

Who's Getting Played?

NCAA in Hot Water Following Player Compensation Legislature

Sofia Monter, Laura Nootbaar, Natalija Popovic, Lucy Raasch, and Audrey Renfroe
Marquette University



Introduction – NCAA

- NCAA stands for National Collegiate Athletic Association
- It is a nonprofit organization which takes care of student athletes from 1,268 institutions and conferences.
 - ◆ Without the NCAA in place the, concern is that schools would be welcome to pay players, which would be a disadvantage to schools that don't have profitable athletic programs.
 - ◆ A football student- athletes' family accepted a couple of thousand dollars in gifts including a house just because of their son's name.



The NCAA Enforcement Mission Statement:

To represent all members institutions and student-athletes in their commitment to integrity by equitably enforcing rules.

May 14-18, 2012

NCAA
Regional Rules
Enforcement Football Group



The Idea of Paying Student-Athletes

- The Survey conducted in 1989 - “Nearly a third of current and former NFL players responding to a survey said they had accepted illegal payments while in college, and 53% said they saw nothing wrong with breaking NCAA rules to get extra cash,”
- “In the Southeastern Conference, 67% of the league’s former players said they had accepted under-the-table payments to augment scholarships”
 - ◆ Right after this research in the 1990. the question if the student athletes should be paid started catching the mainstream attention with the New York Times article.
 - ◆ Two different opinions
 - 1) Student-athletes should be paid
 - 2) Student-athletes are getting paid through the scholarships

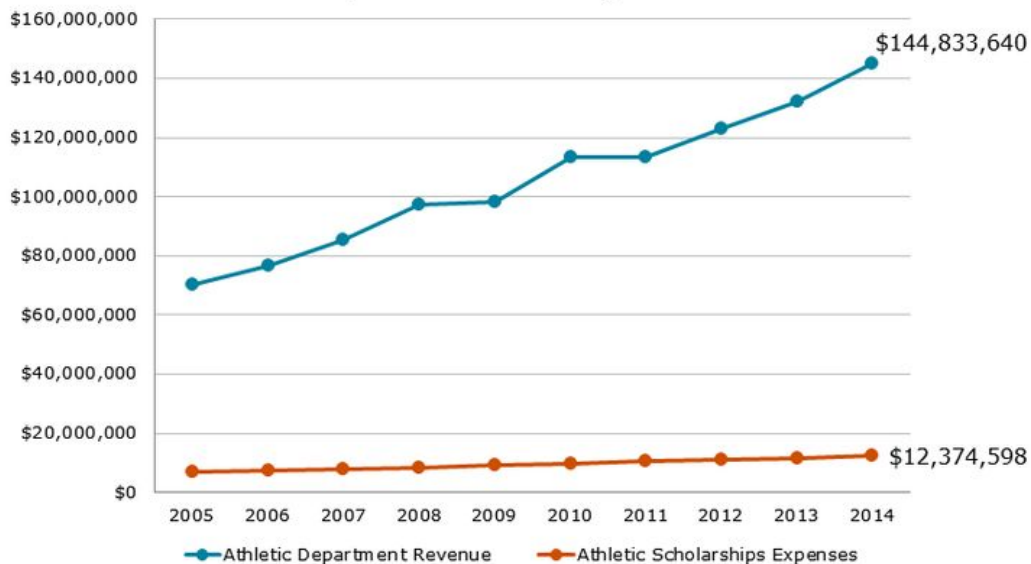
The New York Times

Question of the Week; Should College Athletes Be Paid?

