

Special Issue:
College Athletics Governance
**The Winds of NCAA Change: Navigating
the Unknown in College Athletics
Governance**

Anastasios Kaburakis, Guest Editor

It was 21 years ago this month that a lovely Hoosier wind (and Dr. Lawrence W. Fielding, the doctoral advisor who changed my life) brought me to Indiana University to pursue a PhD in the field with which I was enamored, combining sport, management, strategy, and my background in law. Those were certainly much different days. The institution’s president, Dr. Myles Brand, was still receiving criticism for terminating Indiana’s legendary basketball coach, Bob Knight. The National Collegiate Athletic Association (NCAA) was reeling from its own criticism of not valuing academics and dealing with increased commercialization, perceived as compromising the mission of higher education. I vividly recall the first few days running between dorms, Assembly Hall, and academic buildings, frequently holding a thick book titled “2000-2001 NCAA DI Manual.” Underlining, annotating, and posing questions that would drive coaches and compliance staff crazy was a favorite pastime. Most importantly, a very strong feeling of excitement and continuous discovery was taking over. This new world, the one I crossed the pond to join and research, the world of intercollegiate athletics, was becoming my new reality.

Back then, the NCAA was winning (or settling) all antitrust legal challenges. The oscillating wave between regulation and deregulation had shifted to stricter interpretations of amateurism. Title IX applications were still being tested in NCAA settings. Enforcement was perceived to be a step behind the “cheaters” and deference to institutional control was the norm. The Initial Eligibility Clearinghouse was not the in-house Eligibility Center tackling both academic

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eligibility and amateurism certification. Dr. Brand would take over the following year as NCAA President, assuming a “student-athlete first” philosophy, empowering NCAA staff, and attempting to give the NCAA and membership a new era of leadership. His administration would try to stand firm for bedrock principles of student-athlete well-being and pursuing education as the utmost goal of intercollegiate athletics, while giving the NCAA process a less bureaucratic, more reasonable approach. Nevertheless, financial pressure, commercial activity, threat of constant litigation, Congressional hearings on several issues, and the usual exercises of NCAA Division I athletic departments trying to maintain a broad scope of sports while not seeking constant subsidies from the institution were ongoing. Although there were discussions of a moratorium on legislation, a constant need for policy evolution kept the NCAA, conferences, and institutional staff busy. The “have-nots” had enough power as voting blocks to preempt seemingly positive developments for student-athletes like expanded benefits and/or opportunities for student-athletes, such as additional scholarships for women’s sports. The “haves” were dealing with opportunities for additional revenue generation from football and the NCAA was entering impressive media contracts powered by an ever-increasing popularity in the men’s basketball tournament. Student-athletes had no voice in legislative efforts, and student-athlete advisory councils (SAACs) were just beginning to assume more leadership roles, primarily when national SAAC members would ask permission to speak or disseminate position statements before override votes during NCAA Convention meetings. Inherent conflicts among key principles upon which the NCAA was founded were not easily resolved, but people were trying.

During this time, I had a terrific opportunity to hear from NCAA staff taking regular trips from Indianapolis to Bloomington to talk to our students. I could not help but think, “What if ... What if NCAA policy was much different ... And do these good folks here in the US realize what they have? Do they know that in international sport contexts it is extremely difficult to maintain a balance between higher education and ultra-competitive sport? Top athletes will be called to dedicate themselves to their trade ... with unknown results, and frequently without much to show for years later, but a bum knee, scars to reflect on, and trying to keep decent jobs through sport contacts ... Do they know what it means to have commercialized sport imploding ... and public’s interest reaching a point of saturation, which then means less money, less TV, less media, more challenging times for sports folks?” I still wonder ...

Fast forward to 2022 and autonomy has reached a point of breakaway discussions taking over. College brands are joining forces irrespective of geographic locations to form mega-conferences for the love of money and commercial activity. Talk of \$1.5 billion/year media rights for the Big Ten Conference

would even surpass the NCAA's own TV contract, with the winds of change, conference realignment, and the search for maximizing revenue being clearly the order of the day. Name, image, and likeness (NIL) is in wild west mode, rendering amateurism irrelevant. Other massive changes include open transfers, expanded resources, increased benefits, and settlement funds flowing (hopefully?) to (some) student-athletes. Unlimited snacks and meals, cost of attendance stipends, multi-year scholarships, and extensions of eligibility are old news. So, what's next? What does the unknown look like?

