

“NCAA Exposed: Stopping the Exploitation of NCAA Athletes”

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Abstract

The National Collegiate Athletic Association (NCAA) has exploited its athletes since its beginning in 1906. The NCAA exploits athletes by targeting athletes from poor communities that can't afford education by any other means. Also, the NCAA enforces unfair and unnecessary rules in order to maintain control over the athlete's freedoms such as accepting free meals, or services that professional athletes or celebrities are accustomed to. And most of all, the NCAA is the sole profiteer of all NCAA athlete's likeness, exploiting them for their talent and hard work without allowing the athletes or families of the athletes to benefit. This essay explores the ways the NCAA exploits their athletes and provides a solution to allow the athletes to be compensated for their likeness by profiting from the large companies that use their names and images to promote their brands.

The National Collegiate Athletic Association, (NCAA), has exploited athletes since its 1906 inception. The organization oversees all collegiate sports in the U.S. and in doing so, the NCAA takes advantage of the athletes that play these sports by capitalizing on their hopes of earning an education and a better future. The NCAA exploits athletes by purposefully recruiting black athletes from poor communities, setting and enforcing unnecessary and unfair rules in order to maintain control over the athletes, and by making money off the athlete's likeness and not allowing them to benefit. The best way to end the exploitation of college athletes is to allow players to make money off their own likenesses. This would ensure that athletes who break the NCAA's rules and regulations aren't left with anything after they are ruled ineligible by the NCAA. Lastly, these recommendations will ensure that each athlete receives the compensation they deserve based on their own talent and hard work.

The exploitation of college athletes is perhaps felt most by poor communities, where the NCAA often recruits and exploits Black football and basketball athletes. The U Penn Center for The Study of Race and Equality in Education has found that Black men make up 56% of all NCAA football players, 66% of all NCAA men's basketball players, and 3% of Undergraduate Students. This data shows that the majority of NCAA football and basketball teams (which are the most profitable) are comprised of Black athletes. But only 3% of Undergraduate Students in the U.S. are Black. For young people in impoverished communities, the idea of a college education often seems impossible. However, if they are talented in the sport of basketball or football, the NCAA will come knocking on their door with a big fat scholarship that they will say is guaranteed to them as long as they play their respective sport for them and allow them to profit off the athlete's talent and labor.

Former Louisiana State University coach Dale Brown is quoted by Zirin (2013) saying, "Look at the money we make off predominantly poor black kids. We're the whoremasters" (as cited in Zirin, p. 25). Even the coaches know that they are benefiting from the labor and financial exploitation of Black athletes. Dale Brown coached basketball at LSU from 1972-1997, where he had much success winning four SEC Coach of The Year awards and making the NCAA Final Four twice. And even through that success, he told Gary Smith of Sports Illustrated (1985) that he knew that "what was being done to the players on his LSU basketball team and college athletes across the country was wrong" (p. 30). Derek Van Rheenen conducted a study to see whether college athletes felt exploited by the NCAA. Rheenen (2011) found that "83% of 4th year revenue college athletes reported feeling exploited by their university. By comparison, 73% of first year, 63% of second year, and 75% of third year revenue college athletes tend to feel exploited by their university" (p. 19). Rheenen then took the data from his study and broke it down to African American athletes and whether or not they feel as though they have been exploited. Rheenen (2011) found that, "Black non-revenue

college athletes are 3.23 times more likely to feel exploited than their White peers, and 2.76 times more likely to feel exploited than members of other racial categories” (p. 19). This shows college athletes as a whole overwhelmingly feel exploited, and the majority of those who feel exploited are black. The fact that the ratio of Black to White athletes recruited for basketball and football is so disproportional, and that basketball and football are the most profitable sports for the NCAA has caused many comparisons of the exploitation of Black athletes to the dark history of American slavery.

The NCAA also exploits their athletes by setting and enforcing unfair and unnecessary rules and regulations in order to maintain control over them. Upon agreeing to accept a sports scholarship from the NCAA, athletes also agree that the NCAA has the right to take the scholarship away and rule them ineligible to play for the NCAA if they break any of the rules or regulations the NCAA has set in place.

