

August 7, 2014

The State of College Athletics Forum

THE MODERATOR: I want to thank everybody for joining us. I'm Jimmy Roberts from the NBC Sports Group. As I said, thanks to all of you here for joining us here in New York City, as well as those who are watching and listening online at campusinsiders.com. This program is being presented by the Big 12 Conference and also the Journalism Department of Manhattan College.

Google the term "college sports" and in one-third of a second, you get 441 million responses. It does, however, take longer to consider exactly what you found.

Is college sports about its championships? What UCONN does on the basketball court or what Florida State does on the football field? Or is it about what Florida State's quarterback might have done off the field or the UCONN star's claims that on occasion he has gone to bed hungry despite the fact that his sport generates millions for the school. Is college sports about the Top 10 or is it about the bottom line?

The coach at one of the countries most successful football programs earns a salary more than ten times that of the school's president, more than 14 times of the President of the United States.

The decision in a class action lawsuit by athletes against the NCAA with billions at stake is eminent. The football team at Northwestern is moving to unionize. Is that the story of college sports?

Most schools run their athletic departments at a loss and graduation rates among football and basketball players in the power conferences led woefully behind those of their peers.

Meanwhile, last month, the NCAA agreed to fund a \$70 million study on head injuries in former athletes, but no money was set aside for those who have sustained harm. Is that the story of college sports? Or is it the story about the passionate fans and supporters who buttress the industry?

The answer is college sports is about all of these things and more. And of course, it also depends on who you ask. Describing college

sports is a little bit like describing America. Where do you start? We're going to take a crack at it this afternoon with ten men and women who are not only among some of the brightest minds to consider these questions, but individuals who will offer their perspectives from the inside.

Starting from the right of the stage here, John Currie is Kansas State University athletic director. He is also a member of the NCAA Division I Administrative Cabinet and the Fiesta Bowl board of directors.

Juliet Mucar is a sports columnist for the New York Times and the author of the New York Times best seller "Cycle of Lies: The Fall of Lance Armstrong." Juliet brings unique perspective to the panel, as she was captain of the Columbia University rowing team while a student at Barnard College.

Armen Keteyian -- whoops. Steve Patterson, I'm glad I looked up. Steve Patterson is the men's athletic director at the University of Texas. Previously, Steve was the athletic director at Arizona State. He spent two decades working in professional sports as the general manager for the Houston Rockets and the Portland Trailblazers, among other roles.

Now, Armen Keteyian is the lead correspondent for 60 Minutes Sports on Showtime. He also co-wrote the New York Times best seller, "The System, the Glory and Scandal of Big Time College Football."

Bob Bowlsby is the commissioner of the Big 12 Conference, the host of this forum. Bob has chaired several NCAA committees and served on the United States Olympic committee board of directors. He is the former athletic director at Stanford, Iowa and Northern Iowa. He was also a college wrestler.

Dr. Donna Lopiano is the president and founder of Sports Management Resources. Dr. Lopiano is also a past president of the Association For Intercollegiate Athletics For Women. Fox Sports has named her one of the ten most powerful women in sports. She is the former CEO of the Women's Sports Foundation and a former University of Texas at Austin director of women's athletics.

Judge Ken Starr serves as the chief executive officer at Baylor University, holding the

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titles of president and chancellor. Judge Starr is a member of the board of directors of the National Association of Independent Colleges and Universities.

Kevin Blackistone is a journalism professor at the University of Maryland and a frequent panelist for ESPN's Around the Horn. He spent 16 years covering sports for the Dallas Morning News.

Selvin Young is a former running back for the Denver Broncos and was part of the 2005 BCS national championship team at the University. Young is now a motivational speaker and entrepreneur. Selvin was the person in his family to attend and graduate from college.

Finally, Oliver Luck is the athletics director at West Virginia University, his alma mater. In 2013, he was named to a three-year term on the inaugural College Football Selection Committee and he is father of two former college athletes, one of whom you may have heard of.

A reminder, the opinions offered today from all of these men and women are their own and do not represent the opinions of the organizations they represent.

A little bit later, we're going to be joined by Chris Surello, he is the sports editor for the student-run Manhattan College newspaper, The Quadrangle. He is currently interning with News 12 in the Bronx where he covers high school and college sports. Chris, we look forward to your questions a little bit later.

Now, there are a lot of places that we could start, but I think it's appropriate that we start with the news. Tomorrow at NCAA headquarters in Indianapolis, the Division I board of directors will vote on a dramatic change for the way big time college sports are conducted.

The proposal would allow, among other things, for athletes to be paid. There would be a change in the attitude about contracts with agents, associations with agents and also recruiting as well. The proposal would affect only schools in the Big 5, the Big 5 conferences, that is, which would amount to 65 schools. Radical departure clearly, and that's an understatement.

Bob, let me start with you. Is this a good idea? I mean, in a sense this is bifurcation. You are going to have a portion of college sports living under one rules and another portion perhaps living under another.

BOB BOWLSBY: That is true. To some extent bifurcation or tiering occurs already. We have for years sought to create competitive equity

by rules variations, but that sort of equity is largely a mirage. I think there's always been some separation. This may contribute to additional separations, although the rules and any changes that might be made are intended to be permissive. But they are also intended to take into account the fact that those 65 schools are largely the face of what most people know as college athletics. They are also the residents of most of the -- most grievous violations in college athletics.

This is an opportunity, I believe, for those 65 schools to address issues with agents, issues with eligibility rules, issues with departures prior to graduation in ways that make some sense for those schools.

And they -- I think we got to the place where we just believe that there was a need for us to perhaps be a little egalitarian and a little less magnanimous about the 350 schools and spend a little time worrying about the most severe issues that are troubling our programs among those 65.

THE MODERATOR: Let's not be polite here. If you've got an opinion, just jump in. Before everybody does and I get trampled, the one thing that occurred to me when I first read this was that the Big 5 is compressed of 65 schools, but Division I is well over 300 schools. Why in the world, if you are from the University of Denver with a fine lacrosse team or from Boise State why would you ever vote for this? And then if you are perhaps somebody who's -- let's just take the example of the MAC. They've provided great talent to the National Football League. Why would a student want to go to school in the MAC if he was looking for a competitive football experience? Anybody there and then let's, as I said, be less polite. Anybody? Donna?

DONNA LOPIANO: I really am aghast at the whole autonomy movement of the Big 5 conferences, and this started in 1997 when the bullying tactics of the FBS, the threat of leaving the NCAA forced the membership into a federated system.

When they did that, they reduced the take of Division II and III to less than 10 percent of all NCAA proceeds. They protected themselves from the NCAA ever starting a competing FBS championship to the College Football Playoff. They also protected any future distribution of funds by any subdivision championship should the NCAA establish one.

They lined themselves up as a plutocracy.

There was no national sport governance organization in the world that has allowed a small minority of rich institutions to run the show except for the NCAA, which has legislated -- the whole membership has defaulted and now is legislated to institutionalize the self-interest of the FBS and now the Big 5 conferences.

THE MODERATOR: Anybody?

ARMEN KETAYIAN: Well, with all due respect, this is recognition of the reality of college football right not, particularly college football. It's a vast commercial enterprise. It's not amateur sport, or if it is amateur sport, it's amateur sport in name only. With all the billions of dollars going into it, these Power 5 conferences have made this clear over the last year that they want the rights to control their own destiny.

When you have a College Football Playoff that is going to generate -- ESPN is spending \$400 million to televise three games, this is not amateur sport in way, shape or form. They want the rights to control their future. If they don't get those rights, they are going to split, and they are going to do whatever they want to do and then what's going to happen?

DONNA LOPIANO: Then what's going to happen? Why don't they? Why aren't they? Why wouldn't the Big 5 leave?

It would put them in a terrible position in terms of having to defend the antitrust suits that come up right now. They can't hide behind the skirts of the aggregated data of 1,000 institutions where they can say most of us are going in the right direction educationally.

I say let them leave and then see what happens. They'd have to take on the complete liability for that.

BOB BOWLSBY: Well, I think we may end up taking on the complete liability anyway. Depending upon what happens tomorrow, that may be what happens. You know, I think that from the standpoint of being a good poker player, we put our best offer on the table first which was a big tent. We keep the Division I branding, we keep access to championships, we keep access to Division I revenue.

DONNA LOPIANO: And you give more to kids.

Q. And we what?

DONNA LOPIANO: You can give more to kids.

BOB BOWLSBY: And we can give more to kids.

DONNA LOPIANO: But if the FBS championship was owned by the NCAA, that \$440,000, instead of 75 percent of it -- \$440 million, instead of 75 percent of it going to 65 institutions, you can fund tomorrow -- in every Division I institution, you could fund the cost of attendance increases, every single one. You could provide athletic injury insurance across the board for 480,000 athletes, just as the NCAA now does catastrophic insurance.

You can reform the enforcement system if those funds were owned by the NCAA like every other national championship.

BOB BOWLSBY: Well, the fact is we never would have gotten a championship if we would have had to do it within the NCAA. It was only because we did it outside the NCAA that we were able to move the process forward.

And by the way, I don't know that it's the responsibility of the 65 to fund the other 270.

DONNA LOPIANO: NCAA national championship proceeds do not belong to the 65. It belongs to the 1,000.

BOB BOWLSBY: Well, they belong to the 65 because we win 92 percent of them every year.

DONNA LOPIANO: No, it doesn't. The national championship property isn't yours.

BOB BOWLSBY: It is in the sport of football because there wasn't any other way to get it accomplished.

OLIVER LUCK: One thing briefly which you asked about, which was quality of football. There is no doubt that the 65 schools play awful good football and people want to see those games on television. Broadcast will want to televise those games.

Because recruiting, as Selvin and all of who played college football know very well, recruiting is an art and not a science. You're still going to have a lot of awfully good football players playing at lower levels, whether that's FCS or the old 1AA, Division III, Division II. There's lots of talent that will play football at those schools. Because obviously with all the high school programs around the country and all the varying degrees of competition, college coaches even those that are well paid, well compensated don't have all the answers and they miss on a bunch of kids. Look at the NFL and you'll see a lot of guys from smaller schools have had great careers.

THE MODERATOR: All I would say to that is would we have seen a Ben Roethlisberger go to the University of Miami or Ohio?

OLIVER LUCK: Probably. I think kids who were attracted by smaller schools for a whole variety of reasons will still continue to be attracted by those schools. They're great academic institutions. There is good football in the MAC and the Sunbelt and Mountain West. You will see NFL kids get drafted in the top 2, 3, 4, 5 rounds coming out of the smaller schools. I'm convinced of that. That won't change.

BOB BOWLSBY: That's one thing that bears mentioning. And I'll yield quickly to you, John. But one of the innovations that has taken place over a long period of time, at one football scholarships were unlimited. Then it went to 125, then to 120, then 105, then 95, then 85. Some would argue that it should still go lower.

The reason college football is as good as it is today is not because of the BCS or because of the College Football Playoff. It's because of the distribution of scholarships and the fact that there are lots of great players that are not sitting on one of the major programs' benches but instead are on the field for other programs.

THE MODERATOR: John, you have been chomping at the bit here.

JOHN CURRIE: Just a couple of things. Going back to '97, I was pretty young in my career. Juliet and I, I think we're about the youngest people on the panel here. (Laughter.) I'm sorry, Selvin is down there.

Going back to that time, I think one of the things that we've got to keep in mind, the conversation immediately goes to money and football and there's basketball. In intercollegiate athletics, we're talking about a lot more than that.

And at K State, we have 16 sports, which is the lowest number of sports we can have in Division I. But even within one institution, there's already differences in how teams travel or how teams are experienced and that happens in different divisions already. Some stay at the Courtyard by Marriott, some stay at the Marriott, some stay at the Fairfield Inn or the Extended Stay or whatever. There's already differences within each individual institution.

The other thing to the point about talent distribution and your point about Roethlisberger, even in our state, there's a great basketball player at Wichita State, who is from Scott City, Kansas, he's played in the Final Four and a tremendous

player. K State didn't recruit him five years ago for whatever reason. There's still going to be great players at a lot of different places other than just the more visible conferences.

We need to keep in mind we're talking about much broader enterprise than just those two sports that do generate their primary revenue.

STEVE PATTERSON: I think the key is it's one thing to say that one organization or another owns the championship playoffs. The reality is football makes some money at that, men's basketball makes some money at that, occasionally hockey or lacrosse can make some money at that. The rest are expenses. They don't operate in the black.

And so in this system and in most capital systems, you allocate the revenues according to where they are generated.

ARMEN KETERYAN: Correct me if I'm wrong. When the agreement happened that they agreed to the playoffs, the conference payout for the school that wins it goes from like \$28 million to \$75 million. But the so-called nonpower conferences also got a significant bump of that piece of the pie as well. So weren't they, in essence, signing off on the decision to accelerate the playoffs or have a playoff so to suggest that, well, you guys are have gone of rogue and done this arbitrarily, the other conferences bought into it because they are getting more money too.

BOB BOWLSBY: The other five conferences, as a percentages, go up more than the five high visibility conferences.

DONNA LOPIANO: But 75 percent of that \$440 is going to the Big 5. Twenty-five percent is going to the other 65 institutions.

BOB BOWLSBY: And they were getting 9 percent before.

DONNA LOPIANO: But that's not the point. The point is that should a small number of institutions be able to keep a national championship pot of money that's equivalent to the Final Four? The Final Four is a -- what is it \$740? It's \$740 million. It goes back to Division I, but it gets filtered.

