Big East commissioner Val Ackerman floated an idea this month that would have been unthinkable a decade ago. She said the NCAA is considering letting athletes receive endorsements without losing their eligibility. It’s a move that might financially compensate the top male and female athletes to an unprecedented degree and could undercut the spirit of amateurism -- or not getting paid to play -- in college sports.

Pressure to pay student-athletes carries question of Title IX

By Jane McManus | espnW (from April 2016)

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The question of paying college athletes is one Jeffrey Kessler, who's representing the U.S. women’s national soccer team in their fight for equal pay, has been pursuing with the NCAA for at least two years. The antitrust and labor lawyer represented the plaintiff in Jenkins v. NCAA, one of the premier lawsuits contending a college athlete’s right to compensation, filed in 2014.

.Kessler’s is one of several maneuvers the NCAA has faced on the issue, including a threat from Northwestern University football players to unionize (which was turned down by the National Labor Relations Board) and a decision to allow former college players to profit from their likeness in video games.

“It’s very hard to effect change,” Kessler said in a phone interview. “But I do think the time is coming...
in recognizing that the current system is neither fair nor equitable, or legal.”

The USWNT’s filing with the EEOC has raised the matter of a team’s value regarding revenue and pay for professional athletes. And the same issues of fairness and equality can be applied to the NCAA, especially as student-athletes increasingly fight for compensation for their output. But why is it so hard to define value in college athletics?

Men’s basketball and football teams in major conferences have often been treated like professional teams, leaving many to measure value in dollars and cents. According to Smith College economics professor Andrew Zimbalist, a men’s basketball team earns $260,000 for its conference per tournament game played (women’s teams get nothing). The NCAA last week signed an $8.8 billion deal with CBS for the rights to broadcast the men’s basketball tournament through 2032. And a $5 million coaching salary is par for the course in big-time college football.

When compared to the blockbuster programs, attendance for women’s events (and some men’s athletics) lags. It’s highly unlikely that a women’s lacrosse championship game would ever reach the attendance of 74,340 spectators that the NCAA men’s basketball tournament final achieved this month.

Given these numbers, it’s often assumed that revenue from men’s basketball and football supports all other sports at a school. And it’s no wonder athletes have tried fighting for their share.

“We shouldn’t confuse sports in general by schools in all areas with few sports that have become powerhouses,” Kessler says. “The basic model is not a revenue one. What has created confusion is, with a few sports, they have chosen to turn them into a vast commercial enterprise.”

According to the National Women’s Law Center (NWLC) citing an NCAA report, almost half of Division I men’s football and basketball programs operate at a deficit.

“It’s such a morass of contradiction,” said Drexel professor of sports management Ellen Staurowsky. “Sometimes I wonder if we’re ever going to come up with a real solution because we’re so bound by mythologies.”

The myths of revenue-generating teams continue to drive the perception of women’s athletics. Despite almost 45 years of Title IX law, women’s share of most college athletic budgets is only about 30 percent, according to the NWLC. And Title IX, which mandates equal access to school services regardless of gender, is often viewed as an inconvenience to the real goal of programs: maximizing revenue from men’s basketball and football.

So how can women’s sports expect to be seen as anything but the charitable wing of big-time sports, and how would women fit into a conversation about compensation? It’s a confusion that exists not just for women, but for the men who play sports that don’t generate the money that football and men’s basketball do. Donna Lopiano, president of consulting group Sports Management Resources, says pending litigation against the NCAA lobbying for pay is “the biggest potential game-changer” and could “hurt men’s and women’s sports.” The costs of paying revenue-generating players -- plus the costs of paying female athletes to comply with Title IX -- would be prohibitive to college sports programs.


Put me in coach, I’m ready to play!