Humphreys (2012) writes “The typical violation involves the receipt of a free meal, clothes, haircuts, or small amounts of cash (less than \$20)” (p. 707). As I previously mentioned, the majority of college athletes come from poor communities. That means a many don’t always have the money to buy dinner, clothes, or go out with friends, like non-athlete college students would. While the average salary in the NBA is \$8 million per year, the top athletes in the NBA are offered (and accept) free meals from restaurants, free clothes from top brands like Nike and Adidas, and even free Uber rides as recently reported by Los Angeles Laker’s star Brandon Ingram. So, if these professional millionaire athletes are allowed to accept free food, clothes, and services that they don’t need because of their talent and fame, then why can’t unpaid, poor, and famous college athletes do the same?

Another example of the unnecessary and unfair rules the NCAA has enforced comes from an experience of my own older brother. Nathaniel Jackson was ruled ineligible to play basketball by the NCAA his senior year of college due to a rule that NCAA athletes are required to sit out from playing their sport for one year after transferring schools. In an interview, Nathaniel (2018) explained “Going into my senior year, Taylor, my fiancé and now wife, had our daughter Octavia.” Nathaniel played basketball for the Xavier University Musketeers, and he describes, “I couldn’t stay in Cincinnati and be away from my girls, that’s not the kind of man I am, and Taylor had a nursing job in her home town, in Kent. Nathaniel was hoping to transfer schools from Xavier University: “I thought it would be perfect, I could still play ball and get my degree and be with them.” But unfortunately, that’s not how it worked out. When Nathaniel asked his Xavier basketball coach about transferring schools, he informed him that it wouldn’t be a good idea to transfer, as he notes, “I spoke to my coach and he understood my situation and supported me 100% but he told me that if I wanted to transfer D1 (Division One) to D1 I would have to sit out a whole year.” Since Nathaniel was a senior, sitting out an entire year was not an option for him.

Despite losing his eligibility to play basketball, Nathaniel transferred to Kent State University to finish his degree close to home. Today, he knows he made the right choice for himself, but he still doesn't understand why the rule was set by the NCAA: "I just don't understand why the NCAA had to take something so important away from me like that. The rule doesn't make any sense. Coaches transfer school every year to make more money, be closer to home, win championships, or whatever. But since the NCAA owns us, as athletes, we can't do the same." Nathaniel was never a top NBA prospect or a star NCAA player. In fact, he entered the NBA draft after making his decision to transfer and was never drafted. He also tried out for the Cleveland Cavaliers but was dismissed in the first round of cuts. So, since he wasn't a top NBA prospect and wasn't seen to be good enough to move onto the next level of the sport, what was the need to take away his chance to play his last year of basketball? As his younger brother, it hurt to see what he had loved doing since the 3rd grade stripped away from him because of the unfair and unnecessary rules enforced by the NCAA.

The NCAA will claim that their rules are in place to protect the athlete's amateurism in order to allow them to receive the best educational experience possible. Gadit (2012) quotes the NCAA's president, Mark Emmert, saying "the core purpose is to govern competition in a fair, safe, equitable and sportsmanlike manner, and to integrate intercollegiate athletics into higher education so that the educational experience of the student- athlete is paramount" (p. 350). Mark Emmert's claim that the rules that the NCAA has in place ensures that the athletes remain amateurs and that they are important in order for the athlete to receive the best education is contradictive of what the NCAA has been quoted of claiming in the past. Rudderman (2012) quotes the NCAA: "The NCAA must continue to enforce its by laws and regulations in order to preserve the uniqueness of its product" (p. 107). Allowing athletes to accept free meals, clothes, and service or to transfer schools at will would not ruin the athletes' educational experiences. Some might say it could better their experience if they were able to not stress as much about money for food or clothes. Allowing these freedoms to the athletes would ruin the athlete's amateur status, thus, athlete's profitability to the NCAA. By definition, an amateur is a person who engages in a pursuit, especially a sport, on an unpaid basis. The NCAA needs to protect the athlete's amateurism so that they can be the sole profiteers of the athlete's likeness.

Because the NCAA is the sole profiteer of the athlete's likeness, they make billions of dollars yearly without a dime of it going to the athletes. The NCAA profits from their athletes in as many ways as possible without allowing them to profit as well. Gadit (2012) explains, "a student must retain his amateur status, which means adherence to a set of enumerated rules and regulations. These include authorization for the NCAA to, use the name or picture of an enrolled student-athlete to generally promote NCAA

championships . . . activities or programs” (p. 353). The NCAA reserves the right to use any college athlete’s picture or name to promote their business. This is done by selling jerseys with the athlete’s name on the back, pictures of the athletes on billboards, commercials or magazines, see Figure 1 below.



