

Collegiate Athletics Reform: A Lesson Learned

A Collection of Commentaries

By Dr. Frank G. Splitt

September 6, 2011

The NCAA claims that amateurism equates to purity. That is a canard; there is simply no proof of that. Otherwise we would have amateur musicians, painters and writers, and art would flourish pristine as never before. The NCAA's stated defense for athletic penury is "student-athletes should be protected from exploitation." Hear! Hear! But right now, it's the NCAA member colleges which exploit football and basketball players. Would there be just one president at the (NCAA's presidential) retreat who would speak the truth and acknowledge that the only true reason for amateurism in big-time college sport is because it allows colleges to get something for free with which to amuse the paying students and fleece the wealthy alumni?

— Frank Deford, August 3, 2011

A poll of university presidents last year revealed most are afraid to oppose their coaches and athletic directors and feel helpless to deal with issues such as lack of academic integrity and over-spending for athletics. But one president, according to Libby Sander of the Chronicle of Higher Education, has called on his colleagues to "reassert our national leadership" over athletics. "It is important for university presidents to publicly show that we are in control of college athletics," Kansas State president Kirk Schulz said last week in an email. Schulz deserves credit for speaking out, but most of his colleagues are your garden-variety cowards.

—Bob Gilbert, August 8, 2011

The term student-athlete has become a punch line, with more focus on the entertainment the athletes can provide than the education they should be receiving.... What if colleges didn't just provide them with a stage for their performances, but prepared them for their exit from it? And what if they aspired to make the legacy of this multibillion-dollar entertainment industry more than just entertainment? My guess is that it would be just as entertaining. At this particular moment, I don't see how anyone can justify doing anything less.

—Jonathon Mahler, August 9, 2011

A Yahoo! Sports investigative report released Tuesday (August 16, 2011) revealed a former Miami booster provided thousands of impermissible benefits to at least 72 athletes from 2002 to 2010. The range and depth of the violations are so shocking — cash payoffs, cash bounties on opponents' players, trips, jewelry, prostitutes, among other things.....NCAA president Mark Emmert can talk tough; he can call for a retreat of university presidents to fix the game—one of those presidents was Miami's Donna Shalala, who was hit with damning anecdotal evidence in the Yahoo! report. Emmert can talk of curing the ills of amateur sports. But it's all a sham.

—Matt Hayes, August 17, 2011

TABLE OF CONTENTS

PROLOGUE (AUGUST 17, 2011)	1
THE EFFICACY OF PAYING FOR COLLEGE SPORTS.....	4
FOOTBALL'S DANGEROUS - AND FOR WHAT?	5
CAVEAT EMPTOR AND PROSPECTIVE COLLEGE ATHLETES.....	7
AFTERWORD (SEPTEMBER 5, 2011).....	9
APPENDIX: <i>THE CHICAGO TRIBUNE</i> ON THE COLLEGIATE ATHLETICS FIASCO.....	10
THE AUTHOR.....	12

PROLOGUE

On July 26, 2011, at the height of the acrimonious debt-ceiling debate, Gerald Seib opened his *Wall Street Journal* column by stating, “The spectacle of a dysfunctional Washington, unable to tend to even its most basic task of protecting the nation's financial standing, may be appalling, it should not, however, be a surprise.”[1].

Seib's statement certainly came as no surprise to those advocating serious collegiate athletics reform. All have witnessed the continuing degradation of our nation's higher education system as many of its frontline colleges and universities have been prostituted in an often times fruitless effort to make money—held hostage by their big-time football and men's basketball businesses, athletics directors, coaches, and wealthy benefactors. Simply put, academics are adrift in a sea of corrupt sports programs that tend to corrupt their sponsoring schools. Some schools even seem willing to lower their standards a bit to stay competitive with the corrupt schools while hoping to limit the damage to a previously established image of integrity.[2]

One would think that stories keyed to the devastating impact of collateral damage to our nation's education system and its students would cause public outrage and thus go viral—not so in a culture that apparently values sports and entertainment above academics and learning.

