

College Sports Reform: It's Time to Expose the Big Lie

a Clips Guest Commentary

Our guest author believes Congress has been reluctant to strip the NCAA and its member universities of their tax-exempt status and so help limit the seemingly uncontrolled growth of professionalized big-time college sports entertainment.

By Frank G. Split, 04-12-12

Given the mountain of mistakes the NCAA has made in the past year and beyond, it is long past the time Congress stripped the NCAA and its member universities of their tax-exempt status.
—Bob Gilbert¹

Stripping the NCAA cartel (the NCAA and its member colleges and universities) of its tax-exempt status by the Congress would certainly help limit the seemingly uncontrolled growth of professionalized big-time college sports entertainment by putting a break on what appears to be a runaway financial train. However, this stripping would require a great deal of congressional courage because it would mean exposing an inconvenient truth—the false claim, i.e., the lie that forms the basis for the cartel's tax-exempt status.^{2,3}

Members of Congress do not want the lie exposed since exposure would be contrary to their vested interests—leading to potentially painful and damaging political consequences.⁴

Nonetheless, the time may be right to not only think "stripping," but also to exposing the big lie.

I was first made aware of the "lie" by Rick Telander via his book, *The Hundred Yard Lie*.⁵ Then came Jon Ericson who introduced the notion of the "big lie" in the Afterword to one of my first essays⁶ as can be seen in the following excerpt:

Instruction 2: Focus not on a multi-point list of proposals to address the corruption in college sports, but on one key idea. Problem-Solving 101 suggests the one big idea should be exposing the lie that is the basis for the academic corruption in college sports:

[Bob] LEY [on ESPN's "Outside the Lines"] – Well Tom [McMillen, former Knight Commission member], you brought up the issue of academic integrity. I'm going to bring in a piece of tape with Jon Ericson of the reform minded Drake Group; what he calls the big lie having to do with college athletics.

ERICSON – It is that you can take an under-prepared student [who] does not have the skills to do academic work in higher education, then, take that student, give him a job 30 hours a week where he will be tired when he does come to class -- he's also excused for maybe seven -- maybe eight or nine classes and expect him to acquire anything close to what we would call a university education.

LEY – Is that true?

MCMILLEN – It's absolutely true.

Absolutely true? It is commonplace. As co-chair of the Knight Commission William Friday said: "What has happened with grades and courses seriously threatens the integrity of the institution. The university cannot tolerate these practices."

Once again, attention has been called to the "lie"—this time by Joe Nocera, the widely-read *New York Times* columnist who has written a number of scathing NCAA-related op-eds.⁷

To the point, in his most recent op-ed Nocera wrote.⁸

"All of the problems in college sports stem from one root cause," she (Ellen Staurowsky) told me recently. "It is all built on a lie." Until we acknowledge that lie, the freshmen football players will be studying Swahili.

As if on cue, the very next day an article on the federal law against lying appeared on the front page of *The Wall Street Journal*.⁹

To the best of my knowledge, the law against lying, Title 18, Section 1001 of the U.S. Code, and the False Claims Act have never been used to flush out the big lie.

It's about time to do so. Perhaps it will be left to the likes of David Ridpath¹⁰ and Sonny Vaccaro¹¹ to make it happen. In the meantime the NCAA is trying to resolve what it perceives to be an image problem.¹²

Frank G. Splitt, a former McCormick Faculty Fellow, McCormick School of Engineering and Applied Science, Northwestern University, is a member of The Drake Group and recipient of its 2006 *Robert Maynard Hutchins Award*. A complete listing of links to his essays and commentaries on college sports reform can be found at <http://thedorakegroup.org/splittessays.html>

NOTES

1. Gilbert, Robert, "Baylor: Special Treatment," Gilbert Communications, April 11, 2012.
2. Splitt, Frank G. "College Athletics, Academic Assessment, and the False Claims Act," *College Athletics Clips*, Sept. 24, 2006, http://thedorakegroup.org/Splitt_College_Athletics.pdf
3. _____, "The Student-Athlete: An NCAA False Claim?" *College Athletics Clips*, November 21, 2006, http://thedorakegroup.org/Splitt_The_Student_Athlete.pdf
4. _____, "Why Congress has yet to curtail the NCAA cartel's tax breaks: Exemptions historically tied to amateur athletes," *College Athletics Clips*, August 30, 2009, http://thedorakegroup.org/Splitt_Why_Congress.pdf
5. Telander, Rick, *The Hundred Yard Lie: The Corruption of College Football and What We Can Do to Stop It*, University of Illinois Press, Chicago and Urbana, Illinois, 1989, Paperback Edition with Afterword, 1996..
6. Splitt, Frank G., "The Faculty-Driven Movement to Reform Big-Time College Sports," 2004, IEC Publishing, http://thedorakegroup.org/Splitt_Sequel.pdf
7. <http://topics.nytimes.com/top/opinion/editorialsandoped/oped/columnists/joenocera/index.html>
8. Nocera, Joe, "Football and Swahili," *The New York Times*, April 10, 2012, <http://www.nytimes.com/2012/04/10/opinion/nocera-football-and-swahili.html?emc=eta1>
9. Emshwiller, John R., and Fields, Gary, "For Feds, 'Lying' Is a Handy Charge," *The Wall Street Journal*, April 11, 2012, <http://online.wsj.com/article/SB10001424052702303299604577328102223038294.html>
10. Ridpath, B. David, *Tainted Glory: Marshall University, the NCAA, and One Man's Fight for Justice*, iUniverse, 2012. Robert Lipsyte, former New York Times columnist, claims "this is the best insider's examination of a corrupt system that I have ever read."
11. Branch, Taylor, "The Shame of College Sports," *The Atlantic Monthly*, October 2011, <http://www.theatlantic.com/magazine/archive/2011/10/the-shame-of-college-sports/8643/>. Branch opens with remarks about Vaccaro and then elaborates on his behind-the-scenes role in the antitrust lawsuits against the NCAA later in the narrative.
12. "NCAA Thinks It Has an Image Problem," *Inside Higher Ed Quick Take*, April 13, 2012, <http://www.insidehighered.com/quicktakes/2012/04/13/ncaa-thinks-it-has-image-problem>
The author's comment on this *Inside Higher Ed Quick Take* was based on this commentary.