Figure 1

Slam Magazine Cover of Zion Williamson who is currently a member of the Men's Basketball team at Duke University [Slam Magazine Cover] (2017)

Another way the NCAA makes a profit from the likeness of the athletes is by using the athletes to model and promote brands like Nike, who currently pays the NCAA and colleges to dress their athletes in their Nike gear, see Figure 2.



Figure 2

Alabama quarter in a Nike sponsored uniform, being chased down by his opponent from LSU, also in an Nike sponsored uniform

[Image from Alabama vs LSU football game] (2018)

The University of Alabama is currently in a deal with Nike guaranteeing them \$5.3 million per year through 2025. The NCAA's profit off their athletes doesn't end when the athlete leaves college. Rheenen (2012) explains that "a college athlete who is eventually drafted in the National Football League (NFL) or National Basketball Association (NBA) will likely produce upwards of \$500,000 to \$1,000,000 in annual revenues for their college teams" (p. 12). Even after a top NFL or NBA prospect is drafted, the NCAA profits off their name and reputation as a former college athlete. By far the biggest ways the NCAA profits from their athletes are NCAA Playoff Football and NCAA Men Basketball March Madness, where teams play each other in a single elimination tournament for the NCAA National Championship. The College Football Playoffs started in 2014 and ever since has been a huge profit maker for the NCAA. According to *Forbes* magazine, Last year, the four teams that qualified for the playoffs, Alabama, Clemson, Georgia, and Oklahoma, each earned \$6 million, win or lose. In 2016, the College Football Playoffs became so profitable that ESPN bought the rights

from the NCAA to be the only television program to broadcast the College Football Playoff games for \$470 million a year for 12 years, totaling \$5.64 billion. March Madness has proven to be even more profitable earning 90% of the NCAA's revenue at \$900 million a year along with a deal the NCAA made with CBS Sports in 2010, guaranteeing \$10.8 billion over 14 years for the rights to broadcast the games. So, if the athletes aren't getting paid, then where does this money go?

Well, a large sum of it is paid to the coaches. Rudderman (2012) explains, "the head basketball coach at the University of Kentucky received \$350,000 for winning the national title this year" (p. 108). Nick Saban, the head football coach at the University of Alabama makes a guaranteed \$33.6 million and \$8.3 million paid annually. Zirin (2013) explains how the annual salary for NCAA head football coaches has increased saying, "According to *USA Today*, salaries of new head football coaches at the bowl-eligible schools increased by 35 percent from 2011 to 2012" (p. 25). The highest paid NCAA basketball coach is Mike Krzyzewski of Duke University, making a guaranteed \$8.98 million per year. The amount of money that is made by the NCAA is astronomical, and it all comes from the fans' desire to watch the athletes put on a head-to-head show of their incredible talent combined with their hard work. Why should the NCAA make over \$900 million a year without breaking a sweat and the athletes are left with nothing?

The clear solution to exploitation of college athletes is to allow each athlete to make money off their own likeness. The NCAA does not need to pay each athlete themselves. But the other companies that pay the NCAA for the rights to the athletes' faces and names should be paying the athletes. Each time an athlete's name is sold on the back of a jersey, or picture is put in a magazine, the NCAA should allow them to be compensated. Also, the athletes need to be compensated by the brands they are forced to wear. Nike should be paying each individual player to wear the swoosh logo on their jersey.

LeBron James makes the most of any NBA athlete from endorsements, earning a percentage of all profits from commercials, shoe sales, and magazine covers and also being the only athlete in the NBA with a billion-dollar lifetime deal with Nike. LeBron is seen by most to be the best, most popular, most influential player in the NBA. He earns more endorsement money because he is the most profitable. NCAA athletes should be treated the same. If a certain athlete is the star of his or her team, the most popular athlete, their image is used on most sport's magazine covers, and they are most skilled, then they should earn more money than the athletes that are not popular and not as skilled. These athletes are celebrities and are beloved just like movie stars and NBA stars; the only difference is they can't charge for autographs.