Jenny Buckets is a basketball student-athlete at Siena College. Jenny was certified as academically ineligible at the start of the fall 2016 semester. If Jenny earns a 2.75 GPA or better this term, she will be eligible for competition for the spring 2017 semester. Here is a brief calendar for the women’s basketball team next month:

December 14-17- Siena Final Exam Week
December 15- Jenny’s last scheduled exam
December 18- Competition at San Diego State
Because the team will be done with finals and Sunday’s game is in California, the team will be leaving on the 17th.

As long as Ms. Buckets earns the necessary grades and meets all other NCAA PTD requirements to regain her eligibility, is it permissible for her to receive travel expenses prior to the conclusion of the fall semester?

Answer on Page 4
Compliance Corner

Game Time!

Quick Tip
The final day of classes is December 12th, with finals starting on the 14th. Because of this, CARA for out of season sports must come to an end for the semester. The last day to conduct CARA for those sports is December 6th.

Recruiting Calendar

Men’s Basketball
Recruiting 1-23
Dead 24-26
Recruiting 27-31

Women’s Basketball
Evaluation 1-23
Dead 24-26
Evaluation 27-31

Men’s Lacrosse
Quiet 1-23
Dead 24-31

Women’s Lacrosse
Contact 1-23, 27-30
Dead 24-26, 31

Baseball
Quiet 1-31

Softball
Quiet 1-6, 11-31
Dead 7-10

Volleyball
Contact 1-4
Quiet 5-13
Dead 14-31

XC/Track
Contact 1-11
Quiet 12-13, 18-31
Dead 14-17

Spare some change?
Madison Splasher, student-athlete at Siena College, wants to take advantage of a holiday sale. Her team has a road meet this weekend, and she does not have her credit cards with her to make the purchase. The sport administrator traveling with the team offers to let Madison use her credit card to take advantage of the sale, and Madison will pay her back as soon as they get back to campus.

Is it permissible for the sport administrator to allow the student-athlete to use her credit card to make the purchase since she will be reimbursed tomorrow?

No. NCAA Bylaw 16.11.2.2 states that an institutional employee or representative of the institution’s athletics interests may not provide a student-athlete with extra benefits or services, including, but not limited to:
(a) A loan of money;
(b) A guarantee of bond;
(c) An automobile or the use of an automobile;
(d) Transportation (e.g., a ride home with a coach), except as permitted in Bylaw 16.9.1, even if the student-athlete reimburses the institution or the staff member for the appropriate amount of the gas or expense; or
(e) Signing or co-signing a note with an outside agency to arrange a loan.
Merry Legislative Cycle

The annual publication of proposals for legislative changes were released in November. Both the legislative council as well as the “Power 5” autonomy proposals were made public. Among the proposals were many quality of life improvements as well as the much talked about student-athlete time demand legislation. Similar proposals were on the table last year, but were set aside for further research. While the Division I council chose not to put forth those proposals again, the autonomy group did. Because the legislation is being proposed by the autonomy group, Siena College is under no obligation to follow these rules. However, the MAAC may choose to adopt any autonomy legislation on behalf of its institutions.

Among the proposals:

- The creation of a new group of activity (Required Athletically Related Activity) which would include Compliance Meetings, Promotional Activity, Charity work, team travel, among other activities. These activities would not count against daily and weekly hour limitations, but would preclude a team from using that day as an off day.
- Extending the prohibited overnight period in which CARA and RARA may take place from 12-5 to an eight hour period between 9pm and 6am.
- A mandatory seven off days following the conclusion of a team’s final contest.
- An additional 14 days off in the eight-hour period.
- Addition of required off days during preseason practice period prior to beginning of fall classes.

Can Jenny Buckets play?

Yes. a student-athlete who will become academically eligible at the end of a term may receive travel expenses prior to the conclusion of the term to attend a competition that occurs after the date of the last scheduled examination listed in the institution's official calendar for that term, provided the institution can certify that the student-athlete will become eligible during that trip, and the student-athlete does not represent the institution in competition until the day after the date of the last scheduled examination.