



Statement on NCAA Division I Restructuring

The Coalition on Intercollegiate Athletics
25 September 2014

After analysis of the new NCAA Division 1 governance model approved by the DI Board of Directors on August 6, 2014, the Steering Committee of the Coalition on Intercollegiate Athletics (COIA), an alliance of 63 faculty senates at FBS schools, recommends that the presidents and chancellors of Division I colleges and universities request that an override vote be taken before the October 6 deadline stipulated by the NCAA for an override vote request.

COIA's recommendation is based on three features of the new governance model we regard as seriously problematic. Two concern specific features of the model: the terms of limited autonomy granted to the five best resourced DI conferences (the "Big 5"), and the marginalization of the academic perspective in the chief legislative body of the new structure. The third feature is global: we believe the Division I restructuring plan fails to chart any strategy to avert the increasingly likely professionalization of the "revenue sports" of football and men's basketball.

Consequences of autonomy: A stated goal of Big 5 autonomy is the enhanced benefits for athletes, including policies governing scholarship term, degree completion support, medical coverage, and other areas. COIA supports these policy goals.

However, it has become clear in the month since the restructuring model was announced that for the vast majority of Big 5 schools – those whose programs do not generate profits – the costs of the new athlete benefits are likely to be beyond their means without resorting to cuts in precisely those sports that most clearly reflect the academic mission of the NCAA: Olympic and other non-revenue sports. Days after the autonomy announcement one conference commissioner publicly warned that because fast rising coach salaries cannot be constrained, Olympic sports programs were likely to be eliminated to finance enhanced benefits for athletes in revenue sports. This was followed by other present and former athletics administrators who went further and proposed that programs consider eliminating all non-revenue sport scholarships.

COIA cannot support increases in athlete benefits likely to reduce benefits to athletes in those sports programs that have traditionally been the heart of the NCAA amateur athletic model. This consequence of autonomy is a direct conflict between business management imperatives and the fundamental rationale of athletics programs at academic institutions. Autonomy must be consistent with the academic missions of DI colleges and universities.

Our call for an override vote should not be understood as a simple rejection of Big 5 autonomy. However, the granting of limited autonomy must be based on a guarantee that the much needed

The Coalition on Intercollegiate Athletics is an alliance of faculty governance bodies from the academic institutions in the Football Bowl Subdivision. COIA's mission is to promote the academic integrity of our universities, and to represent the interests of our faculties, non-athlete students and student-athletes in matters related to college sports that can significantly affect the health, sustainability and educational missions of our institutions.

new benefits provided to athletes are funded in ways that do not punish those athletes and programs that best meet the ideals of college sports. Until such a mechanism is identified, no new governance model should be adopted.

Marginalization of the academic perspective in the NCAA. This past June [the Coalition issued a statement](#) sent to every FBS president and chancellor arguing why the proposed new governance structure is unsatisfactory. We will briefly summarize our objections here.

The new legislative Council allocates 70-90% of its seats to campus and conference athletics administrators while reserving only 5% for representatives of the academic perspective: Faculty Athletics Representatives (FARs). It is the Coalition's view that within the NCAA, the FARs provide the academic perspective that is the basis of NCAA presidential leadership. The strength of that representation on NCAA councils and committees is an essential factor in determining how policy decisions align with institutional academic missions and with the NCAA mission itself. The structure of the new legislative Council thoroughly fails to reflect the academically based mission of the NCAA, and reflects instead the perspective of business management.

We believe athletics administrators share many of the academic values of faculty. But unlike faculty, their professional goals are tied to a business management perspective and they do not have the primary commitment to academic values that faculty do. A structure that marginalizes the academic perspective is not a solution.

Global issues. COIA's recommendations on DI restructuring have consistently stressed the critical importance of addressing the threats to the NCAA's Collegiate Model of amateur sports. We saw restructuring as the NCAA's best and perhaps last chance to respond to rising public and legal pressures to professionalize the revenue sports, pressures that have only grown since the Board's approval of the new governance plan.

In the recent ruling on the O'Bannon lawsuit, the Court found that past and current practices undermined all arguments for the essential nature of amateurism and the tie between athletics and academics in college sports. Although ultimately deferring to NCAA norms in designing the benefit conferred on revenue-sport athletes, nothing in the Court's ruling provides the NCAA a safe haven in future cases, including the much broader Kessler antitrust suit, which demands athlete general compensation. These antitrust cases are being adjudicated against the backdrop of an NLRB ruling that NCAA football players are primarily university employees, rather than students. This series of legal challenges has led an increasing number of presidents and athletics administrators to openly contemplate surrendering the Collegiate Model, at least in the revenue sports, and moving to one of several possible forms of pay-for-play.

The underlying reasons for these challenges are well known. The blatantly commercialized context in which revenue-sport athletes compete, playing for coaches who, in thirty-nine states, are paid more than any other public employee and in facilities that are often highly mortgaged, has undermined the Collegiate Model more than any other factor. Almost all college athletics programs lose money, and thus it is no mystery why schools and conferences pursue commercial dollars. The constant need for new revenue has produced a context where the student-athlete model is increasingly illusory. Once that model is surrendered and the revenue sports move to

any form of professional model, sports labor history tells us that however modest in its initial form, the cost of operating professional teams will rise exponentially over time.

This is a future we are likely to face within this decade, and the failure of the DI restructuring process to address this outcome is a fatal flaw. The NCAA must demonstrate to the public that it is an academic consortium which prioritizes the educational value of sports over economic issues, even if that means stepping back from the course it is now on. As former NFL Commissioner Paul Tagliabue recently said, the NCAA needs to rebrand itself as the NCAAAA: The National Collegiate Academic Athletic Association. To accomplish this goal, the NCAA must take concrete steps to avoid a professionalized future.

It is unacceptable in substance and as a public statement to support a governance model that marginalizes the academic perspective in legislative decision-making and that provides its biggest programs a form of autonomy likely to eliminate those sports which best exemplify the Collegiate Model.

COIA is proud of our long history of cooperation with the NCAA. We call for an override vote of the new governance plan not as an adversary of the NCAA but as its advocate. We ask for more time and renewed commitment to find a better solution. We hope that at least 75 Division I presidents, the total necessary to call for an override vote, will agree and will act before the October 6 deadline.

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