Some may disagree with this solution and believe that each athlete already is given a chance to be compensated based on their skills by deciding to move onto the NBA or

NFL. Owens (2010) writes, “With full knowledge of NCAA policies of amateurism, athletes choose the NCAA as a means of developing and marketing their skills. Individual skills will ultimately determine one’s salary if an athlete goes on to a professional career” (p. 9). Unfortunately, there are only 32 teams in the NBA and NFL each, and according to the NCAA themselves, only 1.2% 18,000 NCAA men’s basketball players make it to the NBA and 1.6% of the 73,000 football players make it to the NFL. Less than 3% of NCAA basketball and football players combined are given the chance to make millions of dollars playing their sport but 100% of NCAA athletes make billions of dollars for corporations like the NCAA.

There are many benefits to allowing college athletes to be compensated for their likeness. As previously mentioned, many college athletes come from poor families in poor communities. If these athletes were able to uplift their families from magazine or jersey sales, they would be able to make positive changes in their own, and others’ lives. It’s common with NBA stars to give their first check from the NBA to their mother, sisters, etc. These players dream of taking care of the people that have taken care of them. Most college athletes will never be millionaires, so if they have a chance to help their families during their college career, they should be able to do so.

Allowing athletes to profit from their likeness also ensures that they won’t be left with nothing in case the NCAA rules them ineligible for breaking their unfair rules. When an athlete is ruled ineligible by the NCAA, they are then left without the scholarship that the NCAA guaranteed them and no money to pay for tuition in order to finish their degree. In the case of Nathaniel Jackson, he had received a partial scholarship to play basketball. When the NCAA ruled him ineligible, he was forced to receive financial aid to complete his bachelor’s degree. The degrees that most athletes do receive are often of little value and don’t give them a chance of a good career. Rheenen (2011) explains that many athletes feel exploited after their time with the NCAA due to not being able to find a career with their 4-year degree: “there may be claims that the college athlete has been exploited, often citing a degree in a major or discipline with little value” (p. 13). This occurs due to the idea that is instilled by college coaches into the athletes that their main priority should be their sport, and not their education. San Francisco 49ers player Richard Sherman (2015) stated in an interview on ESPN that “you’re there to play football, you aren’t on scholarship for school, and it sounds crazy when a student-athlete says that but that’s what the coaches tell them every day.” If sports are the athlete’s main priority, then how could they be getting a proper education? In order to ensure college athletes aren’t left penniless, or with a degree of no value or career opportunity, they should be compensated for their likeness.

Allowing athletes to be compensated based on their likeness also ensures that each athlete will receive the money they deserve based on their individual talent and hard work. Student athletes are often national celebrities and make headlines on

newspapers; ESPN spends hours covering them, and they have loyal fans around the country. If it weren't for the popularity of the athletes, the NCAA wouldn't be as successful as it is. Some college athletes are more talented, and therefore more popular than others. If a certain athlete is more popular than his teammates or opponents that means he or she is more profitable. When fans buy a ticket, they're buying it to see them do what they do at a high level. If each athlete is paid for their likeness, that would mean that there would be a fair distribution of money to the college athletes based on how many jerseys they sell, magazines they cover, etc. As previously mentioned, LeBron James is seen by many as the best Basketball Player to ever live and because of that he sells the most jerseys, the most shoes, and has more endorsement and business deals than any other NBA Star. It's only fair that a more talented, hard-working athlete should make more money. It's only fair that each athlete is given the opportunity to maximize their potential to make money for their talents.

Some believe that the best solution to the NCAA's exploitation of college athletes is for the NCAA to pay the athletes directly and consistently regardless of the sport. However, this would not work, because some sports are only sustainable because of the money made by the NCAA from basketball and football. Owens (2010) explains "both women's sports and men's sports that do not generate large revenue are subsidized by large football and basketball programs" (p. 10). Football and basketball are the NCAA's main source of profit. So, if the NCAA paid the athletes themselves, then there wouldn't be enough money for the NCAA to also pay for sports like lacrosse, rugby, or even woman's soccer. This is why it is best to allow the athletes to make money from the companies that use their face's and names for their brand.

Another common belief is that the NCAA should just lift rules that forbid athletes from accepting free meals or services. While I agree that the NCAA should remove these rules, it still would not be enough for the athletes to receive what they deserve. No athlete is going to receive a free meal everywhere they go or every time they eat. Also, as I previously stated, many athletes come from poor backgrounds, requiring financial support. Giving athletes the ability to make money from companies that use their likeness would be much more beneficial.

