THE DRAKE GROUP EDUCATION FUND
Realizing The Promise Of College Athletics

FOLLOW-UP NOTES AND Q&As

Webinar #50

The New Era of College Athletics: Navigating Chaos and Building a Sustainable Future

The Drake Group Education Fund Webinar Series
Critical Issues in College Athletics

Thanks for attending or registering for our October 16, 2025, webinar on critical issues in intercollegiate athletics. A regular feature of our webinar series is "Follow-Up Notes" which provides links to the recorded webinar, answers to questions from the audience that panelists did not have the time to address or those emailed to us from telephone participants, and information on our next webinar. Questions may be slightly revised to be more generic or to combine similar questions.

1. Webinar #50 RECORDING

In case you missed any part of the October 16, 2025, webinar, you may access the recorded video here:

"The New Era of College Athletics: Navigating Chaos and Building a Sustainable Future"

ACCESS RECORDING HERE

2. RECOMMENDED GENERAL RESOURCES

- National Collegiate Athletic Association. (2025) *Question and Answer: Implementation of the House Settlement Published June 13, 2025*. Retrieve from: https://ncaaorg.s3.amazonaws.com/governance/d1/legislation/2024-25/June2025D1Gov_PhaseThreeInstSetQuestionandAnswer.pdf

3. UNADDRESSED QUESTIONS FROM WEBINAR ATTENDEES

Note: Questions not addressed by the panelists are answered by Drake member experts and are not represented as the views and opinions of the panelists. Some questions addressed by panelists may be repeated here if Drake experts believe it is helpful to recommend resources specific to the subject of the question.

Q1: **Does it make sense that 3rd party associated and non-associated booster collectives must comply with strict definitions of NIL employment (promotions/ endorsement of product for public sale, rates commensurate with going rates, written agreements specifying promotions execution, while institutions have no standard for awarding cash for any reason and calling it NIL payments?**

A1: NIL Go appears to be holding third-party NIL collectives to the following definition of legitimate NIL employment: NIL payments refers to a license for the use of an individual's name, image, and likeness rights to promote or endorse goods or services offered to the public for profit. If the institution plans to give NIL payments to athletes and these payments are not to be construed as pay-for-play, then such NIL payments should align with the definition of "promoting or endorsing institutional goods and services to the public for a profit." Accordingly, any license for using a current or prospective athlete's name, image, and likeness rights should serve a legitimate business purpose related to promoting or endorsing the institution or its intercollegiate athletics program. These promotional opportunities should be equally accessible to male and female athletes pursuant to Title IX and on terms comparable to those provided to non-athlete students promoting the institution or its programs, in either a co-curricular or extracurricular capacity.

To the contrary, the NCAA has no standard or definition applied to institutional NIL payments other than the following:

> *Each Participating Institution* ***may provide benefits, at its discretion****, to a student-athlete as long as the combined value of the new benefits (e.g., additional payments or benefits not currently permitted by NCAA rules or in amounts above those permitted under NCAA rules as of October 7, 2024) provided by or on behalf of the Participating Institution to all student-athletes at the Participating Institution does not exceed the benefits cap at any time during the academic year. –NCAA Question and Answer: Implementation of the House Settlement-June 13, 2025*

In other words, an individual athlete or group of selected individuals cannot receive more than $20.5 million in total cash. One restriction does apply; the institution cannot label the payment as a "payment for the right to use a student-athlete's NIL for a broadcast of collegiate athletic games or competitive athletic events"—which appears to be a denial of pay for play. Most observers agree that institutional NIL payments made today are straightforward recruiting or retention cash incentives unrestricted in amount or term that are not tied to educational expenses or purpose and are based on the institution's perception of the value of the recipients' playing ability in relation to the revenue they generate in their respective sports.

Q2: What are some ways we can prepare high schoolers with a dream of playing at the collegiate level to understand and cope with all of these changes? Because the recruiting landscape looks so different now, information on changes is not trickling down to these high school athletes.

A2: There are non-profit organizations that are regularly speaking to high school athletes (see CKA SAVE PROJECT for example) that are delivering newsletters, podcasts, and in-person programs that do address these explaining these changes. It would be helpful to identify organizations in your area (or with which your coaches are familiar) so you can send them information you think should be transmitted to their high school athlete members/subscribers interested in participating on the collegiate level. The NCAA produces this information in a variety of publications that target the prospective athlete—see NCAA EDUCATIONAL RESOURCES "designed for high school student-athletes, parents, coaches and other who help students successfully navigate the initial-eligibility process."

