

get fewer benefits but still pay the price. The hope or expectation of big returns from their athletic investment propels institutions forward in the arms race and obscures the reality of smaller returns most should expect.

Competition in the college sports business can be frustrating or disappointing when assessed with clear eyes. Even the elite big-time programs have difficulty retaining their top ranking year after year.⁸³ The ups and downs that individual big-time college sports teams experience over time do not bother the media, corporate sponsors, vendors, and merchandisers in the IGT. They will make money as long as the games they telecast and the branded clothing and equipment they sell continue to attract audiences and customers. Switching loyalties is part of their business model. If fan and customer interest no longer matches the projections and criteria of investors, they are likely to start backing away from their past levels of financial investment. When this happens, the financial foundation of big-time college sports will begin to crack, threatening the financial stability of the college sports business.⁸⁴

So far, investors have continued to invest increasing amounts in college sports.⁸⁴ This keeps adding fuel to the arms race. Institutions believe they need to spend more to have a better chance of competing successfully for the increasing rewards in the IGT. However, the arms race constitutes the ultimate financial athletic trap because the social psychology of ambition and the uncertainty associated with this competition do not encourage the sober reflection that could result in disarmament.

We see in the arms race in college sports the same kind of speculative mentality and emotionally driven decision making that characterized Wall Street before the dips and the big crash in the first decade of the twenty-first century. The rapture of irrational exuberance⁸⁵ about sports on college campuses has led many into the financial trap of the arms race and produced few of the anticipated or hoped-for financial returns for most of these schools. The financial threats to the big-time world of intercollegiate athletics are real and can be quite serious, at least for the less affluent members or the have-nots. However, along with these challenges to the stability of the college sports business, there are other threats.

The athletic trap can obscure or make it difficult to avoid problems representing the dark side of big-time college sports. Deviant behavior, corruption, and scandals repeatedly surface in big-time college sports. Irrational exuberance and the arms race may challenge the future financial viability of the college sports business as it currently exists, but publicity about social deviance can threaten the integrity and reputation of the institutions sponsoring these programs. College presidents can get caught up in these problems and even contribute to them. The problems they face when they venture into the dark side of college athletics are the focus of the next chapter.

Deviance, Corruption, and Scandals in College Sports

Revelations about illegal payments, cheating, exploitation of student-athletes, fixing, the crimes of athletes and coaches, and other transgressions in college sports have damaged the reputations of the deviant individuals and universities. Damaged reputations and NCAA penalties may have hurt these people and institutions for a while, but the star athletes and star coaches involved in these scandals usually have gone on with their careers without suffering any permanent blemishes or harm. The big-time universities caught up in these scandals also typically have bounced back from these embarrassments without losing their fan or financial base, except for the lost championship revenue or recruitment opportunities for the year or two they served their NCAA probation.

There is a well-established pattern at the highest level of college sport. Teams break the rules to get a competitive advantage, get caught after a while but not very often, pay the penalties for a year or two, then resume competing as if nothing happened. The cycle of cheating may resume as well. This deviance is normal in college sports. According to an analysis by *Inside Higher Ed*, nearly half (53) of the 120 universities at the top FBS level committed major rule violations between 2001 and 2010.¹ The result was fairly consistent with the previous two decades, but the number of institutions committing serious academic violations almost doubled from 8 to 15 between the 1990s and the 2000s.² Many of the violations concerned improper recruitment practices and excessive financial benefits for recruited or competing athletes. The academic violations included misrepresentation of academic credentials and the submission of papers essentially written by others, including academic support staff in some cases. The list of violators is significant not only because of the number of institutions on it but also because many of the institutions are academically well respected.³

The public seems to be aware of the deviance in college sports, and even self-described sports fans appear somewhat cynical about it. In a national Marist poll

conducted in March 2012, 56 percent of college football fans and 57 percent of college basketball fans said they believed that it was “a common practice” for college sports programs to break the rules in recruiting and training college athletes.⁴ The date of the poll is significant because it followed a couple of years with a spate of highly publicized scandals in college sports, including the Ohio State and Penn State scandals. It is not clear how much these scandals dulled the enthusiasm of college sports fans.

Deviance in college sports is treated by the press and the NCAA as especially unethical or immoral when the actions are serious and repeated, when the intentions of those responsible are viewed as malevolent, when institutional or academic integrity is substantially undermined, when crimes are committed, or when people are hurt. In these cases, the terms *corruption* and *scandal* are often used. Yet even when the NCAA has shut down incoercible programs with the “death penalty” or applied other severe sanctions, the schools and their reputations have eventually recovered. The Penn State sex abuse scandal seems different from normal deviance in college sports, though, as we discuss later in the chapter.

Although deviance in big-time college sports has different forms, all share a common root—the influence of the intercollegiate golden triangle. The IGT offers the possibility of big payoffs in money and prestige. The biggest rewards go to the biggest winners and the most respected brands at the top level of big-time college sports. It is very expensive to win consistently, build a school’s brand, and get these rewards. There are other costs, too, when schools want to win too much or become too protective of their brand and too willing to do whatever it takes to become or remain successful. This can be a path to perdition.

Presidents caught in the athletic trap may believe that they have an obligation to facilitate the success of their big-time football or basketball program. This can mean providing enough financial resources, hiring top coaches and athletic directors, making academic exceptions to admit outstanding athletes, or kowtowing to big athletic donors. It can also mean looking the other way when rules are broken or participating in cover-ups to protect the reputation of the athletic program and institution. When presidents and trustees want to win too much or enjoy basking in the reflected glory of a winning program, they may effectively give up their control over athletics to the people running athletics. Or they may find themselves at the mercy of wayward or misguided boosters whose only interest is having exciting and successful teams to watch. These situations are ripe for deviance, corruption, and scandal.

Three cases serve to illustrate different contexts and types of deviance. The first involves the University of Miami and shows the vulnerability of athletic programs with a history of big-time success. The second involves Binghamton University and is an example of what happens when a school tries to move up the big-time sports

hierarchy too quickly. Both of these cases are normal deviance in the sense that they have happened many times over the history of college sports. Sometimes the schools are repeat offenders, and sometimes schools are new at deviance. In either case, we have come to expect such behavior. An apparent escalation in the number and seriousness of rule-breaking cases in college sports in recent years has put substantial pressure on the understaffed NCAA enforcement division,⁵ and it caused the NCAA president to warn of tough new rules and sanctions for the rule breakers.⁶ His warning seemed hollow in the face of the University of Miami scandal, but an even more serious and entirely different type of scandal at Penn State posed a powerful and perhaps unprecedented challenge for the NCAA and big-time college sports. It is why I call this case exceptional deviance.

Wayward Boosters: The University of Miami Case

Universities and their athletic foundations actively court prospective boosters. They provide the money that fuels big-time college athletic machines. Nevin Shapiro had been a Miami Hurricanes football fan since his boyhood in Miami Beach and the glory days of the Miami program.⁷ After making money in real estate as a young man, Shapiro was able to afford the \$12,000 it cost to be an official University of Miami booster. This was in 2001, and in that year, he also became a “living scholar.” This was a university program, which was approved by the NCAA, that matched athletes with living scholar boosters who were supposed to be paying for the athlete’s scholarship. This was one of the few things that Nevin Shapiro did for Miami athletics that did not violate NCAA rules. What the university and the NCAA may not have realized at the time was that a Miami athlete was being paired with a convicted felon, who had pleaded guilty to felony assault in 1995.⁸

Among many violations, Shapiro reportedly provided thousands of illicit gifts to at least seventy-two Miami athletes from 2002 through 2010. His virtual crime wave in Miami athletics was not ended by a university or NCAA investigation, but instead by his arrest and incarceration for his involvement in a \$930 million Ponzi scheme. Investors thought their money was going into Shapiro’s grocery distribution business.⁹ The primary source of information about his NCAA infractions was Shapiro himself. He reportedly felt angry and vindictive toward the once beloved University of Miami when the Miami players he had befriended and given so many gifts failed to support or even have contact with him after his conviction.