Amidst this unprecedented change, researchers and practitioners are called to figure out the what, why, and how of the future for intercollegiate athletics. The timing of this special issue of the *Sports Innovation Journal* came impeccably aligned with a wave of dramatic policy and governance shifts. From the time of manuscript submissions to acceptances, to the time of publishing this special issue online, there are even more changes and rapid developments. What felt like consistent waves of change during the time of our call for papers in 2021 now feels more like a tsunami overtaking what we knew as contemporary college sport. But in this sea of change, some constants remain: student-athletes trying to balance education and top-notch competition. The gears of the college sports enterprise may be governed differently, but their fundamentals remain quite consistent. Hence, this special issue on college athletics governance addresses some well-established problems in a new reality.

Sarah Stokowski et al., in their article with the bold and direct title “He’s an Asshole”: Power 5 College Football Athletes Navigating a “Shady” Coaching Transition,” tackle a frequent occurrence, which is still insufficiently covered in college sports academic research. At a minimum annual rate of 15%, Football Bowl Subdivision (FBS) institutions change football coaches, with major effects on student-athletes’ experiences. The authors deal with a case of an institution changing head football coaches twice during the anticipated duration of a student-athlete’s degree pursuits; thus, freshmen in the cohort under study experienced three different head coaches in a period of four years, so it is intriguing to observe how these football players dealt with both transitions during their time at the institution. Specific focus was drawn to the players recruited at the institution by the outgoing coach, before the most recent coaching transition, only two years into the outgoing coach’s tenure in this institution. Findings establish the anticipated—and always sad and unfortunate—reality of the new coaching staff having no ties and no alliances, nor support, for the previous coaching staff’s recruits. It is well known that usually the new coaching staff across all college sports would initially try to re-recruit the best players on the team, with mixed success, whereas coaches will be from indifferent to abusive or to the point of discontinuing aid for borderline relevance athletic talent recruited by a previous staff. As the reader

would anticipate, the title of the article came from a direct quote a player included in responses about the new coaching staff. Through the lens of transition theory, the authors paint the picture of the multitude of issues impacting student-athletes upon coaches' turnover, and implications for college sports constituents. The authors suggest that athletic departments should consider adding a position for a "change manager" attending to the multiple matters the program undergoes through a transition, particularly the effect on each player. With the advent of transfer windows and more of a "free agency" for college athletes, the athletes will run the show when they transfer; however, the authors are posing an interesting challenge for coaches assuming the reins in a new institution—assisting and encouraging athletes who want to transfer through their own networks.

Cal-Berkeley's Evan Faidley presented the work and process of advising college athletes implemented by Tracy Montgomery at Kent State University, applying Career Construction Interview (CCI) on the what, why, and how of career exploration for student-athletes. Faidley interviewed Montgomery on four key questions/themes her CCI work revolves around: a) role models, b) social media/TV/web, c) favorite story/book/movie, and d) favorite saying/line/motto/lyric. In a fascinating twist, Montgomery is teaching counselors how to deconstruct, reconstruct, and explain to student-athletes their own interests, tendencies, strengths, and life/professional pursuits. The most frequently utilized and simple area to attempt a deeper dive into each student-athlete's interests is the second theme, in which the counselor discusses the environment and interest areas from social/entertainment spaces. Busy college athletes oftentimes respond they do not have many interests outside school and their sport; however, this theme introduces them to their own interests and tendencies, possible talents/strengths, and their what and why. The third and fourth themes also attend to both why and how, and the discussion constructing student-athletes' life planning thereafter is based on life-design thinking and modeling. Importantly, Montgomery stresses that her entire framework is focusing on explaining to student-athletes that this is not their Plan B, in case pro sport does not work out for them; instead, it is their Plan A. And they should treat this exercise and life design sessions with the due attention and focus. Faidley's interview with Montgomery also contains several insightful content areas, not only for counselors, but also for academic advisors, who should pay closer attention to the aforementioned themes when constructing the student-athlete's academic planning and related professional preparation.

