IMPROVING OPPORTUNITIES FOR TODAY’S STUDENT-ATHLETES WITHIN THE NCAA

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# TABLE OF CONTENTS

LIST OF ILLUSTRATIONS AND TABLES ......................................................... pg. iii

LIST OF ABBREVIATIONS ............................................................................. pg. iv

ABSTRACT ........................................................................................................ pg. v

INTRODUCTION ............................................................................................... pg. vi

CHAPTER 1: BUSINESS BEHIND COLLEGE SPORTS ................................. pg. 1

CHAPTER 2: EXTREME LABOR DEMANDS ............................................... pg. 6

CHAPTER 3: STUDENT ATHLETE’S FINANCIAL REALITIES ...................... pg. 11

CHAPTER 4: TRUTH BEHIND “THE STUDENT 1ST, ATHLETE 2ND”  
MENTALITY .................................................................................................... pg. 16

CHAPTER 5: THE POWER OF THE “AMATEUR” TITLE .............................. pg. 23

“EXTRA BENEFITS” ....................................................................................... pg. 33

CHAPTER 6: TIME FOR CHANGE ............................................................... pg. 36

WORK CITED .................................................................................................. pg. 38

CURRICULUM VITAE ..................................................................................... pg. 44
LIST OF ILLUSTRATIONS AND TABLES

Table I, pg. 9, “Average Number of Hours Worked by U.S. Workers, Aged 18+”, (Gallup.com)

Table II, pg. 24, “All Work No Pay”, (Economist.com)

Figure 1, pg. 28, (WakeForestShop.com)

Figure 2, pg. 31, (Shop.rolltide.com)
LIST OF ABBREVIATIONS

ACC - Atlantic Coast Conference

ACT - American College Testing

Big 10 - Big Ten Conference

Big 12 - Big 12 Conference

CNN - the Cable News Network

D-I – Division I

GPA - Grade Point Average

NCAA – National Collegiate Athletic Association

NFL - National Football League

Pac-12 - Pacific 12 Conference

SAT - Scholastic Aptitude Test

SEC - Southeastern Conference
ABSTRACT

The NCAA should allow student athletes to receive a larger financial compensation for the amount of revenue they are responsible for generating annually. The current rules in place by the NCAA restrict any student-athlete from receiving money for his or her performance in their sport. These rules take advantage of student athletes because they are required to fulfill high labor demands, while authorities and surrounding businesses are able to profit from their performance without paying them anything. As college sports in America continue to grow and become more lucrative each year, this problem becomes more evident. It is time for the NCAA to revise its model that has been in place for years, and allow student athletes to receive payments for their time, commitment, and sacrifice made to help their universities.
INTRODUCTION

My research paper will examine whether today’s student athletes are compensated fairly. This will be based off of the amount of money they generate and the amount of money they receive in return. I will focus mainly on today’s big-time college sports, which is considered to be men’s basketball and football at the Division I level, because those are the two most lucrative college sports in our country. I will look at the amounts of money authorities make at universities for managing these players, along with the revenue different businesses make from being tied to college sports, in order to investigate whether or not authorities are distributing money fairly to their student-athletes. I will make comparisons between the average amount of time a student-athlete is required to partake in sports-related activities each week, and compare that time frame to the average American working a job. These types of examples will show that big-time college sports have turned into a more professional-like system as opposed to being an amateur setting. As a result, this will prove that the NCAA system is damaged.

The NCAA uses the amateurism model to justify its reasoning for refusing to pay players. I will show how the NCAA contradicts this amateurism model in reality by the way it operates, and why it should no longer be used. The NCAA model was originally designed to make athletes education the priority but evidence shows that today’s college athletics are designed for student athletes’ to put their sport before their academics. These types of circumstance and restrictions are unfair to athletes. Throughout today’s sports media, many people have acknowledged that there are major problems in the NCAA model. Former players, spectators, analysts, and college athletic authorities have all spoken out
on issues related to this topic, and some have recently appeared in court. With big-time college athletics growing and changing each year, it is time for the NCAA to let go of its old model and make changes in an effort to create an improved system for its student-athletes that will prevent them from being taken advantage of.
CHAPTER 1: BUSINESS BEHIND COLLEGE SPORTS

The National Collegiate Athletic Association, better known as the NCAA is a non-profit organization that serves as the governing body for college athletics across the country. It is responsible for over 460,000 student-athletes that represent 1,200 different schools (NCAA.org/who-we-are). According to the NCAA’s website, the organization is “dedicated to safeguarding the well-being of student-athletes and equipping them with the skills to succeed on the playing field, in the classroom and throughout life” (NCAA.org/who-we-are). The NCAA is responsible for creating the rules by which college athletic programs are required to abide, along with enforcing sanctions.

Today’s college sports as a whole is currently a multi-billion dollar industry that continues to grow each year. Harvard Law Today reports, “Sports—particularly the big-ticket draws of football and men’s basketball—is a $12 billion-a-year industry for colleges, universities, and the N.C.A.A., through TV revenue, endorsements, and merchandising of everything from jerseys to video games featuring star players, never mind increased alumni donations and ticket sales prompted by winning teams.” (Jaen). There are many different corporations across the country that manages to make money through college athletics, by the way they showcase college-athletes to the millions of sports fans across the country.