Q3: **Should the adoption of legislation by Congress to declare that college athletes are not employees include conditions that institutions provide these athletes with all the benefits lost by giving up employee status--not just collective bargaining, but long-term disability and other benefits?**

A3: Being "employed" offers salary and benefits, but differences exist depending on whether the individual is a part-time or full-time employee. Generally, there are more advantages to being a full-time employee than a part-time one. With athletes reporting 40-50 hours per week in athletics-related activities, the full-time employment issue may be relevant. Full-time employees are often paid more than part-time employees, who are usually paid hourly rather than for fixed weekly amounts. Additional benefits of full-time employment include insurance, which encompasses medical and health benefits not limited to athletic injuries, paid time off, unemployment compensation, workers' compensation, retirement plans, Social Security, and Medicare benefits, among others. Athletes at private institutions may be eligible to unionize and gain collective bargaining rights for these benefits, as well as greater control over working conditions such as time off and overtime. However, some states do not allow employees of public institutions or agencies to unionize.

These benefits must also be weighed against the loss of benefits from being a student, such as not paying income tax on tuition and other school-related advantages, as well as paying state and local taxes on income.

Most of the concerns being voiced by athletes focus on not being provided with collective bargaining rights and the result being at the mercy of NCAA rules, coach control of their lives, with no power to create a more balanced accommodation of interests and needs.

Q4: With all the transfers, what happens to the athlete's ability to get a degree? Are completed units lost on transfer? Are additional units at the new institution required to receive a degree from that school? Or do we just eliminate the "student" and just call them athletes with the only concern being having completed enough units at the former institution to be eligible?

A4: It would be unusual for sophomore, junior, and senior transfers to other institutions not to be affected academically. Institutions of higher education rarely accept 100 percent of all courses previously taken by transfer students because they are not exact matches to the courses offered at the new institution. Additionally, almost every institution of higher education has minimum residency or credits-earned requirements for earning a bachelor's degree from that institution. Depending on the number of credits accepted upon transfer, the student may need to extend her time in college or take heavier academic loads to meet minimum credit or residency requirements.

Furthermore, it may be harder for transfers to gain acceptance into highly desired academic majors because of prerequisite courses that might only be available at the new school. There is also the concern that the transfer student might not access an equally respected institution. Unless the athlete is an outstanding student or skilled enough to qualify for an athletic scholarship or benefits from special admission privileges tied to scholarship status, these access barriers could be significant or might force the transfer student-athlete to attend an institution that is less selective or prestigious.

Transfer athletes are more likely to receive partial athletic scholarships rather than full ones unless they are nationally ranked and highly sought after. Recruited student athletes typically get preferred packages of need-based and merit-based financial aid, meaning a larger share of their aid comes in non-repayable grants instead of loans. Usually, large enrollment state universities have endowments or other scholarship funds, with the proceeds used to offer a higher percentage of their financial aid as non-repayable grants. If the athlete cannot transfer to a similar school, she probably will consider attending a less-resourced institution with a comparable athletic program that may or may not have athletic aid available and may or may not have the financial resources to provide an attractive aid package with a significant portion of non-repayable assistance.

Additionally, the recently approved *House v. NCAA* settlement will have a significant impact on Division I institutions, which will see their annual NCAA March Madness distributions decrease over the next ten years. This is because Division I non-Power Five schools are required to pay $1 billion toward the $2.8 billion in past damages included in the settlement. These NCAA revenue reductions are likely to lead to decreases in non-revenue sport budgets and could reduce scholarship availability. Similarly, the injunctive relief part of the *House v. NCAA* settlement will allow for NIL and revenue-sharing payments to athletes, which were previously not permitted under NCAA rules. As a result, many institutions might cut non-revenue sport budgets, including scholarships, to offer more competitive recruiting packages for athletes in revenue sports.

Furthermore, the *House v. NCAA* settlement introduces roster limits, a restriction never before seen in NCAA rules. As a result, it is more likely that transfers will face reduced options if the schools they are interested in have already reached their roster limits. Any student planning to transfer this fall or spring will probably encounter this issue, since most schools will have finalized their rosters to comply with this new participation restriction.

