

October 21, 2014

An interview with:

**CHRISTINE BRENNAN
LEN ELMORE
LISA LOVE
TOM McMILLEN
CHRIS PLONSKY
SHEANON ZENGER**

JIMMY ROBERTS: Good afternoon, everybody. Thank you for joining us here at the continuation of our panel discussion today organized and sponsored by the Big 12 Conference.

College athletics occupies a unique position in our culture. The athletes themselves can be among the biggest stars in sports. Think about Johnny Football. But whether stars or not, they will likely work hard. Kain Colter, a former Northwestern quarterback, testified before the National Labor Relations Board that he spent 50 to 60 hours a week during training camp in the summer. Once the season started, his commitment to football was 40 to 50 hours a week. It was hard to be a student, he said, in light of his obligations as an athlete.

As it happens, a finding of that same NLRB hearing is likely a significant step in radically changing further how college athletes in our society are regarded.

The regional director ruled that football players at Northwestern are, in fact, employees of the school and have the right to form a union. The ruling is currently being appealed by Northwestern, but the battle lines have been drawn.

What is a student-athlete? How should he or she be treated in regard to compensation and rights?

Here this afternoon to try and answer those questions or at least shed some light on some of the issues, a distinguished panel. We start with Christine Brennan, a national columnist for USA Today, a commentator for ABC News, PBS News Hour, CNN and National Public Radio.

Len Elmore is a sportcaster for CBS and ESPN, a former professional basketball player and a lawyer. He is president of the National Basketball Retired Players' Association and a member of the Knight Commission on Intercollegiate Sports.

Lisa Love is the former director of athletics at Arizona State University. In 2005 she was inducted into the American Volleyball Coaches Hall of Fame and currently teaches a graduate class at the University of Louisville entitled The Business of Division I College Athletics.

Tom McMillen is a former Rhodes scholar, professional basketball player, and member of Congress. He's the founder of the National Foundation on Fitness, Sports and Nutrition, and a former co-chairman of the Presidential Council on Physical Fitness and Sports.

Chris Plonsky is a 38-year veteran of the college sports world. She currently serves as the women's athletic director at the University of Texas. She is also a former board member of the National Association of Collegiate Marketing Administrators. In 2003 she was inducted into that organization's Hall of Fame.

Sheanon Zenger is the director of athletics at the University of Kansas. He is a published author and researcher as well as a one-time assistant on coach Bill Snyder's staff at Kansas State, which he started when he was just 23 years old.

All right. Let's cut right to the heart of the matter here. Should student-athletes be paid? Who wants to take that one? It's an easy one. Ladies first.

CHRISTINE BRENNAN: Absolutely not. They are, and in many ways you can make the case they're receiving a lot of benefits now with a college scholarship, which Steve Berkowitz and USA Today surveying a few years ago valued at over \$100,000 a year in terms of coaching, exposure, training, all in addition to receiving a first class education as some of the finest universities on earth.

The idea that student-athletes need to be paid, I understand the argument. I'm sure we're going to be going into that quite a bit over the next hour and a half or so. But for me I have a couple thoughts. I guess I'll throw them out there so we can get rolling on this with a no holds barred

discussion we are planning to have.

If we are paying the football player, are we playing the field hockey player? If not, why not? There's that little law known as Title IX signed by Richard Nixon June 23rd, 1972, changed the playing fields of America, one of the most important laws in our country. We've just begun to see it works its magic. It's still in its infancy. If you have a daughter, a girl next door, a niece or granddaughter, you know how important that law is. Just wait until all these women are running for president, running businesses, in the 2030s, 2040s, 2050s, onwards.

We certainly can't ignore that law unless we decide to go to some economic model for college athletics that leaves the university and academic setting and Katie by the door if we go there.

I think my overall feeling on this is that the notion of be careful what you wish for. I'm not so sure we would like what we create if, in fact, we start paying athletes and have a whole separate pro league.

What has been such a popular piece of our lives, that college sports experience, playing or watching, being on campus, cheering for these student-athletes, many of whom are doing it the right way, are going to graduate and give back to the universities for the next 50, to 60 years, and communities.

Are there problems in college sports? You bet. But paying athletes is not the way to solve them.

JIMMY ROBERTS: Lenny?

LEN ELMORE: I would agree conceptually with Christine when she speaks of paying athletes. It depends what you mean by 'paying them'.

I look at the relationship, what came to my mind, more benefactor/beneficiary. Nevertheless, when you look at the amounts of dollars that are coming in based on the exploits of the student-athlete, should there be some balance in the equities? Absolutely. But are they in the form of salary? Should the whole relationship be in the form of terms, wages, conditions and benefits, which seem to enure more to the idea of employee as opposed to beneficiary, then I would say no.

We need to take a look at how we can balance those equities without making it a pure employee/employer relationship.

I don't know if people are aware, there was a lawsuit filed yesterday, (indiscernible) versus the NCAA, which is relying on the Fair Standards

Labor Act, why students on scholarship are not paid minimum wage, which in work study situations other students are paid the minimum wage and are able to gain some kind of paycheck.

But in the end I do believe that our culture in college sports, the things we have loved about college sports, is under assault. It's under assault by those who always talk about getting paid. It's really filtered down to young people.

I can't tell you how many times I've talked to adolescents, people who are athletes, want to become college and professional athletes, but always talk about this idea of getting paid without understanding the true value of the scholarship and the grant.

We can talk about any number of things with regard to the benefits that student-athletes are getting besides the education, room, board, books, tuition. Reform will ultimately be able to balance the equities with some type of payment based on their right of likeness, right to publicity. Also medical benefits. What number do we put on the medical benefits? Hopefully reform will continue those benefits beyond eligibility.

We talk about such things as getting an education. If you haven't received your degree through your eligibility, so many schools right now are moving in a direction of providing those opportunities way beyond exhaustion of your eligibility.

Finally I would like people to fully understand, we talk about true value, scholarship athletes versus non-scholarship students. We are talking about 29.4 thousand dollars in debt, come out of school their senior year, average debt they're carrying. Scholarship athletes are carrying nothing.

So to me the real value of the education and the scholarship that student-athletes are receiving hasn't been articulated well enough and it's allowed those who assault that particular culture to kind of grab a foothold in the argument. I think that certainly needs to be changed.