Since corporations are aware of the high sports demand, there are many enormous contracts that involve big-time college athletics. According to Forbes, “the NCAA has a
14-year, $11 billion TV deal with CBS and Turner Broadcasting for the NCAA Tournament, and ESPN will soon pay some $470 million per year just for the new college football playoff” (Smith). The top five college conferences, ACC, Big Ten, Big 12, Pac-12, and SEC, will make a combined $311 million dollars from their football teams’ bowl games and the NCAA basketball tournament alone (Smith). According to Stanley Eitzen’s book, *Fair and Foul*, “the Coca-Cola Company has an eleven-year, $500 million contract with the NCAA giving it the exclusive right to advertise and promote its products” (Eitzen 161). Also, “Schools sell licensing rights for the right to use their logos on clothes, beer mugs, and other items. The retail market for these items amounted to an estimated $4.3 billion in 2011” (Eitzen 161). These examples show some of the ways money is generated by college athletics through the big time contracts corporations negotiate with universities. It also shows exactly how high the demand for college football and basketball is amongst spectators across the country based on these massive numbers.

According to *USA Today*, last year in 2014, the NCAA made $989 million in total revenue alone from its sports programs and this number continues to grow each year (Berkowitz). College basketball is responsible for generating the most revenue for the NCAA, mainly because of the NCAA Tournament that it host each year, which is commonly referred to as March Madness. According to Will Hobson of the *Washington Post*, the NCAA tournament generates close to $700 million of the NCAA’s $989 million each year. Since the NCAA is a non-profit organization, distributing money in areas that help student athletes is a part of its organizational responsibilities. Out of the total
revenue that fell only $11 million shy of one billion dollars last year, is it unreasonable for the NCAA to distribute a small portion of this money back to its athletes?

In 2014, Forbes ranked the most valuable college football teams and college basketball teams based on their contributions to their universities, athletic departments, conferences, and local communities. In college basketball it was reported back in 2012, that the Louisville Cardinals are worth $36.1 million, the North Carolina Tar Heels are worth $29.6 million, and the Kansas Jayhawks are worth $28.2 million (Forbes). In college football, data showed that the Texas Longhorns are worth $131 million, the Notre Dame Fighting Irish are worth $122 million, and the Michigan Wolverines are worth $117 million (Forbes). In addition to those team values, Forbes “College Football’s Most Valuable Teams 2014” article stated, that last year in college football “the top 20 teams generated $1.42 billion in revenue, up from $1.33 billion the year before” (Forbes). This shows how fast big-time college sports are continuing to grow, and also gives an idea just about how much money these student-athletes are generating for their universities.

With all of the money being generated in college athletics, some still claim that majority of sport programs would not be able to pay players and manage to still make revenue because certain Division-I schools get close to not breaking even some years. However, teams that claim they barely make revenue each year should look to make changes in the way they spend the money they generate. Athletic departments are always trying to become bigger and better to compete with their opponents. Spending money is a part of
this expansion. However, if programs were smarter about their spending they would have more money to show for it. For example, in 2013, University of Oregon built a 145,000 square-foot practice facility, that cost $68 million, (Manfred). Business Insider reported that this facility contained 70 different televisions that are used for entertainment. “The lobby has 64 55-inch televisions that can combine to project a single image,” along with an additional room that contains “six 80-inch TV’s,” (Manfred). Purchasing this many televisions in a lobby is excessive because these TV’s are used for entertainment purposes, rather than serving as resources to help athletes become better football players. If sports programs around the country cut back on their excessive spending, athletic departments would have more money. This increase in revenue by eliminating unnecessary luxuries, would allow universities to put money in their player’s pockets with no hesitation.

Today’s college sports have evolved over time and have turned into an extremely lucrative business that the NCAA, universities, and other large corporations benefit from. However, due to strict rules the NCAA has in place that restrict athletes from being able to receive money for their performance, college athletes still are under compensated for the amount of money they are responsible for producing. The only compensation that is provided to today’s Division I football and basketball players is in the form of a scholarship. These 85 football scholarships and 15 basketball scholarships include tuition, room and board, and books, along with a few other fees. The NCAA needs to move away from its current model that only allows scholarships to be provided to its athletes. Since college athletes are responsible for creating a multi-billion-dollar industry, student-
athletes should be financially compensated in a higher amount than what they are given now.
CHAPTER 2: EXTREEM LABOR DEMANDS

Aside from the enormous amounts of money athletes are responsible for producing, the amount of physical labor players are required to fulfill serves as another valid reason in itself for why players should be paid.

Former Northwestern quarterback Kain Colter, is a big advocate for players being paid based on the amount of physical work they perform. In the beginning of 2014, Colter Kain and other Northwestern football players had their voices heard in court. The NY Daily News reported back in 2014, “the National Labor Relations Board ruled that Northwestern football players are university employees who have the right to unionize” (Red). Currently Northwestern University is fighting the petition created by these players, making the claim that its players are not employees, and says it plans to appeal. The NY Daily News alleged that this case is expected to reach the U.S. Supreme Court and will most likely take years to reach a resolution (Red). This ruling could apply to all private Division I schools, so it shows that the evidence used by Northwestern’s football team is representative of all of the D-I college programs in the country. However, even though this case has not reached a final verdict, the fact that players were granted the right to unionize and were considered employees by the court, shows that there is a currently a big push for changes in the NCAA’s system.

In court, Kain Colter used the number of hours players spend on a weekly basis to make his case that athletes should be viewed as employees of their university. The NCAA
currently has rules set in place that try to prevent coaches from overworking their players. This weekly time limit is supposed to serve as a method to make sure athletes have enough time to focus on their academics. This rule is commonly known as the “20-hour rule.” According to CNN this rule states, “no matter the sport, coaches can't take up more than 20 hours of their players' time” (Ganim, “Labor Board”). However, even though this rule has good intentions, Kain provides evidence that shows this rule gets abused frequently and is not strictly enforced by the NCAA. This shows yet another flaw in the NCAA system, along with the fact that athletes are working longer and harder than most people think.

