

# Don't Give Up on College Sports Reform

## *Clips Guest Commentary*

*Our guest author has spoken out consistently about his belief that college athletics cannot be reformed from within, and he reaffirms his belief in his latest commentary.*

*Frank G. Splitt, The Drake Group, 9-23-09*

**Professor Robert Zemsky**, the founding director of the University of Pennsylvania's Institute for Research on Higher Education and a leading researcher on the future of higher education, pulled no punches when addressing the Knight Commission on Intercollegiate Athletics at their May 12, 2009, meeting, saying:

Since you've been in business, things have gotten a lot worse. ... A set of values is not present to hold athletics accountable, so the competitive pressures of the market give you what you have.

Zemsky, who was a member of Secretary of Education Margaret Spellings' Commission on the Future of Higher Education (a.k.a. the Spellings Commission) went even further when commenting on college sports in his new book, *Making Reform Work*.<sup>1</sup> To make higher-ed reform work, Zemsky argues for the necessity of a don't-do list with the NCAA's Big Money Sports the first item on his list.<sup>2</sup> He writes:

Don't Try to Reform the NCAA's Big Money Sports. In the realm of higher education reform, intercollegiate athletics is the one that got away—permanently. Derek Bok is right when he laments that it's already too late to reverse the tide of athletic commercialism. The sums are too large, the constituencies too powerful, the absence of agreed-upon purposes all too readily apparent.

Is reform necessary?—yes. Is it possible?—no, just ask the Knight Commission on Intercollegiate Athletics. Ten years after their initial report, the distinguished panel that composed the commission was painfully blunt in assessing the Commission's lack of success.

*The bad news is hard to miss. The truth is manifested regularly in a cascade of scandalous acts that, against a backdrop of institutional complicity and capitulation, threaten the health of American higher education. The good name of the nation's academic enterprise is even more threatened today than it was when the Knight Commission published its first report a decade ago. Despite progress in some areas, new problems have arisen, and the condition of big-time college sports has deteriorated.*<sup>3</sup>

Big-time football and basketball will not likely change any time soon—witness current discussions as to whether athletes in these money sports deserve to be paid given the substantial funds the sponsoring universities derive from their athletic prowess. The best higher education can hope for is that eventually universities will cut loose their programs in football and basketball, making the university a sponsor rather than an owner of the enterprise.

**I agree with Zemsky.** Any attempt to reform big-time college sports from within would be a complete waste of time and energy since there is no part of the higher-ed establishment that has the wherewithal to do the job—as Zemsky said, not even the prestigious Knight Commission. For all intents and purposes, the commission has spent the last ten years partnering with the NCAA—abandoning its watchdog role as it works around the margins of the real problems with big-time college athletics while creating the illusion it is serious about meaningful reform.<sup>4</sup>

Zemsky's concluding sentence could better reflect what's going on with congressional initiatives in college sports reform if written as follows:

The best that critics of America's higher education enterprise can hope for is: federal intervention that would force the NCAA and its member institutions to comply with the government's and their own rules and regulations, or, colleges and universities will eventually cut loose their programs in football and basketball, making the university a sponsor rather than an owner of these sports entertainment businesses.

One can always hope, but don't bet on either of these outcomes.

**Re: Federal Intervention** – Senator Charles Grassley (R-IA) has found that there are few (if any) of his colleagues willing to sacrifice their political careers by joining him in an effort to follow up on former Congressman Bill Thomas' 2006 scrutiny of the NCAA to determine the justification for the tax breaks enjoyed by it and its wealthy supporters. What's more, the U.S. Department of Education apparently has taken a do-nothing position on issues relating to college sports.<sup>5</sup>

**Re: Giving Up Their Sports Businesses** – It is difficult to imagine a circumstance where the NCAA cartel members would abandon ownership their college sports business franchises. However, the persistent efforts of Sonny Vaccaro to expose the cartel's exploitation of the athletic prowess and likeness of athletes as well as its obstruction of talented athlete's right-to-work has, no doubt, caused a bit of unrest in Indianapolis. For example, former U.C.L.A. basketball star Ed O'Bannon's legal suit against the NCAA, the Collegiate Licensing Company, member colleges and athletic conferences, could very well precipitate a disruptive scenario in the form of an avalanche of similar suits with the potential to destabilize the cartel's financial structure. For more on this and other suits against the NCAA, see William Rhoden.<sup>6</sup>

**So, where do we stand?** It appears that: warped educational missions, academic corruption, exploited and poorly educated athletes, denied access and higher costs for academically qualified college candidates, and America's eroding economic competitiveness are prices our nation is willing to pay to ensure: job security for highly-paid college, athletic-conference, government, and media officials, tax-breaks for the NCAA cartel and their wealthy supporters, 24/7 entertainment for its college-sports-addicted public, and continuation of a beer-and-circus environment at its big-time colleges and universities.<sup>7</sup> Really?

