



THE DRAKE GROUP EDUCATION FUND

Realizing The Promise
Of College Athletics

FOLLOW-UP NOTES AND Q&As

Webinar #52

Enforcement of NCAA Rules and NIL Enforcement in the New and Dynamic World of Intercollegiate Athletics

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

Thanks for attending or registering for our December 18, 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 #52 RECORDING

In case you missed any part of the December 18, 2025, webinar, you may access the recorded video here:

**“Enforcement of NCAA Rules and NIL
Enforcement in the New and Dynamic World of
Intercollegiate Athletics”**

[ACCESS RECORDING HERE](#)

2. RECOMMENDED GENERAL RESOURCES

•Porto, B., Gurney, G., Lopiano, D., Ridpath, B.D., Sack, A., Willingham, M. & Zimbalist, A. (2021). Fixing the Dysfunctional NCAA Enforcement System. Chapter-Whither College Sports: Amateurism, Athlete Safety and Academic Integrity. Rutgers University Press, New Brunswick, NJ. pp. 228-238.

Ridpath, B., Southall, R. & Nagel, M. New Rules for a New Ballgame: Legislative and Judicial Rationales for Revamping the NCAA's Enforcement Process. (2008, Spring). The Entertainment and Sports Law Journal: Symposium Issue on College Sports and the Law, ESLJ, 6, xxiii.

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.

Q1: If the Participation Agreement is not executed by the Power Four schools what impact will that have on effective governance? Secondly, even if it is executed, how does that impact an individual athlete's rights to sue?

A1: This all remains to be seen since the CSC agreement looks to be dead in the water. NCAA governance has always been challenging and moving to a bifurcated system with CSC largely governing P4 schools and how that will work with the NCAA is an open question. As was mentioned by professor Potuto, it is hard to have effective governance and enforcement when you do not know what the rules are. At this point we are unsure how recruiting, eligibility and financial aid, along with all other aspects of NCAA governance are going to work going forward-so it simply remains to be seen. Will it be from the outside such as congress. At this point who knows? It is also problematic in our view to take away a fundamental right from a college athlete to seek redress if they feel they have been treated wrongly. The athletes at least until today have not been a party to any agreement with the CSC and P4 schools. Why should they lose any leverage by an agreement they are not involved in but could affect them so much?

Q2: Do you think the era of the student-athlete is dead and are we in the era of the athlete-student with athletes able to transfer multiple times related to athletic goals and not really academic goals?

A2: First, we want to reiterate that the S/A term is not a term of endearment, it is a long-time term of control used to justify restricting college athlete rights that are fundamental to other Americans so the money could be protected for the few in charge. We believe that there never was really an era where the system worked as advertised. Not that it has not been amazing for many, but it has also failed many with a false educational promise based more on eligibility than access to an actual and desired education. The Drake Group and the Drake Group Education Fund have longstanding, workable academic centric models that have been roundly rejected by the NCAA membership. The goals and priorities remain as always-winning and revenue generation-period. With that being said, can the current educational relationship remain with regards to full time enrollment, satisfactory progress and percentage of degree requirements without it becoming about eligibility where we see more clustering of athletic friendly majors and academic fraud? It will be challenging to say the least and likely academic integrity and efficacy will be a secondary concern.

TDG has always advocated for a one-time transfer exception with very student friendly liberal waivers for any transfers beyond that. It is tough to argue that a free and open transfer system is good for any student regarding academic progress and more so for a college athlete. However as long as college athletes remain students it will be difficult given legal precedent to not allow a college athlete something that a mainstream college student is able to do. Unless the athletes agree to a one-time transfer exception as a collective body, it will be extremely difficult to enforce this. Individual schools could make policies about who they will admit to stem the tide at their own institutions but being competitive will always win out as that is the most important thing to our colleges and universities, not academic integrity of college sports.

Q3: Since it's been determined that college football players are no long amateur athletes by the courts, what are your thoughts on football players being sued for "violating" NIL contracts? Specially in University of Georgia Athletic Association v. Damon Wilson II.