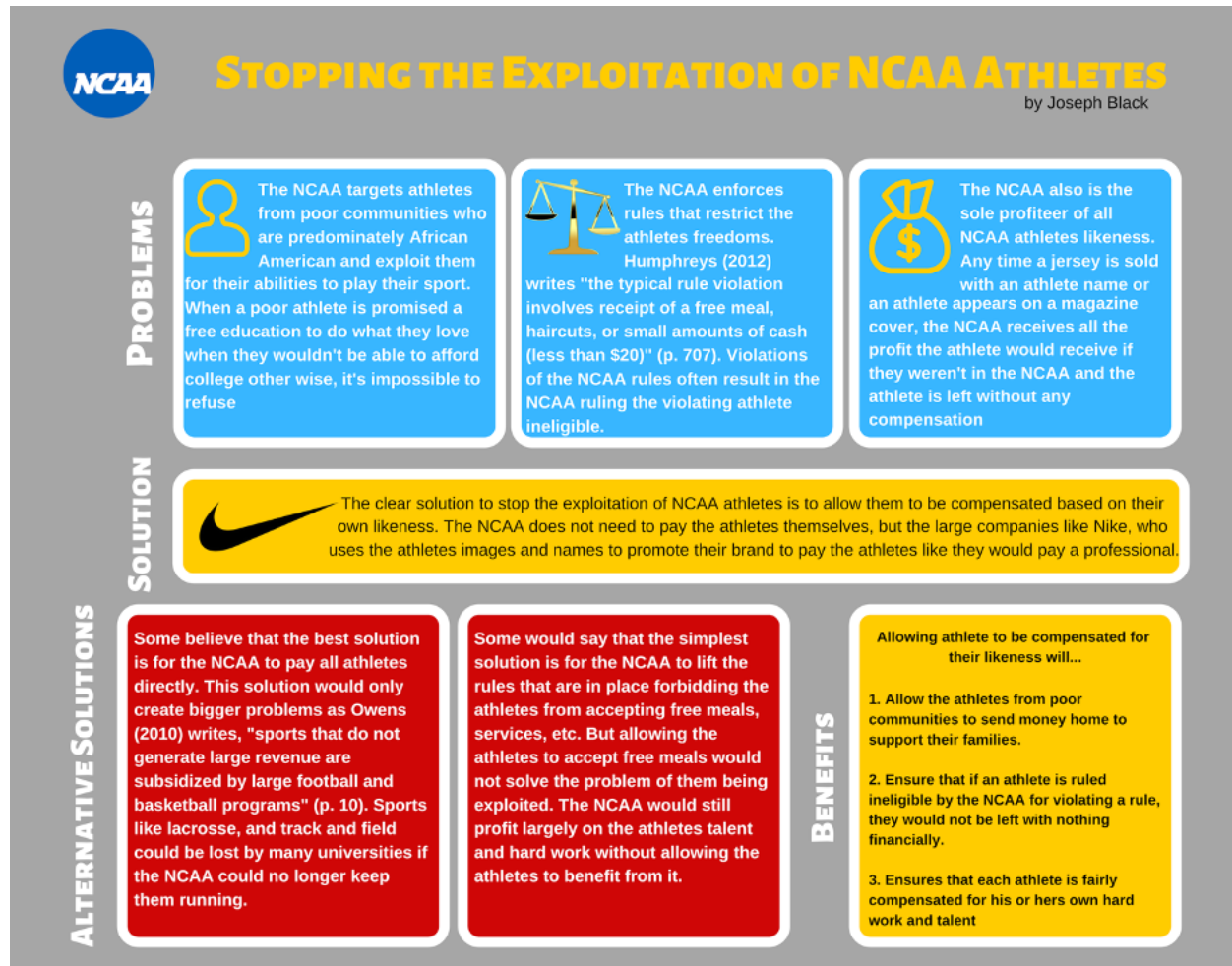


Figure 3
Infographic on Stopping the Exploitation of NCAA Athletes

The NCAA has exploited college athletes since the beginning. As seen in Figure 3 above, they do so by purposefully recruiting Black athletes from poor socioeconomic backgrounds, setting rules that are unfair and unnecessary, and by making billions of dollars off the likeness of the athletes without sharing a dime of it with them. Next time you buy a \$100 ticket to a NCAA Football game, look around at the other 200,000 people in attendance that also paid \$100 or more. Think about how much money the NCAA just made for that 3-hour game, not including profits from commercials and broadcasting fees. None of that money is going to the athletes from poor communities, who are forced to abide by unfair rules, and are used by the NCAA for their profitable likeness that you actually paid to see.

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