Finally, institutions are already experiencing financial strain from lower enrollment due to decreasing birth rates, which will impact many institutions' ability to continue subsidizing athletics programs at previous levels. Therefore, the combination of limited athletic aid, students taking on more loan debt because of the lack of non-repayable grants in their financial aid packages, or paying for extra credits needed to replace courses not accepted at new institutions or to meet minimum residency requirements, all increases the risk of significant additional costs for transfer athletes to complete their education.

Q5: Regarding the claim that more scholarships will be awarded under the NCAA v. House settlement because new maximum roster sizes will be higher than the previous scholarship limits and the elimination of scholarship maximums other than the new roster limits by sport, should statements about institutions offering more scholarships be viewed with skepticism until we determine whether this refers to giving more non-revenue sport athletes small grants (equivalency model) rather than a significant increase in full scholarships or total scholarship funds for non-revenue sports?

A5: A bifurcated answer is necessary. It is likely that institutions will fully fund the 20 new football scholarships because they will no longer be limited to 85 players, and the new 105-player roster limit now applies to scholarships. Similarly, the previous men's basketball scholarship limit was 13, but now they will most likely award up to their new roster limit of 15. Women's basketball has always had a scholarship limit of 15, which now matches their roster limit. Two factors seem to challenge the idea that more money will flow into scholarships other than football and basketball. First, new scholarships exceeding 2024-25 maximums will reduce the overall revenue pool, now capped at $20.5 million annually per institution. Football and basketball coaches aim to use all that money for NIL payments or revenue-sharing—direct cash incentives to recruit high school or transfer students, or to current athletes to persuade them to stay rather than transfer. Second, the reduced March Madness payments to non-Power Five schools will decrease the likelihood of additional scholarship funds becoming available. That said, the more probable future for non-revenue sports is that they will avoid cuts in total scholarship dollars, spreading that money across more athletes—small scholarships to more athletes rather than larger scholarships to fewer.

4. OUR NEXT WEBINAR

Note a new morning START TIME!!!!!

Thursday, November 20, 2025, 11:00am-12:30pmET

Webinar #51 - Beyond the Court: Women's College Sports Broadcast Deals and Valuing Women's Sports in the New Media Landscape

You will receive a notice when the registration area opens.

Join top women leaders in sports broadcasting as they dissect the seismic shifts shaping college athletics. From the landmark Kaplan Report, to NIL legislation, to the *House v. NCAA* settlement allowing direct athlete pay, we're in a new world. This webinar will explore the new media landscape as well as how the findings of the landmark Kaplan Report—which revealed the NCAA's systematic undervaluing of women's sports (limit to women's NCAA tournaments??)—stand in stark contrast to the new revenue-sharing formulas of the *House v. NCAA* settlement. Do these new deals, which allow for direct athlete payments, truly reflect the surging value of women's sports and market? Do they avoid simply perpetuating past inequities in how revenue is allocated to women athletes? While some revenue-sharing models are attempting to navigate this, it remains a significant legal and ethical risk. ((too kind? Or: The new revenue-sharing models risk solidifying a financial structure that is built on the undervaluing of women's sports and remains a significant legal and ethical risk.)) Our panelists will share their insights on how this evolving landscape is creating unprecedented opportunities and challenges for media companies, institutions, and athletes alike. Join us to learn how this focus on equity and value will drive the next generation of growth in college athletics.

5. ACCESS RECORDINGS OF PREVIOUS WEBINARS

CLICK HERE to see the table of contents of The Drake Group Education Fund Video Library for recordings of all 49 previous webinars including the full proceedings of the 2022, 2023, 2024, and 2025 Allen Sack National Symposia.

6. QUESTIONS ABOUT THE DRAKE GROUP EDUCATION FUND

The Drake Group Education Fund (TDGEF) is the 3-year-old 501(c)(3) non-profit education sister organization of The Drake Group (TDG) whose mission is to ensure that the promise of college athletics is realized for all stakeholders. TDGEF produces *The Allen Sack National Symposium on Integrity in College Sports* and the *Critical Issues in College Sports Webinar Series*, conducts fact-based research on intercollegiate athletics and develops position papers and other educational materials that influence public discourse on current issues and controversies in college sport. To access a full library of print and video educational materials on current issues in intercollegiate athletes, visit **www.thedrakegroupeducationfund.org**. All educational materials are available free of charge. If you believe The Drake Group Education Fund is doing good work, please also consider making a tax-deductible donation to support our webinars, educational research, and programs. You can donate to support what we do **HERE**.