When 88 percent of that money goes back to Division I, it goes back for specific purposes except for this 31 or so percent not for the basketball finish in the Final Four. But it goes back for academic reasons, goes back for supplementary support for athletes. It's filtered for student benefit.

What's happened is that the Big 5 has taken this \$440 pot, which could be a billion pot if it goes to an 18 playoff, and it's not filtered anymore. It's going to the Big 5 unrestricted. It's going into the pockets of coaches. It's going into \$500,000 and million dollar commissioners and athletic directors and it's not going to kids, except what he's saying is correct, it will go to the kids at 65 institutions instead of the 300-and-something institutions.

That \$440, if it were sitting with the NCAA, would come back to those Division I schools, but it would help more of them.

JULIET MUCAR: I hate to point this out, but I don't think anybody answered your initial question, which is why would anybody --

THE MODERATOR: I'm used to it.

JULIET MUCAR: Why would anybody who isn't in the Big 5 be interested in this plan of being marginalized pretty much.

MALE SPEAKER: Because they aren't going to get to keep the revenues out of the basketball tournament, which are they largely generated by the --

THE MODERATOR: If I understand it correctly, they also get a cut, a larger cut than they were getting, of the football revenues.

It's 2014. It's not 1988 or 1995 or 2000. The world has changed. College football has changed. The game has changed. The popularity has changed. It's just not 1978 or '88 anymore. That's the reality of things. They are not going to give these other schools a piece of the pie bigger than they are getting unless somebody sees something I'm not seeing.

MALE SPEAKER: No interest from the viewers.

MALE SPEAKER: Right.

MALE SPEAKER: If there was interest from the viewer, it would be a different discussion.

JULIET MUCAR: Is it all about people watching? Are you doing this because people are watching this on television? Is that what college sports is about? We're watching this because more people are tuning in and --

ARMEN KETHEYIAN: If you're going to talk about television revenues, that's where it comes from and how it's generated.

JULIET MUCAR: I don't know, is that a motivator for you athletic directors? We want more people to be watching our sport, that is why we have college athletics because you want more people watching us.

ARMEN KETHEYIAN: You do want more people to watch and be able to tell the story of your university. Yeah, you want more viewers.

JULIET MUCAR: How about for other sports who aren't on television?

ARMEN KETHEYIAN: We put more of them on than ever before. You look at our network, the PAC 12 network, the other networks, there is more viewership -- when we are at the PAC 12 Network or at the Long Horn Network, we split our viewership equally between men's and women's sports, and there's far exposure for the Olympic sports than there ever has been in the past. That's a good thing for those sports.

BOB BOWLSBY: And absent the funding that comes from football and men's basketball, we'd have a lot fewer sports on campus right now than we currently have.

THE MODERATOR: Selvin, let me ask you: If you had, when you were going to college, the first person from your family to go to and graduate from college, you went to the University of Texas, played on a national championship team. If at that point you had been recruited by a school which couldn't offer you the benefits that in this system that's being proposed a running back at Texas would have available to him, would it have made a difference?

SELVIN YOUNG: I'd say right away I would probably think I would have reached out for that opportunity to go to a bigger school. I would see a lot of the smaller schools probably having issues with commitments early on, because the guys would probably be trying to go to a school where they are getting a lot more notoriety and bigger things and bigger opportunities for them, opposed to going to a smaller school where they are kind of, seems like, outside of the bubble or outside of the struggle that's been going on since the '70s or the '80s to get to where we are now. I would probably go to a bigger school.

THE MODERATOR: Before we go on, in getting ready for this, I read a number of things. Some of the most interesting stuff I read wasn't the articles that were written, but were some of the messages, some of the comments which followed the articles.

Here was one where this person said, Here's my prediction: Big time athletes and big time schools will get paid which now looks like it's going to happen. Most colleges will simply cancel their sports programs to avoid it, and most sports

baseball, soccer, swimming, track, wrestling, golf, tennis, rowing, will disappear.

With Title IX, we will still have softball and women's soccer. Let me ask the athletics directors in the group. Is that right? Does that sound reasonable? Is that what is going to happen?

JOHN CURRIE: We're kind of mixing two different things here. Tomorrow's deal is about the autonomy concept and the next step would be to define -- and the issues have been defined in terms of what can be addressed from an autonomous perspective. Then how does that play itself out. I don't think it's a (indiscernible). All those things aren't going to happen one after another over the next three weeks or anything like that.

One of the public misconceptions, though, is that the television revenue or whatever has just created a massive, huge pot of cash that's just sitting there. And once we're able to deploy that pot of cash, we'll deploy it. The cash that's been developed through the revenue streams that have been developed over the last several years, especially the growth from television, I mean those dollars have been allocated. Those dollars have been allocated across our sports academies, depending on how many sports we have, facility projects and all that kind of stuff. There will have to be decisions made and priorities made, part of the desire that we need to do or that we have to meet is to address some of the very real legal issues, legal challenges and our desire to continue to improve the student-athlete experience for all our student-athletes.

And I would add, from a positive standpoint, the experience of a student-athlete in 2014 is unquestionably better than it was in 1993 or 1990 or 1980. When you look at all the different stuff offered now, whether it's sickle cell testing or academic counseling and LD testing, you name it, it's a wholistically a better experience than it's ever been.

THE MODERATOR: Kevin?

KEVIN BLACKISTONE: It's a much greater inequitable situation now than it's ever been because of that pool of money. Right now the NCAA or the structure of college athletics is facing something like 24, 25 lawsuits in courts across the country, most of which are aimed at the financial structure and the inequity or perceived inequity of college athletics.

To me, that is ultimately the problem that has to be solved. And so you can talk about we

are great athletes going to go to school now, and you can talk about the playoff system, which a few years ago folks didn't want to have any part of it until ESPN came up with a check that made it palatable. And so to me that's the real issue here. You talk about the 65 supporting everyone else, well, if you talk to folks down at the College Sport Research Institute at the University of South Carolina, they will tell you that 4 percent of all athletes in college sports support the other 96 percent. You've got 4 percent of athletes who are revenue-generating athletes and 96 percent who are expenditure athletes.

OLIVER LUCK: Kevin, let me get your help here, as a former federal judge.

In this O'bannon case, which we're all anxiously awaiting the outcome, one of the early pretrial rulings from Judge Wilkin out in Oakland was that the NCAA was not allowed to use the argument that we're generating all this money for football and then sharing it with the volleyball team and the swim team, sort of the ill gotten gains, doesn't matter if you do something good, you know, from a societal perspective.

What that tells me is antitrust law isn't really in favor of the existing structure that we all have on campus, which is football is our bell cow, men's basketball generates money as well, and then we share that down through all the other sports. That was a very alarming development to see a federal judge say NCAA you cannot use that argument. It's not go to fly here in this courtroom.

KEN STARR: From a university wide perspective, it will be a terrible day when in fact there cannot be a cross-subsidization on the entire platform of college sports.

You've asked what are college sports and we immediately started talking about money. Well, let's get this on the table. Twenty-three programs make money. The rest of us, including Baylor University, where I'm honored to serve, we don't make money. There is subsidization. We need as much revenue as we can because we believe in the tennis team, we believe in the cross country team. Quite apart from Title IX. We have 19 sports, 11 of those sports are women's sports.

Now, why is that? That seems like an imbalance, but we are in compliance with Title IX. We have created -- we're Title IX compliant. We have outside consultants every year for the last decade plus. This wasn't something I innovated, who come in and ask, Are you Title IX compliant?

This is a very good thing. But if we move, and we haven't talked specifically about -- although what Kevin said suggests that we should move to that topic, Jimmy, and that is paying -- in light of all the money, paying our student-athletes, especially in football, we will have a very different model. And I think what will happen, if that happens is, number one, they become employees. That raises a whole host of questions that I hope we'll be able to talk about.

But once they become employees and they are paid individuals as employees, first of all, most state law would say you have got to pay them in cash. Forget scholarships. That is just state law. I don't know of any state law that is different. You have got to write a check because you are an employee.

But the other thing that is going to happen is you take those people out of the calculus in terms of Title IX. I think gender equity is a very important part of this. I also think it's very important for us to be supporting all of these sports, including the Olympic sports, and I think our commissioner pointed recently to the fact that 85 percent of our summer Olympians representing the United States come out of university programs. So we are subsidizing them.

Is that fair? I was on the practice field yesterday with Coach Briles for the opening practice of the Baylor Bears. I didn't sense anything other than just excitement and just I'm thankful that I'm on this team. I think the University of Texas Long Horns feel the same way. The Kansas State Wildcats, they feel the same way.

What I'm not seeing, other than occasionally references to the NLRB ruling, obviously that's under review, is what do our student-athletes really think? Those who are out there on the playing fields now. Do you think it's okay, Bryce Petty, quarterback for the Baylor Bears, for you to be working really hard but in effect your work product and that of your teammates is going to support the women's basketball team? I have feeling Bryce we're all in this together. We're part of a university. So I hope there will be continued resistance, quite a part from sharing and the big versus the small. The idea that we want to professionalize two sports, football and men's basketball, I think something very, very valuable will be lost.

The final thing I want to say is one of the things about autonomy is we do not feed our student athletes, especially the football team, we

don't feed them adequately. I've been vexed by nutrition ever since I arrived. I've talked to our coaches, talked to student-athletes because we're handicapped right now, athletic department is, by NCAA rules. Those rules are very arcane, very specific.

And when you step back and say what is it we need, we need to improve safety, we need to improve health, we need to improve nutrition, and we need full cost of attendance, which is going to vary from school to school. That's going to raise some equity issues and so forth.

So what will happen, I believe, under the greater autonomy model is that -- and everyone should be moving in that direction. Take care of your student-athletes. Take care of your student-athletes. That's what we should be talking about, it seems to me. College sports, what is college sports? College sports is about student-athletes who volunteer. They want to -- they come back year after year and after year. By the way, if they are not students and with the mockery that goes on, which I think is most unfortunate and wrong headed, if they don't remain academically eligible, if they weren't making progress toward graduation, they don't get to play and they know that.

The support system that John Currie talked about is likewise one that I gather has been developed by virtue of what I think is greater conscientiousness, awareness of the need to wholistically support our student-athletes.

DONNA LOPIANO: One question, just a follow-up. Does it seem incongruent to you at all that the institution at-large cross-subsidizes everything? This is a larger nonprofit. If the English department has 80 percent of all the FTEs, they don't keep the money, do they? They don't keep to everything that they generate.

KEN STARR: Everything flows to central budget.

DONNA LOPIANO: A central source. You exercise a fiduciary responsibility to take care of everybody. Why is it concept so foreign to intercollegiate athletics. That is what this plutocracy is absolutely denying at this point.

KEN STARR: But you're moving to institutional comparisons. That's fair. That's fair.

DONNA LOPIANO: A nonprofit is a nonprofit.

KEN STARR: What I'm trying to address is what I think is the original question, which is

what is college athletics. What is college sports? And what is a university? A university with only a faculty is a think tank or a foundation of some kind. It really begins with the student-athletes. That is where the focus should be.

And then how are we using this revenue? Are we doing that in a way that is responsible, that is in fact looking ahead to the best interest of the students?

I do want to add we cross-subsidize, football helps cross-subsidize, we really do, the music department.

DONNA LOPIANO: I agree with you.

KEN STARR: It does happen. Our school of music is wonderful. I love Baylor music. If we're simply talking about what is positive revenue producer, we will not have music and we won't have cross country.

BOB BOWLSBY: Well, just a clarification on something that you said earlier. The action tomorrow by the NCAA board will not professionalize collegiate athletics. Every institution has what is called an actual cost of attendance, a full cost of attendance. It varies from institution to institution. It's articulated by a federal architecture that describes how you can go about providing a scholarship. It's not just for athletes, it's for anybody on that campus. And what it was intended to do originally was to describe for parents what it was going to cost for their child to go to school at that institution. It includes trips home. It includes pizza money. It includes entertainment, clothing.

THE MODERATOR: You're saying what's being voted on tomorrow?

BOB BOWLSBY: What's being proposed, it is the enabling autonomy that would allow the 65 of us and anybody else who wanted to do it to provide instead of a scholarship that is room, board, books, tuition and fees to be room, board, books, tuition and fees plus an amount above and beyond that that would be up to the actual cost of attendance of that institution.

So it isn't pay for play. It isn't compensation on an hourly basis. It is a recognition that there are more expenses to be incurred than just room, board, books, tuition and fees. It's that that has been proposed by the 5 high visibility conferences, not any form of pay for play.

THE MODERATOR: So I stand corrected. Let me ask you. It's a good point of departure, what is your position on paying these athletes?

BOB BOWLSBY: I think if we ever go down the path of creating an employee-employer relationship, we will have forever lost our way.

I will say one more thing about that if I may. If you apply any form of the labor theory of value, that is to say the work that goes into something is determinant of the cost, football and basketball players don't work any harder than other athletes. They don't work harder than swimmers. They don't work harder than field hockey players. They don't work harder than wrestlers. They don't work harder than any other athletes. They happen to have the blessing of an adoring public.

THE MODERATOR: But the product of their work yields millions and millions of dollars.

BOB BOWLSBY: It does. If you are going to compensate for expenses, football and basketball players, it isn't even arguable that we wouldn't do it for every other student-athlete on our campus.

Relative to equity, we have both the legal responsibility and a moral obligation to treat young women the same as we treat young men.