This does not mean that reform-minded individuals and organizations should give up—far from it. It is all the more reason to keep the NCAA cartel's feet to the fire of the truth. To this end, The Drake Group, with the support of other reform-minded organizations and like-minded individuals from the academic community, will not only continue to update members of Congress and their staff members on issues related to the need for serious reform in college sports, but also, more importantly, support Senator Grassley's effort to affect a significant improvement in the transparency, accountability, and independent oversight of the operations of the NCAA and the athletic programs at its member institutions.

**In the light of global realities and the financial crisis**, the president and members of his administration, as well as members of the U.S. Congress, must understand that there are more important challenges in higher education than those related to bracketing the NCAA's "March

Madness" basketball tournament and resolving the BCS-bowls vs. playoff-regime conflict to determine a national college football champion. They may finally come to realize that prioritizing investments in athletics over investments in academics at America's colleges and universities is not only a very bad idea, but also a big waste of taxpayer money.

So too in this light, the Knight Commission should not give up on college sports reform. It should recognize that it has been co-opted by the NCAA cartel and then begin to focus on academic corruption that enables the professionalization of big-time college sports. For example, at its October 26, meeting in Miami, it could endorse The Drake Group's appeal for government intervention in college sports. This intervention would mean the imposition of measures of transparency, accountability, and oversight adequate to the task of reclaiming academic primacy and integrity in higher education as well as determining what's really needed to accomplish the reintegration of college sports into the moral and institutional culture of the university—a goal set forth in the Commission's 2001 *Call to Action*.<sup>3</sup>

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## NOTES

1. Zemsky, Robert, *Making Reform Work: The Case for Transforming American Higher Education*, Rutgers University Press, 2009. Professor Zemsky, a reluctant signer of the Spellings Commission's final report believes this book presents ideas and an agenda that should have been contained in the Commission's report.

2. \_\_\_\_\_, "The Don'ts of Higher Ed Reform," *Inside Higher Ed*, September 4, 2009, <http://www.insidehighered.com/views/2009/09/04/zemsky>. This essay is based on the author's posted comments on this article—accessible at the same URL—as well as on a related essay, "College Leaders Again Urged to Consider Solutions for Sports Mess," [http://thedrakegroup.org/Splitt\\_College\\_Leaders.pdf](http://thedrakegroup.org/Splitt_College_Leaders.pdf)

3. Knight Commission, *A Call to Action: Reconnecting College Sports and Higher Education*, 2001, [http://www.knightfoundation.org/research\\_publications/detail.dot?id=178173](http://www.knightfoundation.org/research_publications/detail.dot?id=178173). Zemsky is quoting from the report section titled "Ten Years Later."

4. Splitt, Frank G., "Dancing Partners: The NCAA and the Knight Commission," November 6, 2008, [http://thedrakegroup.org/Splitt\\_Dancing\\_Partners.pdf](http://thedrakegroup.org/Splitt_Dancing_Partners.pdf)

5. \_\_\_\_\_, "Why Congress has yet to curtail the NCAA cartel's tax breaks," August 30, 2009, [http://thedrakegroup.org/Splitt\\_Why\\_Congress.pdf](http://thedrakegroup.org/Splitt_Why_Congress.pdf). See NOTE 7.

6. Rhoden, William, "A Lasting Image: Standing Up to the NCAA," July 23, 2009, *The New York Times*, [http://www.nytimes.com/2009/07/23/sports/ncaabasketball/23rhoden.html?\\_r=1&ref=sports](http://www.nytimes.com/2009/07/23/sports/ncaabasketball/23rhoden.html?_r=1&ref=sports).

7.. Sperber, Murray, *Beer and Circus: How Big-Time College Sports Is Crippling Undergraduate Education*, Henry Holt and Company, 2000.

8. Splitt, Frank G., "Reclaiming Academic Primacy in Higher education: A Brief," December 31, 2003, *IEC Publications*, [http://thedrakegroup.org/Splitt\\_Reclaiming\\_Academic\\_Primary.pdf](http://thedrakegroup.org/Splitt_Reclaiming_Academic_Primary.pdf)