A3: We are against college athletes being sued as it is unknown what type of circumstances led to these agreements such as was there proper representation with full knowledge, acceptance and understanding of the terms? Who has the athlete's best interests here? It is a truism that contracts should be honored but we have coaches consistently leaving schools before honoring their contracts. There needs to be consistency here and fairness and the interests of the athletes must be protected by someone who represents their interests? Schools and the NCAA are not representing what is best for the athletes, they want to win, make money and continue to control the athlete.

Q4: Considering the negative academic results of multiple transfers, and the large numbers within the revenue sports, will this eventually lead to the reduction or elimination of academic eligibility rules?

A4: This is a great question and some in TDG are talking about alternative possibilities for true educational access, including reviewing how current eligibility rules could be altered. Officially TDG and TDGEF support full time enrollment of college athletes along with other existing conference and NCAA eligibility requirements for the most part, however given that the template of college sports has changed so dramatically in other ways to include the death of amateurism, it might be worthwhile to examine other academic models. The moderator of this webinar, Dr. B. David Ridpath has a new book coming out entitled *Reclaiming American Sport Development: New Strategies for Educational and Elite Sport Pathways* published by Rutgers University Press, that discusses some potential future academic models for American college sports, but these are his opinions and not those of TDG or TDGEF. Still, it might be worthwhile to examine if a change to the academic relationship needs retooling just as other things have evolved in college sports.

Q5: Given President Baker's efforts to limit athlete-specific prop bets in state-regulated sports betting, what enforcement tools does the NCAA have to address the same mental-health and integrity risks when prediction markets claim federal jurisdiction and fall outside state gaming laws—especially as NIL increases athlete exposure?

A5: As discussed on the webinar, this could be an area where NCAA enforcement could take the lead. Gambling, gaming, sports betting etc. is here to stay and it would be challenging to restrict college athletes from accessing that market without their agreement as a collective body. Still there should be safeguards in place that college athletes at the very least do not bet on their sport. We believe all gambling needs to be as above board and transparent as possible. The industry itself is well regulated and can uncover nefarious aspects of gambling such as point shaving fairly well. Our guess is that there will have to be some federal legislation to address this along with more of an overall NCAA enforcement focus on gambling integrity and education.

4. OUR NEXT WEBINAR

You will receive a notice when the registration area opens.

January 22, 2026 – 2:00pm-3:30 p.m. EST

Webinar #53 - Title IX Under Fire

House v. NCAA: College Athletes Speak Out on the House Settlement with Attorney Leigh Ernst Friestedt

Attorney Leigh Ernst Friestedt will lead a candid conversation with the collegiate athletes she represents in one of the most consequential legal battles in sports history. These athletes have stepped into the legal spotlight to challenge the settlement, arguing that the proposed revenue-sharing models and back-pay distributions directly violate Title IX.

This webinar goes beyond the headlines to understand the high stakes in the *House v. NCAA* settlement, moving past the balance sheets to explore the human element of collegiate sports. The session focuses on bridging the gap between law and lived experience, offering a unique platform for the athletes themselves to share their stories. You will hear firsthand athlete perspectives on the new NCAA financial landscape and why the approval of the settlement agreement should be overturned.

Together, they will discuss:

- **The Future of Equity:** How the *House* settlement could reshape college athletics, altering the path for future generations.
- **Title IX & Sustainability:** Exploring how past damage and proposed revenue-sharing models conflicts with Title IX protections and the long-term sustainability of women's—and men's—collegiate sports.
- **Highlight the Human Impact:** Given the legal complexity of the settlement, we highlight the personal stories of the athletes involved to show the real-world consequences of these policy changes.

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 52 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) national 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 #52 PANELISTS



B. DAVID RIDPATH, Ed.D., Professor of Sports Business, Ohio University College of Business. Dr. Ridpath's primary research areas include intercollegiate athletics administration, governance, rules compliance, college athlete academic achievement and graduation rates. Publications focus on the ethics and components of the NCAA legislative, enforcement, and governance process and the intersection of educationally-based sport development and delivery in the US with other developmental programs throughout the world. Dr. Ridpath is the author of *Tainted Glory: Marshal University, the NCAA, and One Man's Fight for Justice* and *Alternative Models of Sport Development in America: Solutions to a Crisis in Education and Public Health*. An accomplished scholar, he has over 70 national and international refereed presentations and 30 peer reviewed and edited academic articles in print.



