

SYMPOSIUM:
LEGAL ISSUES AND REFORM IN INTERCOLLEGIATE ATHLETICS

Preface

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Since much of the Sport and Recreation and Law Association (SRLA) membership, and many readers of this journal, consists of college or university sport management faculty, it seemed logical to develop a symposium issue focusing on legal issues and reform movements in intercollegiate sport. Today, corporate college sport (primarily based on the marketing of football, men's and women's basketball, and to a lesser extent baseball) is a major "brand," that has immense fan loyalty, escalating television revenues, and an unabated one-upsmanship arms race that continues to result in new stadium construction and sponsorship deals comparable to any other major professional sport today. Within this context, articles in this symposium focus on several issues: including, gambling, sexual harassment, free expression, academic integrity, and likelihood of NCAA violations. This symposium's articles generated several ideas that I would like to share with the SRLA membership and the JLAS readership.

Grady and Clement's article - *Gambling and Collegiate Sport* - discusses many important issues relative to gambling on college sport today. There can be no denying that gambling on college sports is a fact of life today. But after reading the article one question came to mind. "How likely is it that a college athlete would 'throw' a game?" Most other major sport athletes are handsomely compensated and have at least some level of free agency. Corporate college athletes, on the other hand, are under-compensated (based on the amount of revenue they generate for their athletic department) and feel much more exploited than any other professional athletes. The NCAA and numerous other stakeholders in college sport call for increased legislation and other measures to curtail gambling on college sports, but still make sure to print a bracket for use in office pools and to allow easy tracking of the results of "March Madness." College students, including college athletes, are part of a culture

that accepts gambling as normal behavior. It is no surprise that some of the fastest growing ESPN programming, watched by a large number of male college students, revolves around high-stakes poker and the gambling culture. Against this backdrop, it is not if, but when there will be another gambling scandal in big-time college sport. Why? Because, there is just too much money to be made by an athlete who agrees to "fix" a game and too many disgruntled athletes who think everyone, but them, is making money in corporate college sport.

Another question came to mind when I read Staurowsky and Ridpath's *The Case for a Minimum 2.0 GPA Standard for NCAA Division I Athletes*. The question was, "Is this proposal *really* seen as 'radical and controversial' within the NCAA Division I athletic community?" It seems that no matter how much time and money the NCAA spends on public relations campaigns and proposals designed to convince various constituencies they are committed to academic reform and integrity in college sport, unless the NCAA and any member university wholeheartedly support a simple minimum 2.0 GPA (cumulative) proposal, anything else is a shell game, designed to maintain the status quo of the perceived minor-league farm-system for the NFL and NBA. Too often, though faculty and the general public may not want to admit it, this minor-league system serves to subsidize non-revenue sports teams within the universities that utilize the revenue generated by minority athletes in revenue sports. These athletes, who graduate at the lowest levels of all college students, are increasingly asked to play games late at night and on weeknights, and have their seasons extended to generate additional revenues for athletic departments. Then, when these athletes fail to graduate, we accuse them of not appreciating the "free education" we provide for them. My mother once said, "Nothing of value is ever free." If the education we are providing these athletes is actually free, perhaps it has no value. Or perhaps the education is not as "free" as we might like to think, and we may have set up so many institutional and cultural roadblocks that it is increasingly more and more difficult for these students to access this education, while holding down a full-time job.

My initial purpose in proposing this symposium was to encourage faculty involvement in taking back control of our classrooms from the encroachment of corporate college sport. The issue that evolved is not the issue I envisioned. This came about for several reasons. Initially, some members of SRLA expressed concerns that I had a "radical agenda" and wanted to use JLAS and this symposium issue to further this agenda, to present specific reform proposals and criticize big-time college sport. These concerns, coupled with a lack of submissions that focused on examining college sport reform issues lead

to this symposium issue, which touches on several topics – including a call for a specific reform proposal – but is not a polemic on the ills of college sport.

In my opinion, corporate college sport, as presently constructed, is hypocritical and exploits revenue-sport athletes. Big-time college sport inspires intense loyalty among fans and is a wonderful spectacle, but it is not at its core an educational enterprise. It is a multi-million dollar industry housed on our campuses. This industry is not fundamentally about educating students and those of us involved in education do our students and ourselves a disservice if we pretend it is about anything but generating revenue and winning games.