In the end, as I said before, I totally do not agree in the employer/employee relationship. I still believe benefactor/beneficiary, even though there's a quid pro quo, symbiotic relationship is something we need to look at and put into context so we can make a definition as far as what student-athletes mean to an institution and a student-athlete.

LISA LOVE: I'll take this one step forward because I couldn't agree further with both speakers

who made a point thus far. I would always stand in line with what you just heard in the panel before this one. That is whatever has to be done to financially maintain a sustainable environment of a uniquely American culture of attaching amateur sports to colleges and universities, all that positive that has been yielded over a century, then a half century once you become multi-gender by adding women through Title IX, multi-ethnic by serious work in the civil rights movements in the '60s. It's boundless because of the concept of paying for someone's education because they have a unique talent, then making it an inclusive environment.

Having been an athlete, having been a coach, having been a senior official at the University of Southern California that worked specifically with the Olympic sports, then becoming the athletics director at Arizona State where I was overseeing the entire enterprise, getting close to football and basketball program coaches, what has been cultivated over time is a beautiful marriage, if you will, within an athletic program that yields I think incredible citizenry for the United States.

I think in addition to everything that's been said, I don't want to be redundant, but we have not done a good enough job of expounding on the benefits that already exist through this rather remarkable and unique American system that I believe at all cost should be sustained.

I think by paying athletes, you're creating an unsustainable environment. I don't think there's any doubt about that. You're not going to pay Tom and not be able to pay Mary. If you think you are, you're naïve. There's no Mary out there that's going to tolerate that.

Anything that would render this very delicate situation that we're already in financially, make it even a little bit wobblier, while universities are trying to make sure while they invest in these athletic programs they continue to flourish, I would raise my hand and vote against paying athletes 10 times over.

JIMMY ROBERTS: The issue is not only a gender-related issues because it's going to be an issue of paying the football or basketball player, but not the tennis player or the rower.

Tom, you come at this from a number of perspectives. What is your thought on this?

TOM McMILLEN: If you were going to start over and rebuild college sports in America. First of all, you may not want to (indiscernible) your universities, we are the only nation that has done that, where we have this tail wagging the dog. If you have a system that was generating billions of

dollars, you would certainly address the equities for the players.

When Len and I were teammates at Maryland, we got \$15 a month in laundry money. When I introduced legislation in 1991, I created a reform bill, I provided for a \$300 stipend for every athlete.

The fact is that I do think you can create equities across the board for every athlete, women, men, where they get a basic stipend that allows them to have a life. I think that there is plenty of money in college sports if you took the dollars that are out there and redistributed them.

The fact of the matter is, it's just a matter of time before this system blows up because there's so much going on that this system will blow up and we'll be back here sitting here saying, Should the players receive more? Everybody says they get an education. But I have yet to see one study, one strong study, that shows me across Division I kids leaving 10 years after they've left, what has happened to them. I would like to see that.

You tell me they get an education. I'd like to see what type of life these kids who didn't go into the NBA are living. I think that would be the ultimate proof.

The question is, yes, I think they deserve equities, whether you call it pay or not. I don't think they need to be employees. I think they need a piece of the pie.

JIMMY ROBERTS: Chris?

CHRIS PLONSKY: I don't disagree with the overall goal of allowing financial aid to expand to the point where the true cost of participating in a college sport is covered. I think we've been on record for a long time, especially those in the well-resourced conferences saying, That's where we need to be. There were votes on this years ago. Because of the unwieldiness of our overall governing body, we couldn't get to a consensus. Today we're faced with this in courts.

The whole idea of remuneration for someone, the age we're talking about is 17- to 23-year-olds, who often make a decision to go to an institution for various reasons. Once we talk to them about the college experience, sports is only part of it. The real college athletics experience begins in the admissions office. They've got to meet some criteria. They've got to agree to some benchmarks. Frankly, it's a volunteer type of situation.

No one is twisting your arm to embark upon what today NCAA and Division I athletics requires. It's not easy, and it's not for everybody. If it was, everybody would be doing it freely.

But they come with a gift. They do have to adhere to academic goals and standards and progress towards degree in order to even maintain eligibility. But it's not remuneration and it's not pay-for-play.

I think the amount of dollars that we generate, everybody mixes revenue with sort of free cash flow. What we do with revenue goes right back against the experiences for these young people.

There are some student-athletes that leave college with debt. If they're on a partial scholarship, they could leave with some debt, which is why we're very much wanting cost of attendance, that delta, to be able to be covered by well-resourced institutions if they can. It will be permissive legislation. But the notion that this is a pay-for-play activity flies right in the face of what it's really about.

You go back to the '50s, Darrell Royal, when he got his job at the University of Texas in '57, went to the athletics council at Texas, said I have my coaching staff, I need one more coach. What do you need another coach for? I don't want this coach to know anything about football. I want this coach to be the brain coach. This was Lan Hewitt. This was in 1957. Darrell's comment to the athletic council, which was comprised of faculty, donors, alumni, he said, It does me absolutely no good to bring these men in this college setting and not have them advance to a degree. They're going to play football, and I'm serious about it, but what really matters to me is that they finish with a degree.

Roll forward, how many years later, we're talking about that same equation. It still starts with the classroom experience and you get to represent your classroom in sports.

SHEANON ZENGER: I get the benefit of going last and agreeing at least in part if not all with some. I would position myself somewhere between the two ends.

One, in reflecting on the last panel who at the very least was very entertaining, I don't know if we can live up to the bar they set, but I think they concluded with making comments about how we seem to be focused on the 1% of the student-athletes who bring an awful lot of talent to the table, matriculates to the NBA, the NFL, et

cetera. We sort of are ignoring the 99% of the others.

Now, having said that, I will defer to my elders and said I always heard about laundry money and always thought we should have something like that. I'm not sure why it ended back then. We do have young men and women that could use a little more to function around our campuses and colleges and towns.

Having said that, I think we've lost sight of, maybe this is personal, there's thousands upon thousands of young boys and girls out there who don't get to play at the BCS level or even the FBS or FCS level and would give their left arm of having the privilege of doing what our young people do on our college campuses.