The Drake Group (TDG), a sister organization to TDGEF, was founded in 1999, and is a 501(c)(4) non-profit organization whose mission is to educate policymakers and advance legislative initiatives that foster academic integrity and athlete well-being in intercollegiate athletics. For the most current information on The Drake Group and college athletics-related bills being considered by Congress, visit TDG **HERE**. TDG needs volunteers to contact their senators and representatives to advance collegiate athletics reform legislation. Learn about legislation and **VOLUNTEER/JOIN HERE**.

7. THANKS TO OUR WEBINAR #50 PANELISTS

KENNETH L. SHROPSHIRE, J.D., MODERATOR, David W. Hauck Professor Emeritus and Emeritus Professor of Africana Studies, Wharton School, University of Pennsylvania, author, attorney, consultant, and educator. Formerly, Shropshire was the CEO of the Global Sport Institute and Adidas Distinguished Professor of Global Sport at Arizona State University. For over 30 years, he was an endowed full professor at Wharton, where he was also director of the Wharton Sports Business Initiative, professor of Africana Studies, and academic director of Wharton's sports-focused executive education programs. Shropshire has written extensively about the sports industry, including several award-winning books.

OLIVER LUCK, **President, Palmetto Trust Company, Chairman, Altius Sports Partners. His previous roles have included Commissioner of the XFL, Executive Vice President for Regulatory Affairs and Strategic Partnerships of the NCAA, and Athletic Director of West Virginia University. Additionally, he has been in leadership roles with the Houston Dynamo of Major League Soccer and the National Football League and was Chief Executive Officer of the Harris County-Houston Sports Authority, where he oversaw the financing, construction and management of professional sports and entertainment infrastructure in Houston, including Minute Maid Park, Reliant Stadium and Toyota Center.**

SANDY HATFIELD CLUBB, President *The PICTOR Group.* Hatfield Clubb has 28 years of intercollegiate athletics leadership experience at the NCAA Division I level including 11 years as athletic director at Drake University. She has cultivated a national reputation as a leading voice for a transformative model of Division I athletics that aligns athletic excellence with the academic mission of the university. In 2014, Hatfield Clubb was named Under Armor Athletics Director of the Year for the Football Championships Subdivision. She also serves as Managing Director of Strategic Initiatives for the Knight Commission on Intercollegiate Athletics and is a Talent Optimization Specialist with the HumanLytics Team.

TIFFANY D. TUCKER, Director of Athletics, Physical Education & Recreation, University of Maryland, Baltimore County. With over 20 years of experience in collegiate athletics, Tucker, is also the founder of *Tiffany D. Tucker Speaks, LLC*. Known for her strategic vision and commitment to inclusive excellence, she is a powerful advocate for gender equity, student-athlete development, and innovative leadership. Her work has garnered national recognition, including being named one of *Sports Illustrated's 100 Influential Black Women in Sports*, receiving the *Nell Jackson Nike Executive of the Year* award from Women Leaders in Sports, and being honored by *Women We Admire* as one of Baltimore's most impactful women leaders. Tucker has collaborated with global and national brands including Degree, Harvard University, Yahoo Sports, and the YWCA, leveraging her platform to elevate conversations around empowerment, access, and purpose-driven leadership.

ERLEASE WAGNER, Deputy Athletic Director,/Senior Woman Athletic Administrator, Morgan State University. Wagner has served as Deputy Athletic Director at Morgan State University since January 2017 and was interim Director of Athletics from March 22 to May 31, 2022. She oversees football and women's basketball, compliance, human resource matters, strength and conditioning, sports medicine, nutrition, and daily athletic department operations. Wagner joined Morgan State in 2015 as Assistant Athletic Director for Compliance and Senior Woman Administrator. Prior to that, she spent 15 years at Syracuse University in various compliance roles, including eight years as Director of Athletic Compliance. Wagner holds a bachelor's degree in Slavic literature and languages from the University of Virginia and attended graduate school at Florida State and St. Petersburg State University (Russia). She earned a law degree from the University of Richmond.