.usw.org/ncpa/pdfs/6-Billion-Heist-Study_Full.pdf)
- Huma, R., Staurowsky, E.J., & Montgomery, L. (2020). *How the NCAA's empire robs predominantly Black athletes of billions in generational wealth*. National College Players Association.
- Jackson, V. (2018, January 11). Take it from a former Division I athlete: College sports are like Jim Crow. *Los Angeles Times*. <https://www.latimes.com/opinion/op-ed/la-oe-jackson-college-sports-20180111-story.html>.
- Karpen, E. (2021, July 1). Players getting paid: Here's who signed NIL deals on policy's first day. *New York Post*. <https://nypost.com/2021/07/01/here-are-players-who-signed-nil-deals-on-policys-first-day/>.
- Knight Commission on Intercollegiate Athletics. (2001). *A call to action: Reconnecting college sports and higher education*. www.knightcommission.org. http://www.knightcommission.org/images/pdfs/2001_knight_report.pdf.
- Knoester, C., & Ridpath, B. D. (2020). Should college athletes be allowed to be paid? A public opinion analysis. *Sociology of Sport Journal*, 38(4) 399-411. <https://journals.humankinetics.com/view/journals/ssj/38/4/article-p399.xml>
- Kretchmar, R.S. (2005) *Practical philosophy of sport and physical activity*. Human Kinetics.

- Lanter, J. R., & Hawkins, B. J. (2013). The economic model of intercollegiate athletics and its effects on the college athlete educational experience. *Journal of Intercollegiate Sport*, 6(1), 86-95.
- Lens, J. (2021). Operation varsity blues and the NCAA's special Admission Exception. *Journal of Legal Aspects of Sport*, 31(1), 147-200.
- Lopiano, D., Porto, B., Gurney, G., Ridpath, D.B., Sack, A., Willingham, M., & Zimbalist, A. (2017, First published March 24, 2015; Revised December 27, 2017). *The Drake Group position statement: Compensation of college athletes including revenues from commercial use of their names, likenesses, and images*. <http://thedrakegroup.org>. <https://www.thedrakegroup.org/wp-content/uploads/2019/07/revision-tdg-position-paper-name-image-likeness-final.pdf>
- Lopiano, D., Gurney, G., Willingham, M., Porto, B., Ridpath, D.B., Sack, A., & Zimbalist, A. (2018, August 14) *The Drake Group position statement: Rights of college athletes*. <http://thedrakegroup.org>. <https://drakegroupblog.files.wordpress.com/2018/08/tdg-athletes-rights-final-august142018.pdf>
- Manza Young, S. (2021, March 22). *By this point, it seems the NCAA is actively choosing to disrespect women's basketball players*. Yahoo!Sports. <https://sports.yahoo.com/by-this-point-it-seems-the-ncaa-is-actively-choosing-to-disrespect-womens-basketball-players-211739254.html>
- Manza Young, S. (2021, March 29). *Women hurt most by lack of NIL, social media money*. Yahoo!Sports. <https://sports.yahoo.com/on-top-of-tournament-in-equities-the-nca-as-arcane-nil-rules-hurt-womens-basketball-players-most-too-204948049.html>
- McCann, M. (2019, March 8). Why the NCAA lost its latest landmark case in the battle over what schools can offer athletes. *Sports Illustrated*. <https://www.si.com/college-football/2019/03/08/ncaa-antitrust-lawsuit-claudia-wilken-alston-jenkins>
- McCullough, J.B. (2019, June 28) Days of NCAA having it both ways should be nearing an end. *Los Angeles Times*. <https://www.latimes.com/sports/la-sp-ncaa-pay-to-play-california-20190628-story.html>
- McKechnie, A. (2013, March 25.). Drexel and NCPA study shows NCAA's use of "amateurism" denies college athletes billions in revenue. *Drexel Now*. <http://drexel.edu/now/archive/2013/March/NCPA%20Study/>.
- Meyer, J., & Zimbalist, A. (2020). A win win: College athletes get paid for their names, images, and likenesses and colleges maintain the primacy of academics. *Harvard Journal of Sports and Entertainment Law*, 11(2), 247-304.
- Miller, A. L. (2022). *Buying in: Big-Time Women's College Basketball and the Future of College Sports*. Lanham, MD: Rowman & Littlefield.
- Mitten, M. J., Musselman, J.L., & Burton, B.W. (2009). Commercialized intercollegiate athletics: A proposal for targeted reform consistent with American cultural forces and marketplace realities. *Journal of Intercollegiate Sport*, 2(2), 202-232.
- Murphy, D. (2020, May 18). *Appeals court upholds ruling that colleges can pay for all NCAA athletes' education expenses*. www.espn.com. https://www.espn.com/college-sports/story/_/id/29191519/appeals-court-upholds-ruling-colleges-pay-all-ncaa-athletes-education-expenses