More than eight year's worth of comprehensive documentation has painted an ugly, if not galling, portrait of an unfettered industry that has run amok—effectively operating without transparency, accountability, or oversight. Documentation in the form of TV Specials, books, essays, video documentaries, as well as newspaper and magazine stories have revealed pervasive and deep-rooted corruption in the collegiate college sports entertainment industry, as well as sports-related collateral damage. Although telling the truth about college sports related collateral damage can have painful consequences, the press has responded with notable exceptions to the general rule of going along to get along.

It was thought that widespread attention to the totality of sports-related collateral damage could very well be generated if the story is amplified by the print media. To this end a media campaign was launched with the aim of expanding the American public's awareness of the negative impact of professionalized collegiate athletics on our nation's colleges and universities, as well as the pernicious exploitation of college athletes by the NCAA and its member institutions.

An endorsement of this awareness campaign by Education Secretary Arne Duncan was solicited with the hope his endorsement would stimulate further interest in the campaign and so enhance the likelihood of its success to the ultimate benefit of college athletes and the institutions they serve, as well as America's future well being. It could even prompt a demand for corrective action.

Unfortunately, Department of Education officials have given every indication they prefer to look the other way—apparently unwilling to endorse such a media campaign. Ironically, Secretary Duncan was quick to applaud the unanimous vote by the NCAA presidents to raise the minimum Academic Progress Rate (APR) to 930 (from 900) and ban teams in all sports from participating in post-season tournaments and bowl games if their four-year APRs fall below 930.

The Secretary is seemingly unaware of the fact that NCAA's highly-touted APR is not a realistic measure of academic progress.[3] In light of the intrinsic defects of the APR and the historic failure of the APR process to promote academic reforms, as well as the lack of reform-leadership abilities of school presidents, it is almost beyond comprehension that Secretary Duncan was duped into saying: “College presidents have acted courageously.” The New York firemen who ascended the stairs of the melting World Trade Center acted courageously. There is absolutely nothing courageous about clustering college athletes in soft courses with easy graders, and granting diploma-mill-like degrees to meet APR and Graduation Rate requirements, especially when such chicanery continues to be hidden from public scrutiny by FERPA, the Family Educational Rights and Privacy Act. [4, 5] Also, the Secretary overlooked the fact that the presidents did not address the vexing financial issues outlined in the June 17, 2010, Knight Commission report, "Restoring the Balance: Dollars, Values and the Future of College Sports."

Secretary Duncan's “applause” of the college president's practically meaningless action and his unwillingness to endorse a media campaign that would expose the inherent hypocrisy in big-time collegiate athletics were not only disappointing, but also good examples of an out-of-touch, dysfunctional Washington. This does not bode well for the future well being of America in an ever more competitive global economy driven by highly educated citizens. One is led to ask: How can the U. S. Department of Education stand idle in the midst of a raging storm in intercollegiate athletics as evidenced by the unprecedented news coverage delineated in the appendices?

Perhaps the lack of attention by the Department of Education is a reflection of willful ignorance. That is to say, if serious situations and issues are not acknowledged, there is no need to take corrective action. Put another way, the willfully

ignorant would certainly see no need to endorse a media campaign aimed at spreading the word about sports-related collateral damage and the exploitation of college athletes by the NCAA and its member institutions. Why help reform-minded individuals and organizations make the American public aware of serious issues that Department of Education administrators choose to overlook?

Department of Education officials have displayed a familiar blindness—one regularly demonstrated by politicians—that does not allow them to see the depth and breadth of the problems associated with professionalized collegiate athletics nor realize their significance. A lesson learned: Reformers cannot take refuge in the illusion that the Department of Education can solve these problems.[6]

It is hoped that the appended comprehensive list of recent newspaper and law-review articles, network programs, as well as the essays posted at <<http://thedrakegroup.org/splittessays.html>> will not only give the reader a firm grasp of college sports related issues, but also make a compelling argument for reform. When coupled with the following commentaries, the argument for reform and the need to look beyond Washington for solutions becomes even more compelling.