I'm between everyone. The word 'equities' was used previously. I think that was a very good term. At the same time I believe some of the individuals on the previous panel were talking about what number do you put on our current full rides. I heard 60, 70, 88 thousand dollars by the time you factor in - Chris is the expert on this - everything from gear to travel to medical to all the things that we do compensate our young people with. I'm sure we'll flesh all of these points out as we go along.

JIMMY ROBERTS: That's a good point. It leads to the next question, which is the cost of attendance, how do we quantify what a student-athlete should get. We know what we do get now depending on what university they're at. At Kansas, I'm sure you could tell me what that figure is. What should that figure be? What should it include and what should it not include?

LEN ELMORE: Since Tom brought up the \$15 of laundry money.

JIMMY ROBERTS: Did he borrow some from you?

LEN ELMORE: No.

Like I said, we had a lot of dirty laundry there, that \$15 a month went from anything from buying a record, having an opportunity to go on a date once a month who didn't have any other resources.

To me, again, one of the things we need to focus on when we talk about full cost of attendance, subsidizing the difference, we also have to talk about need.

So many times we think across the board, but there are student-athletes who don't have that need, that demonstrated need for those dollars, be

it because they come from a family of means or they have other types of means.

In the end, I think being a part of the university community, being on a level that makes you feel like you're part of this community. As I said, whether it's being able to buy a tape, being able to go to the movies, being able to do something that the average student is capable of doing.

I think we lose sight of the fact that it's not just about when people make the argument paying for the services rendered. This is about making you feel as though you're part of the university as opposed to feeling you're isolated and something different.

Can I itemize and categorize each and every one of those things? Not necessarily. It's one of the things like the Supreme Court said, you know it when you see it and you understand it.

Going back to the situation where you have administrations and other institutions speaking of the inability to be able to put those resources forward, again, I still believe if it's need-based, across the board in all of athletics, I think it's certainly something that is affordable and certainly necessary.

But overall, I want to get back to something Tom said quickly. When you talk about the athletes, what do they do 10 years from now, I think that's something we haven't focused on. That is learning to develop some type of advocacy, whether students are advocates for themselves or others, in getting the education they truly want. The impetus is on the student-athlete. The student-athlete has to be an advocate for their education.

If you're practicing beyond the time you need to study, if you're going to miss an exam or be placed at a disadvantage for an exam, you should be able to say that, be able to attend the class or the exam without fear of retribution or retaliation, which unfortunately I believe exists.

JIMMY ROBERTS: That's a bigger issue. You know having played.

LEN ELMORE: That is something that has to be focused on. It becomes the responsibility of the student-athlete, if you take away that fear to be advocates for themselves. There are some that say they're not capable of doing it. I disagree. You have athletes, they're not getting enough playing time. I can guarantee you they'll be the best advocates they can possibly be. It's all a question of desire.

TOM McMILLEN: If you were going to start over again, which I'm going to suggest, in an ideal world, you would want in your national interest to have a lot of minor sports because that's good for your Olympic movement, that's the way we impress young people around the world, third-world nations by having a strong Olympic movement. Very important.

It's also very important that we have strong Title IX. If you're starting with that pretext, I say we need to have broad-breadth programs on our college campuses. You look at equity. Look at the current situation. Look at what the NCAA takes down in administrative costs. Look at all the conferences. With all due respect, you're talking about hundreds of millions of dollars.

If you had to rationalize the system over again, create equities, certainly players across the board would get their full cost of attendance and a little money to live on.

That's not paying them. That's just looking at the situation. Does the average football coach in this country need a million six when the president is making 300? The highest state employees across the country are football players. I'm all for paying coaches a lot of money. I'm all for big-time college sports. But the money needs to be handled differently.

Players have equities. Minor sports are important, our Olympic efforts are important, our gender equity efforts are important.

JIMMY ROBERTS: How realistic is that when there's such competition to win? Winning is so important.

TOM McMILLEN: Doesn't have anything to do. When Lenny and I played at Maryland, the coach made \$25,000. We played, jumped as hard, and winning was just as important. The idea there's some kind of cognizant connection between winning and money is ludicrous.

I'll tell you today there's going to be legislation introduced in the lame duck session to establish a presidential commission to study intercollegiate athletics by Jim Moran, and it's going to model what happened with Gerry Ford in the Olympic effort in the '70s.

There are going to be some serious efforts to try to take a look at this and ask the big question: What is in our national interest as a country? I think those are the things we ought to think about.

JIMMY ROBERTS: You're advocating for

Olympic sports as a component of the culture to make our society better?

LEN ELMORE: The reality is going to be, this is still a big business, whether we like it or not. Are you going to tell me when you have a committee like that, you have politicians onboard making decisions, the lobbyists from the networks, aren't going to have impact? We have to factor all those things.

TOM McMILLEN: The most important asset in America today is our system of higher education, universities and colleges. If you want to have an innovation economy, if you want to have jobs for the future, don't screw up your universities.

The point is, athletic departments have been very important, but it can be done in a balanced, reasonable way. I think that's going to be the challenge over the next 20 years, whether it happens by Congress or it happens because of the courts, you're going to be facing a day of reckoning. I just think it's a time to look at what's important for us as a country. That's really the message.

CHRIS PLONSKY: I think that discussion is fair because the model of higher education is challenged in this country, as well. Having athletics as part of the fabric of an institution is what we're trying to hang on to here. If anything, we want to be an asset.

There are very few things in life right now where you can teach young people how to be competitive. It's not about winning. It's about preparing and about learning what it takes of your own personal talent and fortitude to learn to compete in this world.

I wish I could find another analogy, another activity, that is as beautiful as sports to do that. It's really hard to find that on our campuses today.

I look at our 508 student-athletes. I tell them at our orientation, we have a staff of 350 people who are ultimately talented. We have Ph.D.s in our academic center, career counselors, event experts, we have people that can run facilities, sustain our budgets. They all choose to work in this environment why? Because they care about the 500 plus that are in our care. They're other people's children. They are turned over to us, some are on full scholarship, some on partial, they all get to represent their university.

They're on a regimen that is unbelievable. We have to fund it. So whenever you ask why ESPN paid the University of Texas for a linear channel, what we do with those dollars, we put them right back against those experiences to keep

those 350 people on payroll that directly service those young people, to hire the best in each of those.