- Murphy, D. (2021, June 30). NCAA clears student-athletes to pursue name, images and likeness deals. www.espn.com. https://www.espn.com/college-sports/story/_/id/31737039/ncaa-clears-student-athletes-pursue-name-image-likeness-deals.
- National Collegiate Athletic Association v. ALSTON et al. Certiorari to the United States Courts of Appeals for the Ninth Circuit. Vol. No. 20–512. Argued March 31, 2021—Decided June 21, 2021. https://www.supremecourt.gov/opinions/20pdf/20-512_gfbh.pdf.
- NCAA. (2015, February 13). *Transfer terms*. www.ncaa.org. <https://www.ncaa.org/sports/2015/2/13/transfer-terms.aspx>
- NCAA. (2019, September 11). *NCAA responds to California Senate Bill 206*. www.ncaa.org. <https://www.ncaa.org/about/resources/media-center/news/ncaa-responds-california-senate-bill-206>
- NCAA. (2021, January 13). *Board of Governors supports postponing name, image, and likeness votes*. www.ncaa.org. <https://www.ncaa.org/about/resources/media-center/news/board-governors-supports-postponing-name-image-and-likeness-votes>
- NCAA v. Alston*. (2019). Defendants' joint opening brief in re: National Collegiate Athletic Association athletic grant-in-aid cap antitrust litigation. *US Court of Appeals for the Ninth Circuit*.
- NCAA. (N.d.) Transfer terms. Retrieved from <http://www.ncaa.org/student-athletes/current/transfer-terms>
- Next College Student Athlete (n.d.). <https://www.ncsasports.org/best-colleges>
- Nocera, J. (2011, December 30). Let's start paying college athletes, *The New York Times*. <https://www.nytimes.com/2012/01/01/magazine/lets-start-paying-college-athletes.html>
- Nocera, J., & Strauss, B. (2016). *Indentured: The inside story of rebellion against the NCAA*. Portfolio.
- Orleans, J. H. (2013). The effects of the economic model of college sport on athlete educational experience. *Journal of Intercollegiate Sport*, 6(1), 79-85.
- Pappano, L. (2012, January 22). How big-time sports ate college life. *The New York Times*. <https://www.nytimes.com/2012/01/22/education/edlife/how-big-time-sports-ate-college-life.html>
- Reich, R. B. (2016). *Saving capitalism: For the many, not the few*. Alfred A. Knopf.
- Remy, D. (2020, October 15). *NCAA statement regarding Supreme Court petition for Alston case*. www.ncaa.org. <http://www.ncaa.org/about/resources/media-center/news/ncaa-statement-regarding-supreme-court-petition-alston-case>
- Ridpath, B. D. (2008). Can the faculty reform Intercollegiate Athletics? A past, present, and future perspective. *Journal of Issues in Intercollegiate Athletics*. 1(1), 11-25.
- Sack, A. (2009a, March 18). March money madness: Let college athletes be entrepreneurs. *The New York Times*. <https://roomfordebate.blogs.nytimes.com/2009/03/18/march-money-madness/>

- Sack, A. (2009b). Clashing models of commercial sport in higher education: Implications for reform and scholarly research. *Journal of Issues in Intercollegiate Athletics*, 2(1), 76-92.
- Sack, A. McComas, A.E., & Cakan, E. (2014). The revival of multiyear scholarships in the twenty-first century: Which universities supported and opposed this legislation and why? *Journal of Issues in Intercollegiate Athletics*, 1(1), 207-223.
- Schlabach, M. (2013, August 9). NCAA puts end to jersey sales. https://www.espn.com/college-sports/story/_/id/9551518/ncaa-shuts-site-jersey-sales-says-hypo-critical
- Schwarz, A. (2015, January 7). *Wait, the NCAA can pay players' parents now?* <https://deadspin.com/wait-the-ncaa-can-pay-players-parents-now-1677853402>.
- Staurowsky, E.J., & Ridpath, B.D.. (2005) The case for a minimum 2.0 standard for NCAA Division I athletes. *Journal of Legal Aspects of Sport*, 15, 113-138.
- Southall, R.M. (2012a). 2012 Adjusted Graduation Gap report: NCAA Division-I football. http://exss.unc.edu/files/2011/07/2012_FB_D-I_AGG_Report_Post-Embargo_Copy_9-25-2012.pdf
- Southall, R.M. (2012b). 2012 Adjusted Graduation Gap: NCAA Division-I baseball and softball. https://www.sc.edu/study/colleges_schools/hrsm/research/centers/college_sport_research_institute/agg_reports/gap_reports/csri_2012_agg_ncaa_d-i_ba-sb2.pdf
- Thompson, Jr., J. (2020, November 12). Let's drop the charade and pay college athletes. *The New York Times*. <https://www.nytimes.com/2020/11/12/opinion/sunday/ncaa-sports-paying-college-players.html>
- Tracy, M. (2019, March 11). The N.C.A.A. lost in court, but athletes didn't win, either. *The New York Times*. <https://www.nytimes.com/2019/03/11/sports/ncaa-court-ruling-antitrust.html>
- Zimbalist, A. (2001). *Unpaid professionals*. Princeton University Press.
- Zimbalist, A. (2009, March 18). March money madness: Short of paying players, fix the rules. *The New York Times*. <https://roomfordebate.blogs.nytimes.com/2009/03/18/march-money-madness/>
- Zimbalist, A. (2011, September 20). College athletes should not get paid. *The Atlantic*. <https://www.theatlantic.com/entertainment/archive/2011/09/college-athletes-should-not-get-paid/245390/>