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APPENDICES

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The Efficacy of Paying for College Sports

College Athletics Clips Guest Commentary

Our guest author believes that absent government intervention, school presidents will continue to do the 'bidding' of affluent boosters no matter what Knight Commission Reports and Causal Decision Theory may say about the negative consequences of their decisions on funding athletics programs.

By Frank G. Splitt, The Drake Group, March 24, 2011

Indisputably, sport is the finest, purest meritocracy, where performance is genuinely rewarded, fairly, at face value. The irony is that in college in America, sport is not fair, not democratic. Athletics is privileged, and athletes have come to form a mandarin class, where they play by different rules and thereby diminish the substance and the honor of education. That is the real March Madness, all year long. — Frank Deford, 2005

The PBS *Need to Know* program, “Sis, boom, bust: The high cost of college sports,” that aired on March 4 should enlighten all concerned with the high cost of higher education at colleges and universities supporting big-time intercollegiate athletics programs. The program fits into the broader context of higher education discussed in the Prologue to “Collegiate Athletics Reform: Signs of Hope.”¹ The quality of higher education in America is declining relative to education in nations that prioritize academics over athletics. America’s colleges and universities should no longer be allowed to drift in a sea of mediocrity.²

Betsy Rate said the following in her introduction of the Web video of the program:³

It’s an uneasy time for many of America’s university campuses. In New York, the governor is proposing a 10 percent reduction in funding to higher education. In Michigan, it’s 15 percent. And in California, almost 16 percent. Last month, the president of the University of Nevada Las Vegas announced that the school may end up in the academic equivalent of bankruptcy. Tenured faculty could lose jobs, and entire departments may be closed.

But on many campuses, spending on intercollegiate athletics is growing, even though most sports programs run up millions of dollars a year in annual deficits. That means that while public universities are cutting in classrooms, your tuition dollars — and maybe even your tax dollars — are subsidizing big-time college sports.

Although the program was quite well done, it offered little in the way of surprises for those that are familiar with the economics of big-time collegiate athletics. For the unfamiliar, Amy Perko, Executive Director of the Knight Commission, posted a comment that referred readers to a commission report that provides recommendations for financial reforms for athletics programs.⁴

Ohio University officials—the president and the provost— made remarks typical of sitting academic officials in defense of the university’s continuing participation in NCAA Div 1 programs. They simply parroted the NCAA cartel’s party line. To do otherwise would invite confrontations not only with members of their governing boards, affluent boosters, alumni, fans, and local business owners, but also with their counterparts at other cartel colleges and universities as well as NCAA officials. Few high-level officials are willing to risk their jobs by inviting such confrontations.

Remarks by the Ohio University officials stood in sharp contrast to those of the late Mason Welch Gross, the 16th President of Rutgers University, who said:

The college that has a sports program for any other reason than an educational reason is soon going to lose control of the program. If the college goes in for sports as a part of a program of public entertainment and public relations, then the public will dictate the kind of entertainment it wants. If the reason is fund-raising, then the fund-raisers and the potential donors will dictate the program. Whatever the reason may be, the college has lost control, including the control of those parts of its education policy which are related, such as admissions.

The often-repeated arguments in defense of the high (and escalating) costs of commercialized collegiate athletics are well known—mostly based on either faulty empirical evidence or logical error. The arguments are discussed by William Dowling in *Confessions of a Spoilsport*, a book that exposes the Faustian bargain university trustees and presidents make to support their professionalized sports entertainment businesses.⁵

In his discussion, Dowling makes reference to Frederic Murphy’s work that relates spending on college sports to the

"Dollar auction" game.⁶ In this sequential game, players are seemingly compelled to make an ultimately irrational decision based completely on a sequence of rational choices they have made throughout the game. College and university presidents allow themselves to be trapped into playing an even more complicated game when they accepted their prestigious presidential positions.⁷