March 25, 1990



Athletic Department Revenue vs Scholarship Expenses average for schools with 10 largest revenues



Everyone Made Money Off My N.C.A.A. Career, Except Me

Not Paying College Players Is Not the Problem, Greed Is

KYLE ZALL
AUGUST 21, 2011

The College Sports Cartel



Joe Nocera DEC. 30, 2011



Popular

Latest



Jason Whitlock @WhitlockJason

Mar 29, 2011 at 1:00a ET

Los Angeles Times

Op-Ed: The NCAA deserves its greedy reputation. Expanding athletic scholarships could change that

The Atlantic

Sign In

Subscribe

The Shame of College Sports

A leading civil-rights historian makes the case for paying college athletes—and reveals how a spate of lawsuits working their way through the courts could destroy the NCAA.

Story by Taylor Branch

OCTOBER 2011 ISSUE

CULTURE

Fair Pay to Play Act – Bill 206

- Legislation that gives legal protection to California collegiate athletes allows:
 - ◆ Collecting compensation for the use of their name, image and likeness,
 - ◆ Signing marketing deals and being featured in video games,
 - ◆ Hiring an agent,
 - ◆ Using their athletic skills and knowledge to teach lessons
- Proposed in February of 2019 by California Senator Skinner and co-author Senator Bradford and passed in the Senate in May
 - ◆ Skinner's interest in this issue was sparked after hearing the NCAA's harsh rules that prohibit college athletes from being paid to play
- After its passage in the Senate, Bill 206 was sent to Gov. Newsom pending its instatement as California law



NCAA Issues ‘Warning’ Letter to Gov. Newsom

- NCAA outrage over “Fair Play to Pay Act” led to this formal statement
- Aimed to justify distinction between collegiate and professional athletics
- Classified the bill as “unconstitutional”
- Stated letter was inconsiderate of the “Association’s collaborative governance system”
 - ◆ Called for a constructive partnership between the NCAA Board of Directors and the state of California
 - ◆ Wanted to address controversy across all 50 states
 - ◆ Letter was ineffective → Governor Newsom signed Senate Bill 2016

The NCAA's Response to Bill 206

- The letter was later released on the NCAA's media page for the general public.
- ◆ Allowed NCAA to explain why they disagreed with the bill.
 - ◆ Allowed them to address the California government, student-athletes in California schools, and other public stakeholders.

NCAA responds to California Senate Bill 206

Measure would upend level playing field for all student-athletes

September 11, 2019 10:08am

The NCAA Board of Governors sent a letter Wednesday to California Gov. Gavin Newsom, making clear its belief that this bill would wipe out the distinction between college and professional athletics and eliminate the element of fairness that supports all of college sports. Text of the letter follows:

Governor Newsom:

The 1,100 schools that make up the NCAA have always, in everything we do, supported a level playing field for all student-athletes. This core belief extends to each member college and university in every state across the nation.

California Senate Bill 206 would upend that balance. If the bill becomes law and California's 58 NCAA schools are compelled to allow an unrestricted name, image and likeness scheme, it would erase the critical distinction between college and professional athletics and, because it gives those schools an unfair recruiting advantage, would result in them eventually being unable to compete in NCAA competitions. These outcomes are untenable and would negatively

Backlash for the NCAA's "Day in the Life" Advertisement Resurfaces



Backlash for the NCAA's "Day in the Life" Advertisement Resurfaces

Alex Caruso @ACFresh21

Y'all paid the actors in this more than the real Student Athletes
twitter.com/NCAA/status/11...

NCAA @NCAA
Student and athlete — a day in the life.



179K 11:50 AM - Mar 19, 2019

38.7K people are talking about this

ccoffey @ccoffeyyyy

only a little concerned that the ncaa thinks this is how my days went
twitter.com/NCAA/status/11...

NCAA @NCAA
Student and athlete — a day in the life.



1,292 12:49 PM - Mar 19, 2019

122 people are talking about this

NCAA @NCAA · Mar 17, 2019
Student and athlete — a day in the life.