ROBERT BOLAND, J.D., Professor of Law, Seton Hall University. A nationally recognized sports law professor and practitioner, Dr. Boland previously served as Penn State University's first Athletics Integrity Officer, a role created after the Sandusky crisis. He has also led top sports management programs at NYU (2001–2015), as Academic Chair of the Preston Robert Tisch Center for Hospitality, Tourism, and Sports Management, and founding professor of its sports graduate program, and Ohio University (2015–2017), where he served as director of the MBA/Master's of Sports Administration program. Boland is currently partner and co-chair of the Leisure, Hospitality, and Sports Business Service line at Shumaker, Loop & Kendrick, a top national sports law firm. He is a graduate of Columbia University, where he was a varsity football player and wrestler, and Samford University's Cumberland School of Law.



LIBBY HARMON, J.D., Senior Counsel, Nevius Legal. Harmon currently serves as Senior Counsel at Nevius Legal, representing college athletes and brands in a variety of NCAA-related matters. Before joining Nevius Legal, Harmon served as lead investigator on numerous high-profile NCAA cases, including two men's basketball investigations tied to the federal bribery cases in the Southern District of New York. She has conducted hundreds of interviews, argued cases before the Committees on Infractions, and authored dozens of briefs addressing rules violations. Before joining the NCAA, she was Director of Compliance at the University of Michigan, overseeing rules education and monitoring for 29 sports and helping launch a program supporting elite and Olympic-level athletes. Harmon captained her University of Kansas track and field team and is an Kansas Athletics Hall of Fame inductee. She earned her law degree from the University of Kansas.



DON M. JACKSON, Esq., Founder and Principal, The Sports Group. Jackson is an international sports lawyer with over three decades of experience in arbitral , regulatory and legal matters. He is a member of the Advisory Board of the Drake Group, an Adjunct Associate Professor of Sports Law at the Samford University, Cumberland School of Law and a graduate of the University of Virginia School of Law. He has counseled stakeholders in basketball, American football, baseball, athletics (track and field), tennis, hockey and international football (soccer). He is frequently called upon for expert analysis by the global sports media and has lectured extensively at universities and law schools worldwide. Jackson has authored two books, *Fourth Down and Twenty-five Years to Go: The African American Athlete and the Justice System* (2007) and *24 Days: A Requiem to Family, Faith, Community, Education and Sport* (2025).



RICHARD KARCHER, J.D., Professor of Professor Health Promotion and Human Performance, Eastern Michigan University. Karcher was appointed as the university's Faculty Athletics Representative in February of 2022. His research and scholarship focuses on labor and ethical issues involving athletes and he is a co-author of a leading textbook on sport ethics for sport management professionals. He is frequently retained as a damages expert in cases involving athletes and has also provided expert testimony before Congress. Prior to entering academia, Karcher was a partner at Honigman LLP in Detroit, where he practiced corporate law and also represented and counseled athletes in business and litigation matters. Karcher is a member of the State Bar of Michigan and the Association of Professional Ball Players of America, having played in the Atlanta Braves farm system. Karcher also serves on the editorial board for the *Journal of Legal Aspects of Sport* and the Advisory Council for The Drake Group.



JOSEPHINE (JO) R. POTUTO, J.D., Richard H. Larson Professor of Constitutional Law Emerita, University of Nebraska College of Law, Lincoln. Potuto hosts a YouTube channel, Prof Jo Explains. She served for more than 20 years as the faculty athletic representative (FAR) for the University of Nebraska. She chaired the NCAA Division I Infractions Committee and served on the Division I Management Council. Potuto was president of the 1A FAR (faculty athletic representatives at NCAA Division I universities). She has authored more than 15 articles on collegiate sports, including a 2014 article that argued for NIL opportunities for student-athletes. She is a member of the American Law Institute, was the principal drafter of a drafting project for the National Conference of Commissioners on Uniform State Laws (NCCUSL), and was a consultant to NCCUSL's Athlete Agents Uniform Act. Potuto has testified before congressional and state legislative committees on sports law and constitutional issues. She consults and is an expert witness on Sports Law.