Some of the evidence used by Northwestern football players was explained by CNN, “during his daylong testimony last week, Colter talked about year-round time requirements, at times 50 hours a week devoted to football” (Ganim, “Labor Board”). Also, a survey conducted by the NCAA showed, “the average time spent on athletics in-season hovered around 40 hours per week for all three sports” (Ganim, “Labor Board”). Finally, the NY Daily News reported similar information that proved the 20-hour rule was abused, “Colter, CAPA’s star witness at the NLRB hearing on the Northwestern union drive in February, testified that players spend 50 to 60 hours a week on football,” (Red). Kain added, “‘I like to think of it like the military/Navy SEALs,’ he testified. ‘They spend months and weeks preparing for operations. It’s the same thing as football. We spend months getting ready for our operations’” (Red). These examples show that in reality, college football players work around 40 hours per week, and in certain cases have even spent 50-60 hours on their sport, which is more than double the amount the NCAA
allows. This reveals that there is a high demand to win in college sports and shows that rules are broken and athletes are often taken advantage of because of that drive to win.

Since truth reveals college athletes work close to 40 hours a week in reality, it is fair to consider college sports a job in itself rather than an extracurricular activity. In America the average workday is referred to “9-to-5” because the average person is expected to be at their job from 9 a.m. that morning to 5 p.m. that evening. That adds up to eight hours a day and 40-hours per week, assuming they have Saturdays and Sundays off. Someone could make the counter argument that the average “40-hour” work week has risen in our country and is actually longer. According to a 2014 Gallup.com study, the average work week has grown to 47 hours (Saad). Regardless of whether the US average work week has grown or not, the fact remains that today’s college athletes spend approximately the same amount of time on their sport as the average American does on their everyday job. Table I titled, “Average Number of Hours Worked by U.S. Workers, Aged 18+” illustrates that the student athlete data provided would fall right below the 47-hour per week average, but in certain cases would exceed that level by over 10-hours.
Not only does this table reveal a problem in today’s NCAA model, it also suggests that in reality, college football is a job in itself. As a result, big-time college athletes should be viewed more like employees of the university rather than as amateurs.

The number of hours required on sports also prevents today’s athlete from being able to work a legitimate job outside of their sport. The *Huffington Post* reports that four out of five college students are working part-time jobs (Kingkade). Non-athletes have the opportunity to work part-time jobs while in college that help to earn money to cover personal needs. Athletes are not allowed this same opportunity. During the semester it is common for a college student to earn money working somewhere on campus through the university, wait tables at restaurants in the area, or even bartending at a popular bar in...
town. When these students go home for summer vacation it is common for them to find a job in their hometown as well. Since athletes are spending so much time with their teams it is basically impossible for them to have enough time in the day to work a legitimate job during the semester. Since athletes are required by coaches to spend majority of their summer vacation on campus taking classes and working out, it makes it difficult for athletes to work jobs in the summer also, even though some players still manage to do it. Due to this lack of opportunity this busy schedule creates, college athletes are at a financial disadvantage compared to the non-athletes who attend the same university.
CHAPTER 3: STUDENT ATHLETE’S FINANCIAL REALITIES

Student athletes receiving a free education, state-of-the-art training facilities and permitted entry to cafeterias around campus, gives people the impression that athletes have no financial struggles. However, a majority of athletes on campus who are unable to make money from working legitimate jobs come from backgrounds where their families are unable to afford college. A large portion of today’s Division I college football and basketball players would not be able to attend college without their full scholarship. This makes them unlike most of their peers, whose families can afford to pay their full tuition each year. Due to the limited amount of cash student athletes receive from their scholarships, a lot of times student-athletes do not have the money for basic living expenses. The University of Connecticut’s former point guard Shabazz Napier stated last year in a CNN interview, “I don’t feel student-athletes should get hundreds of thousands of dollars, but like I said, there are hungry nights that I go to bed and I'm starving” (Ganim, “UConn Guard on Unions”). This lack of money is an example of some of the financial realities today’s student-athletes face as a result of NCAA rules.

According to ESPN, NCAA president Mark Emmert attempted to justify the claims of players not having enough money by stating, "‘The countervailing voices of this notion that student-athletes are being taken advantage of has been the dominant theme and had played out pretty loudly in a variety of outlets,’ Emmert said. ‘The reality is schools are spending in between $100,000 and $250,000 on each student-athlete’” (Rovell). In this example he was referring to how much each player’s scholarship is worth. The problem lies in the fact that even though the full scholarships that Emmert is referring to are very
valuable and worth a lot of money, players barely gets to see any of that money in cash because all of it goes to covering their tuition. Therefore, athletes experience times when they do not have money for simple necessities like food. The scholarships’ value is the first thing that comes to most people’s minds, but they fail to realize that a lot of college athletes are forced to survive on a college campus with very little money.

Ray Giler discusses this controversy in his article, “College Athletes say they Need Pay to Cover Basic Costs of Living,” that features interviews with multiple Division I athletes who discuss issues within the NCAA model. One of the players was University of Alabama-Birmingham’s offensive lineman, Dominic Sylvester. Sylvester is a player who is on full-scholarship and also receives Pell Grant money from the government, but still struggles to make ends meet living away from home, (Giler). He is an advocate for the “pay for play” model that allows student-athletes to get paid, and says it will be beneficial and help players who are in situations similar to his.