ARMEN KETAYIAN: With all due respect, one of the things that came out of the system that Jeff and I reported was, the most stunning thing for me was that it is a -- when you say full-time job for a college football player, it is a full-time job. And it is athlete-student. It is not student-athlete.

BOB BOWLSBY: Full time during the season.

ARMEN KETAYIAN: Full-time 11 months out of the year.

BOB BOWLSBY: That is not true.

ARMEN KETAYIAN: They are there all summer long. They are working in the offseason program. They have got their conditioning program in the summer.

BOB BOWLSBY: They have a two-hour commitment in the summer.

ARMEN KETAYIAN: But they are still there. They are taking classes because they can't take enough classes to be eligible in the fall because they're working from 6:30 in the morning when they get up to go to class so they can be there by noon, so they can get taped and watch film and then they can go to practice until 4:30, and then can get study hall and tutoring and maybe some more meetings and go to bed at night at 9:30 at night.

BOB BOWLSBY: Two or three hours a day in January, February, March, April, May, June

and July is not a full-time job.

ARMEN KETHEYIAN: Well, the rules are voluntary and we all know how those work.

BOB BOWLSBY: Even with voluntary, it's only three hours a day in the offseason at the most.

KEVIN BLACKISTONE: The initial ruling is not the first in which college athletes have been ruled to be employees. There is study at Michigan State done by a husband and wife team who are lawyers who have placed what college athletes do against the definition of employees under U.S. law and found it to be congruent.

There have been any number of rulings about this. And then if you go back and read Walter Byers' confessional in 1995, he explains why and how he created the term student-athlete, which all of us in the media have regurgitated unnecessarily and without study over the years which have given cover to college athletics in terms of how we view Selvin Young and everyone else who has played. I'm troubled when I hear that because I have come to the belief over the years from talking to a number of people, from getting to know Ken Waltrip at TCU, who has fought this for years, but it's just not true. I've done the stories like Armen. I've talked to players about their experience. Not to say they don't like their experience, but their experience on the university is that of the employee.

BOB BOWLSBY: I'm not taking issue with that during the season, but it is -- a full-time job is 2,080 hours a year. And during the months of January, February, March, April, May, June and July, this is not a full-time job.

KEN STARR: I think further proof of that is how well to do the student-athletes do in school? Are they in a rigorous program? Fair question. So let's monitor that. Is there channeling and steering? That's why it's great to have enterprising reporters who ask the tough questions. What are student-athletes taking? What are the football players doing? Let's look at their GPAs. Is it a real GPA? Let's audit that. Is that a real GPA? Are they making progress toward a degree?

It seems to me that the monochromatic picture being painted that the student-athlete essentially is in a position of supine surfdom is just wrong, it is just not grounded in the reality of what in fact happens every day. Horror stories. The horrible story, a quadriplegic and so forth. That also makes the point. Bless his heart, he was not

in fact, the TCU player was not in fact ruled as an employee. I believe --

KEVIN BLACKISTONE: Originally he was.

KEN STARR: By the initial officer. That's why courts, and with all due respect, professors at universities don't fashion what the law is. They can say we think this is what the law should be, but I think contrary to what may be the impression out there is that there is no ruling other than the NLRB regional director's ruling to the effect that a student-athlete, call the individual what you will, is in fact employee.

I would just say finally the unintended consequences of such a ruling are enormous, including for the student, because now he is going to start talking to the IRS, he or she, because of Title IX. And then it's going to be enormously important to the university for reasons I think we already now have on the table, and that is Title IX.

DONNA LOPIANO: Shouldn't the answer have been, here is this National Labor Relations Board ruling. Shouldn't the NCAA's answer have been, all of our answers as athletic administrators, why aren't we enforcing the 20-hour rule. You know we're not. We're not enforcing it. We're not making sure that they are being students. Instead of saying let's fix this, we're saying it's okay for them to be full-time athletes during the six months of the football season.

BOB BOWLSBY: We need to fix it. You are right. Absolutely correct.

DONNA LOPIANO: The real point is --

JOHN CURRIE: They are not going to fix it. They need the hours in order to prepare to play the games in which they have to be played in order to sustain the enterprise as it is right now. You're not going back to 20 hours.

People right now in these programs, they have the kids -- some of the kids within the system fill out the forms. I mean, nobody is.

OLIVER LUCK: Let me just say, if I could, very briefly, kids do spend a lot of time with athletics. Many of them love to spend time with athletics. If they have free time, as often as we preach to them to hit the books and get into class and here's your tutor and your academic advisor, they want to go watch film. They want to go shoot baskets. They want to get in the boat and work the erg machines or whatever it might be. They love doing this. That's why they're good at it. That's why they're

successful.

As I hear all this, it reminds me that the reality is, take all the sports, 400-some student athletes at West Virginia, however many at Texas, Kansas State, Baylor, we're graduating a good number of those kids in legitimately rigorously academic, tough programs that are going on --

JUDGE KEN STARR: Because 99.5 percent will never play professional ball.

OLIVER LUCK: I almost compare it to being a young medical intern. You don't work just 40 hours a week when you're in your internship or residency. You're working 60, 70, 80 hours. Young lawyers are expected to put 2,000 hours a year in billing clients when they first get to a firm.

JUDGE KEN STARR: Let me add one thing, and that is go monitor debaters, go monitor musicians and so forth. What is, in fact, part of the structure? I realize we need to be very, very mindful of what it is in terms of the pressure on student athlete welfare. Again, safety, health, but also we want them to be very good students to the best of their ability in real courses and in real programs that are going to equip them for the world, and that is, in fact, what I think universities are, in fact, doing.

JOHN CURRIE: Well, all of the comments and Kevin's very eloquent comments illustrate the reason that tomorrow's autonomy vote needs to pass, because these real issues can't be solved with 350 people trying to solve issues that apply to them so differently. President Schulz, our president, is a member of that seven-president steering committee that's worked so hard to try to develop something. Ultimately when you ask why would anybody else vote for it or not, I believe the majority of us want the entity and the big tent to be sustained, and we've worked with our athletic directors trying to at all different levels, including Denver, trying to sustain it.

But we can't solve these problems, we can't achieve what Commissioner Bowlsby calls the 21st century covenant for the student athlete. We can't make that step with 350 institutions trying to decide how to do it together. It's hard enough for a conference of 10 or a conference of 14 to come to similarities on that, but we do need to increase the value of the scholarship, we do need to recognize in some way that revenues are generated disproportionately and figure out how to address that, but we can't do it with 350 people who are so different. We've got to protect the things that hold us all together.

We had a baseball regional at Kansas State a few years ago, K-State's first-ever baseball regional. We had Bryant University, which is a new Division I school; we had Arkansas, which is a perennial power; we had Wichita State, who doesn't play football; and we had K-State, which was a relatively new player in college baseball in terms of success. That kind of collegiality was awesome, and Bryant beat Arkansas one night, and it was great. We've got to preserve that. But if we don't figure out a way to address the issues that have been well articulated here that really affect 65 schools more than everybody else, we're not going to be able to protect the overall scene.

DONNA LOPIANO: Why are you saying that 365 can't agree? The reason why the COA was voted down was why? Because they couldn't afford it. If there was a redistribution of that FBS money, they could afford it. Every single school in Division I could do what the 65 schools want to do. So why you're blaming the 365 who you won't share money with, it just seems nonsensical to me.

STEVE PATTERSON: Why should you share when they're not generating it?

DONNA LOPIANO: Because it's a nonprofit institution, and this is what the big five doesn't get. You are a nonprofit. You are not professional sports. You aren't back with the Arizona Diamondbacks marketing a professional sports team. The basic principle of cross-subsidization and sharing the largesse is the heart of collegiate sport, and you've lost sight of it. Absolutely lost sight of it I don't think the NCAA is capable of reform because under its current structure, the five big five really and the FBS are controlling it. They are going to act in their self-interest, they will not act in the larger interest. Without Congressional intervention, without it blowing up with these antitrust suits, no change is going to happen.

THE MODERATOR: Here's something that bothers me personally as a big sports fan. Kevin Durant, one year at Texas, right; Andrew Wiggins, one year at Kansas. How are those people, fantastic basketball players, good people, but are they really students? And how much longer are we going to continue with this type of system where we call people students, we talk about student athletes, when, in fact, they're really anything -- many of them are anything but?

BOB BOWLSBY: And it isn't even one and done. At a practical level, what happens is

school starts the last week of August. They are there practicing. They enroll for 12 hours. They only need to pass six in order to participate in the second semester, so they re-enroll in 12 after having passed six, and once the NCAA is over, they drop all the classes and go to train for the NBA. That's what happens very frequently, and so it's really seven months and done.

THE MODERATOR: So you're opposed?

BOB BOWLSBY: Well, I think it makes a mockery of higher education.

STEVE PATTERSON: But the reality is that's not our issue. That's an issue to be taken up with Adam Silver and the NBA owners and the union. I've sat on that chair, and I look at the email every year, and there's 200, 250 names on that list, and out of that 200, 250 names of guys that gave up their college eligibility, you might draft five of them, you might, and of the five that you might draft, one, maybe two can play. And the reality is the rest of them have thrown away the opportunity to get a college education. Whether you value it or not, they've given up that opportunity. That's a bad thing.

In my mind I'd be very happy, let them go out of high school and go to the pros if they want to. I like our baseball model better. If you're going to come and play baseball, it's three years you're expected to stay and be a real student athlete while you're there.

JUDGE KEN STARR: David Price, by the way, now of the Detroit Tigers is in this very hotel. He is working, was drafted after his third year at Vanderbilt, and he is working, and I talked to him in the lobby just a few hours ago, and he's working toward his bachelor's degree. But that's a very good model.

THE MODERATOR: That's probably the exception to the rule.

JUDGE KEN STARR: In terms of baseball it's not.

THE MODERATOR: I'm not talking about in terms of baseball.

JUDGE KEN STARR: But the point is it's the reaction of professional sports and their rules and regulations, with one and frequently one and done, be a, quote, reform to respond to Lebron and Kobe. Well, they should at least have the college experience. But I think that does at least arguably make a real mockery of the college experience for the reasons that the commissioner stated.

KEVIN BLACKISTONE: I've got a new perspective now these last six years because I've been teaching at a university.

THE MODERATOR: A fine university.

KEVIN BLACKISTONE: Of course, absolutely. Look at all the fine Terps that get produced. But I had a real eye-opening in my second year at the end of the first class and semester, a student walked up to me and handed me a letter, a form, and I looked at it and it was a form from the University from the athletic department, and it basically said, my name is so and so, I play for this team and on this date, this date and this date, I probably will not be able to come to this place because of my obligations for the team.

I took it and I had to sign it. I didn't have to sign it, but I took it and I signed it and I asked some questions about it, and it just drove home to me who is really driving this cart and this whole mythology about the student athlete, and it just drove home to me the idea that there is no such thing as a student athlete. You're an athlete and a student. Because if you're a student and you came to me after that first class and you said, I'm sorry but on this date, this date and this date I've got stuff to do and I can't make it to class, I would say, well, you should go find another class, and I could say that to the student athlete, I understand that I am in effect doing the University and the athletic department in particular and the team and the coach directly a favor by working with this student around his or her athletic schedule, and those very, very important obligations towards the University to help it sustain itself, raise revenue and do all those sorts of things that even I do as an employee of the University.

JULIET MACUR: I have two things, with all due respect. I do think a lot of people would be very, very upset to hear that football players and basketball players work much harder than other college athletes. I think that people just --

STEVE PATTERSON: I didn't say they worked harder, I said they spend more time at their jobs, and this comes from watching them over a period of time.

JULIET MACUR: Well, have you watched a college wrestler? No, because nobody cares, right? Nobody cares they spend all this time doing work when they don't generate money, so who gives a crap about the people who want to do it because they love it. Like Andrew said, I think a lot

of people who are students/athletes, when I was in school I studied and I went to the gym at night because I needed some time in the gym at night. That's beyond the time I spent in the boat during the day and I know the guys and girls on the swim team, same thing, people -- the fencers were always there. It's because you learn how to balance these things as an athlete, and I think people don't see those athletes, those many different athletes who don't make money for the University, who don't have their jerseys being sold by University of Texas on their website or anything. Those people work really hard, too, and I don't know how many of them would say that they're employees. I think that they do it because they love it.

And the second thing I wanted to say was I wanted to hear from Selvin about your college experience. Did you have troubling juggling your academics with your football, and do you think that you could have had a better experience if you didn't have to spend so much time in the gym or did you do it because you loved it?

SELVIN YOUNG: Common to what he spoke on, having to make that decision for a student that needs to go and perform on a sport or something like that and he's going to sign off of it, a lot of those scenarios occur not necessarily for me because we play on the weekends, but to see that happen for a lot of other athletes, it's a justice for whole other picture like you speak of, but I think it's also an injustice for the student because that's an example of them not being able to get the opportunity to be a student like every other student there. If they had the ability to be a student, that's what shouldn't occur and he should be able to be a student, period, and the other sports or whatever you're doing, it should be able to be a complete separation, but it's not.

It was very difficult for me because I come from a family where we couldn't afford the tuition to go. For my family, for me to be able to go, to pay \$70,000 to go to University of Texas, we'd have to probably make \$90,000 or more, \$100,000, that's straight tax without even -- including tax.

For me it was a little more different. I had a lot more responsibility at home and things like that. I was raising family members and brothers and stuff like that, and my mom and brother actually came to move with me in Austin while I was a junior in college. The little money and little stuff that we did get, it was still part of my family and stuff like that, so a lot of issues affected me

totally different than some other athletes who were just there to go to school and to just do some of the things that it's been a tradition in their family to do, go to college, get an education and go on and get a job.