Charles Robinson, an investigative reporter for *Yahoo! Sports*, had received a tip about Shapiro’s illicit involvement with Miami athletics while Shapiro was talking to federal prosecutors about a plea deal regarding his Ponzi conviction.¹⁰ He

heard that Shapiro was a partner in a Jacksonville firm of sports agents, Access Sports, at the same time he was a major Miami sports booster. This was a significant violation of NCAA rules. Shapiro was using his access to players to introduce them to partners in his firm. The reporter arranged a phone interview with Shapiro through his lawyer. At the time, Shapiro was being held in a county jail in New Jersey and had unlimited phone privileges. Robinson impressed Shapiro with his background knowledge and questions, which resulted in scores of phone calls and detailed information about what Shapiro did.

Shapiro estimated that the gifts he gave Miami athletes were worth millions of dollars; however, the gifts and other benefits were not limited to cash, and the beneficiaries were not just athletes. Athletic recruiters allegedly brought recruits to Shapiro's home or yacht so that he could promote the program and make their job easier. Many of his contacts with recruits violated NCAA rules. He claimed that he gave cash to athletes who needed the money, took high school prospects and Hurricane athletes to night clubs and strip clubs, paid for prostitutes for them, bought them meals and treated them to entertainment, let them stay on his yacht or in his home, and in one case even paid for an abortion for a dancer at a strip club whom a player had gotten pregnant. He gave the most talented athletes gifts of cash, jewelry, clothing, travel, and televisions as an inducement to get them to sign with his Access Sports agency.

The remarkable number of NCAA violations this one man perpetrated transgressed at least four NCAA bylaws, involving impermissible compensation to coaches, amateurism of athletes, improper recruiting, and extra benefits to athletes. While he was breaking NCAA rules, he was also making major donations to the Miami athletic program, including a \$50,000 check that Miami president Donna Shalala happily accepted during half time of a basketball game. His explanation for his impropriety was that he "did it because (he) could . . . And because nobody stepped in to stop me."¹¹ He developed what he thought were strong friendships with the athletes on whom he was lavishing his gifts. Once word spread that he was providing benefits to players, they began flocking to him for a share of his generosity. In an environment where money flows freely to everyone except athletes, wealthy boosters are happy to confer gifts. Since athletes are often from lower-income families, it is not surprising that they are drawn to gift givers and accept what they are given. Shapiro empathized with them.

Shapiro said it would not have been difficult for officials at the university to discover what he was doing, but he believed that they did not want to know. Both university and athletic officials valued his hundreds of thousands of dollars in donations and did not want to bite the hand that was feeding their athletic program.

They instead allowed him to lead the football team out of the stadium tunnel and on to the field, to fly on the team plane to an away game, and watch games from the sideline. He was a highly valued asset in Miami athletics. Of course, the money he was donating was tainted, coming from his illegal Ponzi scheme.

Under pressure from the NCAA, eight Miami players who admitted to taking improper benefits were declared ineligible by the university and were expected by the NCAA to repay the benefits.¹² This was the deal the university worked out with the NCAA in the hope that the players would regain their eligibility in time for the upcoming season.¹³ However, these penalties do not reflect the extent of the scandal or the number of people and amount of money involved in it. The University of Miami told the press it was fully cooperating in the NCAA investigation, and it claimed ignorance about Shapiro's assorted and numerous misdeeds. The university may have been reluctant to be totally transparent, though, because if the NCAA was able to corroborate all of Shapiro's allegations, it would place the university in jeopardy of more serious NCAA sanctions.

The ease with which this overzealous booster was able to engage in repeated NCAA violations for almost a decade demonstrates how vulnerable established big-time athletic programs are to outside interference and how limited NCAA enforcement efforts are. For the University of Miami, though, breaking NCAA rules was not new. It appears that its past experience had not made it more vigilant in its effort to prevent future transgressions. The NCAA sanctioned Miami in 1981 and 1995 for wrongdoing in football, including a Pell Grant scam in 1995. In 2003 it was again put on probation and lost scholarships for actions in baseball. *ESPN* writer Pat Forde compared the pattern of repeated scandals and at Miami in particular to a wheel that keeps turning around and returning to where it had been.¹⁴ He called it a "wheel of scandal." Forde suggested that schools like Miami were caught in cultural cycle they did not seem able to escape. The driving force was a love of football coupled with high expectations among fans and people at the university tied to or depending on football success.

In 1995, the longtime Miami president Edward Foote declared, "If something is broken, we will fix it . . . I believe and predict that the difficulties [in our athletic program] that have plagued the [football] team in the past are history." In 2011 Foote's successor, Donna Shalala asserted that, "I have no tolerance for breaking rules."¹⁵ Miami athletic director Paul Dee ironically criticized the University of Southern California in 2010 for its scandal involving illegal payments to players. As chairman of the NCAA committee on infractions, he pointed to "systematic failure" at USC, and said that "High-profile players demand high-profile compliance," as he announced the sanctions USC would face.¹⁶

It appears that public assertions by top university officials do not have much influence on the cycle of conventional corruption in big-time college sports. One might have thought that President Shalala's prior experience in higher education administration at a BTU (University of Wisconsin) and her years in Washington, D.C., guiding the Department of Health and Human Services through the turbulence of welfare reform would have inoculated her against scandals in college athletics. What her experience taught her was how to manage a crisis but not how to avoid it.¹⁷ She resisted calls for her resignation and for punishing football more harshly and continued on with her agenda of elevating the status of the university and pursuing a billion dollar capital campaign. Although she said her university would cooperate with the NCAA investigation, she was careful not to supply too much fuel, since Miami hypothetically could face severe sanctions as a repeat offender, including the so-called death penalty—suspension of the program for one or more seasons.

The case of the University of Miami shows how the athletic trap can get universities involved in trouble. Presidents know that the cultivation, care, and feeding of wealthy donors is part of their job description. Turning their back on athletics is rarely an option at such schools as the University of Miami, with a history of being at the top of big-time college football, a legacy to protect, and rabid fans to satisfy. Because of the amount of money required, generous boosters are an important part of the equation of success. Presidents, like politicians, may be reluctant to look too closely at the character of their donors and risk losing their support.

Thus, the Miami case illustrates how the need for money can influence how big-time athletic programs conduct their business. They attract big-time donors who sometimes engage in big-time NCAA infractions. The fact that Nevin Shapiro was also a criminal shows that there are unsavory characters who love sports and want to get closer to the action. This implies the need for extra NCAA and institutional scrutiny when large sums of money come from individual donors. The dilemma is that schools are reluctant to question the character of donors willing to invest large sums of money in their athletic program and the NCAA does not have the staff to scrutinize every big-time donor in college sports.

Striving and Deviance in College Sports: The Binghamton Case

Lois DeFleur worked her way up the career ladder in higher education. She went from sociology professor to provost to president. When she became president of Binghamton University in 1990, she assumed leadership of a respected public doc-

torial research university with modest athletic aspirations that competed at the Division III level. Yet DeFleur was ambitious and wanted to increase the prestige of her institution. Elevating the status of athletics was part of her agenda. She wanted her school to be at the same level academically and athletically as its peer institutions in the SUNY system.¹⁸ Many faculty members did not share DeFleur's enthusiasm about having a more competitive and commercialized sports program. She pushed on, though, ignoring opposition from the faculty senate. In 1998 the athletic program achieved Division II status, and in 2001 it was competing at the Division I level. Although not everyone was happy about it, Binghamton had achieved what the president wanted in its rapid rise up the ranks of the NCAA.¹⁹

There were several concerns. Along with the issue of compromised academic standards, there was the increased investment that a big-time athletic program would require. An example was the expenditure of \$33.1 million to build an events center, which was completed in 2007 and served as the new home for the basketball program. Binghamton also hired a new and more expensive men's basketball coach with an excellent sports pedigree as an assistant coach at big-time Georgetown but with less stellar credentials in recruiting athletes who were serious students.