Sylvester says, “Being from out of state, I had about $1,100 in travel expenses last year. Even getting the Pell Grant, there is not a lot of money left over, say, if you need a new pair of shoes, or a suit for special occasions, or even to go bowling” (Giler). He also added that he tries not to ask for money from home because he knows his parents cannot afford to send money that often. Giler stated, “Like many Division I football and basketball players, Sylvester doesn’t rely much on help from his folks. His dad is unemployed with a medical disability, and his mother works for the county social
services office in Horseheads, N.Y. Their income is about $50,000 a year” (Giler). This shows a lot of the basic struggles college players face as a result of their financial backgrounds and the restrictions put in place by the NCAA. With all of the money that college athletes are surrounded with many times realities like this go unnoticed.

In the documentary, *Schooled: The Price of College Sports*, current Houston Texans running back and former Tennessee Volunteer Arian Foster spoke out on this topic involving college athletes having a lack of money on campus. He pointed out many issues with the current college sports system. He talked about how he cannot believe a system allows the players who fill stadiums every Saturday in the fall to go back to a dorm after the game to an empty fridge. Foster even referred to a time when a coach bought him and a group of his teammate’s tacos from Taco Bell because they were hungry one weekend and didn’t have any money (*Schooled*). This action is considered an “extra benefit” by the NCAA and is banned. He went on to add what it was like not to have money on campus, and the different struggles that came along with that. He gave multiple examples of times when he and his teammates lacked the money to purchase the basic necessities of a college student.

Aside from former players like Arian Foster and Kain Colter who share their issues with the NCAA model, many other people across the country acknowledge that there are major problems in the way college athletics is run. *Washington Post* sports writer Will Hobson discussed his problems with the current NCAA model in his article, “Fund and
Games.” Hobson used basketball money generated in the NCAA as an example of the unfair distribution of funds. He stated, “Conference officials defend the system as a fair way to share money that supports college athletics. To critics of the NCAA and amateurism in college sports, however, the only number that matters about the basketball fund is the amount paid to the players: $0” (Hobson). Hobson shows that he believes it is unfair for athletes not to be getting a portion of the money they generate.

In the same Washington Post article, Hobson quotes sports economist Dan Rascher, who has been active part of Ed O’Bannon’s defense in his lawsuit against the NCAA. Rascher referred to the NCAA’s current model as “Un-American” and went on to say, “it’s so atypical of anything else we have in this country, where we have this very successful industry, and the athletes generate a ton of value, and the money goes elsewhere” (Hobson). Rascher acknowledges that the college sports model is an industry conducted unlike another other business in our country by the way it takes advantage of its athletes.

College athletes should be compensated further because of the money that is generated as a result of players’ elite talent and the fact that the NCAA does not operate its organization the way it claims to. Because of the hours of physical labor required on the practice field and in the weight room each week, along with the time constraints that prevent them from working a job outside of their sport. For these reasons the NCAA needs to come up with a revised method in serving its athletes. Hopefully this will give players more money and allow them to afford the basic necessities of a college student. It
is time for the NCAA to make changes in its model, and allows its players to be paid for their rigorous contributions to the school.
CHAPTER 4: TRUTH BEHIND “THE STUDENT 1\textsuperscript{ST}, ATHLETE 2\textsuperscript{ND}” MENTALITY

A mechanism of defense that is commonly used to justify the reason college athletes do not get paid is the idea that athletes are students first and their main focus should be to do well in school, and not to focus on their sport. Many believe that if universities or the NCAA decide to pay their athletes there will be a shift in the athlete’s focus that will make them start prioritizing their athletics instead over their academics. Even though the NCAA claims to make students-athletes education their top priority, their actions prove that they operate a system that forces student-athletes to prioritize their athletics over their academics anyway.

Stanley Eitzen starts his 9th chapter of \textit{Fair and Foul}, with a quotation from sportswriter Bob Kravitz. “The NCAA and its member schools have to quit running from the fact that they’re running a billion-dollar business and not some high-minded enterprise that’s part of the larger academic mission” (Eitzen 151). Kravitz points out that universities and the NCAA claim that they make their athletes’ education the main priority, but in reality their biggest focus is having their teams perform at a high level in order to generate revenue.

The NCAA’s website has plenty of information on the values it operates with along with explaining its overall mission for its athletes. Under its “Core Values” section it stays, universities are committed to making sure “students participate as an avocation, balancing their academic, social and athletics experiences” (NCAA.org/ncaa-core-values). Under the NCAA’s “Staying on Track to Graduate” section it states that they
“believe success in the classroom is just as important as winning on the field” (NCAA.org/staying-track-graduate). Lastly, an excerpt from the association’s “Amateurism” section reads, “in the collegiate model of sports, the young men and women competing on the field or court are students first, athletes second,” (NCAA.org/amateurism). The problem with these quotations is that they suggest athletes’ academics have priority over their sport in everyday college life. Conversely, in reality the way the NCAA allows coaches to manage their players’ lives shows that this “student first, athlete second” mentality is false.

Many people have discussed their issues with this false representation that the NCAA and universities across the country take part in. Stanley Eitzen discusses it in his book *Fair and Foul*, and Trevor Martin shows how this “student first, athlete second” model is misleading, throughout his *Schooled: The Price of College Sports* documentary. Both men point out the red flags that are involved with high school recruiting. Eitzen believes, “College athletes in big-time programs are recruited to be part of a commercial entertainment organization that has nothing to do with the educational mission of schools” (Eitzen 156). Martin makes a similar reference in his documentary when he explains how you will never see a professor attend an in-home visit for a recruit, like coaches do (*Schooled*). Each year every big time Division I head coach flies across the country to the homes of his top recruits to have dinner with the player’s family. This recruiting process is a great example that helps illustrate the truth and reality in the college sports.
Coaches across the country have pressure from their Athletic Directors each year to assemble a group of talented athletes who will commit and sign Letters of Intent to their school. There is a lot of pressure from not only athletic directors, but by fans, alumni, and boosters that want to see their team assemble a better signing class than other rival teams in their conferences. During this recruiting process players are graded solely on their athletic talents rather than academic intelligence, which proves that the model the NCAA attempts to portray is untrue.