If Charlie Strong is the best football coach on the planet, we think he is, why would we hire an academic counselor that was any less of an expert in that area, or a sports medicine chief who wouldn't be able to get us through concussion protocol, all the things that are facing the complications of student-athletes in competition?

I really believe in the system at our universities, we want to be an asset. We want to self-sustain. If we're so lucky because of support, attendance, ticket sales, revenue generation, we cannot only sustain an operation, but give money back to the institution for academic endeavors, which we do, help the president fund chairs on the academic side, because they're getting cutbacks from funding, we should be there to help.

If we begin to remunerate the operation, remunerate the participants, that breaks that model. Right now we're trying to sustain the financial aid model, participation model, and be a part and asset to our institutions.

LISA LOVE: The cost of attendance question you asked earlier, the University of Southern California and Arizona State, we looked at this deeply. Len actually described a lot of it, about the additional money beyond where it's currently calculated for a student-athlete. The estimations are different on campuses, but things like laundry, food, the ability for a young person to travel home, to get to and from their home. There's just a built-in life list.

That gap of the current full scholarship to what they would estimate at USC to be full cost of attendance is significantly different than in Tempe because cost of living in Los Angeles is so much more expensive.

There's been significant discussion as well about how to funnel what is needed to a higher-need student coming into a university environment.

All those things I think are great part of discussions. I can say this now because I'm retired, and I'm free to say it. But I actually would think, and in a way would welcome a Congressional review because there's so much positive that's under wraps because of the focus on just a couple of things, one of the primary ones being coaching salaries.

It sends off an alarm clock everywhere. I

understand that. I understand it forcing questions. But if you did a deeper dive in researching exactly what goes on on a college campus, the commitment to academic well-being, the fact we are now graduating football and basketball players at well over 70%, I don't think the rate was 70%, Tom, when you were playing. It's absolutely marvelous. If you follow the track for 10 years, and I need to be careful because I can't cite the source of the study, my memory is not good enough, but the average income for an American with a college degree over a lifetime is a million dollars more than the average income of an American without.

So while we've heard it ad nauseam, the 1% that makes it, is able to be talented enough to play professional sports, make their living therein, that's fantastic. For the most part, professionals would welcome a deeper dive to see what's really going on to facilitate the growth. Many are getting master's degrees while they're still playing. It's all happening actually. We just have a focus on an issue that's become larger than life.

So the guts of the deal is overlooked. The guts of the deal is pretty special.

CHRISTINE BRENNAN: I think what you're talking about is a very important point. It comes to the heart of my industry, the mainstream sports media, male dominated mainstream sports media. People I went to college with, people I adore, but you hear it all, football, basketball. They don't even deal with that pesky adjective 'men's'. We in 2014 should be able to say men's and women's basketball, men's and women's lacrosse. I think most of us probably do.

It's as if there's two sports, to your point about a deeper dive. There's two sports, there's football and men's basketball, and nothing else matters, nothing else exists. It has just clouded our vision.

JIMMY ROBERTS: Money has a way of doing that.

CHRISTINE BRENNAN: It does. I'll be critical of our colleagues. I think we have not done a good job of explaining that most people, as Chris was alluding to, most of these people are doing it well, most of them are graduating, giving back to their communities for the next 50, to 60 years. Most are not getting arrested. Most are not standing on tables and screaming vulgar things, not to mention any names.

I wonder, I don't want to preempt you, Jimmy, on where you're headed with this. But the public, we hear so much about this side of what we've been describing, the football coach, men's

basketball coach, money, attendance. I'm a capitalist. I get it. I wonder when we're going to start hearing the voice of mom and dad who are paying full freight for the kid who, by the way, the student fees go to help out athletics in many cases, as I understand it. When they start hearing there's more and more for athletics, I'm not expecting moms and dads around the country to march on D.C. and have some kind of a riot or whatever. I don't think we're going to see that.

We know for a fact when you talk to fans, they don't want to see athletes being paid. I know in one of the cases that has been litigated, a source of mine told me they didn't want to go to a jury because a jury could easily say no to paying athletes, no to the likeness issue, whatever. Again, there's a lot there. We could be here for weeks discussing these issues obviously.

But I think it's very important to step back, and I don't think we've done a good job in the media of stepping back and saying, Okay, what about all of the people who finally say enough is enough and I'm sick of this and I'm not going to buy season tickets anymore, or I'll buy season tickets to softball because I just don't want this.

I said earlier, be careful for what you wish for. I think journalistically one of the main things we have to do is focus on these issues because there is a whole other side to this story that by and large is not being heard because of my wonderful friends in the mainstream sports media who have beat the drum on the two revenue sports, avoiding everything else.

JIMMY ROBERTS: I think to play devil's advocate for a second, you can be fully in line with what you're thinking and recognize the fact that there's certain aspects of the way the situation is, the status quo, that is untenable. Wasn't Oscar Robertson a co-defendant in case?

TOM McMILLEN: Co-plaintiff.

JIMMY ROBERTS: Co-plaintiff.

That can't be right. That has to be recognized. 60 years later the likeness of an athlete is still controlled by the university that he played for.

I think you can be onboard with the larger thought, but kind of understand that some things in the engine room, some nuts and bolts, need to be changed.

Sheanon.

SHEANON ZENGER: I think something that can't get overlooked here is what Tom spoke

of. He sent up a warning flare. Sports in America is dear to all of our hearts. Probably got bigger than what we want it to be. James Michener wrote a book Sports in America. We should dig it out. It speaks to much of what we're talking about.

I do believe it's going to end up in your shop. I think it's going to end up in our nation's capital. There's a reason why we're here today.

Having said that, I don't want to lose sight of something Len said earlier, talking about need-based. I'm going to go back to when I was a young football coach at the University of Nevada, making a salary much less than what people do today in this business.

I remember distinctly at that time a full ride scholarship existed for football players as they do now. What a full ride encompasses is taking Johnny or Susie from an inner city or a rural farm and putting them in your college town and they now go to school like they did in high school, they get their books, they get their food, they are remunerated for the things you basically have before college.

In light of that, I have this distinct memory of pulling up to football practice in a 10-year-old used car, which was just fine, having a young man who came from a family of means pull up in an SUV. Later in the week getting a message from a tutor saying that another student-athlete had not eaten for three days. A real case of that. That was during a break period. That never happened when school was in session. Based upon rules at the time you couldn't give them food or money for food during breaks at that time.