Questions were soon raised about the recruits he brought to Binghamton. They were very good basketball players, but they had problems in the classroom and with the law. An adjunct professor, Sally Dear, complained that pressure from the athletics department to change her grading policy for basketball players made her feel like she was being harassed. After she complained, she was not assigned classes for the following semester, ostensibly as a part of university cost cutting. She felt like she was being punished for telling the truth about a sacred cow on campus, much like whistle-blowers often are. In addition, the former faculty athletics representative (FAR) was worried that the university was watering down its academic admission standards to allow star basketball players to be admitted. The FAR had served in this position for ten years but was replaced after the basketball coach was hired. In fact, the admission standard for men's basketball appeared to be lower than for other sports. It seemed evident that the path was being cleared for the basketball coach to run his program in the way he thought it needed to be run.

A philosophy in basketball that focused single-mindedly on winning was very different for Binghamton and was out of sync with other members of its athletic conference, the America East. The FARs in this conference were more likely to aspire to be like Ivy League or Patriot League schools than schools in a higher-pressure big-time conference. However, the dream of the Binghamton president, athletic director, and basketball coach was to compete against big-time teams in the NCAA tournament and enjoy more visibility for its basketball team and the university.

There were obvious signs of danger for Binghamton in its rapid rise in the NCAA and in its lofty aspirations. In 2009 Binghamton's sports dreams turned into a nightmare. The 2009 season ended with the excitement of participating in the NCAA tournament for the first time, and coach Kevin Broadus was rewarded with a five-year contract extension. However, a few months afterward, things began to unravel for both the coach and his program.²⁰ As the fall semester was beginning, one of his star players was arrested and charged with selling cocaine. As a result, he was dropped from the team. Two days later, the university dismissed five other players (three returnees and two new members) for unspecified misconduct. The media also began to focus on Sally Dear's problems with the basketball team and her termination.

The combination of these events and questions about lowered academic standards prompted the Board of Trustees of the State University of New York (SUNY) to engage a law firm to gather facts about the case and to make recommendations to the board.²¹ President DeFleur publicly supported this independent audit as a way to restore integrity to her institution and confidence in the athletic program. The report was written by Judith Kaye, former chief judge of the New York Court of Appeals and cost SUNY and Binghamton nearly \$1 million.²² It presented findings and made recommendations regarding admission standards, support services, responses to allegations of misbehavior, the Sally Dear allegation and aftermath, the oversight of the basketball program, and the role of a faculty committee and the athletic board in oversight and control of athletics. It was probably not a coincidence that Sally Dear was rehired on the day when the SUNY audit was announced, although she was assigned to a different department.

The findings of the Kaye Report suggest numerous questionable practices regarding the basketball program. Many were departures from established institutional standards and policies. In combination these practices led to corruption of the university's academic and athletic reputation. For example, many of the top basketball recruits were academically underqualified, and some had a history of behavioral problems at other institutions. When members of the admissions staff resisted efforts to bring in the least qualified of these athletes, they were strongly opposed by the coach and athletic director. In one case, university administrators reversed a rejection decision regarding a basketball player. Concerns expressed by the athletics compliance director about irregularities in admission procedures were ignored. Binghamton officials said that accepting minority athletes was part of their effort to add diversity to the student body. However, the university had an inadequate support structure to help academically at-risk student-athletes to succeed. Furthermore, it appeared that Coach Broadus had much less interest in giving minority athletes

a chance for a college education than in getting highly talented minority athletes to play for his team.

The Kaye Report also pointed to a culture created by the coaching staff and athletic administration at Binghamton that emphasized damage control at the expense of "constructive discipline and personal responsibility." That is, the university seemed much more concerned about reducing public relations fallout than about articulating and enforcing a code of appropriate conduct in athletics. This culture may be part of the explanation of the treatment of Sally Dear. Judge Kaye also suggested that the problem in the Dear case was less about whether her allegations were true than about how the university responded to her. It did not seem to take her allegations very seriously and tried to dismiss them and then her. The judge was concerned that this process of handling such complaints could make other faculty members with grievances reluctant to express them. In fact, the culture of big-time college sports is not about due process or fairness in handling complaints or grievances. It is about unqualified support for the success of the big-time sports teams. This is an implication of the athletic trap, which involves real and perceived obligations for presidents and other administrators to try to help big-time athletic programs to be as successful as possible.

Once the Binghamton administrators decided to make the move to the big-time in athletics, they were trapped. They made the promises, investments, and other commitments to compete and succeed at this higher level of sport. Then they had to try to fulfill them. The Binghamton case became a scandal because, over and over again, the university administration gave in to the wishes of the athletic department and basketball coach and was unintentionally or intentionally blind to indications of possible problems in basketball. As a result, institutional integrity and the integrity of the athletic program were seriously undermined. The president, trustees, and athletic director wanted too much to join the athletic big time and enhance the university's brand through sport. This motivation explains the willingness to allow the basketball coach to do what he thought he needed to do to succeed. Ceding this control along with a general lack of oversight of the basketball program allowed the basketball program to spin out of control and get into trouble. For these reasons, the Kaye Report recommended creating bigger roles for the faculty senate athletic committee and the athletic department's athletic board in oversight of athletics and having SUNY consider appointing an athletic oversight officer for the more competitive athletic programs in the system.

The obvious implication of this recommendation is that Binghamton was responsible for its athletic program, but another implication is that the SUNY system

should have some accountability for the things that happen in athletics among its member institutions. This broader concept of the scope of accountability in higher education systems is especially interesting when we think of it in relation to the public universities that play at the highest level of college sports. We could expect much resistance from individual institutions in the name of protecting institutional autonomy. However, when things get out of control, as they too frequently do in college sports, the normal rules no longer seem to apply.

At the level of the strivers in big-time college sports, such as Binghamton, the risk of deviance seems especially acute. These institutions need to win and win relatively quickly to quiet the critics and justify the significant financial and administrative commitments required to succeed at the Division I level. Among the twenty-four schools that moved up to Division I between 2000 and 2009, five were sanctioned for major NCAA violations in various sports.²³ There was evidence from text messages to prospective recruits that were reviewed by the NCAA infractions committee that these institutions were not ready to participate in big-time sports.

A common theme found by the committee in these cases was that these schools were small and had inadequate staffing and funding to play at a higher level. Such is the lure of big-time college sports, though. Highly educated and intelligent decision makers forsake their usual rationality and make decisions guided by hopes and dreams. They make bad financial and administrative decisions and academic compromises to fulfill these hopes and dreams. In this process, they seem to forget that their primary mission is to educate. The commissioner of the mid-major Colonial Athletic Association commented that strivers may be impulsive in allowing aspirations to get ahead of reason. In a desperate effort to succeed, schools admit student-athletes that are not good academic or social fits for the institution, and ultimately "it all crashes and burns."²⁴ Thus, what happened at Binghamton was part of a pattern. This is normal deviance at the level of new and striving big-time athletic programs.

It happens among strivers at higher levels of big-time college sports, too. Boise State had been piling up wins in its football program and knocking on the door of the football elite. It kept making its case for a chance to play in the BCS championship game and considered conference churning as a strategy to join the elite. Apparently, it also stretched the rules in pursuing its ambitions, since it was penalized in 2011 for NCAA violations in five sports, including football.²⁵

The president, provost, athletic director, and basketball coach at the center of the Binghamton scandal have all been replaced, leaving a tainted university and athletic brand in their wake. A striking consequence of the scandal is that the basketball program went from a first-ever appearance in the NCAA tournament just before

the scandal was uncovered to declining success over the next three seasons and the futility of struggling to win a single game less than two years after the coach resigned.²⁶ Thus, coaches who recruit star athletes with dubious academic credentials and criminal histories can win big. However, the gains in exposure and prestige for striving institutions are quickly undone when the publicity turns negative, as it did at Binghamton.

An irony of this case is that after causing serious damage to their institution and costing it money as well as embarrassment, all of the major players who lost their jobs had a very soft landing. The president enjoyed a substantial pension after twenty years in her position. The athletic director, Joel Thirer, reportedly made over \$195,000 as a tenured professor the year after his resignation, more than he earned as athletic director. He was installed in the Binghamton Hall of Fame in 2011. The coach did even better. After an extended suspension, he received a \$1.2 million buyout of his contract.²⁷

Exceptional Deviance in Big-Time College Sports: The Penn State Case

Even though the details of cases of deviance like those at the University of Miami and Binghamton University may be very troubling and taint the reputations of these institutions, these kinds of cases have become predictable as normal deviance and thus, somewhat muted in their effects on college sports. The critics express outrage and call for radical reforms or even the end of big-time college sports. The public, fans, and alumni may for a while feel some disappointment or disillusionment with the schools involved. The NCAA applies sanctions to punish the wrongdoers and to demonstrate they still have big-time college sports under control. University and athletic officials promise they will make changes to assure these kinds of acts will not happen again under their watch. The faces may change at the guilty institutions, but the IGT does not go away, and big-time college sports live to play another day with little permanent scarring to show from these scandals. As normal deviance, this is business as usual in big-time college sports.