THE MODERATOR: Did you feel exploited at all?

SELVIN YOUNG: Looking back at it, the way it's set up now, I do believe it's exploited. The guys, they don't really know and understand why there's more money now than there was 20 years ago. Everything is a lot bigger. Everything is a lot more exposed. There's more ways to exploit these guys more so than there was back then. You get more money for it.

Me personally, to see I want to say we're going to separate and leave some of you guys to fend for yourself, to me I wouldn't be able to do it. When I'm speaking to kids and different age groups and we're having football camps and this guy here, he can't do the same thing that this guy does, so I'm going to make these guys motivate this guy to be able to do it and show him how to do it, so that guy that can do it he's going to be over there with the guy and showing him how to do it.

You have the ability to say, you know, we're going to be in this group and our guys are going to take care of some of the other sports, but then not look at the whole picture and leave some of these other money revenue-making schools out. It's a whole complex thought for me to sit here and hear it all and take it in. I wouldn't be able to stand by it.

I have a little brother who followed me in the sense of I'm going to jump on that tradition of change for our generation and I'm going to go to college, and he's a sophomore now, red-shirt at University of Utah, but the opportunity that I got to be able to go to a University and have my scholarship paid for and have my family to be able to come down and see and watch me graduate and things like that, I know for a fact what it's done to my family and what it's done for my generation.

Everything is needed, but I think to start counting the money before it's even there and say, oh, it's spent so now we're going to have to figure out another way to make more money, I think that's a lot of the issue. I personally, if we wanted to pay guys, pay them or not, me personally, if a guy is going to school and he's being an athlete but then he can't be there that day to take that class, and that's happening more than not, for that athlete to

be able to graduate and say, hey, the whole time I was playing an athlete I didn't know what I wanted to do with my life, so now I do, I graduated so, I want to go to school but I've got to basically start over and get a loan and do all that type of stuff.

So I think a lot of the extra funds that's been generated over the years should go back to student athletes to be able to continue their education after school, after they graduate and stuff like that, and for guys who left and one and done, the lifespan to be able to go and play in the NFL and play on those levels is so short and minute that you might see them gone for one semester and next semester they're back and they're trying to figure out what they're going to do with their life and stuff like that. I'm one of the guys that don't want to leave anyone behind and leave them hanging. Like you said, it's a nonprofit institution set up to better kids and better students and that type of thing.

So I think the whole focus should be on that, looking at the past 10, 20 years of athletes and looking at the quality of life that they have now that went to school and stuff like that and trying to figure out, okay, are we giving you the right type of education or the only thing you can do is go be a teacher or a coach and try to be able to do something like that.

But there should be a lot more things pushed. I'm not so opposed to allowing guys to be in a scenario where they have to learn how to deal with their taxes and deal with the IRS and stuff like that, but it's a lot of scenarios that we're kind of missing. There is some work to be done. There is -- I do feel like now that I am a small business owner and I have people working for me and I'm spending time, whether it's two hours, three hours, four hours or whether we said four hours but it was really nine hours, you're working to me.

But you have all these other things given to you and taken care of for you. So to me to trade that off for what it's done for my family and I know for my little brother who's going there, I'm not so much on sports like I was, I'm 100 percent on him about education and stuff like that.

JULIET MACUR: Thank you.

JUDGE KEN STARR: I'll just say these are very important questions, and they're the right questions for universities and athletic departments to be asking. If someone can't go to a class because of a practice schedule or whatever it be, that's a serious question. We do need to deal with that. I think we try to deal with that; can you do a

better job? Of course you can do a better job. But we honestly do try to make sure through counseling, including at the beginning of the freshman year and all the way through, it's plan, plan, plan, because I think every institution, certainly every institution in Division I but I think every institution, we want you to succeed. We want you to succeed in life, and so here's how we can do that.

And again, John Currie has mentioned this, the tutoring. We have 100 tutors at Baylor, we're not nearly as large as the state institutions. We try to be responsive to what we see as the needs. But it has to be a culture of encouragement and then a structure that says, if you hear the testimony in the NLRB case at Northwestern, well, I wanted to be a doctor but my hopes were dashed. Well, if that's true, and I'm not saying it is true, that's really wrong. But I must say, I doubt that that's right. I really doubt that it's right because we know of too many examples, and here is an example, Andrew majors at Stanford in a very difficult major and does well. Now, was he performing at a high level on the playing field? Yes, he was. RG3 at Baylor University, graduated with a 3.7. Go look at his transcripts. If it were publicly available, I wish he would publish it. We require two years of a language. He took Latin because he's going to go to law school. He graduates in three years. Bryce Petty, our starting quarterback this year, graduated in three years. Again, an honors student.

So yes, will there be anecdotes? Will there be examples that suggest we can do better? You bet there will be. But the real moral question is are we trying to create a structure and a culture of encouragement and facilitating student athletes being students and actually doing their very best and graduating?

THE MODERATOR: Look, in all candor you've picked three examples of three extraordinary people.

STEVE PATTERSON: He chose one and I get to choose two.

THE MODERATOR: For every RG3, there are 100 stories of people who have run afoul of the system and haven't received the support.

STEVE PATTERSON: No, I don't think that's fair. I don't think that's fair to make that charge against the entirety of athletic departments. That is not fair. If you look at our school right now, our GPA last year was a 3.1, highest it's ever

been. Over half of our kids were over a 3.0, for all our student athletes, and 150 had over a 3.5 grade point average last year.

So I think, yes, there are cases where academics aren't done right, people make mistakes, people do not act ethically, whatever, but it is not fair to use that paintbrush on all of the academics and all of the athletic departments in this country.

THE MODERATOR: Kevin mentioned it before --

ARMEN KETERYAN: Let's talk about the revenue sports and particularly big-time college football, and let's line up graduation rates in major college football programs against the University's graduation rates, and they're less than the student average. Big football programs generating the vast majority --

THE MODERATOR: Not the FGRs, but if you're talking about the adjusted graduation gap, so the independent research that takes into account some of the things that Kevin was talking about before, and I think you're absolutely correct. The numbers are very, very clear that when it comes to sports like college football and college basketball in the major conferences that student athletes in those sports do not graduate at anywhere near the rate that their peers do, and yes, there are extraordinary people.

JOHN CURRIE: I just don't think that's true. To use our example, our football program graduates at a higher rate than our general student body. We graduated all four of our basketball seniors last year. We had 1,000 APR. But there are significant problems.

I think going back to this whole issue of does a student athlete get to major in what they want to major in is a really significant thing, and missing classes, et cetera, but I also think that sometimes we think about that just as a student athlete issue. When I went to school at Wake Forest 20 something years ago, everybody wanted to be a doctor, everybody enrolled saying they're going to be premed or accounting, and after they took organic chemistry, half of them weren't going to be doctors, and then my fraternity brothers, when they got into accounting 2, they weren't going to be accountants, either, they were business majors or sociology or history like me.

I think this higher education thing is not -- you've got to qualify into some stuff, and so to simply say that's an athletic problem or that's only athletes I don't think is fair.

THE MODERATOR: Well, I'm not going to go any further. Donna, go ahead, please.

DONNA LOPIANO: It's a good question to say how should we judge ourselves. We shouldn't judge ourselves by how the very best kid does. We shouldn't judge ourselves in the aggregate because it hides problems. We really need to judge ourselves by the highest risk kid that we recruit into the university and whether or not we made a good judgment about them graduating.

So at the University of Texas when you talk about presidential admits, what is the graduation rate of football, basketball, presidential admits compared to the rest of the student body. Not even all of football, not even all of basketball. It's those kids who are probably more than one standard deviation below the incoming average capability of the class that they have to compete with, are we doing them good justice.

The one thing the NCAA has not done, and I've had this discussion with Hatch on a number of occasions is we keep on looking at the aggregate and using it to justify the disservice that we're doing that leads to the charges of exploitation of kids who are not academically capable. There is no reason that we cannot, that the NCAA cannot pass a rule that says, if you are not within one standard deviation, if you're reading at the third grade level, you're ineligible as a freshman. You only take six credits. You have to have remedial education. As soon as you get your reading level up to ninth grade, you're eligible. I'm not saying don't recruit those kids, I'm saying let's make sure we do them good justice in terms of an education, and that's what we're not doing.

STEVE PATTERSON: I don't think it's fair to say that across the board.

DONNA LOPIANO: I feel comfortable saying it. I was in your seat. I went to the University.

STEVE PATTERSON: A long time ago, Donna. You look at the resources that we put in, \$2 and half million a year we spend.

DONNA LOPIANO: Answer the question on percentage graduation rate, of those academic risk kids.

STEVE PATTERSON: You look at our basketball program, we had 1,000 APR this year. They all graduated.

DONNA LOPIANO: Academically, presidentially admitted kids.

STEVE PATTERSON: Okay, maybe that

kid could have done to a different school. Maybe that kid had a certain background that wasn't as helpful as living in a suburban white neighborhood. Is it a bad thing that he is admitted or she is admitted to the University of Texas and they have good support systems and they graduate and get a degree from the University of Texas and they go on to a better life than they otherwise would have? I don't think that's wrong.

DONNA LOPIANO: That's not wrong. What I'm saying is to the one that doesn't graduate, who is immediately eligible, who is not being limited or asked -- we accept their lack of graduation.

STEVE PATTERSON: Not at the University of Texas.

DONNA LOPIANO: I went to the same place.

STEVE PATTERSON: A quarter of a century ago. A long time ago.

ARMEN KETAYIAN: A point on the exploitation issue, the whole idea of paying players, I am not in favor of paying players in any way, shape or form in the pure paying of dollars because I think it's going to open up this Pandora's box of problems. I am absolutely in favor of full cost of education and all those things with health and everything else because to me understanding fully the rowers and the soccer players and the wrestlers and everyone else, the single most valuable asset to a university right now are their college football players. They are the base on which everything else is built off of, and if you don't take care of those players which are the heart of your \$90, \$100 million athletic departments, you're going to see some huge repercussions in the next two or three years, and I believe some sort of a sit-down or boycott at a national playoff game or national stage.

THE MODERATOR: Oliver, let me ask you this: As an administrator and a former college athlete, what can you do for these kids?

OLIVER LUCK: I think what every school should be doing and I think the majority of them do it relatively well, there's certainly some gaps, but I think the resources that we have at West Virginia and I'm sure it's the same across our conference and the other big schools, we've got reading specialists, learning specialists. We almost run to a certain degree a separate program to make sure that these kids get that remedial help that many of them need. There's a limit to what we can do because we all take a finished product coming out

of high school and we can talk forever about the secondary school system and the struggles that it has in many communities, but I know I can sleep well at night knowing that I'm spending a good bit of our revenue on academic support for our student athletes, and particularly for those that really do need it the most.

I think, Donna, you make a very good point, we should be judged by how well those kids do that are really borderline college students, and I would also say, I think that's a very interesting point that deserves a lot of discussion whether we shouldn't make certain freshmen ineligible if they're academically not able to fit in with that cohort of students.

THE MODERATOR: I was talking about what Armen said, unless there's some form of compensation coming down the line soon that the sport, the entire entity is going to run into a huge problem.

OLIVER LUCK: I think what Armen said is true of most if not all athletic directors. We do not believe the employer, employee relationship would be appropriate. I think there would be a cascade of unintended consequences. But I do believe that we should provide full cost of attendance. I do believe we should provide additional educational opportunities. I've asked my staff to look and see why we can't offer every student athlete at West Virginia a chance to come back and get an advanced degree on our nickel, whether it's a law degree or a medical degree. That's something I think we should be able to look at. We really bend over backwards to make sure they get out with an undergraduate degree because of the APR and the way the NCAA has structured it, which is a good thing. They've structured it so we're motivated to get a student out, even if it's six, seven, eight, nine years after he or she lost their eligibility.

KEVIN BLACKSTONE: I've just come to the conclusion paying of athletes is just a semantic argument. Selvin Young is an exception by the way because you got it in four years.

SELVIN YOUNG: Four and a half.

KEVIN BLACKSTONE: Despite being injured and all that. He's remunerated for his services to the university with tuition, room and board. So I think the pay for play thing is kind of another banner that has been flying to kind of frighten people away from this model.

You know, there is so much money in

college athletics. Who was it that stood up the other week? I don't know if it was you, Bob, but somebody said that coaches who are making -- who have multimillion dollar contracts aren't going to be willing to take pay cuts in order to make the financial system more equitable in college sports? I mean, how can someone say that, recognizing how unbalanced the situation is, admitting how much money they're making from it and then not be willing to share it with the athletes whose blood and sweat they're able to get so rich?

Part of the struggle here, and I don't put it all on universities because I put a lot of it on state legislatures who are giving you less and less money for higher education, but part of the real struggle here is this is the only place that this system exists on the planet. You can't go to any other country and find a place where you have an ostensibly nonprofit educational institution tied heavily to revenues that can be generated by a sports program. You know, there's not a mission statement at any college or university that says, our point of existence is to produce X number of All-Americans, win conference and go to National Championships. On the one hand, you're running an educational department, and on the other hand, you've got to deal with this other entity, which in a lot of cases, is now wagging the dog.