I want to underscore that and give real-world examples. We tried to paint this with a broad brush stroke. We're talking about real young men and women that get caught up in these stories.

JIMMY ROBERTS: Let me ask the administrators something here. Isn't it something to administrate something like that when the rules aren't exactly the same for everybody?

CHRIS PLONSKY: Our rule book is impossible. But as the previous panel said, We are the NCAA. I'm not sure we can fix enforcement, though. The model that Scott Blackmun talked earlier about when they were talking about drug usage in Olympic sports, used the term 'we were the fox guarding the henhouse' and they created USADA.

I think there needs to be outside organization with regard to our compliance, monitoring and enforcement with some teeth in it.

If that happens with a government-type agency, that's where we need to start on that because some of these rules about how we feed and when we feed them, et cetera, those are so easy to fix. But what you can't just fix is integrity, lack of ethics, and people that just want to play by a different rule book. That's hurting college athletics and the nationwide perception of why college sports is good, why it matters, why there are benefits to it that are generational.

If we can't fix our reputation, then it will be difficult to continue under the circumstances. The ultimate insult to the full boat paying parent at all of our alma maters, there's something going on on our campus where an admission's slot is created that is not consistent with the university's mission and values. There should be benchmarks to stay at Northwestern, Arlington, University of Texas and Kansas.

JIMMY ROBERTS: Is that realistic? Is that ever going to happen as long as there's this need to win and the best basketball or football player doesn't qualify?

LEN ELMORE: Absolutely. If, in fact, as Tom mentioned, there is a collective in the national interest of politicians, those who have the power, to grant things like an anti-trust exemption on a limited basis to allow a body like the NCAA, I'm not saying this particular makeup, but at some point a central body, a central authority that's going to be able to impose a lot of the things without having to worry about having some kind of anti-trust litigation against them, that's really what it is.

Back in the old west, when you had a bunch of gangsters out there, had you to hire a strong marshall out there who could do anything they necessarily needed to clean it up. I think that's where we're heading.

I didn't want my point misunderstood. I was agreeing with Tom. Let's get rid of the tail wagging the dog mentality, which is what we have in college sports right now, where university mission is secondary to the mission of athletics. We have to go back to that. The only way you're going to go back to it once again is if there is, as I mentioned before, some central body strong enough to be able to enforce the rules and to be able to apply sanctions, to be able to make decisions that ordinarily would be considered maybe anti-competitive or some type of anti-trust violation.

Nevertheless because of the unique

position, as Tom mentioned, that college sports holds in our national interest, somebody has to be able to do it. That would be the reason why you provide that limited exemption.

Now, the exemption can list a whole range of things that the NCAA or whatever body it is has to accomplish and has to continue, and it can be reviewed on an annual basis or every two years for success. If there's no success and no willingness to stand up to the line you remove it or you change the leadership. But something strong like that has to be done. I think that Congressional oversight review is a first step towards that.

TOM McMILLEN: Listen, I agree with everybody on this podium that says that college sports is very good and very positive. Start there. We just need to figure out how to make it positive for all the participants, including our universities.

If you look back in the '70s, I was on the '72 Olympic team. We had a really tough Olympics. A number of members of Congress put in bills saying we need a presidential commission to look at this. The NCAA, AAU, everybody is fighting. Nobody is in control. They formed a presidential commission made up of lay people, members of Congress. They passed a bill. It became the Amateur Sports Act. It gave the Olympic Committee the authority to finally be in charge.

What has happened in college sports is that nobody is in charge. There's a lot of people in charge, but nobody really is in charge. I think that that failure has caused all these problems.

What's happening is we're seeing this unwinding of this because it's going to the courts and everything else. We're heading towards this chaos theory, which I think ultimately will ask us, How do we fix it? I think that's sooner rather than later.

JIMMY ROBERTS: Why isn't the NCAA in charge?

TOM McMILLEN: First of all, they don't control football. You have all the conferences that have all their strengths. As Mark Emmert said in front of the Senate Commerce Committee, I'm not really fully in charge here. He even admitted he has limits on his power. I fully recognize that.

Quite frankly, I'm looking for a benevolent dictator in college sports, to take all the good and make it work for all the things we like about college sports. That's just my position. I think we're going to head down a road where we're all going to be forced into this position, so...

JIMMY ROBERTS: I was going to ask, you mentioned it before, we may be headed towards a day of reckoning. All of you folks, do you think we're getting close to that day where the situation is going to become so impossible that it's going to need to be addressed by Congress? How close are we?

TOM McMILLEN: I don't think necessarily Congress. Could be a presidential commission. Ultimately there has to be Congressional involvement. I imagine this stuff could go all the way to the Supreme Court. Not a good thing either. Having all this in the public eye is not good for college sports. I think it really tarnishes all the good work that everybody in this room is doing. I see more and more of this coming. That really bothers me.

We need to get the cows back in the barn here and run this thing.

JIMMY ROBERTS: What you need is oversight?

LEN ELMORE: You need to give the central authority a shield from the chinks in the armor, the death by a thousand cuts, if you will, and allow the right leadership to do exactly what Tom said, the benevolent dictator to make the rules and to be able to enforce the rules.

JIMMY ROBERTS: The perfect situation, what is it exactly?

LEN ELMORE: Once again, make it impervious to the litigation that's going on right now. Give it the opportunity to have subpoena power, the power to apply sanctions. And the outside authority I think makes perfectly good sense simply because, again, there's no conflict of interest, if you will, as you might have now, where the organization, NCAA, is made up of member institutions - some of them obviously under investigation themselves.

I think that makes a situation that can be untenable. But more than anything else, the list of reforms that are required, to have that shield conditioned upon achieving those lists of reforms. Those reforms have to go to the benefit of the student-athlete. If it goes to the benefit of the student-athlete, then you put the dynamic back in whack again where there's not the tail wagging the dog, that universities can now continue to be in the business of developing leaders as opposed to in the business of the arms race where you have to continue to build facilities and do things to be better than your competitor.

That levels the playing field. Once you have that central authority, as I said, cleaning up the wild west, everybody falls in line, you create a new culture.