The same cannot be said for the Penn State case. It is exceptional deviance. Many of the details of this sordid case are widely known because they were revealed in the highly publicized 267-page report of the Special Investigative Counsel (SIC) commissioned by the Penn State Board of Trustees.²⁸ The independent investigative team was led by former FBI director Louis Freeh, whose name is associated with the report. The SIC was asked by the Penn State trustees to uncover the facts, explain what happened, and help the university avoid these kinds of problems in the

In the culture of reverence at Penn State, Joe Paterno reigned supreme. His power is illustrated by the attempt by the president and athletic director to fire him in 2004. He was seventy-seven years old, and his team had a 3–9 record the previous season. Coaches of big-time programs that do as poorly often are asked for their resignation. Because Paterno did not want to step down, his “bosses” decided not to argue with him. He continued to coach and build his legacy, and in 2011 he was the winningest coach in big-time college football history. When his teams began to win again, his status and power were further reinforced.

Joe Paterno was not exactly the man he appeared to be, and the football program was not what it appeared to be. His authority allowed him to circumvent normal campus disciplinary processes and mete out whatever punishments he thought were appropriate when his players transgressed. While they were never caught violating NCAA rules, they were not angels. An ESPN report revealed that forty-six of his players had been charged with a total of 163 crimes from public urination to murder between 2002 and 2008, and *Sports Illustrated* reported in 2011 that among its top twenty-five teams, Penn State tied for the fourth-highest number of arrests, with sixteen players on the 2010 opening-game roster having been charged with a crime.³⁵ Paterno and Penn State publicists worked hard to shield the football program from adverse publicity for this kind of behavior. Protecting the reputation of its coach and his cash cow of a program was paramount.

At the end of his life, which came relatively shortly after he was fired, Paterno continued to defend his team and its legacy. In a letter to ex-players he wrote after the exposure of the scandal, he said, “This is not a football scandal and should not be treated as one.” He argued that the history of his program belied the idea that this was a Penn State football scandal and asserted that the critics were “unfairly besmirching both a great university and the players and alumni of the football program who have given of themselves to help make it great.”³⁶ The letter entirely misses the point that this was a Penn State scandal because he and other campus leaders failed to act responsibly in addressing the seriousness of Sandusky’s abusive behavior.

The irony of the Penn State case is that the football program did exactly what presidents and trustees promise big-time sports will do. Football success bumped up the university’s prestige and helped turn it into a world-class university by making it more visible and inspiring more alumni and financial support. In the end, however, the football program and its head coach became self-serving, unaccountable, and morally corrupt in protecting what had been wrought from sports success. Thus, it fell farther and harder than programs that had not achieved its level of success.

The Aftermath of the Penn State Scandal

With less provocation than in the Penn State case, critics have called for the elimination of programs that have engaged in serious or repeated normal deviance.³⁷ The exceptional deviance at Penn State was arguably more serious and outrageous than these other cases, but it did not bring an end to Penn State football, as some critics demanded. Although the NCAA did not impose its death penalty and take the team off the field for a season or more, it applied unprecedented sanctions. The NCAA response was prompted by the powerful indictment of the program presented in the Freeh Report. It condemned the university’s leadership, its culture of reverence, and the actions and inactions of Joe Paterno.

The conspirators were fired or forced to resign. President Graham Spanier and Coach Paterno were fired, and Gary Schultz, the senior vice president of finance and business, and the athletic director Tim Curley resigned. Spanier, Schultz, and Curley all faced criminal charges for lying to a grand jury, obstruction of justice, endangering the welfare of children, and criminal conspiracy.³⁸ Paterno might have been indicted as well, but he died before any action could be taken. Still, his legacy and good name were severely tarnished.³⁹ Sandusky was sentenced to thirty to sixty years for his crimes.⁴⁰ The victims of Sandusky’s abuse paid a much higher price, though.

While many of the Penn State faithful rallied around their coach and school even after the release of the Freeh Report,⁴¹ public reaction was generally much more negative outside the Penn State family. In one national poll by *USA Today* and Gallup about a week after the story got into the press,⁴² two-thirds of those following this scandal agreed with Penn State’s decision to fire Joe Paterno. In addition, 59 percent of the respondents said the Penn State football program “had become too powerful,” while 24 percent thought it had kept the program within appropriate limits. Although only 14 percent thought the university should cancel the remainder of its season, one-third indicated that the scandal had given them a more negative view of the university as a whole.

Another national poll conducted by Widmeyer Communications around the same time revealed widespread negative opinions about Penn State as a result of the scandal.⁴³ It also revealed questions about big-time college sports in general. One finding was that 67 percent of the respondents said that Penn State’s handling of the “child sexual abuse controversy” was very or somewhat similar to the way that the Catholic Church had handled previous child sexual abuse cases. Another finding was that 83 percent of respondents believed the culture of big money in Division I college

sports in the past two decades was a large or moderate factor in the delayed response of Penn State officials to the Sandusky case. Sixty percent said it was a large factor. In addition, 72 percent thought that Division I college athletic programs had too much influence over college life. There was an even split among those who would discourage and those who would not discourage their child from attending a Division I school that placed a strong emphasis on sports. Forty percent said they were very or somewhat likely to discourage their child from attending a BTU, while 41 percent said they were very or somewhat unlikely to discourage such attendance.

The Widmeyer poll also asked respondents to indicate the advice they would give to the NCAA for handling this case: 15 percent said the NCAA should bar the football team from conference play in the next season; 15 percent said the football program should be shut down in the upcoming season; 18 percent said Penn State should be banned from postseason bowl games for the current 2011 season; 14 percent said the team should not be allowed to play in the postseason in 2012; 13 percent said Penn State should be banned from postseason bowls for five years; and 37 percent said no NCAA sanctions were needed. The pollsters did not ask how the NCAA should treat the institution if it were the one the respondent rooted for.

Whether or not the NCAA took the public pulse in weighing its options, NCAA president Mark Emmert was surely aware that there were many people in the public, the press, big-time college sports, and especially at Penn State anxiously awaiting his organization's response. After facing much criticism over the previous two years for a spate of high-profile scandals at institutions including the University of Southern California, Ohio State University, the University of Miami, and the University of North Carolina, the NCAA might have felt it was facing a trial of leadership. Its hold over college sports and football in particular had been undermined by the rising power of the conferences and the BCS. Some questioned its future role in big-time college sports and whether it could keep it under control.

In a Public Broadcasting System (PBS) interview with Tavis Smiley after the release of the Fresh Report, NCAA president Emmert said that this case was unlike any other in the history of college sports.⁴⁴ It went to the core values of college sport, he asserted. He then affirmed the NCAA's commitment to the values of the collegiate model and lamented how far Penn State had strayed from it. College sports scandals often seem to produce ironies, and Emmert's comments suggest at least two. First, Penn State had not violated any NCAA rules in this case or in the past under the leadership of Coach Joe Paterno. Second, Penn State under Paterno's leadership had long been viewed as the embodiment of all that was good about big-time college sports.

Emmert nevertheless was determined to hold Penn State accountable to the

NCAA. With the blessing of the NCAA executive committee, he acted quickly and decisively. He used the Fresh Report as the basis for his decisions. The death penalty had been on the table, but the new Penn State president argued strongly against it and convinced the NCAA to impose lesser punishments. It is not clear, however, how much less severe these punishments were. There were five major sanctions: (1) a \$60 million fine, with the money to be used for an endowment for victims of child sexual abuse; (2) a four-year ban on postseason competition; (3) a five-year probation for the athletic department; (4) a reduction of ten grants-in-aid per year over four years; and (5) the vacating of 111 football victories since 1998, when Joe Paterno first became aware of allegations against Sandusky.⁴⁵ The \$60 million was estimated to be the approximate amount of money Penn State earned from football in a year. Penn State's conference, the Big Ten, added its own financial penalty, withholding \$13 million in conference revenue over four years. This money was to be used to help victims of abuse. Current members of the football team would be allowed to transfer without sitting out a year. Penn State president Rodney Erickson accepted the consent decree stipulating these conditions because it kept his football team on the field.