Big-time college football has an ugly side, one that has been a perennial source of embarrassment for otherwise upstanding American colleges and universities. The collateral damage resulting from overzealous efforts to have winning teams and bowl invitations is a price these universities are willing to pay. It's also the price the public is willing to pay for their entertainment.⁸

Absent government intervention, the lure of fame and fortune, emotions, and cultural values the athletic tail will likely continue to wag the academic dog, with school presidents continuing to do the 'bidding' of affluent boosters wherever they may be and no matter what Knight Commission Reports and Causal Decision Theory say about the both the short and long-term negative consequences of their decisions on funding athletics programs.

NOTES

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The Dollar-auction game was designed by economist Martin Shubik to illustrate a paradox brought about by traditional rational choice theory. Murphy uses the game to illustrate the irrational escalation of commitment in the athletics arms race. By the end of the game, though both players stand to lose money, they continue bidding the value up well beyond the point that the dollar difference between the winner's and loser's loss is negligible; they are fueled to bid further by their past investment. See "The Dollar Auction" at http://en.wikipedia.org/wiki/Dollar_auction and "Shubik's Dollar Auction Game - Not Rational to Play?," at <http://bizop.ca/blog2/how-would-you-play-that/shubiks-dollar-auction.html>.
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Football's dangerous — and for what?

College Athletics Clips Guest Commentary

The prevailing attention (finally) being devoted to head injuries has stirred a letter to SecEd Arne Duncan.

Frank Splitt, 5-4-11

Ed. From a suburban Chicago newspaper comes a letter to the editor....
Daily Herald, 4-29-11, "Football's dangerous — and for what?"

In his story about the renewal of the Northwestern-Notre Dame football rivalry, Lindsey Willhite quotes Pat Fitzgerald, the current Northwestern University coach ("NU-Notre Dame football series to resume in 2014," April 15). When asked about the 1995 season opener when he played as a Northwestern junior against Notre Dame, he said: "What do I remember? That we won, it was a fun day. Outside of that, I don't remember much. I got hit in the head a lot."

It is ironic that Fitzgerald's statement that "I got hit in the head a lot" appeared in a story published just three days after PBS aired the informative *Frontline* documentary "Football High" that exposed the extent of serious brain and other injuries incurred by football players.

High school and college football injuries are more widespread and more long-term than youth baseball injuries that are now being mitigated by banning composite bats that hit harder, made games livelier, but added to injury worries. It seems that little can be done to ban the football "bat" — the players who themselves can be lethal instruments. These players are now heavier, stronger, better trained and better equipped to do serious physical and mental damage to their opponents.

Barring a seismic shift in the sports-entertainment culture of the American public, it appears that little if anything can be done to change this unhealthy situation since high school players are the raw material at the front end of the supply chain for the lucrative sports entertainment industry. A few of the best of these players are destined to become college athletes — playing football on behalf of their school's sports entertainment business — with still fewer of these athletes going on to play in the National Football League.

Frank G. Splitt
Mount Prospect

Thereupon Mr. Splitt sent the following letter to SecEd Arne Duncan....

May 1, 2011:

Mr. Arne Duncan, Secretary
U.S. Department of Education

Subject: Collateral Damage in High School and College Football
Reference: Forwarded message dated 4/13/2011, Subject: What in the world is going on in higher education?

Dear Mr. Secretary:

Please find appended a copy of a letter written with the intent of focusing attention on football brain injuries. These injuries are but one example of the wide-ranging collateral damage associated with high school and college football. The letter with its original title, "Football players can brain their opponents," was inspired by the *Frontline* PBS documentary, "Football High."^[1]

Subsequent to a discussion of the *Frontline* documentary with Karl Idsvoog, an Associate Professor of Electronic Media at Kent State University, he brought a relevant Purdue University research study to my attention.^[2] The study found football players who had never suffered a concussion performed worse on basic memory tests as the season progressed. This newly discovered category of cognitive impairment presents a dilemma because the finding suggests athletes may suffer a form of brain injury that is difficult to diagnose and consequently could keep on playing even though they are impaired.