There are even coaches who have recruiting incentives listed in their contracts that allow big bonuses for getting star athletes to commit. However, at the same time these coaches are liable not to have their contract renewed if their signing class continues to fall below university standards. According to ESPN, University of Maryland offensive coordinator, Mike Locksley is an example of a coach who has specific recruiting incentives listed in his contract: “Locksley will receive $25,000 if Maryland is in the top 40 of the Rivals.com or Scout.com rankings on signing day. He also will receive $20,000 if the Terps rank among the top four teams in the ACC on signing day” (Dinich). These incentives are ways athletic directors put pressure on coaches to bring in players with exceptional athletic ability, while disregarding anything that pertains to their academics. No coaches receive bonuses in their contracts for any type of educational achievement made by a recruit coming out of high school. There are no discussions about players’ GPA, SAT, or ACT scores when Rivals.com and Scout.com rank a signing class.

Providing an assistant coach who already has a $500,000 annual salary with these types
of bonuses for a good recruiting class proves that universities prioritize athletics over academics when it comes to their revenue sports (Dinich).

The only requirement prospective student athletes have to fulfill is passing the “NCAA Clearinghouse” requests. According to the “NCAA Eligibility Minimum Graduation Requirements,” the NCAA uses a sliding scale that compares a student’s GPA with their SAT score from the verbal and math section only or their complete ACT score to determine whether they will be eligible. Based on a student’s GPA their test score must meet a certain requirement, the higher a person’s GPA is, the lower their standardized test score is allowed to be. For example, if a student has a 2.9 core GPA, all he needs is a combined score of 660 or better on the SAT’s math & verbal sections to be eligible to play. This test score will allow him to compete at any school across the country that chooses to offer him a scholarship.

It is not uncommon for an athlete with a test score well below the nation’s average to get accepted into one of the most prestigious universities in the country. Eitzen states, “The education of inadequately prepared athletes is a daunting task. As we have seen, many athletes are admitted to their schools even though they are below the minimum standards. As a result, athletes in big-time programs are more than two hundred points behind the average student on the SAT” (Eitzen 156). The fact that universities around the country make major exceptions for under-qualified student-athletes applying to their school shows that academics do not have priority over their sports. It proves that in reality,
student-athlete’s athletics has priority over their academics, because of the money their performances generated for their athletic departments and universities.

Aside from the admissions aspect, the current process in the way student athletes are required to choose their majors and classes points at a system that prioritizes athletic obligations over academic desires as well. Each semester college coaches plan and set their practice and meeting times. They coordinate with the academic advisors to make certain that no players schedule any classes during this reserved block of time each day for the whole semester. This is in place to make sure athletes will be able to participate in practices and meetings. Basketball is a winter sport so its in-season practice schedule is divided between both semesters of the year. Football takes place in the fall, but because of spring practice students have restrictions in both semesters of the year as well.

These time constraints set by authorities make it hard for players to pick the schedules they desire. For example, a football coach may reserve the time between 2:00 p.m. - 6:00 p.m. every day to have practice and meetings. If a player was interested in a class that meets three days a week at 2:00 p.m., he would not be allowed to enroll in that class because of this time restriction. A lot of times student athletes are not allowed to pursue their desired majors, because of these rules put in place. If a qualified student wants to enroll in the business school, he usually cannot because it is rare that the business school class times correspond with the coach’s practice and meeting times.
Former Northwestern University quarterback Kain Colter, who has recently appeared in the media because of the union movement he started in order to push for changes in the NCAA model, discussed this same dilemma in court. CNN reported, “Colter said he had to give up his major related to pre-med studies because he couldn't fit the classes into his schedule” (Ganim). This claim is supported by a survey that was prepared by the NCAA in 2012 that revealed, “About 15% of men's football, baseball and basketball players said they would have had different majors had they not been athletes. Twelve percent of Division I football players said athletics prevented them from majoring in what they wanted” (Ganim). Even though the students in the survey do not represent the majority, if universities lived up to their mission statements that prioritize academics, these students would have been allowed to pursue the majors of their choice.

Taking this notion a step further, if a player was not okay with their coach’s time restraints and wanted to pursue his academic aspirations by signing up for a class or declaring a major that interfered with their sport. The student-athlete would be putting his scholarship at risk. The NCAA gives each coach the power to revoke any player’s scholarship at the end of the year if they break team rules or do not meet the athletic requirements set by the coach. Being at practice is a requirement, and if a student misses practice regularly due to his class schedule, it is likely that his scholarship will not get renewed the following year. This could result in a student having to drop out school if his family could not afford the price of tuition. This NCAA model allows a coach to pull the scholarship of a 4.0 student-athlete if he failed to meet athletic standards on the field. A
situation like this does not seem fair and it also goes against the NCAA model that suggest players are “students first, athletes second.”

The examples pointed out in the recruiting process, scheduling process, and scholarship renewal process all show that the NCAA system is flawed by the way it goes against the values it preaches. Along with the fact that the rules it has in place give coaches and universities the authority to commit acts that go against its values. In reality, all of this reveals that the NCAA tries to use “student first, athlete second” model to portray an image that does not exist in actuality. This false image is put in place as a way to defend the idea of athletes getting paid. Since the NCAA operates a system that forces athletes to prioritize their athletics over their academics, students across the country currently put more time into their sport than their academic studies. Therefore, there will be no shift in a student’s attention if a “pay-for-play” model is introduced because college sports already consume a large majority of an athlete’s time. In all, this shows that using academics as a counter argument not to pay athletes is unjustifiable due to the current operation of the NCAA’s system.
CHAPTER 5: THE POWER IN THE “AMATEUR” TITLE

Another way people try to defend the current NCAA model is by referring to college athletes as amateurs. Some people believe that this title given to athletes is a reason college sports are so popular in our country today. It is believed that some people are attracted to the idea of witnessing students who are fueled merely by the love of the game, rather than for financial purposes. The NCAA fears that if it changes its model, and introduce money in its system, they will not have the same fan support and fears that this will weaken college sports.