The \$60 million fine was widely seen as the harshest of the penalties. It went beyond the corrective and punitive sanctions the NCAA customarily imposed. In effect, it represented a form of community restitution, according to *Sports Illustrated* writer Alexander Wolff.⁴⁶ Although this is a big number, it should be put in perspective. First, Penn State ranked third, behind Texas and Notre Dame, in *Forbes* Magazine's 2011 rankings of college football's most valuable teams.⁴⁷ Equity in Athletics Data generated for the U.S. Department of Education indicated that in the 2010–2011 academic year, Penn State football produced \$72.7 million in revenue and cost the university \$19.5 million, which resulted in a surplus of more than \$53 million. Total revenue for Penn State athletics that year was \$116.1 million and the overall surplus was \$31.6 million. No university subsidy was provided for athletics at Penn State. These figures show how important Penn State football was to the athletic program and university. It subsidized other programs and still produced a “profit” for the university. Thus, the fine and the other penalties suffered by football promised to cut significantly into athletic revenue and cost the university a great deal of money.

Despite the harsh NCAA sanctions, Penn State retained its place in the elite of college football. Although some of its players departed in the aftermath of the scandal and the team struggled in its first two games of the 2012 season under its new coach, it ended its season with a record of 8 wins and 4 losses and a second-place finish in its division of the Big Ten. Parenthetically, it finished behind undefeated Ohio State, which was also ineligible for postseason play as a result of NCAA sanc-

tions. As a university, Penn State was less damaged by the Sandusky scandal and the NCAA penalties than some observers had predicted. In the ensuing year, enrollments increased, donations remained strong, and the university made substantial progress in the governance and oversight changes that had been called for by the Freeh Report.⁴⁸ Its image may have been initially tarnished for many people, but its athletic and institutional "recovery" after the scandal demonstrates the resilience of big-time college sports in the face of even the most horrible kind of scandal.

Penn State's lawyers presented arguments in its defense to help mitigate NCAA sanctions and avoid the death penalty. These arguments included the university's commissioning of the Freeh Report; waiving attorney-client privilege; trustees' acceptance of responsibility for its lack of oversight; severed ties with Paterno, Spanier, Curley, and Schultz; Penn State's clean prior record with the NCAA infractions committee; the huge financial cost of penalties Penn State would be paying to the NCAA, the Big Ten, and civil litigants; the university's commitment to implement all or nearly all of the 119 reform recommendations of the Free Report; and the additional harm a death penalty would cause for many innocent people not involved in the scandal.⁴⁹ The innocents included current players, the new coaching staff, and the residents of central Pennsylvania who lived and worked in the shadow of Penn State and depended on it for their business and entertainment. The hundreds of thousands of Penn State alumni could also be added to this list, since their pride in their alma mater could have become shame for many.

The NCAA might have decided against the death penalty for other reasons as well. It might have been concerned about the loss of TV and other revenue Penn State opponents would have experienced if they did not get to play Penn State. Mark Emmert surely was appalled by Penn State's behavior in this scandal, but his job still required him to protect the commercial interests of the NCAA and its other member institutions in the IGT. Thus, talk about the preeminence of the values of the collegiate model was at odds with the fundamental reality of big-time college sports that the commercial model and ties to the IGT are paramount. Without them, big-time college sports cannot exist. This is notwithstanding the many years that Penn State appeared to contradict this assertion.

The Penn State case reveals the bizarre way in which the athletic trap can make BTUs vulnerable to deviance but also protect them from the worst consequences that could result from being caught. The deeply embedded and powerful culture of football and its athletic and financial status explained the unwillingness of university officials to acknowledge Sandusky's behavior. They seemed to see this case only in terms of protecting the brand of the football program and the university. The athletic trap shaped their perceptions. On the other hand, the athletic trap also

involved long-established football traditions and enduring and entrenched relationships and commitments at Penn State that bred a deep loyalty in the Penn State community and among fans.

The Penn State case also involved a web of financially remunerative relationships in the IGT and for the NCAA that seemed to insulate it from the worst sanctions. The NCAA president believed he had to act decisively in this case, but he also did not want to act in a way that damaged the NCAA brand or its lucrative relationships in the IGT. The athletic trap created a tighrope that Mark Emmert had to walk carefully to protect the image of the NCAA and big-time college sports but also allow Penn State to survive as a big-time power in college football. Thus, it appears that the athletic trap may help the biggest of the BTUs to endure egregious moral lapses and serious sanctions. They may be too established to fail, much like the big banks on Wall Street after the financial collapse of the past decade. The full story of the Penn State scandal will take many years to write. As the aftermath of the scandal continued to play itself out, the university had to deal with legal and financial repercussions and had to persuade its accrediting body that it should not lose its accreditation.⁵⁰

The Athletic Trap and Corrupted Values

Even though the Penn State scandal is not a typical case of deviance in big-time college sports, its lessons are important for those participating at this level of college sports or wanting to become part of it. It constitutes immorality as well as criminality and shows how infatuation with big-time sports success and its heroes can lead otherwise responsible people to make some very irresponsible decisions. Once in the athletic trap, presidents, athletic administrators, coaches, athletes and their families, and boosters who decide to go down the path of deviance find it difficult or impossible to acknowledge their wrongdoing without some negative repercussions.

When the reputation of a big-time sports program is threatened by possible revelations of wrongdoing, a culture of reverence can morph into a culture of damage control. The culture of reverence tightens the grip of the athletic trap and can subvert the procedures that universities are supposed to follow to handle institutional problems. At Miami, Binghamton, and Penn State, university officials used various strategies to minimize the damage to their institutions' public images. These three cases collectively suggest that damage control is a typical part of the dynamics of handling both normal and exceptional deviance in big-time college sports. Evidence from other institutional spheres beyond athletics and higher education indicates that this strategy is widely used whenever preserving the organization's reputation is

more important than redressing harm caused by the organization. Concerns about reputation, liability, and the bottom line overshadow concerns about victims. The Penn State case showed that administrators who orchestrate damage control efforts for their institution may be unable to protect their own jobs. They are blamed and cast out by trustees or other higher authorities as part of a purge to purify the institution and restore its good name.

There are some cases of presidents and trustees who have tried to resist the corrupting influence of the athletic trap and stand up for the integrity of their institution. For example, they have tried to rein in successful coaches who have gotten out of control or shut down out-of-control programs. In taking these actions, they have outraged alumni and fans and received hate mail and some death threats. One case involved the late NCAA president Myles Brand when he was president of Indiana University. He fired basketball coaching legend Bobby Knight. It was 2000 and after Knight had crossed the line one time too many in a series of abusive actions toward players, the media, and Indiana students. Although Myles Brand accomplished many things in academe and gained a lot of notoriety as NCAA president, this one act may be what the public most remembers about him.⁵¹

A case at the University of Cincinnati involved trustees pushing the president to get a successful but wayward coach under control. When Nancy Zimpher was hired by the University of Cincinnati, she was instructed by the trustees to do three major things: improve the school's image, get the budget under control, and get the basketball coach under control.⁵² The coach, Bob Huggins, was very successful and popular with fans, but he had a reputation for having players who got into trouble with the law, for not caring about their academic shortcomings, and for outbursts on the sideline. His arrest for drunken driving, which was recorded on videotape, shortly after Zimpher arrived on campus resulted in a forced leave and a warning from the new president. Unsatisfactory contract negotiations over the next year led to an ultimatum from the president: resign or be fired. He left in 2005. An interesting postscript to this case is that Nancy Zimpher went from Cincinnati to the position of SUNY chancellor, where she faced the Binghamton scandal and commissioned the independent audit of it.