Since the Board of Education, Oklahoma Regents versus the NCAA, that's when it started to unravel, when the NCAA lost its central authority. People also recognized as a weakness there, we can go attack for our own interests.

If you read Justice White's dissent, it says from a reasonable standpoint the uniqueness of college sports makes it deserving of protection in some way, shape or form. I'm not saying unfettered power, but nevertheless it's conditioned upon achieving these goals for the benefit of the student-athlete, which in turn obviously knocks it back to the dynamic of letting universities develop leadership. Whether you're controlling coaches' salaries, whether you're eliminating competition that's affecting adversely the ability of student-athletes to study, to do things.

I mean, in football, Tuesday, Wednesday, Thursday games, it's kind of silly. I run the risk of biting the hand that feeds me, when ESPN and others are contracting these games, but that's their business, how they make money. We have to be able to balance that because it is a big business. We can't ignore that point.

But still it's the student-athlete benefit that has to be in central focus. Once you do that, I think everything else falls in place.

CHRIS PLONSKY: I think, again, the student-athlete benefit, which is all of our focus, it's hard to make the public believe that, but it truly is why we work. It's why we show up every day. I believe it's why alumni continue to have gathering around events, it's why they're proud of their schools, proud of their teams. Multi-generation effect of this thing we call college sports.

If you don't view the services provided in addition to the opportunity and just the sheer access to higher education as a benefit, if that's going to be shrouded in, Are they paid enough? Are they serviced enough? Are they remunerated enough? At some point a college president has to look at our enterprise and say, What value is it continuing to bring to the institution?

I think right now we continue to have value because we can sustain leadership qualities in young people. If they do get their degrees why they're experiencing a competitive sports experience, they'll be a more marketable citizen, they'll be employable, they'll bring something to the table for a greater good somewhere.

If they come in as a 17-year-old, expected to work their way through that system, that model of educational leadership, maturity development, it really skews it from the start. I think we would lose it in spades.

CHRISTINE BRENNAN: Jimmy, when does the public say enough is enough? The arms race is going on. Everything sounds so great here, I agree with you, yet we know salaries are going up. I'm sure if anyone is watching us on C-SPAN, enough of that, I want to know how we're going to play this week and are we going to fire our coach. We have all this going.

We saw something very interesting that I have been covering quite a bit since September 8th, of course that was the day that the Ray Rice second elevator video hit. I think sports as we know it may be changed forever. I know that sounds very dramatic, might be over the top. But I'll just pose this thought.

A league worth billions, the National Football League, the biggest thing in our country in terms of a one-sport league, literally buffeted and shaken from its moorings by Twitter, by social media. But mainstream media, to the point where the apologies from Roger Goodell, the changes, the immediate suspension of a man who already been suspended, wait till he gets reinstated. We saw something remarkable happen that week, September 8th onward, in this country, in terms of the way a league had to respond to the people.

Going forward, I don't have an answer here, it's more of a question. Maybe for some of you who I would normally be interviewing instead of joining on a panel, but I'm curious if something like what happened, that seminal moment what happened September 8th, with that Ray Rice video, if fans get disgusted. Jameis Winston, Florida State, seven, eight things he's done, it's appalling.

JIMMY ROBERTS: Let's switch hats here for a second. Let me say this. As someone who is a member of the media, but a fan of college sports, I will be shocked if we ever get to the point if people abandon their fanaticism for sports because of something as real and as serious as what you're talking about. It's just not going to happen.

CHRISTINE BRENNAN: No. But will they say, I'm disgusted, I don't want to pay athletes. Will it become fans saying enough is enough. Will those fans be listened to because they're not

buying the season tickets, the package, watching ESPN or whatever they're doing.

I guess what I'm saying is we should have our minds open to anything, because I never would have envisioned what happened with the NFL September 8th, 9th, 10th, 11th.

LEN ELMORE: Everything with the NFL moved so quickly, they didn't have a chance to make up stories, they didn't have a chance to lie due to the speed.

CHRISTINE BRENNAN: Florida State has plenty of opportunity to lie.

LEN ELMORE: We've seen that.

In the end I agree with you, Christine, there has to be a groundswell of disgust, to put it in the terms that you did. The thing that everyone loves, they go Saturdays, during the week basketball, either gender basketball, all those things that they love are getting perverted by other factors out there that aren't really the purity of the sport.

The problem is I don't think that they know enough. I think that there's been so much misinformation, so much perversion and disfiguring of the culture that many people think this is the way it's supposed to be, this is the way it's supposed to operate instead of recognizing, going back to the basics, that this is for the student-athletes who go out.

They will go out there and demonstrate their skills, but in return they're getting opportunity to develop into leaders that ultimately are going to have impact on us as a nation, not just what we watch on TV.

I don't think people see it enough.

TOM McMILLEN: I wish self-reform would work. Having been at this a long time, I think it would be better.

To give you an example. University of Maryland Board of Regents, I'm on the board. We passed something last week where we won't give a coach an athletic bonus unless he hits the minimum APR for that season. Wow. There's not a school in the country that does that, not a system that does that. It means coach can't flunk his team out and still get hundreds of dollars if not millions of dollars in athletic bonuses.

JIMMY ROBERTS: He or she has to care.

TOM McMILLEN: That's hard. Why hasn't that been adopted out there? I see Amy Perko out there. That's been going on for 20 years. In the '90, there were no coaches making a million. Today there are hundreds of coaches making a

million dollars. Are we going to be back here in 20 years? That's what I'm worried about.

I wish this thing could clean itself up. It's has plenty of opportunities, but it hasn't happen. All these external forces are only going to make it more likely that we're going to have a day of reckoning.

CHRIS PLONSKY: I think coaches have to care based on the academic standards that are ratcheting up. If you are not discerning in recruiting, if you do not get a young lady or young man that comes to fit your campus, truly want to be a student in addition to participating, you're not in a situation where you can just run them off and survive. I mean, you go below the APR, we saw our national championship basketball team from last year miss the tournament for a year.

LEN ELMORE: Without sure, swift, reasonable enforcement, that promotes renegades out there, you have academic fraud. We've just seen the tip of the iceberg. I've been doing this thing over 25 years in college football. You can talk to athletes, you can recognize who is on the ball, who is not, who can do college work or who is capable of doing it and who is not.