Considering the prevailing win-at-any-cost climate in football games, it would not be surprising to find high school and college football coaches unofficially encouraging players to "man-up" and not say anything if they get hurt because they would have to come out of the game. To be sure, it would not take much encouragement since supernormal stimuli are still at work in these young athletes.^[3] What players would ever want to let their team down in "big" games?

For your information, Idsvoog directed the Kent State Student project that analyzed the student fee structure at several Mid-American Conference universities.^[4] The analysis revealed that academic students help fund their school's athletic department, but the students are not aware of it because the schools don't provide this information on their billing statements. Revealing information related to athletics' programs that schools keep obscure can have unpleasant consequences for the revealer.

Unpleasant consequences can also be in store for those who dare expose or discuss the wide ranging collateral damage associated with high school and collegiate athletics. This damage is not limited to deaths and traumatic brain injuries, but includes a multitude of behaviors that reflect "beer and circus" campus environments. Such environments are characterized by oftentimes criminal outcomes such as violence, assaults/rapes, and a variety of nasty impacts stemming from alcohol abuse and/or the use of performance-enhancing drugs. Cheating, academic corruption, prioritization of athletics over academics, and academics adrift with warped educational missions, are not uncommon.^[5]

America's culture is dominated by sports-entertainment and does not emphasize the importance of education and the value of science, technology, engineering, and mathematics. Sad to say, the public's representatives in government have chosen to look the other way, accepting the cost of collateral damage and misplaced emphasis as the price to be paid for the entertainment of their sports addicted constituents while also avoiding confrontation with the powerful NCAA cartel. Sad as well is the repeated pandering of government officials to sports fans.

Notwithstanding the above and the situations discussed in the referenced e-mail, there is still hope that good can come from this effort to make you and your colleagues aware of the devastating impact of the collateral damage to our nation's government subsidized high schools and colleges as well as to the students who are ostensibly attending these schools to be educated rather than exploited, entertained, and/or abused as the case may be.[6]

A thoughtful response would not only be greatly appreciated, but would also be shared with academics across America.

Respectfully submitted,

Frank G. Splitt
Former McCormick Faculty Fellow
McCormick School of Engineering and Applied Science
Northwestern University
Member, The Drake Group
<<http://thedrakegroup.org>>

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.Caveat Emptor and Prospective College Athletes

College Athletics Clips Guest Commentary

Our guest author points out that prospective college athletes face quadruple jeopardy when they unwittingly buy into the scholarship recruitment packages proffered by NCAA member colleges and universities.

By Frank G. Splitt, 6-1-11

This commentary calls attention to the fact that absent federal and/or state, Bills of Rights for prospective college athletes, Truth in Recruiting legislation, or NCAA Transparency and Accountability Acts, , unwitting recruits face quadruple jeopardy, i. e., double-double jeopardy, when they buy into the recruitment packages proffered by NCAA member colleges and universities. This exploitation is especially hard on the academically disadvantaged. How might this be?

First, as was made clear in testimony by Allen Sack and Ramogi Huma at a Connecticut legislative hearing on Athletic Scholarships and Medical Expenses this past February, recruited athletes often aren't clear on the likelihood of a scholarship being revoked on schools' policies on injuries and medical expenses. Simply put, recruits are usually unaware of the fact that they will be obliged to sign away their rights as a condition for their athletic scholarship.[1, 2]

Second, for the most part, these so-called student-athletes are kept eligible to play via participation in clustered classes and diploma-mill like programs engineered at jocks-only academic resource centers—notwithstanding very limited time to study because of the intense time demands of their sport. In other words, these athletes really have little chance of getting a meaningful college education no matter how famous the school. No doubt, African-American and Latino athletes are the most vulnerable since they are more likely to be academically unprepared relative to European-Americans.[3-6]