President Mark Emmert stated during the Ed O’Bannon trial, that college fans "have always seen and assumed that intercollegiate athletics is about the notion that these are members of the student body. They're not hired employees conducting games for entertainment" (Herndon). With the rules set in place by the NCAA involving grade requirements, college athletes are always going to remain students. Since intercollegiate athletics has grown economically over the past few decades, it is hard to try to hold on to a model that has been in place for so long and does not recognize the new era of college sports, even though Mark Emmert argues against the idea that student athletes are employees. In reality based on the labor performed, enormous fan base, and high demands, college athletes are more like employees than they are amateurs. It is unlikely that die-hard fans will refuse to support the NCAA if players receive a small increase in money that is intended to provide them with better living situations. This small increase will not turn athletes into instant millionaires like professionals.
As a result of this “amateur” title placed on student-athletes, players are forced to abide by a strict set of rules. *Merriam-Webster* defines an amateur as “a person who does something (such as a sport or hobby) for pleasure and not as a job.” Based on the number of hours per week players spend on their sport and the high expectations they are held to in order to keep their scholarship, it is clear that big-time college athletics is far from an extracurricular pleasure. In reality, it is more comparable to working a full-time job or being a professional. This graph from the *Economist*, titled “All Teamwork and no Pay,” compares the revenue and player salaries of the NCAA, NFL, and NBA. This shows that based on the numbers, the NCAA is similar to today’s professional leagues (Table II).

**Table II**

<table>
<thead>
<tr>
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<th>NCAA (all sports)</th>
<th>NFL</th>
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<tbody>
<tr>
<td><strong>Revenue</strong></td>
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<td>12</td>
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<tr>
<td><strong>Players’ salaries</strong></td>
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</tbody>
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*College athletes receive scholarships plus room and board, but no salary*

Sources: Department of Education; *The Economist*
This shows that the model the NCAA bases its rules on something that is different from today’s realities. It is evident that the NCAA holds on to this amateurism model as a way to keep restrictions on its athletes. That prevents them from earning money for their performance, and also allows the NCAA to keep more money for itself by not having to distribute a percentage of revenue.

The biggest and most controversial “amateurism rule” the NCAA has in place is the one that bans athletes from receiving a “salary for participating in athletics,” (NCAA.org/amateurism). In the book *Fair and Foul*, Stanley Eitzen shares his disagreement with this part of the NCAA model because he believes student-athletes are being taken advantage of because they receive no money for their substantial contributions. In a paragraph from the 9th chapter of *Fair and Foul* titled, *The Contradictions of Big-Time College Sports*, Eitzen states:

To keep these programs “amateur,” the NCAA has devised a number of rules that eliminate all economic benefits to the athletes: (1) they may receive only educational benefits (room, board, tuition, and books); (2) they cannot sign with an agent and retain eligibly; (3) they cannot do commercials; (4) they cannot receive meals, clothing, transportation, or other gifts from individuals other than family members; and (5) their relatives cannot receive gifts of travel to attend games or other forms of remuneration. (Eitzen 174)
This list of restrictions shows exactly how serious the NCAA is about denying athletes the chance to profit from their performance. Eitzen says, “These rules reek with injustice. Athletes can make money for others, but not for themselves” (Eitzen 174). Eitzen discusses how all of the rules listed above are biased because universities and coaches are allowed to benefit from all the things that athletes are not. He points out that college coaches are allowed to have agents when athletes cannot, schools can use athletes’ photographs in commercials and advertisements when players cannot themselves. Plus, memorabilia with an athlete’s likeness on it gets sold each year and players still cannot sell memorabilia of their own. It is wrong for universities to make money from an athlete’s image, when players are banned from making money using their own. The same authorities, who enforce these rules, are the ones who are benefitting from doing the very same things they forbid their players from doing.

Every year in college football and basketball each big-time school makes money from memorabilia through jersey sales. There are limited jersey options for fans to purchase, usually each school chooses a few numbers and creates jerseys with these numbers printed on them. However, it is no coincidence that the numbers being sold each year almost always match the numbers worn by the team’s star players. For example, if the University of North Carolina’s basketball team’s leading scorer wore the number 5, and the starting quarterback on the football team wore the number 12, it is almost certain that a #5 Tar Heels basketball jersey and a #12 Tar Heels football jersey would be sold in the team store on campus, local retail stores, and online. Shabazz Napier told CNN, “When you see your jersey getting sold -- it may not have your last name on it -- but when you
see your jersey getting sold and things like that, you feel like you want something in return” (Ganim, “UConn Guard on Unions”). This jersey example shows the problems players have with universities using their likeness to sell products, without compensating the student-athlete who is being depicted.