RJ Prince @rdprince64

Who made this 😂😂😂😂 I wish I had a day like this #NahB

1,736 11:06 AM - Mar 19, 2019

101 people are talking about this

- Video released during the 2019 March Madness tournament
- Resurface of advertisement aimed to reinforce NCAA core values
- Backlash from public → Labeled video as unrealistic, misleading, and unparalleled to reality of student-athletes

NCAA Response to Senate Bill 206 - Media Coverage



08:02
🔊 </>

NCAA Threatens To Bar California Colleges From Competitions Over Student Athlete Pay

New Bill May Allow Athlete Compensation

The NCAA suggests that college athletes in California may not be able to participate in championship games if state passes legislation to allow them to profit off their name, image and likeness.

CALIFORNIA DEFIES NCAA —

NCAA fights California over new law that helps athletes get paid

New state law says NCAA can't ban endorsement payments for student athletes.

JON BRODKIN - 9/30/2019, 3:08 PM

California vs. NCAA showdown over athlete endorsement money: now what?

SPORTS

NCAA warns California bill that would allow college athletes to be paid is 'unconstitutional'

The NCAA's Response to Bill 206, Cont.

- It explained that the bill would blur the lines between college and professional athletes.
- Would make Californian student-athletes “employees of the university”.
- “...would remove that essential element of fairness and equal treatment...”
- Signed by the NCAA's Board of Governors.

Sincerely,
Members of the NCAA Board of Governors

- Stevie Baker-Watson, DePauw University
- M. Grace Calhoun, University of Pennsylvania
- Ken Chenault, General Catalyst
- Mary Sue Coleman, Association of American Universities
- John DeGioia, Georgetown University
- Michael Drake, The Ohio State University
- Philip DiStefano, University of Colorado, Boulder
- Mark Emmert, NCAA
- Sue Henderson, New Jersey City University
- Grant Hill, CBS/Warner and The Atlanta Hawks
- Sandra Jordan, University of South Carolina Aiken
- Renu Khator, University of Houston

- Laura Liesman, Georgian Court University
- Ronald Machtley, Bryant University
- The Rev. James Maher, Niagara University
- Denis McDonough, Former White House Chief of Staff
- Tori Murden McClure, Spalding University
- Gary Olson, Daemen College
- Denise Trauth, Texas State University
- Satish Tripathi, University at Buffalo, the State University of New York
- David Wilson, Morgan State University
- Randy Woodson, North Carolina State University

The NCAA's Response to Bill 206 Passing

- After Bill 206 was passed, the NCAA released another letter to the governor and then to the public.
 - ◆ Because the NCAA had lost in the battle of public opinion, they agreed that changes needed to be made to help student-athletes.
 - ◆ This addressed the changing tide; many states had begun drafting bills like California.