Tulane president Eamon Kelly shut down the Tulane basketball program in 1985 in a point-shaving case.⁵³ The case involved five players, and money and cocaine were allegedly at the heart of the scandal. For the Tulane president, it was more important to uphold the academic reputation of the university than to allow its basketball team to tarnish it. In a familiar story, the players did not meet the usual high academic standards of the university. They were there to win basketball games

and enhance their career prospects. Despite the gravity of this case, there were still some angry alumni who did not want to see the basketball team eliminated.

The rest of these stories is that Bobby Knight and Bob Huggins got lucrative jobs elsewhere, and Tulane eventually restarted its basketball program. Although Joe Paterno and the presidents of Penn State and Binghamton lost their jobs following the scandals on their campuses, the Miami president hung on to hers, and the new football coach is trying to run a successful and clean program.

The Descent into Deviance and the IGT

Many scandals develop in college sports because presidents and trustees become unwitting, and sometimes calculating, conspirators in the processes of deviance and corruption that enable scandals to arise and fester. They do not pay enough attention to what is happening in their athletic program. They defer to the judgment of self-serving athletic directors and coaches and approve the admission of athletes with histories of academic and disciplinary problems and brushes with the law. They gladly accept the involvement and contributions of boosters who may not have the best interests of the university at heart. Boosters and athletic foundations may influence the recruitment and admission of athletic prospects, the selection of coaches and athletic directors, and the amount invested in athletic programs and facilities. Allowing boosters to have these kinds of influence undermines normal governance processes and can result in significant breaches of institutional integrity. The apologies that presidents sometimes make to boosters who feel ignored or underappreciated can be embarrassing for university leaders when they are reported in the press. However, these stories reveal the grip of the athletic trap.

The athletic trap can also influence hiring decisions in athletics. In their zeal to get basketball coaches who promise to make big-time teams big winners, presidents and athletic directors hire coaches with checkered ethical records. They pay big money for star coaches and coaches on the ascent. John Calipari, the basketball coach at the University of Kentucky, is an example of one the biggest winners in the star wars arms race. Kentucky has a rich tradition in men's basketball, and its boosters expect national championships. They had won seven before Calipari's arrival, the second-highest number in Division I behind UCLA. When his team won the national championship in 2012, he was rewarded with a salary boost. His estimated total contract of \$5.4 million was only slightly less than the salary of the Alabama football coach, who was best-paid coach in college sports in 2012.⁵⁴

In hiring Calipari, though, Kentucky overlooked some significant blemishes on

his record. He had been the basketball coach at Massachusetts and Memphis before moving to Kentucky, and both schools had their Final Four appearances during Calipari's tenure vacated as a result of NCAA rule violations. Furthermore, he allegedly has had recruiting help from a questionable figure who was believed to befriend players and point them toward specific schools and agents.⁵⁵ Both Memphis and Kentucky defended their choice of Calipari because he eluded NCAA censure for his own actions, despite the trail of corruption he left behind each time he moved up the coaching ladder. However, he did not escape the reproach of his coaching peers, who voted him the "biggest cheater" in their sport in a 2012 CBSSports.com survey.⁵⁶

Even if Calipari was not as guilty of cheating as many of his peers assumed, he gave critics additional fuel with his "one and done" approach to recruiting. His star recruits had a history of playing one year of big-time college basketball and leaving school to pursue professional basketball careers. NCAA president Emmert did not like this practice because he said it created "the wrong type of environment for us. If you're coming to us to be a collegiate athlete, we want you to be a collegiate athlete."⁵⁷

Calipari has criticized the NCAA president for suggesting that athletes not interested in being serious students should not play college sports. Calipari said it sent the wrong message to young and aspiring athletes who would pay even less attention to their studies if they could skip college and go into the pros. Calipari's comments seem more self-serving than altruistic, though, because it is more important to him as a coach to have access to a pool of talented players, even for a year, than to have his players complete their college education.⁵⁸ For all the criticism he has received, though, his approach is totally consistent with the philosophy of big-time sports in the IGT, highlighting entertainment, winning, and making money from sports success.

This philosophy of big-time college sports reflects the commercial model. Its ascendancy over the collegiate model is a fundamental reality of big-time college sports that the NCAA and college presidents rarely acknowledge. By embracing the commercial model even as they extol the collegiate model, presidents of BTUs put their institutions and themselves at risk of getting caught up in the arms race and being involved in various forms of deviance. They hire coaches such as John Calipari and pay them huge salaries despite questions about their character and values. BTUs want winners, and winners are rewarded, even when they put their schools at risk of NCAA sanctions.

The lack of genuine commitment to the collegiate model is why college presidents and the president of the NCAA are accused of hypocrisy. The potent influ-

ences of the commercial model and the athletic trap can make it seem difficult or impossible to follow through on commitments to the collegiate model. By failing to follow through on these commitments, presidents allow athletics to take over the academy. In such cases, the athletic trap exerts a powerful grip over decision making about athletics, and at the same time a culture of reverence reinforces athletic commitments. Athletics takes down the academy when university officials seem powerless to stop corruption and scandals and even take an active part in them. When this happens, we read about the "shame of college sports." This is the title of a controversial article in the October 2011 *Atlantic Monthly* by respected historian and Pulitzer Prize-winning author Taylor Branch,⁵⁹ and it appeared *before* revelations about Penn State surfaced.

The descent into deviance often begins with the lure of the IGT and its promised rewards, which can weaken commitments to the collegiate model, core academic values, and institutional integrity. This process of corruption is difficult to escape once it becomes embedded in the athletic trap as normal deviance. Doing whatever it takes to win and succeed in the IGT can lead to overlooking the rules in recruiting, tampering with student records, giving improper academic assistance to marginal student-athletes, and hiding the misdeeds of coaches and athletes. In addition, with more money and attention attracting more disreputable characters, athletes may be tempted by under-the-table cash and other gifts or even get involved with gamblers and fixers and alter their performance to beat the betting line. As long as no one is caught, this behavior is likely to continue.

When wrongdoing is discovered and publicized, penalties are imposed, reputations of individuals and institutions are tarnished, and the course of athletics, at least for a while, can change dramatically. Institutions at the top of the college sports hierarchy generally have reserves of tradition and a loyal fan base that enable them to pick themselves up and try to return to their former prominence. Institutions such as Binghamton with less established athletic programs and fewer resources tend to find it more difficult to engage in successful damage control after plunging into corruption and scandal.

Scandals, Blind Spots, and Corrupted Decisions

When deviance happens, the athletic trap can make it difficult for university and athletic administrators to address it directly, especially when there is a powerful culture of reverence for athletics on campus. At Penn State, the reservations that the president, vice president, and athletic director had about not reporting the allegations of child abuse were effectively muted when the powerful figure of Joe Paterno

did not want the allegations to be reported. Cognitive dissonance theory tells us that once people commit themselves to a decision, they begin rationalizing it as the right decision. This appears to be what happened at Penn State, and it may be a common practice at other schools where university officials have not done the right, appropriate, wise, or legal thing in the midst of scandals.

Bazerman and Tenbrunsel used their idea of "blind spots" to explain why the leaders of the Catholic Church failed to do the right thing in their decisions about the child abuse scandal they faced.⁶⁰ They suggested that church leaders and leaders in other institutional spheres often underestimate the influence of their self-interest and expect to act more ethically than they actually do. That is, leaders often have blind spots in their ethical thinking. In an interview about the Penn State scandal, Ann Tenbrunsel suggested that the concept of "motivated blindness" helps explain why university leaders, church officials, corporate CEOs, and other decision makers act unethically.⁶¹ They are motivated by their extreme loyalty to their organization, which blinds them to certain ethical implications of their decisions. She characterized such excessive commitment to the organization as the "dark side of loyalty" in which too much loyalty corrupts ethical thinking.