What happens with, and I agree with you that coaches have to care, but unless they're given the incentive to care even more. Tom, you're talking about tying someone's bonus to APR. What happened to tying somebody's bonus to a number of kids who graduate with meaningful majors and some of the other things?

All that does in many instances is allows the renegades to get away with stuff. I think it was your idea of getting outside enforcement to make sure that there's a monitor there and there's a center to do some of those things that are going to get them around the APR and the GSR consideration.

CHRIS PLONSKY: I would tell you today, given the way universities operate, it's difficult to fraud the academic system. What I worry about is the recruiting front. What's incentivizing people to go to particular campuses and what's keeping them there.

Coaches have bosses, too. You've got to hire a coach that fits your campus, that fits the profile of your campus, what the alumni expect athletics to be on your campus.

I hate to keep use using Texas analogies, but there's no more high-profile job at UT than football coach. Coach makes some really hard

decisions. I think there's 10 young men no longer in uniform. Now, our fans could be put off by that. But he had five basic rules to follow. If you can't follow those five rules, you can't play for Texas. Our fans right now I think admire what he's done. He cares about the character of his young people. He said it's a privilege to play here. As long as you follow these rules, you can represent our institution.

Those young men will be better. If they go to the NFL, I hope we're sending young men of character to the NFL where when they are paid and compensated for their gifts and skills, they'll still be a good citizen and a heck of a player in the NFL.

LEN ELMORE: You have to continue to stand by that. There are some universities that won't stand by it. The value of the balance will now go the other way. You haven't won enough games. I don't care how moral you are, we're in the business of winning football games.

CHRIS PLONSKY: I believe that's where Texas is. We have a men's AD who is 6'4" and could post you guys up, too (laughter).

JIMMY ROBERTS: In the end, look, these are games which are about winning. I think unfortunately what we've seen historically is that the winning component of this is much more important or is certainly equally as important as the idea that you're shaping an individual and helping to contribute to society. That's the unfortunate part of it. That's the imbalance.

I think the point is, to your point Christine, what is the breaking point for college athletics? When do we get to the point of outrage that we say enough is enough? Can you imagine getting there?

SHEANON ZENGER: That's pretty depressing, but a lot of this is. At the risk of sounding like the eternal optimist, I look at the issues facing our industry right now and put alongside the issues that are in front of Congress in Washington, D.C. right now. It seems we've reached an impasse on all social issues. We're the greatest country that has ever been with some of the greatest minds that have ever been, and we're struggling with solving some of these issues confronting us.

I'd like to look back at the last few decades in college athletics. I think back to a time when I was watching 60 Minutes with my dad, there was this expose on college athletics, Johnny can't read, this and that. That's when you only had to be enrolled six hours a semester, so on and so forth.

Since then we have APR, GSR, progress towards graduation, the 20-hour rule, which we could spend the next three days talking about as well.

When I entered the coaching business years ago, it was not atypical of having a practice of 3 hours and 40 minutes. That rarely happens today. These students have so much academic support on our campuses. There are a lot of good things going on.

My point is this. We've addressed a lot of those issues. So this is now the issue of our time. It's up to us. This is the issue of our generation. We need help, Tom. We need help from a lot of different factions to get this solved.

Again, you have to be an optimist to be in education. I believe that we will find this answer and we will solve this problem. It's daunting right now. But discussions like this are the beginning of where we will end up. And there is a right answer out there that we'll get to.

LISA LOVE: It's intriguing to think about an outside entity moving in to become the power base, whether it's a commissioner or whatever the model looks like. I never gave that a lot of thought. But I posed to this classroom of Ph.D. and Masters students all the time, Where does the power lie? Who's got the power? At one point several decades ago, in order to wrangle the competing institutions they established a central governing body and created sort of a czar who failed miserably and was ousted quickly because trustees of certain schools felt like they were being selectively enforced as opposed to a non-partisan entity who works for the welfare on theme of student-athlete, citizenry, benefit, graduation, all those kinds of things where you have that as the sole theme of whatever this third party entity could be to manage the enforcement process, and anything else for that matter, because the rules are made and passed and fail so many times because of student-athlete well-being, yes, but also because of competitive interests.

When you'd look at that in a bigger picture, to manage something as critical as enforcement and feel confident at Arizona State or USC or the University of Texas, University of Kansas or Northwestern, all of these schools, Maryland, the schools we're talking about, you just want to feel confident that what's being enforced in Baltimore is also being enforced in Spokane. Game on. If those are the rules, play by the rules, enforce the rules in a non-partisan capacity, create the rules

not based on the competitive nature of you being in L.A., and I don't have the same benefit if I'm in Manhattan, Kansas, so let's don't do that. Unfortunately trying to butt heads with unlike institutions.

But if you went to a fair or non-partisan entity that was managing enforcement for the NCAA that members could actually trust, then I believe the members would be onboard. They want to know what's happening on one side of the country, they want to know it's happening with diligence on the other side of the country and equitably applied.

I think just in this little meeting that whole raising that issue about third party enforcement, Chris, leads down a path of potential health, but also maybe being able to answer the question of where does the power lie. It's too hazy. It's just too hazy.

JIMMY ROBERTS: Is oversight at that level, that type of scrutiny, is it possible? Do you think it could be effective? You'd really need to watch so carefully and so closely.

LISA LOVE: You have a membership, whether it's within the NCAA right now or a third party that we're talking about in this panel discussion, you have a membership that's hungry for fairness and application. You have a membership that's starving for fairness and application. They're ready from one school to another to know that what goes on in one city and college town goes on in another college town and city.

I think the membership would embrace the concept of a non-partisan, fair enforcement body that conducted business on theme for the benefit of student-athletes' health, well-being and graduation.

LEN ELMORE: To support that position, there's so much with regard to self-reporting that's out there. If the administration sees that the athletic department has done something, they're going to self-report. Now it's up to this third party to go in and really find out exactly what's going on because there's no third party, there's no security that's going to be able to find every single infraction. They're not going to be able to snoop through every Division I through III university and find out. It has to be motivated by the idea of doing the right thing instead of trying to do things right, per se.