ARMEN KETEVIAN: So why don't only 23 schools make a profit? Why does everybody involved in the arms race build bigger stadiums to pay more money to college football coaches because college football has become the front door, the welcome mat for every single major college program in the country, for donations, admissions, prestige, image. It's the single entity that the schools can hang their hat on to draw students in, to raise money, and it's one big poker game that the biggest schools have to ante up in order to get at the table. If you fail, it's misery personified, but if you're successful like A & M was with Manziel, you get to build a \$350 million stadium and a state-of-the-art locker room, spa, entertainment facility for their athletes.

It's not going to change because football, for better or for worse, has become the front porch of these universities. Am I off on this?

STEVE PATTERSON: It is, but I think one of the difficulties in this discussion really is if you really look at what a full ride football scholarship is worth at the University of Texas, it's about \$69,000 a year. When you look at books, fees, tuition, student services, academic services, medical and

training that we provide. \$69,000 without paying any taxes. If you add the taxes to that, puts you in about the top third of the household incomes in the United States. So if the fourth string defensive lineman is getting the benefit of a top third household income in the United States, I don't think they're doing all that poorly.

ARMEN KETEVIAN: They're not, but if you can give them something so they can feel comfortable being a student athlete and they don't have to have Spaghettios every night or they don't have to steal a computer from somebody's dorm room --

STEVE PATTERSON: And that's what autonomy is about. Give us autonomy. Let us do it.

JUDGE KEN STARR: I think everyone agrees with that, that no one goes hungry at night. We've got to care about our student athletes and their welfare, but coming back to the front porch, here's what a successful athletic program does: It generates enthusiasm for the entire university. It's as simple as that. And so I learned this early on when Drayton McLane, whose family made a generous gift, and our new stadium is donor driven, and I said, to be honest, that's great, but I'm worried about the academic programs and so on and so forth, and he said you're going to be able to build the new business school and you will succeed in raising your \$100 million for scholarships by virtue of this stadium.

Now, Drayton is a billionaire, and he knew something that I didn't, which is call it the spillover effect, but it's the enthusiasm that people feel. It's not just alumni. It's not just parents. It's the communities say, this is really great. Look at TCU's experience in our conference. The kind of enthusiasm that was built by virtue of the success of the football program, and yes, the spillover effect meant that the pure academic function of the program, of the university, was benefitted.

JULIET MACUR: I think enthusiasm is one thing, but there's also the cash that comes with all this, with all the television money. I've always wanted to ask these athletic directors this question so maybe we can ask now if we have a good forum for it. But Steve, let's say for the football program, for the revenue that comes in, how much goes to the rest of the University? Does it go to pay for something in the business school or the women's tennis program?

STEVE PATTERSON: Yeah, actually half

of our Longhorn Network money goes to pay for professorships, fully endowed chairs. Our university last year, we gave back almost \$10 million a year. If you look at all the dollars we contribute back, both in services from other dollars, we're at roughly \$25 million a year going back to the university from the athletic department.

JULIET MACUR: How much does the football program bring in every year?

STEVE PATTERSON: Football brings in about 100 million bucks.

JULIET MACUR: Where does the other \$75 million go?

STEVE PATTERSON: It comes from all the other sports.

JULIET MACUR: So of the 100 million, 25 million goes to the academics, and the other 75 million, how much goes into football?

STEVE PATTERSON: Well, our total budget last year was about 165, this year about 175, roughly, all in. The rest of it we spend -- we carry about \$18 million a year in debt service like on the facilities. The rest of it goes for student services. We spend 2 and a half million bucks a year on the academics, and the rest of it gets spent in the athletic department.

JULIET MACUR: I guess I'm just asking how much stays with football and how much goes to the other sports.

STEVE PATTERSON: Oh, out of football revenues, probably about 60 percent goes to the rest of the department.

JOHN CURRIE: One thing, we were talking about revenue, for us, about 45 percent of our revenue comes from television contracts, bowl contracts and the NCAA basketball tournament, which is about \$2 million a year for us. 55 percent of our revenue comes from individual ticket holders, individual donors. We have season ticket holders in 46 states at K-State, and those people are making their gifts and buying their tickets for lots of different reasons. Some of them, all they care about is whether we win or lose. Some of them are more genuinely invested in the idea that they want the young man or woman to have the opportunity to go to college, et cetera, but our model is a little bit different.

And the TV revenue is a lot. For K-State this year it'll be about \$26 million from the Big 12 conference in both television, all that other stuff. NFL teams this year, their television revenue went up \$25 million per team from what it already was.

So too often when we start talking about these things in the context of the greater world, our television revenue is very significant, right, but it is not all the money in the world like sometimes we perceive that it is, and so then from the expenditure side, we're spending it.

But that doesn't mean that we shouldn't hopefully, beginning tomorrow, figure out a way that we can provide more benefits financially for our student athletes.

BOB BOWLSBY: I went to come back to something that Donna said because I really think it's an important element of this discussion, and that is what are we doing for the kids that come to campus that are highest risk. And frequently, kids that come in that are the highest risk academically are also highest risk socially. They may be high risk in other ways, as well. I really think it's an important point, and it's one that we have gotten away by virtue of aggregate data. I don't know how you go about improving that, but we have too many people on campus that are, one, not serious students, and two, not academically prepared to come, despite the minimum core curriculum, and three, are probably not motivated for any other reason than because it's the rite of passage to get to the next level, whether it be the NBA or the NFL or baseball or whatever the case is.

And one of the things that I have wondered about over time is whether or not some sunshine on that process might not be a good idea, something as simple as publishing the range of incoming ACT and SAT scores, the range of core great point averages, the mean, median and mode of the incoming class. Obviously privacy issues will not allow us to put out specific information, but a little bit of transparency might go a long ways towards encouraging institutions to do better at it.

THE MODERATOR: Competitively you'd imagine that would hurt these teams.

BOB BOWLSBY: It would hurt the ones not doing a good job.

THE MODERATOR: Of educating the kids.

BOB BOWLSBY: And it would help the ones doing a good job.

STEVE PATTERSON: At the end of the day, even the SAT folks are revamping what their test is all about. Really all the SAT predicts is usually your first year grades. So I think really what you need to look at what you're both talking about is what are the end outcomes for those

students that come into that institution, and how do they end up better or not when they graduate.

THE MODERATOR: So we're getting near the close of this program. We haven't even really touched on the whole O'Bannon issue, and that decision is imminent, and if it goes in favor of O'Bannon and his colleagues, that could have dire consequences for the way college sports is run. You said for the most part nobody is here in favor of paying the athletes. None of the administrators are, but that could really upset the apple cart. What do you do as an administrator? I guess it's not an individual program in terms of the schools because that case is based upon EA Sports or Electronic Arts, but I suppose you could talk about the extension to jerseys and shoes and name and likeness. That is something that has to do with the individual universities. What happens to college athletic departments if the case goes presumably against you? John?

JOHN CURRIE: Well, I don't have all the answers to that question, but again, we're talking about the demystification of college athletics here. In the video game, for instance, where that thing all started, that video game, K-State made about \$50,000 on that and when I asked our student athletes about the video game, they say, well, can you make sure they get our stadium right in it next year, because we did a stadium expansion and they still had the old stadium in it. That's what they were interested in. They were interested in playing themselves.

But the perception is that we're making \$20 million on the video game. We're making about \$50,000, right, which is the cost of one and a half scholarships in a current year. But clearly whatever the change comes, we'll figure out a way to manage.

STEVE PATTERSON: I think it depends on what happens with how the revenues are divided. At the end of the day, the vast, vast, vast majority of university athletic departments operate in the red. If you're going to drive up the costs dramatically, you've either got two choices. Either you figure out a way to dramatically raise more revenues, which everybody is doing the best job they can right now or you go to the other side and start reducing scholarships and start reducing teams, and you've seen that happen around the country, at places like Maryland, Cal, ASU, and when you think about athletic scholarships in this country, next to the GI Bill, it's the largest source of college scholarships in the country. When you

think about what happened in this country and how it changed because of the GI Bill it's been very dramatic over the last half century. If you go out there and whack college student athlete scholarships in half, it's going to have a dramatic negative impact on this country.

OLIVER LUCK: I would say that both my colleagues are accurate. I would just say one thing, and maybe this is just being a lawyer, Judge Starr, but I have a lot of respect for a person's name, image and likeness. That is who you are. That is your identity. That's sort of existential, and ultimately I think the answer is if we are, in fact, using the name, image and likeness of the student athlete, and I don't think he or she waives that right just because they accept a scholarship, just like a drama major who might be in the school play doesn't waive his or her right in terms of using the name, image and likeness, I think they should be compensated for use of that name, image and likeness.

Now, in many cases that will be relatively little money. Every now and then there's a Johnny Manziel or a star player who does generate a good bit, but I do think it would be appropriate for universities to respect what I could consider a constitutional right, your name, image and likeness and figure out a way to compensate those student athletes for that. But for very few there's not a big pot of gold at the end of that rainbow, as John mentioned.

ARMEN KETERYIAN: Isn't it depending upon how the ruling is written? If the judge allows an athlete to sell his likeness on the open market, even if that money would go into a pool, you can only imagine what the scenario is going to be. If a car dealer says to your star quarterback, recruiting a star quarterback says, I will pay you \$50,000 over four years for you to come to my car dealership once a year to sign autographs and I will put that money in a fund for you to make money, that's a possibility here, and if that opens -- you open that door up, it's Katie bar the door.

JUDGE KEN STARR: I would also say we just need to stay tuned. A very able district judge has heard several weeks of testimony. We presume she's writing her opinion, her judgment now, so we are waiting to see.

But that's not the end of the process, so obviously we need to be very mindful of what the judge said, but I think everyone understands that

this issue is so important and Congress has provided that there are avenues for getting a second look at it and perhaps even a Supreme Court look at the issue because it's so very important. But to come back -- that's the legal point. The moral point I think has been very well stated by Oliver. We need as a university and our athletic departments need to be very mindful of the fact that this is something that's very personal to the student himself or herself.

So one practice that we have embraced is that we will not use the name. Now, on jerseys the name is there, so RG3 had his name on the jersey. We're also mindful, I think, increasing just the numbers itself. The numbers having a certain magical quality, right, and some numbers become iconic, and I think some of the institutions are now being much more mindful of let's use generic numbers, maybe it has institutional significance but it was not the number that a Heisman Trophy winner wore.

THE MODERATOR: As I said, we're drawing close to the end of our allotted time here. Let me just ask all of you, and I'll ask you to be brief if you can, what did we not touch on today that concerns you most about the state of college sports? Let's keep it brief and let's go right down the line. John?

JOHN CURRIE: Well, I'm proud of all the things we're able to do for our student athletes. The new training table we have at K-State, the additional things we'll get to with cost of attendance, et cetera, but we are continuing to erect more separation between our student athletes and our general student population, and yet that's exactly what so many of our student athletes talking about is wanting to be par mortgage of the general student population, so we've got to be really careful on that balance.

JULIET MACUR: I guess it's just knowing what's going to happen in the future with these -- whether it's the smaller schools outside of the big five or the Olympic sports. That's a big question. We talked a lot about them being okay on their own, they don't generate the money anyway, so we're going to be over here and they're going to be over there. But I'm not sure what the real future will be and that worries me.

STEVE PATTERSON: I don't think we spent enough time talking about the majority of student athletes that are not in the higher revenue sports.

THE MODERATOR: Like the rowers at Columbia.

STEVE PATTERSON: Yes.

ARMEN KETERYIAN: Enforcement. I don't think there's ever been a better time to cheat than there is right now in college sports.

BOB BOWLSBY: I've heard that somewhere.

THE MODERATOR: I know somebody that agrees with you.

ARMEN KETERYIAN: You hit the nail on the head and for a lot of different reasons. The enforcement staff is really despondent at this point in time; the cheating has gotten much more sophisticated; the investigators are more inexperienced. And the Miami case was devastating to the enforcement group, but if you're cheating right now, this is the best time to do it because of what's happening at the NCAA.

THE MODERATOR: Bob, we know you agree with him on that.

BOB BOWLSBY: I do, and I think probably if we could have delved a little deeper into one item, it would be the jeopardy that all of this uncertainty creates for our especially men's Olympic sports but Olympic sports in general. I fear that much of what could happen over the coming two years will have a detrimental effect on gymnastics programs and wrestling programs and track and field programs and swimming programs, and that really would be devastating for our country.

But I think the other piece that bears re-mentioning is just that I really believe that a college education is transformative on a lifetime basis, and I think the impact of that, the ability to change lives as Selvin has said I think is minimized in this discussion and ought to be more front and center.

DONNA LOPIANO: I think the money in college sports is not going to go down. It's only going to get bigger. That coupled with the prospect or the opportunity of trouble damages in an antitrust suit makes it a very attractive and continuing proposition to go to court against the NCAA and its member institutions. There needs to be serious consideration of an antitrust exemption, a limited antitrust exemption, conditioned on the reform of intercollegiate athletics along the lines that we've discussed, and including the provision of subpoena power to an NCAA enforcement system that would be staffed by former

professional judges, third-party investigators in serious cases. I think that can be cleaned up with Congressional intervention.

JUDGE KEN STARR: I would talk a little bit more about student safety, concussions, that entire narrative is something we're all aware of. The NCAA is very sensitive to this. Our universities are very sensitive to this. We tend to think of it in terms of football, but it also is an issue as you know in soccer. It is also an issue in acrobatics and tumbling, so we just need to be redoubling our efforts. Obviously the science continues to pour in, and we need to be absolutely steadfast in making sure that that student athlete, who has suffered a concussion, is, in fact, able, by the way, to go back to class in a timely manner. We have to be very sensitive to that as well as back on the playing field.