In big-time college sports, blind spots are mainly the product of structural influences embedded in the athletic trap and cultural forces such as a culture of reverence. These structural and cultural influences can create excessive and uncritical loyalty to athletic programs, coaches, and athletes, and bias decisions about them. At Penn State, for example, officials wanted to be compassionate toward Sandusky, warn him about the risks of bringing children to campus, and get him professional help. However, they paid little or no attention to the welfare of his abuse victims. They saw Sandusky as a potential victim, while ignoring the actual victims. This was their blind spot. At the same time, though, they were well aware that if the allegations they were hearing were true, they could, in the words of vice president Gary Schultz, open a "Pandora's box." They worried how many other children might be victims.⁶² Their worries were not about the harm the children suffered but about the damage the revelations could cause for the university and athletic program.

It turns out that the NCAA's poster child for the collegiate model and good citizenship was actually an object lesson in what can happen when athletics takes over the academy and corrupts its core values. Penn State was corrupted by a football team that became too successful, too rich, and too powerful. Power corrupts and too much power led to absolute corruption in this case. Penn State and the other scandals described in this chapter show that rhetoric about the collegiate model is just window dressing to cover up less commendable realities of the excesses associated with implementing the commercial entertainment model. These two models

are fundamentally at odds with one another, and this is never more evident than in cases where presidents and trustees have to monitor and make decisions about allegations of dubious practices in athletics.

The issue is whether college presidents, trustees, and the NCAA are committed to real reform in college sports. Real reform would mean elevating the collegiate model to the prominent place they often say it occupies in college sports. Are they willing to dismantle some of the athletic trap and remake elements of the athletic culture to emphasize a serious commitment to student-athletes and academic values and restrict the influences of fans, boosters, and the IGTT? By failing to make a commitment to genuine reform, they will continue to foster the arms race and feed the cycle of deviance in big-time college sports. These issues of control and reform are the main focus of the next two chapters.

flecting the belief that high-priced stars were needed to attract big donors in the institutional and athletic fundraising games (Barker [2011]).

62. Milhoses (2012).
63. McMillen (2012). Also see Prewitt (2012).
64. A commentary in the *Chronicle of Higher Education* is an example of his criticism of big-time college sports (McMillen, 2011).
65. Korman (2012).
66. McMillen (2012).
67. My insights about Towson University athletics are informed by my prior experience as the faculty athletics representative and my continuing tenure as an elected faculty member of the Intercollegiate Athletics Committee, which reports to the University Senate. I also relied on a steady stream of local news publications about the case.
68. Towson has a few applied doctoral programs in educational technology, information technology, audiology, and occupational therapy.
69. These statistics are from the *USA Today* College Athletics Finances database for 2006–2011.
70. Walker and Murray (2011).
71. The CAA has had several national FCS champions in football and has also placed two basketball teams, George Mason and Virginia Commonwealth, in the men's basketball Final Four.
72. Quotes from Walker and Murray (2011).
73. Quoted in Walker and Murray (2011).
74. Breazeale (2011).
75. Markus and Karpovich (2012).
76. This story continued to evolve beyond the details reported here. Political pressure from the governor and state comptroller, who were critical of the program cuts, produced some curious twists in this case. They raised concerns about the reportedly perfunctory and impersonal way the baseball and soccer players were informed by the president of their fate. They demanded that the president appear before them to explain her actions. After his own meeting with the president, the governor proposed a plan to give the university \$300,000 to help save baseball—but not men's soccer—and another proposal surfaced to provide more than \$2 million in funding for a women's softball field to help address Title IX concerns. Parenthetically, for a variety of reasons, supporters of the baseball team were more able than their soccer counterparts to mount a visible and effective lobbying campaign. The story continued to develop into the late spring 2013. The legislature set aside money for the University System of Maryland rather than specifically for Towson University. This may have been in response to the comptroller's claim that the \$300,000 was a "bailout" of the university and baseball with public funds. The legislature also approved the funds for the softball facility. The political sparks kept flying, with the comptroller calling for the president's resignation after she failed to meet with him, the president refusing to resign, and the university engaging in a well-orchestrated public relations campaign in the media to counter the negative publicity that had arisen. This case illustrates how much the athletic trap can complicate the life and work of college presidents at institutions aspiring to push their athletic profile further into the big time. The most recent development as this book went to press was the departure

of the athletic director, who accepted a new position as a senior associate athletic director at the University of Arkansas. Thus, he got what he needed from his stint at Towson, a chance to move another step up the big-time college sports hierarchy. But he left behind a legacy of disruption as well as accomplishment.

77. See Knight Commission (2009) and Shipley (2009).
78. Knight Commission (2009). The study had an impressive response rate. There were 119 FBS members at the time, and the presidents of 95 of these institutions participated in a ten-minute phone interview. This was the quantitative part of the study. In the qualitative phase, 71 of the 95 presidents responding to the phone interviews also participated in a more open-ended interview, which averaged forty-five minutes. The extent and rate of participation reflected both the respect for the Knight Commission and the concerns that these presidents had about college sports or their programs.
79. Lederman, Kiley, and Jaschik (2012).
80. These findings regarding budget cutting priorities and strategies were from the first annual *Inside Higher Ed* survey of presidents in 2011, which was reported by Green, Jaschik, and Lederman (2011).
81. See Bennett (2012).
82. See the discussion of Anderson's (2012) work in chapter 3.
83. See Tsitsos and Nixon (2012).
84. Sawchik (2011) raised the question of whether a financial bubble was forming as television contracts continued to escalate to levels far exceeding the real economic value of the investments. Real economic value is the actual return on investment that investors realize in the future. The implication is that since financial bubbles burst, the financial structure of big-time college sports today could be on a shaky foundation.
85. See Shiller's (2000) book about *irrational exuberance* among Wall Street investors. The term was coined by former Federal Reserve chairman Alan Greenspan.

Chapter 5 • Deviance, Corruption, and Scandals in College Sports

1. Lederman (2011).
2. CBSSports.com published a five-part series focusing on the pattern of repeated cheating in the history of big-time college sports. See, e.g., Dodd's (2011) lead article in this series.
3. The list includes Georgia Tech, Indiana University, Ohio State University, Purdue University, Rutgers University, University of Arizona, University of California at Berkeley, University of Colorado, University of Georgia, University of Illinois, University of Iowa, University of Kansas, University of Maryland, University of Michigan, University of Minnesota, University of Missouri, University of Oklahoma, University of Oregon, University of Southern California, University of Texas, University of Washington, and University of Wisconsin. The University of North Carolina and the University of Miami were among those institutions that joined the list in the next two years.
4. Miringoff, Carvalho, and Azzoli (2012).
5. Pilon (2011). In a parallel move, penalized schools such as Ohio State have beefed up their compliance staff to try to stay out of trouble. Their annual compliance budget in 2012 was \$1.1 million (Wolverton, 2012).

6. Thamel (2011). In 2012 the NCAA revamped its enforcement structure, which created more levels of violations, streamlined investigations to make them more efficient, increased penalties for the worst offenders, and put more responsibility on coaches to get their staff members to be more attentive to NCAA rules (Brown, 2012). Some worried that the richer schools would have more resources to argue for less serious sanctions (Wolverton, 2012e).

7. The primary source for the description of this case is Charles Robinson's (2011) lengthy and carefully researched exposé for *Yahoo! Sports*.

8. Wetzel (2011).

9. Federal Bureau of Investigation (2012).

10. Garvin (2011).

11. Quoted by Robinson (2011).

12. E. Smith (2011).

13. Miami's record in football was 6–6 in 2011. It was not permitted to play in a bowl game. In the previous two seasons, the team's record was 9–4 (2009) and 7–6 (2010), with bowl game losses. Except for 2009, these are not the records that devoted fans and boosters expect from a University of Miami football team, which created more pressure to do what was necessary to win.

14. Forte (2011).

15. Foote and Shalala were quoted in Wolff (2011).

16. Quoted in Robinson (2011).

17. Basken (2011).

18. Albany, Buffalo, and Stony Brook all competed at the Division I level.

19. Thamel (2009a) reported the recognition and regret associated with Binghamton's rapid rise in athletics. I draw from his report to describe reactions to the move to Division I.

20. Brady and Wieberg (2009) and Thamel (2009a, 2009b, 2010a, 2010b, 2012) provide excellent background about this case, and I have relied on these articles, along with a commissioned report by Judith Kaye (2010), for my description and analysis. Kaye's report was prepared for the Board of Trustees and chancellor of the State University of New York, and it clearly and thoroughly documents the facts of this case.