But once it's happens, right now without subpoena power, without some of the other powers that are going to be able to dig deep theory

that superficial layer of evidence and get to the truth, you're not going to be able to find anything. That's the biggest problem. I think a third party can certainly handle that.

CHRIS PLONSKY: Everybody was worried about autonomy, autonomy for these five conferences. We want the Big Ten. We want to do as much as our resources will allow us to do for our student-athlete experience, period, and keep the educational model. We want to keep the Big Ten under our governing body. It's called the NCAA today. I want to be able to play Texas State in softball. It's what made our NCAA basketball tournament appealing, that Princeton might beat Georgetown.

But the one thing we're concerned about is how we manage our enforcement. Aside from using our resources, really harboring in the gut of all of us is how do we deal with this enforcement compliance issue? We don't have the answer yet, but we better get there in a hurry shortly after January.

JIMMY ROBERTS: We're quickly closing in on the end of the discussion here. I'm going to ask you each to close by giving me your thoughts on the following question:

Not what would you like to see happen, but where are we heading in terms of the situation that we've been discussing, the student-athlete compensation? What is the trajectory taking us towards?

SHEANON ZENGER: I'm going to start by saying somewhere in the middle. Maybe that's an easy place to be. But Tom started this by talking about if we were to break the whole model apart and start over, we wouldn't be where we are today.

We've evolved to this point over a hundred years and there's a lot of reasons for that, and we can't unwind that as quickly as we'd like to.

But I do believe using the term used before, there would be equities that will be distributed about. I don't think the term 'employee' tastes right in the world of amateurism and college athletics.

Regardless, I am an optimist. Nothing is going to stop Johnny and Susie from playing basketball, sprinting, running, swimming, tennis, whatever they do. I believe in the pure essence of sports in America. We're not going to keep our young boys and girls, men and women from being the best they can be.

CHRIS PLONSKY: I just look at this panel

and I think about how college athletics has inspired and assisted every one of us. I believe that the people that you see on this panel are the products of a very good environment. We need to hold on to the good notions in that environment, we need to improve it, and we need to deal with it in a modern business sense. I believe there's enough intellectual firepower on our campuses and leadership that we can do it with some assistance from greater minds as well.

TOM McMILLEN: Inexorable change is coming. You can count on that. Just give you one point. Clay Christensen is a expert on disruption. 50% of our colleges and universities won't be here 15 years from now. What are we going to do? What we need is someone in charge of college sports that's going to be working in our true national interests promoting the things that are truly important to America: competition, gender equity, academics, minor sports, and most of all being in sync with our institutions of higher learning which are the most important assets in this country today.

LISA LOVE: We'll be in a healthier place. These hard questions that we're dealing in right now, if the catalyst to those questions are heightened television revenues, multi-million dollar coaching revenues, so be it. I think it may be an uncomfortable surf to ride for a while. But I think ultimately the tenets of the American model of amateur athletics will survive and be stronger. I don't know exactly how we'll come to that point. But I think what's happening now is going to cause for a healthier environment. And I think there are good questions being asked right now.

LEN ELMORE: Let me throw a dose of pessimism in. I see us without having some of the solutions we talked about, a stronger, independent body that is impervious to death by a thousand cuts of litigation, et cetera, without the anti-trust kind of shield we certainly should have. I see kind of a bifurcated situation where there are going to be institutions and conferences driven by the dollars. What do you think conference realignment was all about? Right now there's nothing to realign. Down the road there might be some without this kind of help I'm talking about.

My fear is that it's going to be a bifurcated system where you're going to have certain conferences and universities that are going to go for the dollars. Now we're going to have a total blurring of the professional versus the collegiate model in sports. We talk about student-athletes as employees. I mean, we're going to go right up

against that as close as we possibly can with payments and things of that nature without the enforcement that's necessary to kind of curtail that. We're going to ultimately have people paying.

Some people have been speaking about having agents involved now in recruitment, having them involved in negotiating certain conditions and terms and wages for student-athletes.

We have this Jeffrey Kessler case. I hate to give it that name, because he's the attorney, not the plaintiff, but it's recognized by that. He wants to create this free market that's going to benefit institutions as to how they deal with student-athletes. The funny part about it is there's not one institution as one of his plaintiffs. I don't know how you can speak to good intentions to them.

All those things combined without the protections we necessarily need so we can gather and do the right thing instead of just trying to do things right, we're going to have that bifurcated system where college sports in a major sense are going to be indistinguishable from a professional model. That's going to turn a lot of people out. Christine, maybe that's where the groundswell ultimately comes. But by that time it's ultimately too late.

CHRISTINE BRENNAN: Where are the presidents of these universities? I mentioned Florida State. If the acting president, the leadership of that university, were in that charge of that university, what might be happening different there now? I'm picking on Florida State, it's in the news. We know there are many incidents we can come up with. The presidents and the academic leaders of these universities getting the universities back in line. I think it could be as simple as that.

I also think it's important when we talk about paying athletes as we have, when many of my colleagues and dear friends in the media talk about paying them salaries, unionize, let's picture that, visualize what that looks like. If we start doing that, we see an offensive lineman who is at Tennessee who halfway through the season says, I'm going to go take that better offer at Alabama for the final game of the season, I'm going to go to Iowa and play for a game. We want that? We really like that idea? You mentioned agents, the money.

If we stop and take a look at what that future would look like, I think everyone would agree we don't want that. So an intelligent approach, a

look into the future, picture it as we think it could be at its worst or best, whatever your point of view is on that, then come back to reality.

Last thought. Smart people, intelligent people can decide what to do with stipends, can decide what to do with health insurance moving forward. This is not rocket science. Smart people, the people I've had the opportunity to be up here on this panel with, community leaders coming together that can keep this model basically as it is now, which we've grown to love, I have, as many of us have, and figure out how to work through these issues and navigate through these rough waters. I nominate all of you to be the leaders moving forward.

JIMMY ROBERTS: I'm hoping we're heading to a place where we can fix college sports and make it what it was when I first became a fan of the games, which prompted me to want to go into the industry that I'm in. There is nothing better than college sports. It's certainly very, very strong on the field right now. I hope it regains the health that it once had off the field, as well.

To our panelists, thank you very much to joining us. To those of you who followed us online and on television, we bid you good night from Washington, D.C.

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