Wake Forest University, who belongs to the ACC, is an example of a big-conference school that does this year in and year out. From the university’s home page you can navigate to the online Wake Forest Shop that is titled “The Official Online Store of Demon Deacon Athletics.” On this website you will see that Wake Forest University’s newest jersey for sale is a football jersey with the #9 on it that is currently being sold for $89.95 (WakeForestShop.com) (Figure 1). This happens to be the number of senior cornerback Kevin Johnson, who was Wake Forest’s best player in 2014. He is currently projected by sports analysts to be a first-round selection in this year’s 2015 NFL draft, which is the highest rating for any current Wake Forest football player. Even though the school sells replicas of his jersey, Johnson is not allowed to receive any of the money made.
High profile players have been sanctioned by the NCAA in the past for situations involving the selling of jerseys and other memorabilia that belonged to them. Taylor Branch discusses these issues in his article, “The Shame in College Sports,” that was published in The Atlantic in 2011. The opening subheading of the article reads:

A litany of scandals in recent years have made the corruption of college sports constant front-page news. We profess outrage each time we learn that yet another student-athlete has been taking money under the table. But the real scandal is the very structure of college sports, wherein student-athletes generate billions of dollars for universities and private companies while earning nothing for themselves. (Branch 1)

In this excerpt Branch concludes that if we look at the reoccurring incidents involving money and college athletes, we will realize that this reoccurring problem points to a flawed system that needs to be fixed.
An example of a player who received harsh discipline for breaking one of these one-sided rules was A.J. Green:

At the start of the 2010 football season, A. J. Green, a wide receiver at Georgia, confessed that he’d sold his own jersey from the Independence Bowl the year before, to raise cash for a spring-break vacation. The NCAA sentenced Green to a four-game suspension for violating his amateur status with the illicit profit generated by selling the shirt off his own back. While he served the suspension, the Georgia Bulldogs store continued legally selling replicas of Green’s No. 8 jersey for $39.95 and up. (Branch 5)

It is unfair that a university can make money from selling a player’s jersey but a player cannot make money from selling his own. If a university is allowed to sell a player’s jersey, the player should be able to sell his own or be given the opportunity to make a percentage of what the jersey is sold for. These biased actions show that student-athletes frequently get taken advantage of. Universities will argue and claim that since there is no last name printed on the jerseys they are not in the wrong because the jerseys they sell do not belong to any particular player. However, the direct correlation with star players and jersey numbers proves that the jersey number selections made by athletic departments each year are aimed to mimic a player and are not a random coincidence.

Another player who got sanctioned by the NCAA was Heisman trophy winner, Johnny Manziel. Johnny Manziel was involved in an autograph scandal that forced him to be suspended the first half of his season opener at Texas A&M in 2013. Even though the
NCAA could not find any evidence to prove that Manziel received money for signing autographs, he was suspended for violating the NCAA Bylaw:

The NCAA and A&M agreed on the one-half suspension because Manziel violated NCAA bylaw 12.5.2.1, an NCAA representative confirmed. The rule says student-athletes cannot permit their names or likenesses to be used for commercial purposes, including to advertise, recommend or promote sales of commercial products, or accept payment for the use of their names or likenesses. (ESPN)

Even though the NCAA amateur based rules restrict players from selling their autograph, it is common for basketball and football departments to ask players to sign memorabilia throughout the year without providing the player with any information on whom the signed collectables are for or where they are going. Some programs will specifically instruct seniors, who are in their final year of eligibility to sign balls, with the intention of the university to sell, auction, or distribute those collectables once their season is completed. College athletic departments can hold on to these items and either sell them online, auction them off at events, or give them to boosters as gifts for their generous contributions. Since the NCAA restricts universities from selling memorabilia that contain the signatures of their current athletes, programs wait until athletes are no longer a part of the team before they sell memorabilia signed by them through their online store.

The University of Alabama, which has one of the richest college football programs in the country, is an example of a school that makes money from doing this. Directly from the
university’s homepage, you can navigate to “The Official Online Store of University of Alabama Athletics,” and purchase this type of autographed memorabilia (Shop.rolltide.com). For example, on this website there is currently a signed football helmet being sold for $499.95, (Figure 2). The product description states, “This Alabama Crimson Tide Pro-Line Riddell authentic helmet has been personally hand-signed by running back Eddie Lacy with the inscription ‘2013 BCS MVP.’ It is officially licensed by the NCAA and comes with an individually numbered, tamper-evident hologram from Fanatics Authentic. To ensure authenticity” (Shop.rolltide.com).

**Figure 2**

Whether a player still attends the university or has moved on, it is wrong for the same people who restrict student-athletes from selling their own autograph to be selling college memorabilia through their websites. When an institution is allowed to do one thing, and
restrict its workers from doing the same thing it gives off a negative image that they are trying to take advantage of these people. It appears that the NCAA and universities are always finding new ways to make money from their athletes. In reality they should be trying to find ways to better assist them in all realms of life.

The NCAA bylaw discussed in the Manziel case also restricts players from permitting the use of their likeness in commercials, advertisements, or the promoting of sales. However, universities and other corporations promote players’ brands by using players’ images constantly. For example, almost all big-time Division-I schools have a commercial that promotes their university that usually appears during a televised game. It is common for segments of these commercials that are meant to promote the university to contain the images of their athletes in competition. In addition to that, loads of NCAA college football and basketball magazines are printed each month and sold around the country that have college athletes’ images throughout. If a player accomplishes enough to be selected to be featured in a national college sports magazine, he should be able to receive a payment from his image being used, because any other student would be able to get paid if a similar opportunity presented itself in another aspect of life.

Furthermore, it is also against NCAA rules for a player to go home for a weekend during the summer and host a football or basketball camp in his hometown, as an effort to make money. In the NCAA’s eyes hosting a camp is a result of a player using his athletic image to make money. This violates their “amateur” based rules that could result in a
suspension, which seems extreme and unfair. It is contradictory of the NCAA to use player’s likeness in commercials and advertisements that promote their universities, and restrict athletes from profiting from their own image in a similar way.