KEVIN BLACKSTONE: Well, I've become a little bit more of an anarchist over the years.

I think that we have to find a new financial and welfare model that is more equitable to the labor pool that produces all of this wealth and one that no longer makes a mockery of higher education.

SELVIN YOUNG: I'm kind of more concerned about what we would be able to do for the future for our athletes that go pro in something other than sports. Are we using a lot of these new donors and these new big companies donating all this money. They have thousands and thousands of employees. Are they hiring our student athletes. Are we setting up scenarios for our guys and women to be able to go and get a job outside of that, and also doing things, like he was saying and Steve was saying, that support the system that's there for that at-risk student or that at-risk kid, continuing to put that in the front, because a lot of those students are the guys who are pretty much the game-changers in a lot of those scenarios. I'd like to see, continue to put more emphasis on that.

OLIVER LUCK: I'll try to end maybe on a little bit of a high note, which is an acknowledgment and a recognition of the great things that have happened to student athletes over the last 60, 70 years. Going to class, working hard, learning how to manage their time, dealing with setbacks, learning how to get up off the mat, and I think that's been a tremendous contribution to American Society. Sometimes I think we end up talking in today's world too much about the money. Money is important, but talking too much about the money and not enough about education, because

that's really what I take away from my four years as a student athlete. It wasn't football or games or practice, it was what I learned in the classroom, what allowed me to go on to law school or what allowed me to raise a good family. Those are the issues that I think we sometimes give short shrift to.

Q. My first question is for Mr. Young and Mr. Luck. If anyone else would like to jump in, feel free. Although you both went pro, how much did your commitment to your sport stop you and your teammates from pursuing part-time jobs or internships, and do you believe that a sum of money could fix that?

SELVIN YOUNG: I have a little brother at Utah University right now, and he was able to get a little internship this summer, but he chose to go into animation program, which he wants to graduate in. When school starts back, he was telling me, hey, I don't want any money now, but you're going to probably have to send me a little something when school starts back because I won't be able to get a job and I won't be able to do some of this stuff, and then he was like, I'm not hungry at the same time every day, and the time that I can go eat, maybe I was doing something in the training room or something or whatever, so by the time I got there I wasn't hungry. But I'm hungry now, and it's -- I don't know what time it is and I don't have nothing to eat. So he can't go get a job, stuff like that.

That does play a big part, a big role, and money would solve it, but like he was saying, a lot of the things that we learn in college are some of the things that we're going to have to deal with in the real world. There's going to be times where you're going to be starting out at the bottom of whatever it is, whether you're in the mailroom or whatever you're doing, you've got to learn some of the things that they're learning now, time management on the highest level of anywhere besides I'd say the Army or stuff like that.

OLIVER LUCK: I'm not sure my experience as a student athlete is important or relevant in today's world because things have changed so much, but I sincerely can't remember not taking a class because it clashed with football practice, number one, and number two, in my era, late '70s, early '80s, we all had summer jobs. We needed the money. And I worked two, three months in the summer for a coal company, good

money, worked hard, wasn't the don't-show-up kind of a company, and we had time to come back, work out, throw, in my case as a quarterback threw the ball or lift weights, whatever it is, and it keeps you busy. But that's a skill that as Selvin mentioned is crucial in today's world, and that's something I think that we don't really recognize often enough in terms of how student athletes in all of the sports learn how to manage their time.

Q. Mr. Bowlsby, although you don't believe in pay for play, do you believe that athletes should get paid for their image and likeness?

BOB BOWLSBY: Yeah, assuming that the elements that Armen referred to can be managed. I think that the intersection with donors and representatives of the athletics interests are problematic. There have to be some structures on it because you don't have to have a very good imagination to envision scenarios where there would be things taken advantage of.

But generally speaking, I agree with Oliver that name, image and likeness of any individual should be taken very seriously. Now, there is another element to that, though, and it's a difficult one to parse because as you think about the name on the front of the jersey, it's hard to separate that from the name on the back of the jersey. What is the real value of that student's image as it stands alone versus the image of that student athlete wearing a University of Texas jersey and representing that university? Those are complex conversations that need to be held prior to embarking on this, but generally speaking, I agree that the name, image and likeness -- I think the collegiate community has learned a lesson about taking broad latitude with name, images and likenesses, and we don't know how it'll turn out, whether it'll be a broad ruling from the judge in Oakland or a narrow ruling, but I think we've all learned something about that, and I believe that Oliver's position on it is accurate.

Q. You guys have had a great discussion but I'd like to change the topic just a little bit. I'd like to ask Ms. Lupiano and Mr. Patterson if they think the NCAA or the Big 12 has a role in creating a culture among its athletes that does reflect more respect toward women off the field. Obviously there's been a lot of off-the-field issues having to deal with

women. I was wondering if you could comment on that.

DONNA LOPIANO: Yeah, I think the NCAA is far behind the entire international field of sport governance organizations. It does not have a code of conduct. It does not enforce a code of conduct for either its coaches or athletes. The USOC does. It's getting better at it. It's not really great right now, but at least it's made first steps. I think we have to do better when we look at the survey that Claire McCaskill just recently did where in a survey of over 400 institutions of higher education, 20 percent of them said that athletic departments were allowed to investigate their own sexual abuse violations. There's a lot to be done here, and we're not doing a very good job of it.

STEVE PATTERSON: I think at the University of Texas we've made it clear where we're at over the last few weeks. We don't investigate those issues internally. We turn them over to the police or to the campus, and I think Coach Strong made it very clear what his stand is by the dismissals last week.

ARMEN KETAYIAN: Think it's one of the most significant issues facing universities today if not the most significant issue when, as Donna referenced, Claire McCaskill's report shows that one in five young women coming on a college campus today would be subject to some form of sexual assault, and when you have these cases, and we could name cases as long as our arms of university athletic departments taking over investigations to the detriment of the victims in these cases, it's appalling to me. It's something that's really important to me right now.

JULIET MACUR: In which case do you hand it over to the campus police rather than the Austin police or something?

STEVE PATTERSON: The campus police if it's an on-campus issue, APD will handle it if it's off campus. But those are separate police organizations.

JULIET MACUR: But isn't that an issue, too, handing it over to the campus police? Obviously they're invested in not giving any bad PR about the campus. I think that's been the whole problem at a lot of different universities is they give it to the campus police when it's obvious that it might be a crime, which the campus police isn't really equipped to handle that.

STEVE PATTERSON: That presumes we handle it. It doesn't come through us. It doesn't

come through the athletic department. It goes to either the -- that's the way the legal authorities are set up in Austin. There's an issue on the campus, it could be a break-in, could be a stolen bike, could be anything. Campus police handle it on the campus. It's a state institution that has state-run authorities. If it's off the campus, it's in the municipalities, the municipalities handle it.

JUDGE KEN STARR: I'll just add that we learned long before Senator McCaskill's very important report that there is a vital need structurally for checks and balances. So that is a question that university governance has to ask itself obviously to the athletic department and the athletic director, do we have the kind of structure and system in place that make sure that these kind of profoundly serious charges are fully and fairly investigated in a very professional way and without casting any aspersions on any program at all, one wonders when, in fact, it is the investigation within the department itself, and you may find it very difficult under those circumstances to bring the kind of dispassionate independent judgment you need to make sure that there's fairness to all concerned, beginning with the victim.

JOHN CURRIE: She didn't ask me that question but sometimes this stuff really bothers me because these are abhorrent acts that are happening in society and on campus, right, but it's really unfair to say that this is a student athlete problem. This is a higher education problem. It's a societal problem, and sexual assault is a societal problem. I dare say that our student athletes are under about as much scrutiny as any subset on our campuses. Our student athletes are the only ones that are drug tested on our campuses for the most part. Professors aren't. The police may be or maybe the -- somebody is, but it's pretty much just that subset.

So I think it's really unfair, and obviously the student athletes earn notoriety because of great accomplishments on the field or Andrew Luck majored in whatever Andrew majored in or all that kind of stuff, right, but they also have a different level of scrutiny because of their notoriety that unfairly creates the impression that our student athletes are the only ones that might be drinking under age on a college campus or smoking pot or having premarital sex, okay. These are across-the-campus type issues, and I believe that student athletes are provided as much or more support in dealing with those things as any other group.

BOB BOWLSBY: I think it bears mentioning, too, that many of the incidents, and this doesn't justify them at any level, but many of them are drug and alcohol related, or they occur after consumption, and that's a way not only to start in advance of activities happening, but obviously there has to be the right response after incidents occur.

But there's a very large culture of high consumption and risky behavior on almost every campus, and so I think that's where you start on those things. And by the way, it's architectural engineering, for those of you that wanted to know what Andrew's major was.

JULIET MACUR: I don't think you could start at the college level when it comes to telling the guys not to go drink and smoke and then go sexually abuse a woman off campus. I mean, this has to happen even before high school, I think. Last year I wrote a story about some football players in Steubenville, Ohio, which I'm sure everybody knows by now was a huge case of a town being in love with its football team, and they basically gang raped a woman, and everybody knew about it. Nobody said anything about it because they loved the football team and they loved the coach, and then some of these players maybe move on to college and they have this mentality of this is how we can treat a woman, and I think that it should start with your little league coach or your pee-wee football coach that has to instill this idea of respecting women and don't sexually assault a woman, which sounds ridiculous to say, but you have to start that young, because as it snowballs through the years, you go through high school and you can do what you want, then you end up at, let's just pick any college, Florida State, and you think you can do whatever you want to a woman without any repercussions because even the -- not only the campus police but even the police in the city in which the college is in is not investigating things correctly as was with the Jameis Winston case, which one of our reporters did a great story on. I think education has to start way early, and I hope these athletic directors are including that in their preparations for all of their athletes.

THE MODERATOR: The Big 12 brought this conference together, so for the last word I'll give it to Bob.

BOB BOWLSBY: Well, thank you all for being here, and especially thanks to all of you, our

panelists. I appreciate it very much, and appreciate you being here. I think it would become obvious to everybody in the room that two hours isn't nearly enough on these issues, but our attempt was to have as thorough a vetting of some very complex issues that are timely, and I think we've accomplished that. It doesn't happen without these panelists, and it certainly wouldn't have the impact without all of you being here.

It is our hope that this has allowed a more thorough and robust discussion than has previously been available publicly, and so thank you all for that and thank all of you for your participation. The anteroom that is immediately out the back includes four interview areas, so if any of you would like to do additional interviews, have additional questions for any of the panel members up here, we will certainly accommodate that in the room immediately outside the back. We intentionally put the cocktail hour on the other side of the interview room, so we think that most of us will be motivated to make the post-session interviews relatively short. But thank you for being here, and thank you for a wonderful two hours. And special thank you to Jimmy Roberts, our moderator.

BOB BOWLSBY: And it isn't even one and done. At a practical level, what happens is school starts the last week of August. They are there practicing. They enroll for 12 hours. They only need to pass six in order to participate in the second semester, so they re-enroll in 12 after having passed six, and once the NCAA is over, they drop all the classes and go to train for the NBA. That's what happens very frequently, and so it's really seven months and done.

THE MODERATOR: So you're opposed?

BOB BOWLSBY: Well, I think it makes a mockery of higher education.

STEVE PATTERSON: But the reality is that's not our issue. That's an issue to be taken up with Adam Silver and the NBA owners and the union. I've sat on that chair, and I look at the email every year, and there's 200, 250 names on that list, and out of that 200, 250 names of guys that gave up their college eligibility, you might draft five of them, you might, and of the five that you might draft, one, maybe two can play. And the reality is the rest of them have thrown away the opportunity to get a college education. Whether you value it or not, they've given up that opportunity. That's a bad thing.

In my mind I'd be very happy, let them go out of high school and go to the pros if they want to. I like our baseball model better. If you're going to come and play baseball, it's three years you're expected to stay and be a real student athlete while you're there.

JUDGE KEN STARR: David Price, by the way, now of the Detroit Tigers is in this very hotel. He is working, was drafted after his third year at Vanderbilt, and he is working, and I talked to him in the lobby just a few hours ago, and he's working toward his bachelor's degree. But that's a very good model.

THE MODERATOR: That's probably the exception to the rule.

JUDGE KEN STARR: In terms of baseball it's not.

THE MODERATOR: I'm not talking about in terms of baseball.

JUDGE KEN STARR: But the point is it's the reaction of professional sports and their rules and regulations, with one and frequently one and done, be a, quote, reform to respond to Lebron and Kobe. Well, they should at least have the college experience. But I think that does at least arguably make a real mockery of the college experience for the reasons that the commissioner stated.

KEVIN BLACKISTONE: I've got a new perspective now these last six years because I've been teaching at a university.

THE MODERATOR: A fine university.

KEVIN BLACKISTONE: Of course, absolutely. Look at all the fine Terps that get produced. But I had a real eye-opening in my second year at the end of the first class and semester, a student walked up to me and handed me a letter, a form, and I looked at it and it was a form from the University from the athletic department, and it basically said, my name is so and so, I play for this team and on this date, this date and this date, I probably will not be able to come to this place because of my obligations for the team.