Third, as discussed in an open letter to Education Secretary Arne Duncan, these athletes are exposed to brain trauma—incipient damage that is difficult to diagnose. The cumulative effect of this damage may not manifest itself until years after an athlete's playing days are over.[7] A related *Daily Herald* story by Lindsey Willhite focused on Chris Nowinski's work on brain trauma at Boston University.[8]

Fourth, college athletes suffering from sports-related collateral damage are not eligible for workmen's compensation. According to Walter Byers, the NCAA's executive director from 1951 to 1987, the NCAA crafted the term "student-athlete" to counter the threat that the NCAA's athletes could be identified as employees by state industrial commissions or the courts and so be eligible for workmen's compensation.[9]

The NCAA is accountable to no government agency. Also, it avoids transparency by hiding behind the Buckley Amendment and its regulations.[10] The Buckley Amendment has proven to be an effective shield for the academic corruption in college athletics as it prohibits public disclosure of athletes' courses, instructors, and course grade-point averages. To expose the complicity of colleges and universities in the corruption of college athletics, it has been recommended that Congress or the Department of Education amend the definition of publicly available "directory information" to allow institutions to make available to the public athletes' academic advisors, courses listed by academic major, general-education requirements, and electives. Even with the recent regulation changes, the problem of academic corruption in college athletics has gotten worse.[11]

The above, taken together with the previously noted *Chronicle* publications by Gerald Gurney, Thomas Palaima, Robert and Amy McCormick, and Shirl Hoffman, makes a compelling argument for reform. When coupled with the Chris Nowinski story and the *CLIPS* commentary, the argument for reform becomes even more compelling.

One would think that a message keyed to the devastating impact of collateral damage to our nation's education system and its students would cause public outrage and so go viral—not so in a culture that values sports and entertainment above academics and learning.

Nonetheless, widespread attention to the totality of sports-related collateral damage could very well be generated if the story is picked up by the print media. To this end a media campaign was launched with the aim of spreading the word about this damage and the pernicious exploitation of college athletes by the NCAA and its member institutions as well as to compound the efforts of reform-minded individuals and organizations.

An endorsement of this awareness campaign by Secretary Duncan was solicited. Hopefully, his endorsement of the campaign will be forthcoming. It would certainly stimulate interest and so enhance the likelihood of its success to the ultimate benefit of future college athletes and America's future well being. It could even prompt a demand for corrective action.

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AFTERWORD

More recent *Wall Street Journal* and *Capital Times* stories, [1-4] as well as a *National Public Radio* program, [5] featuring extended remarks on collegiate athletics reform by Dave Ridpath, have added to the unprecedented media coverage of the serious problems besetting the sports entertainment businesses at America's colleges and universities. See appended lists on pages 2 and 3 of the PROLOGUE.

The *Chicago Tribune* weighed in with a truly capstone editorial; [6] see the Appendix on the following page. This hard-hitting piece coupled with all of the above should really pay off in terms of serious reform, however, one cannot bet on it. Exposing widespread corruption and misdeeds is one thing, but taking meaningful corrective action is quite another. As was pointed out in the *Chicago Tribune* editorial, former NCAA investigator J. Brent Clark has said, "The game is too popular and the money is too big." Here it is apropos to reiterate the concluding paragraph of the PROLOGUE to "Collegiate Athletics Reform: Signs of Hope," [7]

Lest the reform-minded become overly excited by the advent of signs of hope and over confident by the rash of troubles besetting the NCAA as well as in the logic of their arguments, they must be realistic. What the higher education establishment seems to do best is resist change. The new NCAA president has not only surrounded his office with competent tax and antitrust attorneys to defend the status quo, but has the resources—both financial and political—to wage long and costly court battles to stifle legislative reform initiatives and to exhaustively appeal court rulings. However, the most difficult impediments to reform are deemed to be the American public's cultural propensity to value college sports entertainment no matter what the cost and the extraordinary amount of money lubricating the business at multiple levels. Why wake up and face reality? Given this circumstance, moving forward—while keeping reform alive and well—will require the utmost in patience and perseverance.

