

Oral Testimony before the US Senate Committee on Commerce, Science and Transportation

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Introduction

Chairman Rockefeller, Ranking Member Thune, and distinguished committee members, thank you for the opportunity to speak before you today. As director of the College Sport Research Institute at the University of South Carolina, my comments today are not off-the-cuff remarks, but informed by sociological, organizational and economic theories – as well as empirical studies – and drawn extensively from NCAA documents. They reflect not only my work, but also that of numerous colleagues and scholars.

While I am well aware there are distinct socio-demographic differences within and between NCAA divisions,

as well as between NCAA revenue and Olympic sports, my testimony today will focus on how, within “big-time “ college sport, NCAA members have sought to protect their business interests at the expense of the well being and academic success of NCAA profit-athletes. ¹

Organizational Rebranding

For several decades, the NCAA had been aware that “[a]s the scale of both revenue generation and spending [continue to grow], there is a general sense that ‘big-time’ athletics is in conflict with the principle of amateurism” and that increased governmental and public scrutiny is likely “...if graduation rates do not improve in underperforming sports.”

Consequently, in 2003 the NCAA embarked on a two-phase organizational rebranding strategy: “...an aggressive public and media relations agenda that addresses critics...[and]

¹ Profit-athletes are NCAA college athletes whose estimated market value exceeds the value of NCAA-approved compensation (i.e., NCAA Bylaw 15.02.5 “A full grant-in-aid is financial aid that consists of tuition and fees, room and board, and required course-related books.”).

provide[s] an alternative to [what the NCAA describes as] the doggerel of cynics.”

First, the NCAA created “...a term of art [The Collegiate Model of Athletics] [as]...a better understood definition of amateurism that isolates the principle to the way in which [college] athletes are viewed without imposing its avocational nature on revenue-producing opportunities.” Notably, Division I revenues have more than doubled since 2003.

Internal NCAA documents reveal “[p]rotecting the collegiate model is nearly by definition the primary focus of the office of the NCAA president.”

Concurrently, in an effort to maintain the perception of a clear line of demarcation between college and professional sport, and offer support for the effectiveness of its new Academic Progress Program (APP), the NCAA developed the Academic Progress Rate (APR) & Graduation Success Rate (GSR). Since 2003, the NCAA has consistently sought to utilize

these rates as “proof” big-time college sport has one clear focus: education.

However, several items are noteworthy:

1. Neither the Federal Graduation Rate (FGR), mandated by Congress, nor the NCAA’s GSR is perfect or inherently a more accurate metric; they utilize different sampling and statistical analyses to examine different cohorts. In short, they are different graduation rates.
2. The GSR consistently returns a rate 12-25% higher than the FGR. As far back as 1991, the NCAA knew removing “eligible dropouts” (i.e., transfers or athletes who leave school in good academic standing) from the GSR cohort would result in a markedly higher “success” rate.
3. Since there is no comparable national-level GSR for the general student body, GSR and FGR data should NOT be reported simultaneously. To do so in press releases or

dataset tables invites inappropriate comparisons and fosters confusion.

Conclusion

While the NCAA national office has sought to protect its collegiate model, academic support staffs labor within a system that too often depends on an amorphous “special-talent” admissions process, focuses on maintaining eligibility, and results in athletes often *clustering* or “being steered” to majors conducive to their practice and competition – or work – schedules. Tellingly, several “authorities” within NCAA and university governance structures recognize clustering and scheduling of easy courses as problems.

In addition, contrary to the NCAA’s public posturing that they are just “normal” students, profit-athletes, tend – in important respects – to be physically, culturally, and socially isolated from the campus community. They live in a tightly

controlled parallel universe indicative of Goffman's *total institutions*.

Through the “steady drumbeat” of sophisticated and subtle institutional propaganda, the NCAA has sought spontaneous consent to a mythology that big-time college sport *a priori* enhances “... the educational experience of [quote-unquote] student-athletes.”

Propaganda is effective because it exploits people's reluctance to intellectually engage with any oppositional or alternative views. Since 2003, while the NCAA has successfully imbedded its Collegiate Model of Athletics – including the GSR – into the public's consciousness, there has been little progress in ensuring profit-athletes have equal access to educational opportunities afforded other students.

In conclusion, there is clear evidence the NCAA's Collegiate Model of Athletics systematically inhibits access to a world-class university education, and exploits profit-athletes

by denying them basic bargaining rights, due process, and standard forms of compensation.

I want to thank the committee members for the opportunity to visit with you today.