I took it and I had to sign it. I didn't have to sign it, but I took it and I signed it and I asked some questions about it, and it just drove home to me who is really driving this cart and this whole mythology about the student athlete, and it just drove home to me the idea that there is no such thing as a student athlete. You're an athlete and a student. Because if you're a student and you

came to me after that first class and you said, I'm sorry but on this date, this date and this date I've got stuff to do and I can't make it to class, I would say, well, you should go find another class, and I could say that to the student athlete, I understand that I am in effect doing the University and the athletic department in particular and the team and the coach directly a favor by working with this student around his or her athletic schedule, and those very, very important obligations towards the University to help it sustain itself, raise revenue and do all those sorts of things that even I do as an employee of the University.

JULIET MACUR: I have two things, with all due respect. I do think a lot of people would be very, very upset to hear that football players and basketball players work much harder than other college athletes. I think that people just --

STEVE PATTERSON: I didn't say they worked harder, I said they spend more time at their jobs, and this comes from watching them over a period of time.

JULIET MACUR: Well, have you watched a college wrestler? No, because nobody cares, right? Nobody cares they spend all this time doing work when they don't generate money, so who gives a crap about the people who want to do it because they love it. Like Andrew said, I think a lot of people who are students/athletes, when I was in school I studied and I went to the gym at night because I needed some time in the gym at night. That's beyond the time I spent in the boat during the day and I know the guys and girls on the swim team, same thing, people -- the fencers were always there. It's because you learn how to balance these things as an athlete, and I think people don't see those athletes, those many different athletes who don't make money for the University, who don't have their jerseys being sold by University of Texas on their website or anything. Those people work really hard, too, and I don't know how many of them would say that they're employees. I think that they do it because they love it.

And the second thing I wanted to say was I wanted to hear from Selvin about your college experience. Did you have troubling juggling your academics with your football, and do you think that you could have had a better experience if you didn't have to spend so much time in the gym or did you do it because you loved it?

SELVIN YOUNG: Common to what he spoke on, having to make that decision for a

student that needs to go and perform on a sport or something like that and he's going to sign off of it, a lot of those scenarios occur not necessarily for me because we play on the weekends, but to see that happen for a lot of other athletes, it's a justice for whole other picture like you speak of, but I think it's also an injustice for the student because that's an example of them not being able to get the opportunity to be a student like every other student there. If they had the ability to be a student, that's what shouldn't occur and he should be able to be a student, period, and the other sports or whatever you're doing, it should be able to be a complete separation, but it's not.

It was very difficult for me because I come from a family where we couldn't afford the tuition to go. For my family, for me to be able to go, to pay \$70,000 to go to University of Texas, we'd have to probably make \$90,000 or more, \$100,000, that's straight tax without even -- including tax.

For me it was a little more different. I had a lot more responsibility at home and things like that. I was raising family members and brothers and stuff like that, and my mom and brother actually came to move with me in Austin while I was a junior in college. The little money and little stuff that we did get, it was still part of my family and stuff like that, so a lot of issues affected me totally different than some other athletes who were just there to go to school and to just do some of the things that it's been a tradition in their family to do, go to college, get an education and go on and get a job.

THE MODERATOR: Did you feel exploited at all?

SELVIN YOUNG: Looking back at it, the way it's set up now, I do believe it's exploited. The guys, they don't really know and understand why there's more money now than there was 20 years ago. Everything is a lot bigger. Everything is a lot more exposed. There's more ways to exploit these guys more so than there was back then. You get more money for it.

Me personally, to see I want to say we're going to separate and leave some of you guys to fend for yourself, to me I wouldn't be able to do it. When I'm speaking to kids and different age groups and we're having football camps and this guy here, he can't do the same thing that this guy does, so I'm going to make these guys motivate this guy to be able to do it and show him how to do it, so that guy that can do it he's going to be over

there with the guy and showing him how to do it.

You have the ability to say, you know, we're going to be in this group and our guys are going to take care of some of the other sports, but then not look at the whole picture and leave some of these other money revenue-making schools out. It's a whole complex thought for me to sit here and hear it all and take it in. I wouldn't be able to stand by it.

I have a little brother who followed me in the sense of I'm going to jump on that tradition of change for our generation and I'm going to go to college, and he's a sophomore now, red-shirt at University of Utah, but the opportunity that I got to be able to go to a University and have my scholarship paid for and have my family to be able to come down and see and watch me graduate and things like that, I know for a fact what it's done to my family and what it's done for my generation.

Everything is needed, but I think to start counting the money before it's even there and say, oh, it's spent so now we're going to have to figure out another way to make more money, I think that's a lot of the issue. I personally, if we wanted to pay guys, pay them or not, me personally, if a guy is going to school and he's being an athlete but then he can't be there that day to take that class, and that's happening more than not, for that athlete to be able to graduate and say, hey, the whole time I was playing an athlete I didn't know what I wanted to do with my life, so now I do, I graduated so, I want to go to school but I've got to basically start over and get a loan and do all that type of stuff.

So I think a lot of the extra funds that's been generated over the years should go back to student athletes to be able to continue their education after school, after they graduate and stuff like that, and for guys who left and one and done, the lifespan to be able to go and play in the NFL and play on those levels is so short and minute that you might see them gone for one semester and next semester they're back and they're trying to figure out what they're going to do with their life and stuff like that. I'm one of the guys that don't want to leave anyone behind and leave them hanging. Like you said, it's a nonprofit institution set up to better kids and better students and that type of thing.

So I think the whole focus should be on that, looking at the past 10, 20 years of athletes and looking at the quality of life that they have now that went to school and stuff like that and trying to figure out, okay, are we giving you the right type of

education or the only thing you can do is go be a teacher or a coach and try to be able to do something like that.

But there should be a lot more things pushed. I'm not so opposed to allowing guys to be in a scenario where they have to learn how to deal with their taxes and deal with the IRS and stuff like that, but it's a lot of scenarios that we're kind of missing. There is some work to be done. There is -- I do feel like now that I am a small business owner and I have people working for me and I'm spending time, whether it's two hours, three hours, four hours or whether we said four hours but it was really nine hours, you're working to me.

But you have all these other things given to you and taken care of for you. So to me to trade that off for what it's done for my family and I know for my little brother who's going there, I'm not so much on sports like I was, I'm 100 percent on him about education and stuff like that.

JULIET MACUR: Thank you.

JUDGE KEN STARR: I'll just say these are very important questions, and they're the right questions for universities and athletic departments to be asking. If someone can't go to a class because of a practice schedule or whatever it be, that's a serious question. We do need to deal with that. I think we try to deal with that; can you do a better job? Of course you can do a better job. But we honestly do try to make sure through counseling, including at the beginning of the freshman year and all the way through, it's plan, plan, plan, because I think every institution, certainly every institution in Division I but I think every institution, we want you to succeed. We want you to succeed in life, and so here's how we can do that.

And again, John Currie has mentioned this, the tutoring. We have 100 tutors at Baylor, we're not nearly as large as the state institutions. We try to be responsive to what we see as the needs. But it has to be a culture of encouragement and then a structure that says, if you hear the testimony in the NLRB case at Northwestern, well, I wanted to be a doctor but my hopes were dashed. Well, if that's true, and I'm not saying it is true, that's really wrong. But I must say, I doubt that that's right. I really doubt that it's right because we know of too many examples, and here is an example, Andrew majors at Stanford in a very difficult major and does well. Now, was he performing at a high level on the playing field?

Yes, he was. RG3 at Baylor University, graduated with a 3.7. Go look at his transcripts. If it were publicly available, I wish he would publish it. We require two years of a language. He took Latin because he's going to go to law school. He graduates in three years. Bryce Petty, our starting quarterback this year, graduated in three years. Again, an honors student.

So yes, will there be anecdotes? Will there be examples that suggest we can do better? You bet there will be. But the real moral question is are we trying to create a structure and a culture of encouragement and facilitating student athletes being students and actually doing their very best and graduating?

THE MODERATOR: Look, in all candor you've picked three examples of three extraordinary people.

STEVE PATTERSON: He chose one and I get to choose two.

THE MODERATOR: For every RG3, there are 100 stories of people who have run afoul of the system and haven't received the support.

STEVE PATTERSON: No, I don't think that's fair. I don't think that's fair to make that charge against the entirety of athletic departments. That is not fair. If you look at our school right now, our GPA last year was a 3.1, highest it's ever been. Over half of our kids were over a 3.0, for all our student athletes, and 150 had over a 3.5 grade point average last year.

So I think, yes, there are cases where academics aren't done right, people make mistakes, people do not act ethically, whatever, but it is not fair to use that paintbrush on all of the academics and all of the athletic departments in this country.

THE MODERATOR: Kevin mentioned it before --

ARMEN KETERYIAN: Let's talk about the revenue sports and particularly big-time college football, and let's line up graduation rates in major college football programs against the University's graduation rates, and they're less than the student average. Big football programs generating the vast majority --

THE MODERATOR: Not the FGRs, but if you're talking about the adjusted graduation gap, so the independent research that takes into account some of the things that Kevin was talking about before, and I think you're absolutely correct. The numbers are very, very clear that when it comes to sports like college football and college

basketball in the major conferences that student athletes in those sports do not graduate at anywhere near the rate that their peers do, and yes, there are extraordinary people.

JOHN CURRIE: I just don't think that's true. To use our example, our football program graduates at a higher rate than our general student body. We graduated all four of our basketball seniors last year. We had 1,000 APR. But there are significant problems.

I think going back to this whole issue of does a student athlete get to major in what they want to major in is a really significant thing, and missing classes, et cetera, but I also think that sometimes we think about that just as a student athlete issue. When I went to school at Wake Forest 20 something years ago, everybody wanted to be a doctor, everybody enrolled saying they're going to be premed or accounting, and after they took organic chemistry, half of them weren't going to be doctors, and then my fraternity brothers, when they got into accounting 2, they weren't going to be accountants, either, they were business majors or sociology or history like me.

I think this higher education thing is not -- you've got to qualify into some stuff, and so to simply say that's an athletic problem or that's only athletes I don't think is fair.

THE MODERATOR: Well, I'm not going to go any further. Donna, go ahead, please.

DONNA LOPIANO: It's a good question to say how should we judge ourselves. We shouldn't judge ourselves by how the very best kid does. We shouldn't judge ourselves in the aggregate because it hides problems. We really need to judge ourselves by the highest risk kid that we recruit into the university and whether or not we made a good judgment about them graduating.

So at the University of Texas when you talk about presidential admits, what is the graduation rate of football, basketball, presidential admits compared to the rest of the student body. Not even all of football, not even all of basketball. It's those kids who are probably more than one standard deviation below the incoming average capability of the class that they have to compete with, are we doing them good justice.

The one thing the NCAA has not done, and I've had this discussion with Hatch on a number of occasions is we keep on looking at the aggregate and using it to justify the disservice that we're doing that leads to the charges of

exploitation of kids who are not academically capable. There is no reason that we cannot, that the NCAA cannot pass a rule that says, if you are not within one standard deviation, if you're reading at the third grade level, you're ineligible as a freshman. You only take six credits. You have to have remedial education. As soon as you get your reading level up to ninth grade, you're eligible. I'm not saying don't recruit those kids, I'm saying let's make sure we do them good justice in terms of an education, and that's what we're not doing.

STEVE PATTERSON: I don't think it's fair to say that across the board.

DONNA LOPIANO: I feel comfortable saying it. I was in your seat. I went to the University.

STEVE PATTERSON: A long time ago, Donna. You look at the resources that we put in, \$2 and half million a year we spend.

DONNA LOPIANO: Answer the question on percentage graduation rate, of those academic risk kids.

STEVE PATTERSON: You look at our basketball program, we had 1,000 APR this year. They all graduated.

DONNA LOPIANO: Academically, presidentially admitted kids.

STEVE PATTERSON: Okay, maybe that kid could have done to a different school. Maybe that kid had a certain background that wasn't as helpful as living in a suburban white neighborhood. Is it a bad thing that he is admitted or she is admitted to the University of Texas and they have good support systems and they graduate and get a degree from the University of Texas and they go on to a better life than they otherwise would have? I don't think that's wrong.

DONNA LOPIANO: That's not wrong. What I'm saying is to the one that doesn't graduate, who is immediately eligible, who is not being limited or asked -- we accept their lack of graduation.

STEVE PATTERSON: Not at the University of Texas.

DONNA LOPIANO: I went to the same place.

STEVE PATTERSON: A quarter of a century ago. A long time ago.

ARMEN KETEYIAN: A point on the exploitation issue, the whole idea of paying players, I am not in favor of paying players in any way, shape or form in the pure paying of dollars because I think it's going to open up this Pandora's

box of problems. I am absolutely in favor of full cost of education and all those things with health and everything else because to me understanding fully the rowers and the soccer players and the wrestlers and everyone else, the single most valuable asset to a university right now are their college football players. They are the base on which everything else is built off of, and if you don't take care of those players which are the heart of your \$90, \$100 million athletic departments, you're going to see some huge repercussions in the next two or three years, and I believe some sort of a sit-down or boycott at a national playoff game or national stage.

THE MODERATOR: Oliver, let me ask you this: As an administrator and a former college athlete, what can you do for these kids?

OLIVER LUCK: I think what every school should be doing and I think the majority of them do it relatively well, there's certainly some gaps, but I think the resources that we have at West Virginia and I'm sure it's the same across our conference and the other big schools, we've got reading specialists, learning specialists. We almost run to a certain degree a separate program to make sure that these kids get that remedial help that many of them need. There's a limit to what we can do because we all take a finished product coming out of high school and we can talk forever about the secondary school system and the struggles that it has in many communities, but I know I can sleep well at night knowing that I'm spending a good bit of our revenue on academic support for our student athletes, and particularly for those that really do need it the most.