Nevertheless, is my fervent hope that all of the media coverage will lead to significant and enduring change in collegiate athletics and not be wasted as a mere chimera—a foolish fancy of what ought to happen. The coverage will not be as good as it gets if Senator Grassley renews his follow-up on the efforts of retired Congressman Bill Thomas, former chair of the House Committee on Ways & Means. [8] Thomas' October 2, 2006, letter to the late Myles Brand, then president of the NCAA, challenged the justification of the NCAA's tax-exempt status that helps fuel the out-of-control college sports entertainment industry. [9]

NCAA member schools are academically adrift in a sea of sports [10]—held hostage by their Athletics Departments as well as intimidated by their super-wealthy boosters and trustees. This is really a huge concern. A follow up by Senator Grassley would require a good deal of political courage but could very well lead to the elimination of the prostitution of America's colleges and universities by the sports entertainment industry as well as a significant reduction in related corruption.

September 6, 2011

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Appendix: *The Chicago Tribune* on the collegiate athletics fiasco

No time to read all the stories about the out-of-control, professional sports entertainment businesses at America's colleges and universities? The *Chicago Tribune's* September 3, 2011, Editorial, "Gut-check for college sports: A feckless NCAA needs to bring back the death penalty," can provide you with deep insights—almost all you want to know by using the sad state of affairs at University of Miami and the NCAA as salient examples.

The editorial opens by introducing Nevin Shapiro, a BMOG (Big Man on Campus) at the University of Miami, at least while he was writing fat checks to the school. Now Shapiro, who is in prison for his role in a huge Ponzi scheme, is blowing the whistle on the athletics program, claiming he gave players cash, prostitutes and nights on the town, among other gifts. The editorial goes on to say:

On Aug. 16 an explosive news story became the prologue for this, the first weekend of the 2011 college football season. The top two paragraphs could hardly have been more perilous for big-money sports reeling from campus scandals coast to coast. Slowly now, so every phrase sinks in:

A University of Miami booster, incarcerated for his role in a \$930 million Ponzi scheme, has told Yahoo! Sports he provided thousands of impermissible benefits to at least 72 athletes from 2002 through 2010.

In 100 hours of jailhouse interviews during Yahoo! Sports' 11-month investigation, Hurricanes booster Nevin Shapiro described a sustained, eight-year run of rampant NCAA rule-breaking, some of it with the knowledge or direct participation of at least seven coaches from the Miami football and basketball programs. At a cost that Shapiro estimates in the millions of dollars, he said his benefits to athletes included but were not limited to cash, prostitutes, entertainment in his multimillion-dollar homes and yacht, paid trips to high-end restaurants and nightclubs, jewelry, bounties for on-field play (including bounties for injuring opposing players), travel and, on one occasion, an abortion.

These are startling admissions and accusations, thus far unproven. They come from a former but now embittered booster who was permitted to lead Miami's football team from its tunnel onto the playing field (twice), who was honored on the field by Miami's former athletic director during a game, and whose generosity to the school led to a campus lounge for athletes being named in his honor. Shapiro alleges that University of Miami officials had to suspect that he was a rogue but — in their desperation to retain a lavish donor to their athletic program — looked the other way: "I did it because I could. And because nobody stepped in to stop me." Among the alleged financial beneficiaries Shapiro has named: the Chicago Bears' Devin Hester who hasn't publicly responded.

We'd love to predict that, if Shapiro's story proves accurate, the National Collegiate Athletic Association will smite, at minimum, the university and the coaches who allegedly helped connect Shapiro with Miami athletes. (Shapiro says that, in 2008, he essentially bought Miami a basketball recruit, DeQuan Jones, paying \$10,000 to Jones' family ... with an assistant coach serving as the bagman.)

But expecting more than a relative wrist slap is a fool's errand: The NCAA is too timid to even ban teams from playing on television, and hasn't issued a so-called death penalty — forbidding a team from playing for one or two seasons — since the Southern Methodist University case in 1987.