Stokowski and Stephanie O'Donnell address an area of concern for contemporary college sport, where representation, policy, and opportunities have left a lot to be desired—disability sport. As the authors note, despite legal challenges and the threat of more litigation and financial consequences for the NCAA and its membership, there still is no proactive approach and a serious effort toward

inclusion for college athletes with disabilities. Remarkably, 19% of undergraduate students in the US reported having some form of disability; even more remarkable is that this figure appears to be under-reporting real disability cases, and in many instances students (and athletes) are later diagnosed having a condition that would qualify as a disability and qualify them for accommodations per federal law. The authors document several cases leading to the NCAA being rendered as a potential defendant obligated to provide accommodations according to the American Disabilities Act, and these accommodations extend to special courses for students with disabilities satisfying core courses and progress toward degree requirements. While the authors acknowledge significant progress in the space of inclusion for athletes specifically with education-impacting disabilities (EIDs), they underscore the need for the NCAA to assume a more proactive approach, removing the burden from the student and institutions. The authors are focusing on additional needs for attention considering increased cases of mental health and learning disabilities identified more recently; they draw lessons from past policy evolution in cases of race, ethnicity, gender, and national origin, progressively creating a more inclusive, fair, and balanced ecosystem for intercollegiate sport. The authors also wish to see more expanded opportunities along the lines of efforts by the City University of New York Athletic Conference (CUNYAC) administering an inclusive sports program for individuals seeking adaptive sport opportunities in track and field, swimming and diving, wheelchair basketball, and tennis affiliated with NCAA Division III. Importantly, the authors identify key omissions in NCAA policy and funding efforts beyond the inclusion initiatives already undertaken. For example, there is a clear disconnect between mental health, brain research, NCAA initiatives in the space of nutrition and drug testing, and the area of psychoeducational testing and evaluations. The latter are both relevant and necessary, and oftentimes students (athletes) with underlying conditions undiagnosed when entering college do not enjoy benefits and accommodations, which will ensure a fulfilling, rewarding, and wholesome educational experience. Funding and initiatives by the NCAA for early/timely intervention, drug administration, and behavioral therapy would create a more inclusive and fair competitive environment, with more student-athletes with a broader scope of disabilities being allowed to participate in college sport and contributing to their social and educational institutions.

Tracie Canada et al. investigate a popular subject in scholarship—amateurism. As narrative of control of college athletes' time, body, and labor, amateurism is analyzed and the authors thus attempt to provide alternative lenses informing qualitative research and practitioners in college sport. It is important to note that the authors offer their own perspectives, as an anthropologist/ethnographer working primarily with black football players, a sociologist exploring injuries

and health and well-being, and an educational and developmental psychologist mainly focusing on black female athletes. The authors provide autoethnographic vignettes as alternatives to the restrictive practices of amateurism studies and the narrative of control proffered by the “total institution” (as the enterprise of college sport is defined, comprised of NCAA, institutions, athletic programs, etc.) Essentially, the authors wish to provide the lived experiences of the students and athletes, removed from the construct of amateurism as the be-all, end-all, the well-established bedrock principle on which the intercollegiate athletics enterprise is founded. Intriguingly, the hesitation and concerns of the subjects showcase this research stream’s added value. Once offered the space and security, these college athletes will speak truths and elaborate on issues that are crucial in their overall experience as students and athletes, beyond the narrow confines of the “amateur student-athlete.” The obstacles and challenges the researchers experienced themselves while attempting to be granted unfettered access to their college athletes’ population are indicative of the problematic nature of research into the college sport ecosystem. One of the researchers conducting an investigation into student-athlete healthcare had her access privileges removed during the course of her study, and new procedural entanglements were created, in order to complicate matters for researchers. Another researcher delved deeper into the lived experiences of black female college athletes, to unearth themes illustrative of the different dynamic of college sport, the power of coaches, administrators, and the difficulties these young women face once entering the world of college sports. Three significant recommendations by the authors address existing problems: (a) they propose forming partnerships between qualitative researchers and athletic departments, particularly through cross campus units’ collaboration; (b) they suggest that practically it would make much sense for the athletic department to be involved in IRB approvals and/or participate in the research at the outset of each project; and (c) they stress the need for researchers to disseminate findings and recommendations broadly, beyond peer-reviewed research outlets, for deeper and wider understanding by the practitioners most involved in college sport.