21. See Kaye (2010).

22. See SUNY (2010). Binghamton was expected to reimburse SUNY for 50 percent of the cost.

23. Brady and Wieberg (2009) also pointed out that one other school moved up to Division I and then dropped back down for financial reasons and that another moved up and then decided to drop athletics.

24. Quoted in Brady and Wieberg (2009).

25. Sander (2011d).

26. Binghamton had lost twenty-seven consecutive games, starting with the final game of the previous season, before winning a game in the 2011–2012 season. At the time of its victory, it was the only Division I men's team without a win that season.

27. Thamel (2012).

28. Freeh (2012).

29. See Proffitt and Corrigan's (2012) analysis of how the "success with honor" idea was

related to the institutional structures and brand logic that blocked disclosure in the Penn State scandal.

30. Pouro (2012).

31. There were many news stories about this case in *USA Today* and in newspapers around the country. The *Chronicle of Higher Education* and *Inside Higher Ed* also published thoughtful stories and commentaries. *Sports Illustrated* provided bookend cover stories, "The Failure and Shame of Penn State" in November 2011 (McCallum, 2011; Verducci, 2011; and Wertheim and Epstein, 2011) and "We Were Penn State" in late July 2012, after the release of the Freeh Report (Freeh, 2012) and the imposition of sanctions by the NCAA (Wolff, 2012). The college sports clipping service, College Athletics Clips, regularly reported and published articles about this case from a wide range of sources.

32. Quoted in Lash, Hall, and Darragh (2012).

33. It appears that the athletic staff was generally unaware of the Clery Act, which required college employees to report to the police information about possible crimes such as Sandusky's acts.

34. Wolverton (2012c).

35. See Wertheim and Epstein (2011, p. 46) about Penn State. The results of the entire *Sports Illustrated/CBS News* investigation were reported by Dohrmann and Benedict (2011).

36. Quoted in Fitzpatrick (2012).

37. *Sports Illustrated* senior writer Alexander Wolff (2011) called for the end of the Miami football program in 1995 and again in 2011 in letters to the university's president prominently featured in his magazine.

38. Eder (2012).

39. An interesting footnote to his story is that at a time in January 2011 when Paterno became aware of the criminal investigation of Sandusky, he negotiated a \$3 million deal to finish coaching at the end of the upcoming season instead of in 2012 as his contract stipulated (Becker, 2012).

40. Rohan (2012a).

41. Price (2012).

42. See Wieberg (2011b).

43. See Grasgreen (2011c).

44. Smiley (2012).

45. Cited in Wolff (2012).

46. Wolff (2012).

47. M. Smith (2011).

48. Wolverton (2012f).

49. Cited by Van Natta (2012).

50. Moran (2012).

51. See Hurchens (2009). Brand died in 2009.

52. See DeCourcy (2010).

53. See Littwin (1985).

54. USA Today (2012).

55. Aubrey (2012).

56. CBSSports (2012). Nearly one hundred coaches were interviewed by CBSSports.com's college basketball staff.
57. Quoted in Barra (2012).
58. However, Calipari and other coaches have a vested interest in getting players who leave early to do so in good academic standing. They do not want to run afoul of the NCAA academic progress rate (APR), which is meant to anticipate graduation rates by measuring academic eligibility and retention. If their team has a substandard APR, they will face NCAA sanctions, including loss of scholarships, postseason opportunities, and ultimately their NCAA membership status. The seriousness depends on how many years their team fails to meet the APR standard.
59. Branch (2011).
60. Bazerman and Tenbrunsel (2011).
61. Bartlett (2011).
62. These observations from the Freeh Report were reported by Belson (2012).

Chapter 6 • Control and Reform in Big-Time College Sports

1. See Duderstadt and Womack's (2003, pp. 18–19, ch. 8) discussion of governance and governing boards.
2. Wolverton and Fuller (2012).
3. See Kiley (2012b).
4. Duderstadt and Womack (2003, p. 137). Duderstadt was the president of the University of Michigan and Womack was the chief financial officer at Michigan and the University of North Carolina.
5. See, e.g., Hersh and Merrow (2005).
6. Spellings (2006).
7. Hacker and Dreifus (2010) presented a scholarly but especially harsh recent critique of both higher education and big-time athletics. They said that all institutions sponsoring intercollegiate athletics were infected with a "virus." They argued that commercialization in athletics had compromised academic integrity and the moral authority of educators, and consumed resources that could have been used for more academic pursuits (p. 156).
8. See Green, Jaschik, and Lederman (2011); Lederman, Kiley, and Jaschik (2012).
9. See Sander (2009).
10. Knight Commission (2009).
11. Knight Commission (2009).
12. Dodd (2012).
13. See Peterson (2008). Harry L. Peterson was the president emeritus of a small college in Colorado who had been a senior administrator at the big-time University of Wisconsin. He wrote an opinion piece for the *Chronicle of Higher Education* about "Why Presidents Fail—and How They Can Succeed." He wrote that presidents often arrived on the job with limited understanding of athletic administration or in some cases of intercollegiate athletics.
14. See Powers (2008). While presidents may benefit from experience with athletics, it appears that institutions hiring athletic directors are becoming more impressed with a resume built in the business world than with experience only in athletics administration (Thomas, 2010).

15. Quoted in Lederman, Kiley, and Jaschik (2012). Kirwan got caught in his own athletic trap when he was involved in the Maryland regents' decision to back the University of Maryland's money-driven move to the Big Ten. He was on record as a frequent critic of commercialism in college sports, and he recognized that financial factors drove this move. However, he also wanted to support the Maryland president and improve the financial status of its athletic program. Thus, he failed to take a strong stand against the move and did not join regent Tom McMillen in his public outcry about the secret process the board used in making this decision (Grasgreen, 2012f).
16. Dobel (2012) argued that the Penn State case showed that coaches become more powerful than the campus president because coaches are paid more, are better known to the public, and are treated more as celebrities and symbols of the university than the president is.
17. See Wickersham's (2011) profile of Gordon Gee.
18. Tkach (2012) cited data from the *Chronicle of Higher Education* annual survey of public university presidents in his report. Spanier's pay was about one-third of the amount Joe Paterno was to be paid at the end of the 2011 season if he agreed to step down at that time. This contractual arrangement was negotiated in the midst of the brewing Sandusky scandal but before the scandal became public and Paterno was fired (Becker, 2012). Spanier received a very extravagant golden parachute when he was fired in 2011. He reportedly was paid \$3.3 million in salary, severance, and deferred compensation (Stripling, 2012).
19. Dohrmann and Epstein (2011).
20. Quoted in Wickersham (2011).
21. Gee was quite extravagant in his discretionary spending to court prospective donors. According to OSU records, between October 2007 and the end of June 2012, he spent \$1.09 million for travel, \$813,000 for tailgating, and \$2.17 million for special events as well as \$1.6 million for his office expenses and \$2.1 million for the operation of his 9,600-square-foot presidential mansion. By comparison, the president of the University of Texas spent \$310,000 for travel and entertainment between 2007 and 2011, and the University of Michigan president spent \$410,000 on travel and entertainment during this period. The Texas president (\$663,000) and the Michigan president (\$860,782) earned far less than Gee's \$1.9 million. The Ohio State endowment slipped from twenty-seventh to thirty-first nationally during Gee's tenure and ranked behind the endowments of Northwestern, Minnesota, and Michigan in the Big Ten. See Bischoff (2012).
22. Knight Commission (1991).
23. Wickersham (2011).
24. Gee (2005, p. 12).
25. Gee (2005, p. 13).
26. Vanderbilt continues to strive for success at the highest levels of football and men's basketball, though.
27. See Selingo (2007) and Fain (2010).
28. See Selingo (2007).
29. More than 80 percent of board members in the *Chronicle* survey reported meeting two to four times a year (Selingo, 2007, p. A20).
30. See, e.g., Stripling (2011).
31. See Fain (2007b) in Selingo's (2007) survey article.

THE ATHLETIC TRAP

How College Sports Corrupted the Academy

Howard L. Nixon II

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*For Sara, who is the best research and instruction librarian I know
and who has always encouraged me*