



22 February 2012

To the COIA Membership:

The Coalition on Intercollegiate Athletics acts through its elected Steering Committee, led by the Co-Chairs, and the Committee guides its actions by relying on policy positions approved by the Coalition membership, an alliance of faculty senates at 58 NCAA Football Bowl Subdivision schools. The most recent compendium of COIA policy positions is [\*Framing the Future\*](#), a comprehensive statement concerning our goals for athletics reform that was approved by member senates in a formal voting process in 2007. In the intervening years, there has generally been little national momentum for significant reform and few opportunities for major COIA initiatives. However, the events of 2011, summarized in the Committee's recent "Report to the Membership," have led to an environment more favorable to reform. The Steering Committee anticipates that in the coming year, it will face increased opportunity to speak and act in ways that can make a difference.

To act effectively, the Steering Committee needs a clear and current sense of the will of the membership. The Committee always welcomes member views in all forms and on all issues, but recognizes that COIA's membership of 58 faculty senates is broad and varied, and that senates are occupied with heavy agendas of campus governance. To optimize communication within the Coalition at this juncture, the Committee requests that senate chairs and/or designated senate representatives to COIA consider a brief list of Steering Committee recommendations for policy positions that we believe may become particularly important this year, consulting with their local faculty senates as appropriate, and provide the Committee with feedback.

The Steering Committee recommendations are listed with contextualizing explanations on the following page. All concern, in one form or another, COIA's stance towards problems of athletics financing and rapidly increasing commercialization, which have become the focus of emerging national discussions. The policy recommendations are based on discussions that took place at COIA's annual meeting in January 2012, attended by representatives of approximately half the Coalition's member senates. The context and content of those discussions has been summarized in some detail in the Committee's recent "Report to the Membership," particularly in Appendixes C and D. To keep this action document as brief as possible, we are treating the "Report" as background to these recommendations.

We invite you to respond with comments by email to COIA Co-Chair John Nichols at [jsn2@psu.edu](mailto:jsn2@psu.edu). If there are questions you or your campus colleagues may have about the policy recommendations or the thinking behind them, the Committee will do its best to respond to them.

Communication from member senates and their representatives is welcome at any and all times; however, if responses to this particular set of recommendations could be conveyed by April 15, we would be most appreciative.

*From the COIA Steering Committee*

## Steering Committee Policy Recommendations, February 2012

1. As a faculty senate coalition, COIA has generally focused on advocating for better alignment of athletics with academics. Its widely known proposals for policies and best practices on academic and governance issues have reflected its expertise as a faculty group. However, increasingly dominant commercial forces and rising calls for professionalization, particularly in revenue sports, are now the greatest challenges posed by the growth of intercollegiate athletics. Therefore COIA will strengthen its efforts to advocate for constructive responses to the growing financial and reputational risks that market-driven models of sports entertainment pose to US higher education and its traditional collegiate model of amateur sports.
2. Amateurism is essential to the compatibility of sports and academics and to the reputational benefits US higher education has long seen in its sports programs. It can only be sustained for revenue sports in the long term if the increasingly legitimate equity arguments about “pay for play” – the conversion of these sports to an expanding commercial entertainment enterprise – are addressed. Therefore COIA should hold to its position in favor of the collegiate model, and call for changes to reverse the growth of commercialism in college sports that has prompted pay-for-play proposals.
3. While the NCAA is demonstrating significant ability to regulate in the interests of higher education in the area of academic reform, it is prevented by antitrust laws from doing so in the area of economic regulation, and it has been amply demonstrated that schools are not able to do so themselves. Without modification of antitrust constraints, there is no mechanism to restrain the market forces driving rapid commercial expansion. Therefore, COIA should endorse focused exploration of Congressional approval for an antitrust exemption concerning college sports.
4. Amateurism and the compatibility of sports and academics cannot be maintained without cooperative regulation. While the NCAA has historically had a number of problematic features, the trajectory of its activity in the past decade has been positive. It would be ineffective and wasteful to seek to replace it with an equivalent organization or to break it into multiple organizations serving school constituencies based on the economic scale of sports programs. Therefore COIA should maintain its policy of cooperation with the NCAA and support for the NCAA’s regulatory mission, while continuing to analyze and, where appropriate, criticize NCAA policies or implementation that prioritize the interests of sports programs over the academic mission of US higher education.
5. The most successful FBS revenue sports programs may be in a position, now or in the near future, to fund professionalized sports programs in the belief that they will be able to operate successfully in a sports market independent of NCAA membership. They may be motivated to do so by pressure from non-academic constituencies, the prospect of short-term economic benefits, or the prospect of new economic regulation that is likely to mitigate their elite status in athletics in the long-term. This would be a high-risk experiment for a critical sector of US higher education, financially, reputationally, and in terms of essential abandonment of the ideal of academically-based control over athletics. Such changes would likely involve separation of these schools from the NCAA regulatory structure, particularly an NCAA strengthened by antitrust regulation. Therefore COIA should advocate for policies that will maintain the membership of all current FBS football conferences within the NCAA, consistent with the collegiate model of college sports.

## NOTES

The following questions reflect some of the discussion points that ultimately led to each of the Steering Committee's five recommendations. More extensive discussion can be found in the COIA Steering Committee's February 2012 "Report to the Membership," especially Appendixes C and D. The Steering Committee invites the Coalition membership to comment on these or other questions in conveying responses to the recommendations.

1. What has occurred in the decade since COIA was formed to shift the emphasis of its focus? What are the risks to COIA of moving in this direction? Are there ways of COIA approaching these issues that highlight consistencies with our original focus on advocating for a better alignment of athletics with academics?
2. What are the pros and cons of "pay-for-play," considering both that calls for change reflect current realities of market driven sports models, and that the impact of its implementation on academic core values espoused by our individual faculties and COIA would likely be negative? Is the concept of amateurism at the collegiate sport level outdated? Would the NCAA proposal to add \$2000 to athletics scholarships take intercollegiate athletics further down the road towards professionalism? Are there other solutions, such as multi-year scholarships, that might help address the pressures underlying the call for a "pay-for-play" system?
3. What would the goals of an antitrust exemption be? Are there better approaches to achieving these goals and, if so, what are they? What unintended negative consequences of going down this route can we foresee, and can they be limited through the design of legislation? What might be the specific provisions in an antitrust exemption bill COIA could advocate for? Would your university president be willing to press for an anti-trust exemption? What could faculty do to induce and support university presidents to move in this direction?
4. What are the reasons for or against COIA's working closely with the NCAA? Is there any likelihood of developing an entirely new regulatory structure? Can COIA work with the NCAA while retaining full autonomy and critical distance? Is the NCAA moving in the right direction with regard to maintaining core academic values and the collegiate model of sports espoused by COIA? Are the NCAA's recent moves to strengthen initial eligibility requirements, toughen rule violation penalties, and adjust the APR sufficient to stem the current problems in collegiate sports?
5. What would the academic and financial implications of the dissolution of the FBS be for conferences and individual institutions? What can faculty governance bodies do to inject academic values into discussions of these issues, which would occur on conference and presidential levels. Can academic core values meaningfully shape decisions in a system where economics is driving decisions? Since COIA membership is divided between schools that stand to benefit and to lose economically by any split in the FBS, is it possible for Coalition faculty to reach a unified position on this issue?