Beth Solomon et al. deal with one of the most challenging contemporary problems in the new era of NIL policy: international student-athletes (ISAs). It is broadly accepted that compensation from NIL sponsorships and endorsements would per se violate the conditions of existing immigration policy for on-campus employment only as an option for international students. However, as with most areas of law and policy impacting (international and US) student-athletes, the devil is in the details. The authors encourage NCAA, member institutions, and federal authorities to pay attention to this problem, and provide a broader interpretation for international student-athletes’ “campus/institutional-related employment” so as to benefit from their athletics labor and their NIL. Currently,

ISAs can only work off campus during extensions of post-graduate work exploration phases (OPT, CPT) or due to severe economic hardship. Absent such extreme financial exigency and extenuating circumstances, currently ISAs are precluded from benefiting from a vast array of opportunities available to U.S. college athletes. The authors outline recent judicial decisions pointing to student-athletes' engagement with their institutions in their capacity as athletes classified as labor; however, immigration policy is lagging, and does not encompass international student-athletes' labor as per se acceptable under their SEVIS and I-20 policies. The authors propose a variety of solutions including education outreach on a broad spectrum of NIL opportunities, financial literacy, and particularly applicable for ISAs, immigration law; exploration of opportunities in the countries of origin, thus also expanding the reach of institutional brands; national legislation and NCAA policy following suit; while federal legislative efforts are pending, ISAs can consider passive (as opposed to active) income generation from NIL opportunities, such as licensing and profiting of the use of their NIL; continuation of Olympic and World sport federations' related sponsorships; ISAs in financial distress and suffering extenuating circumstances might consider filing for exemptions and benefiting from NIL; institutions may take matters in-house, creating NIL opportunities for ISAs and compensating them, including options tied to their course of studies.

Simran Kaur Sethi et al. also tackle the issue of NIL and ISAs. They set their analysis within the context of nationalism and protectionist immigration policy. Sethi et al. go a bit further on passive versus active income, explaining the problematic nature of immigration policies for all international students. In addition, the authors summarize the long history of competitive recruiting internationally for the purposes of generating interest, pipelines, and creating areas of competitive advantage for specific institutions unable to recruit top U.S. talent. The areas of amateurism and academic policies in the past rendering ISAs' transitions much more difficult than their U.S. counterparts, and the exploitation of ISAs during their transition, provide context when considering the role of NCAA and institutions at times of expanded revenue-generating opportunities for ISAs. Whereas international student musicians and artists only have institutional and federal authorities' enforcement mechanisms to consider when pursuing additional income opportunities, the ISAs receive additional scrutiny and coverage due to their sports role by the NCAA, conferences, and institutional staff. The authors proceed with explaining the distinct discrepancies between domestic and ISAs' handling by the NCAA and institutions. On one hand there is ample guidance and support of U.S. student-athletes pursuing additional revenue options with the current expanded opportunities; on the other hand, ISAs do not enjoy even a modicum of support from the NCAA and institutions, which in certain

cases advise ISAs to seek independent legal counsel for any pertinent clarifications. Hence, financially strapped ISAs would be bound by narrowly defined immigration policies, foregoing NIL income, which would make their retention in NCAA institution(s) more difficult. Alternatively, ISAs would risk pushing the limits of immigration policy by pursuing NIL income, while interpretations and clear guidance from USCIS are pending. Because immigration reform is one of the most politically charged items in contemporary public policy, and given that any action from Congress will require significant time to take place for policy impacting all international students in the US, the authors issue some relevant recommendations: a) ISAs—and those who advise them—need to remain on the alert (and on the offensive) communicating with institutional and NCAA staff in view of developments to ensue soon; b) for the time being, the authors advocate for patience and ISAs taking the path of least resistance, avoiding compromising their F1 student visa status and jeopardizing future opportunities both pre- and post-graduation; c) the authors also suggest that institutions should retain capable counsel advising ISAs and institutional staff, thus avoiding any immigration law pitfalls and jeopardizing their lawful status. Barring immigration law and policy guidance from Washington, D.C., there's only so much the NCAA and institutions can do for ISAs wishing to make the most of NIL monetization opportunities.