So while honest coaches, university bosses and the trustees who nominally monitor them play by the rules, brazen scofflaws continue to cheat: In an age of million-dollar coaches and billion-dollar TV deals, the potential payoffs trump the risk of getting caught. Penalties often involve suspensions or limits on postseason play. That hasn't worked. Yet, "There isn't a public outcry to do something about a system that is so terribly broken," former NCAA investigator J. Brent Clark tells *The New York Times* "The game is too popular and the money is too big."

But the Miami case, too, is big. If the NCAA — which forever promises (and never delivers) harsher consequences — continues to be essentially useless, it will lose even more control of its realm. Expect federal or state lawmakers to start criminalizing shady conduct. Perhaps more threatening: Don't be surprised if a legislative or regulatory effort to strip college athletic programs of their nonprofit tax status gets legs.

Our favorite Miami artifact is a 2008 photo of Shapiro, the head basketball coach and school president Donna Shalala, smiling at a \$50,000 check (Shapiro says it was Ponzi scheme proceeds) he had donated. "That's the whole problem right there," Shapiro says of the picture. "Let's not kid ourselves. The whole time I was out there rocking and rolling, they were just waiting for the big check to come."

As long as there are large financial stakes involved, college presidents will put dollars before academic values, and continue to demonstrate that the term “higher education” increasingly is an oxymoron—there is less and less “higher” or “education” about it. These big scandals will never stop, partly because of the financial gains possible through cheating, but more understandably because of the inherent unfairness in the present rules. Highly talented 21-year-old kids are severely punished for wanting a small share of what they would receive if labor markets operated freely in college football. The current system allows adults (coaches and their assistants) to get rich by exploiting children—a form of financial child molestation. The U.S. is the only nation in the world with this insanity, this contempt for the academic mission, this bribing of university leaders into morally dubious silence or ignorance over behavior obviously incompatible with higher education in its most ennobling sense. Maybe it is time for universities with big-time, commercially valuable sport activities to spin these programs away from the university completely.
—Richard Vedder, August 29, 2011

I have used the 2004 Willie Williams situation as an example of the incredible pressure that athletic departments, trustees, and others can put on school presidents to get their way.

—Frank Splitt, February 11, 2010

Too bad you are dead wrong.

—Donna Shalala, February 11, 2010

THE AUTHOR



Frank G. Splitt holds a Ph.D. in Electrical and Computer Engineering from Northwestern University. He is a member of The Drake Group, a member of the College Sport Research Institute's Advisory Committee, University of North Carolina at Chapel Hill, the former McCormick Faculty Fellow of Telecommunications, McCormick School of Engineering and Applied Science, Northwestern University, and a Vice President Emeritus of Educational and Environmental Initiatives, Nortel Networks.

As a Director of the International Engineering Consortium, he chaired the Consortium's Committee on the Future and its Fellow Awards Committee. He was also a member of the Accreditation Board for Engineering and Technology (ABET) inaugural Industry Advisory Council, the Institute of Electrical and Electronic Engineers (IEEE) Educational Activities Board, and the IEEE

Corporate Recognition's Committee.

His professional career covered research & development, marketing, administration, teaching, and public service. He has authored numerous technical papers, as well as articles on public affairs. He is a Fellow of the International Engineering Consortium, a Life Fellow of the Institute of Electrical and Electronic Engineers, an Eminent Engineer of Tau Beta Pi, the recipient of *The Drake Group's 2006 Robert Maynard Hutchins Award*, and has been recognized by the state of Wisconsin for Outstanding Lake Stewardship.

His interests involve research and planning for the future of Engineering Education, environmental protection and conservation, and college sports reform. He and his wife Judy reside in Mt. Prospect, Illinois, and in Star Lake, Wisconsin.

A complete listing of links to his essays and commentaries on college sports reform can be found at <http://thedrakegroup.org/splittessays.html>.