NCAA statement on Gov. Newsom signing SB 206

September 30, 2019 10:44am

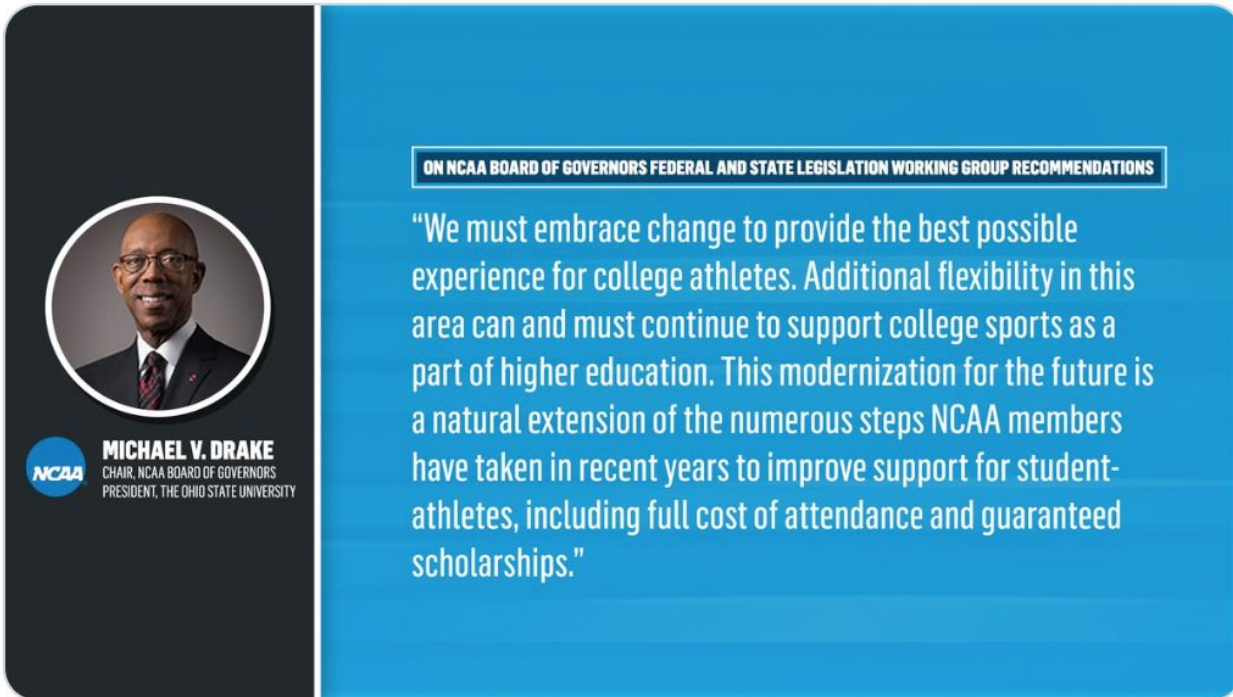
As a membership organization, the NCAA agrees changes are needed to continue to support student-athletes, but improvement needs to happen on a national level through the NCAA's rules-making process. Unfortunately, this new law already is creating confusion for current and future student-athletes, coaches, administrators and campuses, and not just in California.



NCAA  @NCAA · Oct 29



NCAA Board of Governors starts process to enhance name, image and likeness opportunities: on.ncaa.com/bog-nil



ON NCAA BOARD OF GOVERNORS FEDERAL AND STATE LEGISLATION WORKING GROUP RECOMMENDATIONS

“We must embrace change to provide the best possible experience for college athletes. Additional flexibility in this area can and must continue to support college sports as a part of higher education. This modernization for the future is a natural extension of the numerous steps NCAA members have taken in recent years to improve support for student-athletes, including full cost of attendance and guaranteed scholarships.”

 213

 1K

 1.7K




Update

- On September 30, 2019 NCAA issues statement
 - ◆ Bill provides California's 58 NCAA schools with an "unfair recruiting advantage"
 - ◆ Restricts future recruiting for institutions outside of the state of California
- Threatens to prohibit California from hosting national championship
 - ◆ Reasoning →
 - Local differences would "alter materially the principles of intercollegiate athletics"
 - The level of competition between California schools and other nation-wide schools would be uneven

Update

- October 29, 2019 → NCAA issued a statement supporting opportunity for “students participating in athletics to benefit from the use of their name, image and likeness”⁵
 - ◆ Letter recognizes:
 - Need to “embrace change within collegiate athletics”
 - Importance of NCAA remaining in control of new bylaws and policies
- NCAA seeks to transition from reactive & defensive position → proactive & offensive position
 - ◆ Statement aims to maintain NCAA at the forefront (in control) of this reform

Page Principles

- Listen to the consumer
 - Prove it with action
 - Manage for tomorrow
 - Remain calm, good humored and patient
- 

Discussion Questions

- 1) Do you believe the NCAA took this issue more seriously because the action stemmed from California?
- 2) How do you see the events in California impacting future student-athletes across the nation?
- 3) Do you think further compensation is required for student-athletes beyond the right to compensation for their name, likeness, and image?
- 4) Would the NCAA's letter statements have been more effective if they had been released on their social media platforms in addition to their website? Why or why not?