“EXTRA BENEFITS”

Not only is a player forbidden from profiting from their own memorabilia and image; they are also not allowed to receive any “extra benefit” from people outside their family, if the benefit is provided for reasons associated with the player’s athletic ability. According to the “NCAA Compliance” rules found online, the NCAA defines an extra benefit as the following:

Extra Benefit (Bylaw 16.02.3) – An extra benefit is any special arrangement by an institutional employee or a representative of the institution’s athletic interests (including fans) to provide a student-athlete or the student-athlete’s relative or friend a benefit not expressly authorized by the NCAA legislation. Extra benefit regulations pertain to prospects as well. (“Extra Benefits” 1)

Exception for Benefits Available to Other Students (Bylaw 16.01.3) – The receipt of a benefit by a student-athlete or his or her friends that is not authorized by NCAA legislation is not a violation if it is demonstrated that the same general benefit is available to the institution’s students, their relatives, and friends determined on a basis unrelated to athletics ability. (“Extra Benefits” 1)
Under the “Guidelines” section of this “NCAA Compliance” document it states, “You may not provide a prospect or a current student-athlete with money, gifts, loans, flowers, etc.” (“Extra Benefits”). The NCAA creates rules like these as a way to monitor the things their athletes receive. Nonetheless, not being able to receive something as simple as flowers from a person is extreme. To put some more of the NCAA rules into perspective, if an 18-year-old college athlete meets a fan at a community service event, and this fan enjoys watching this particular player play and appreciates the way he or she represents their alma mater, a player is not allowed to be treated to dinner, given a ride, or accept any tokens of appreciation from this fan. According to the rules, this benefit would be considered sports related because a person is being provided with a gift because of their athletic accomplishments that is not offered to his or her peers, which seems unfair to this athlete.

These types of unreasonable rules are extremely unfair because they deny athletes the rights that non-athletes have on a regular basis. An athlete should be able to receive an “extra-benefit,” like a free dinner or ride from a fan, whether this act of kindness is as result of their athletic accomplishments or not. If a student who is a non-athlete is allowed to benefit from a normal act of kindness based on their accomplishments, then a student-athlete should be able to do the same. Student athletes earn the current benefits they receive through their talent, hard work, dedication, and production. Athletes should be able to accept simple “extra benefit” given to them, and not be punished for their student-athlete status.
Overall, the NCAA currently abuses the “amateurism” model it stands behind by the way it creates strict, unfair rules that are built on the false idea that college players are operating in a system where their sport is considered a voluntarily, extracurricular activity. Based on the high demands forced on today’s athletes, it is evident that this system is untrue and in reality there is nothing amateur about the lives of today’s big-time college athletes. Therefore, it is clear that the NCAA uses the “amateurism” title as a way to enforce strict rules that prevent athletes from making money. The NCAA needs to remove the amateur title that is forced on its athletes in order to allow college players the opportunity to earn money or accept benefits through resources outside of their university.
Despite the flaws pointed out, the NCAA system still has a number of positives that help its student athletes. The organization allows its athletes to showcase their talent on a high level, provides student-athletes with educational opportunities, along with allowing them to interact and build networking opportunities with a number of people. However, reflecting on the facts and arguments stated, the NCAA still has many things it should change in order to improve its organization. Based on the amount of labor today’s student-athletes are forced to perform and the money they are responsible for generating, Division I football and men’s basketball players should be paid by the NCAA and/or their universities.

In order to maintain the current college athletic system, this payout should not be in an amount similar to a professional league. However, it should be enough to eliminate the thought that college athletes are being taken advantage of. A possible method that could work would be one that allowed men’s basketball and football players to receive checks from their universities, their conferences, and the NCAA at the end of each year that would provide them all with a small, equal portion of the money they helped to generate. In addition to the checks given to them, players should be allowed to participate in business opportunities on their own that will allow them to make additional money from their image through institutions other than their schools, conferences, and the NCAA. Placing a limit on how much a player can make from his image each year would be a positive change that would help student-athletes financially without damaging the integrity of college sports. A method that would allow a player to make money up to a
certain amount through signing autographs, appearing in advertisements, or hosting camps, would be fair and beneficial to the student athlete. This kind of model would allow all players to be compensated properly and allow athletes to participate in other business opportunities on their own if they wish to do so.

In all, even though the NCAA provides great opportunities for its student-athletes, there are many revisions that could be made in order to better serve these young adults. Instead of changing the way the current NCAA model operates, the NCAA should construct a method that allows big-time college athletes the right to make money from their image through resources outside of their university, and also figure out a way for universities and/or the NCAA to pay athletes a small percentage of the money they are responsible for generating.

"Authentic Alabama Football Signed by 4 Former University of Alabama National
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CURRICULUM VITAE

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EDUCATION:

2014 to 2015  Wake Forest University – Winston Salem, NC

Master of Arts in Liberal Studies – May 2015

2010 to 2013  University of Virginia – Charlottesville, VA

Bachelor of Arts in Sociology – December 2013

2006 to 2010  Our Lady of Good Counsel High School – Olney, MD

2010 Graduate

EXTRACURRICULAR EXPERIENCE:

2014  Wake Forest University Football – Winston-Salem, NC

Participated on the varsity football team as wide receiver.

2010 to 2013  University of Virginia Football – Charlottesville, VA

Participated on the varsity football team as wide receiver. Earned various awards for leadership and sportsmanship.

2008 to Present  Dynis, LLC – Columbia, MD
Interns in the summer as needed. Provides organizational and clerical assistance. Contributes to the recruitment and scheduling of other summer interns at Dynis.

ACADEMIC HONORS:

2014  Name to the 2014 All-Atlantic Coast Conference academic football team (Wake Forest University).

2009 to 2013  Four-time ACC Academic Honor Roll member (University of Virginia).