Finally, Ioanna Charitonidi and I summarize our research on ISAs' experiences during their transitions into NCAA sports, from their recruiting journey, to their freshman experience, and to their graduation reflections. Our investigation was part of research informing NCAA initiatives in 2021, from the Spring 2021 Inclusion Forum and a panel on ISAs, to the Fall 2021 symposium and seeds of a currently under-development Think Tank or Task Force on ISAs, which engaged with multiple stakeholders in the NCAA ecosystem impacting ISAs. In this article, we first looked at decades of literature on ISAs and examined recent scholarship on ISAs' experiences and problems ISAs identified. The problems ranged from sociocultural and procedural transition issues, to health/mental health, nutrition, financials/taxation, and relationships with coaches and teammates. After reviewing the pertinent literature, we gathered data from the original research surveys conducted during 2021; as stressed in our methods section, we believe one of the most important portions of this research was ISAs' own contributions to the development of the instrument and suggestions for our survey coverage. Data was collected from 149 respondents, representing 39 different countries of origin, and nine sports. ISAs stressed above all the need for tutors and academic assistance, educational sessions on financial aid/stipends/academic options/strength and conditioning, and other resources available for ISAs, while they also expressed the desire for the NCAA to explore partnerships with English testing agencies, in view of qualifying requirements (i.e., TOEFL,

IELTS, Duolingo, et al.), practice tests, and fees assistance. In open-ended options, ISAs responded with interest in employment pursuits and specific assistance as they approach graduation, health insurance options, transcripts/degree certifications/credentials' evaluation solutions, and a key finding from this entire research stream, a major need for tax assistance to prepare, file, navigate refunds, and the entire taxation process. Regarding the ISAs journey throughout their studies and intercollegiate sports participation, ISAs had several issues in mind, with the most important being: tax assistance, health insurance, and mental health resources (addressing homesickness, culture shock, depression, anxiety, etc.). Pursuant to a brilliant reviewer's suggestion, we composed a catch-all table (Table 3) showcasing the contrast in satisfaction ISAs demonstrated in their responses, during the recruitment/pre-enrollment, freshman, and graduating phases of their college sport experience, toward the NCAA, member institutions/support staff, and coaches. We found what one may define as "the honeymoon effect"—the highest levels of satisfaction ISAs experienced were toward coaches and institutions during the recruitment stage. One could argue that coaches and institutional staff are performing their recruiting functions optimally, based on this finding. On the other end of the continuum, the comparatively lower satisfaction ratings resulted from graduating ISAs toward the NCAA; rationale returned as no support for post-graduation endeavors, lack of support for women's sports as opposed to men's, and relatedly a perception of the NCAA caring and supporting revenue sports compared to all other sports. Overall satisfaction was fairly high across the board; nonetheless, there were clear themes that the survey yields as important areas of note for ISAs treatment and support onward by NCAA, institutions, and coaches. The open-ended responses illustrate ISAs' issues with a protracted and entangled process to go through NCAA certification and eligibility steps, and increased fees for the many aspects of their transition. Somewhat alarmingly, and not due to omissions from NCAA, institutions, or coaching staff members, ISAs also noted instances of discriminatory attitudes from teammates and/or classmates. Several issues revolved around systemic, institutional, and immigration issues, which go beyond the narrow confines of coaches/institutions, and NCAA purview. However, getting a job and work experience through internships can be an area where ISAs may find support from NCAA member institutions. Applying for a Social Security Number, having help with filing taxes, securing affordable health insurance options, accessing mental health resources, and related issues should be attainable targets for stakeholders in ISA management in the future.

In closing, I want to thank David Pierce, editor of the *Sports Innovation Journal*, for the invitation to serve as the guest editor of this special issue. Few minds "get" research, relevant contributions to industry practice, and the world

of intercollegiate sport better than Dr. Pierce. I want to thank the authors, reviewers, and everyone who contributed to this issue. The work, recommendations, and bridge to practice contained herein should inspire further relevant and valuable contributions to college athletics governance and the actors who live and breathe the college sport enterprise. I feel humbled and honored to offer what I hope may be a meaningful story for young researchers, practitioners, and the leaders who'll guide us into the unknown. Grateful for the opportunity to serve.