I think, Donna, you make a very good point, we should be judged by how well those kids do that are really borderline college students, and I would also say, I think that's a very interesting point that deserves a lot of discussion whether we shouldn't make certain freshmen ineligible if they're academically not able to fit in with that cohort of students.

THE MODERATOR: I was talking about what Armen said, unless there's some form of compensation coming down the line soon that the sport, the entire entity is going to run into a huge problem.

OLIVER LUCK: I think what Armen said is true of most if not all athletic directors. We do not believe the employer, employee relationship would be appropriate. I think there would be a cascade

of unintended consequences. But I do believe that we should provide full cost of attendance. I do believe we should provide additional educational opportunities. I've asked my staff to look and see why we can't offer every student athlete at West Virginia a chance to come back and get an advanced degree on our nickel, whether it's a law degree or a medical degree. That's something I think we should be able to look at. We really bend over backwards to make sure they get out with an undergraduate degree because of the APR and the way the NCAA has structured it, which is a good thing. They've structured it so we're motivated to get a student out, even if it's six, seven, eight, nine years after he or she lost their eligibility.

KEVIN BLACKISTONE: I've just come to the conclusion paying of athletes is just a semantic argument. Selvin Young is an exception by the way because you got it in four years.

SELVIN YOUNG: Four and a half.

KEVIN BLACKISTONE: Despite being injured and all that. He's remunerated for his services to the university with tuition, room and board. So I think the pay for play thing is kind of another banner that has been flying to kind of frighten people away from this model.

You know, there is so much money in college athletics. Who was it that stood up the other week? I don't know if it was you, Bob, but somebody said that coaches who are making -- who have multimillion dollar contracts aren't going to be willing to take pay cuts in order to make the financial system more equitable in college sports? I mean, how can someone say that, recognizing how unbalanced the situation is, admitting how much money they're making from it and then not be willing to share it with the athletes whose blood and sweat they're able to get so rich?

Part of the struggle here, and I don't put it all on universities because I put a lot of it on state legislatures who are giving you less and less money for higher education, but part of the real struggle here is this is the only place that this system exists on the planet. You can't go to any other country and find a place where you have an ostensibly nonprofit educational institution tied heavily to revenues that can be generated by a sports program. You know, there's not a mission statement at any college or university that says, our point of existence is to produce X number of All-Americans, win conference and go to National Championships. On the one hand, you're running

an educational department, and on the other hand, you've got to deal with this other entity, which in a lot of cases, is now wagging the dog.

ARMEN KETERYIAN: So why don't only 23 schools make a profit? Why does everybody involved in the arms race build bigger stadiums to pay more money to college football coaches because college football has become the front door, the welcome mat for every single major college program in the country, for donations, admissions, prestige, image. It's the single entity that the schools can hang their hat on to draw students in, to raise money, and it's one big poker game that the biggest schools have to ante up in order to get at the table. If you fail, it's misery personified, but if you're successful like A & M was with Manziel, you get to build a \$350 million stadium and a state-of-the-art locker room, spa, entertainment facility for their athletes.

It's not going to change because football, for better or for worse, has become the front porch of these universities. Am I off on this?

STEVE PATTERSON: It is, but I think one of the difficulties in this discussion really is if you really look at what a full ride football scholarship is worth at the University of Texas, it's about \$69,000 a year. When you look at books, fees, tuition, student services, academic services, medical and training that we provide. \$69,000 without paying any taxes. If you add the taxes to that, puts you in about the top third of the household incomes in the United States. So if the fourth string defensive lineman is getting the benefit of a top third household income in the United States, I don't think they're doing all that poorly.

ARMEN KETERYIAN: They're not, but if you can give them something so they can feel comfortable being a student athlete and they don't have to have Spaghettios every night or they don't have to steal a computer from somebody's dorm room --

STEVE PATTERSON: And that's what autonomy is about. Give us autonomy. Let us do it.

JUDGE KEN STARR: I think everyone agrees with that, that no one goes hungry at night. We've got to care about our student athletes and their welfare, but coming back to the front porch, here's what a successful athletic program does: It generates enthusiasm for the entire university. It's as simple as that. And so I learned this early on when Drayton McLane, whose family made a

generous gift, and our new stadium is donor driven, and I said, to be honest, that's great, but I'm worried about the academic programs and so on and so forth, and he said you're going to be able to build the new business school and you will succeed in raising your \$100 million for scholarships by virtue of this stadium.

Now, Drayton is a billionaire, and he knew something that I didn't, which is call it the spillover effect, but it's the enthusiasm that people feel. It's not just alumni. It's not just parents. It's the communities say, this is really great. Look at TCU's experience in our conference. The kind of enthusiasm that was built by virtue of the success of the football program, and yes, the spillover effect meant that the pure academic function of the program, of the university, was benefitted.

JULIET MACUR: I think enthusiasm is one thing, but there's also the cash that comes with all this, with all the television money. I've always wanted to ask these athletic directors this question so maybe we can ask now if we have a good forum for it. But Steve, let's say for the football program, for the revenue that comes in, how much goes to the rest of the University? Does it go to pay for something in the business school or the women's tennis program?

STEVE PATTERSON: Yeah, actually half of our Longhorn Network money goes to pay for professorships, fully endowed chairs. Our university last year, we gave back almost \$10 million a year. If you look at all the dollars we contribute back, both in services from other dollars, we're at roughly \$25 million a year going back to the university from the athletic department.

JULIET MACUR: How much does the football program bring in every year?

STEVE PATTERSON: Football brings in about 100 million bucks.

JULIET MACUR: Where does the other \$75 million go?

STEVE PATTERSON: It comes from all the other sports.

JULIET MACUR: So of the 100 million, 25 million goes to the academics, and the other 75 million, how much goes into football?

STEVE PATTERSON: Well, our total budget last year was about 165, this year about 175, roughly, all in. The rest of it we spend -- we carry about \$18 million a year in debt service like on the facilities. The rest of it goes for student services. We spend 2 and a half million bucks a

year on the academics, and the rest of it gets spent in the athletic department.

JULIET MACUR: I guess I'm just asking how much stays with football and how much goes to the other sports.

STEVE PATTERSON: Oh, out of football revenues, probably about 60 percent goes to the rest of the department.

JOHN CURRIE: One thing, we were talking about revenue, for us, about 45 percent of our revenue comes from television contracts, bowl contracts and the NCAA basketball tournament, which is about \$2 million a year for us. 55 percent of our revenue comes from individual ticket holders, individual donors. We have season ticket holders in 46 states at K-State, and those people are making their gifts and buying their tickets for lots of different reasons. Some of them, all they care about is whether we win or lose. Some of them are more genuinely invested in the idea that they want the young man or woman to have the opportunity to go to college, et cetera, but our model is a little bit different.

And the TV revenue is a lot. For K-State this year it'll be about \$26 million from the Big 12 conference in both television, all that other stuff. NFL teams this year, their television revenue went up \$25 million per team from what it already was.

So too often when we start talking about these things in the context of the greater world, our television revenue is very significant, right, but it is not all the money in the world like sometimes we perceive that it is, and so then from the expenditure side, we're spending it.

But that doesn't mean that we shouldn't hopefully, beginning tomorrow, figure out a way that we can provide more benefits financially for our student athletes.

BOB BOWLSBY: I went to come back to something that Donna said because I really think it's an important element of this discussion, and that is what are we doing for the kids that come to campus that are highest risk. And frequently, kids that come in that are the highest risk academically are also highest risk socially. They may be high risk in other ways, as well. I really think it's an important point, and it's one that we have gotten away by virtue of aggregate data. I don't know how you go about improving that, but we have too many people on campus that are, one, not serious students, and two, not academically prepared to come, despite the minimum core curriculum, and

three, are probably not motivated for any other reason than because it's the rite of passage to get to the next level, whether it be the NBA or the NFL or baseball or whatever the case is.

And one of the things that I have wondered about over time is whether or not some sunshine on that process might not be a good idea, something as simple as publishing the range of incoming ACT and SAT scores, the range of core great point averages, the mean, median and mode of the incoming class. Obviously privacy issues will not allow us to put out specific information, but a little bit of transparency might go a long ways towards encouraging institutions to do better at it.

THE MODERATOR: Competitively you'd imagine that would hurt these teams.

BOB BOWLSBY: It would hurt the ones not doing a good job.

THE MODERATOR: Of educating the kids.

BOB BOWLSBY: And it would help the ones doing a good job.

STEVE PATTERSON: At the end of the day, even the SAT folks are revamping what their test is all about. Really all the SAT predicts is usually your first year grades. So I think really what you need to look at what you're both talking about is what are the end outcomes for those students that come into that institution, and how do they end up better or not when they graduate.

THE MODERATOR: So we're getting near the close of this program. We haven't even really touched on the whole O'Bannon issue, and that decision is imminent, and if it goes in favor of O'Bannon and his colleagues, that could have dire consequences for the way college sports is run. You said for the most part nobody is here in favor of paying the athletes. None of the administrators are, but that could really upset the apple cart. What do you do as an administrator? I guess it's not an individual program in terms of the schools because that case is based upon EA Sports or Electronic Arts, but I suppose you could talk about the extension to jerseys and shoes and name and likeness. That is something that has to do with the individual universities. What happens to college athletic departments if the case goes presumably against you? John?

JOHN CURRIE: Well, I don't have all the answers to that question, but again, we're talking about the demystification of college athletics here. In the video game, for instance, where that thing all started, that video game, K-State made about

\$50,000 on that and when I asked our student athletes about the video game, they say, well, can you make sure they get our stadium right in it next year, because we did a stadium expansion and they still had the old stadium in it. That's what they were interested in. They were interested in playing themselves.

But the perception is that we're making \$20 million on the video game. We're making about \$50,000, right, which is the cost of one and a half scholarships in a current year. But clearly whatever the change comes, we'll figure out a way to manage.

STEVE PATTERSON: I think it depends on what happens with how the revenues are divided. At the end of the day, the vast, vast majority of university athletic departments operate in the red. If you're going to drive up the costs dramatically, you've either got two choices. Either you figure out a way to dramatically raise more revenues, which everybody is doing the best job they can right now or you go to the other side and start reducing scholarships and start reducing teams, and you've seen that happen around the country, at places like Maryland, Cal, ASU, and when you think about athletic scholarships in this country, next to the GI Bill, it's the largest source of college scholarships in the country. When you think about what happened in this country and how it changed because of the GI Bill it's been very dramatic over the last half century. If you go out there and whack college student athlete scholarships in half, it's going to have a dramatic negative impact on this country.

OLIVER LUCK: I would say that both my colleagues are accurate. I would just say one thing, and maybe this is just being a lawyer, Judge Starr, but I have a lot of respect for a person's name, image and likeness. That is who you are. That is your identity. That's sort of existential, and ultimately I think the answer is if we are, in fact, using the name, image and likeness of the student athlete, and I don't think he or she waives that right just because they accept a scholarship, just like a drama major who might be in the school play doesn't waive his or her right in terms of using the name, image and likeness, I think they should be compensated for use of that name, image and likeness.

Now, in many cases that will be relatively little money. Every now and then there's a Johnny Manziel or a star player who does generate a good

bit, but I do think it would be appropriate for universities to respect what I could consider a constitutional right, your name, image and likeness and figure out a way to compensate those student athletes for that. But for very few there's not a big pot of gold at the end of that rainbow, as John mentioned.

ARMEN KETHEYIAN: Isn't it depending upon how the ruling is written? If the judge allows an athlete to sell his likeness on the open market, even if that money would go into a pool, you can only imagine what the scenario is going to be. If a car dealer says to your star quarterback, recruiting a star quarterback says, I will pay you \$50,000 over four years for you to come to my car dealership once a year to sign autographs and I will put that money in a fund for you to make money, that's a possibility here, and if that opens -- you open that door up, it's Katie bar the door.

JUDGE KEN STARR: I would also say we just need to stay tuned. A very able district judge has heard several weeks of testimony. We presume she's writing her opinion, her judgment now, so we are waiting to see.

But that's not the end of the process, so obviously we need to be very mindful of what the judge said, but I think everyone understands that this issue is so important and Congress has provided that there are avenues for getting a second look at it and perhaps even a Supreme Court look at the issue because it's so very important. But to come back -- that's the legal point. The moral point I think has been very well stated by Oliver. We need as a university and our athletic departments need to be very mindful of the fact that this is something that's very personal to the student himself or herself.

So one practice that we have embraced is that we will not use the name. Now, on jerseys the name is there, so RG3 had his name on the jersey. We're also mindful, I think, increasing just the numbers itself. The numbers having a certain magical quality, right, and some numbers become iconic, and I think some of the institutions are now being much more mindful of let's use generic numbers, maybe it has institutional significance but it was not the number that a Heisman Trophy winner wore.

THE MODERATOR: As I said, we're drawing close to the end of our allotted time here. Let me just ask all of you, and I'll ask you to be brief if you can, what did we not touch on today

that concerns you most about the state of college sports? Let's keep it brief and let's go right down the line. John?

JOHN CURRIE: Well, I'm proud of all the things we're able to do for our student athletes. The new training table we have at K-State, the additional things we'll get to with cost of attendance, et cetera, but we are continuing to erect more separation between our student athletes and our general student population, and yet that's exactly what so many of our student athletes talking about is wanting to be par mortgage of the general student population, so we've got to be really careful on that balance.

JULIET MACUR: I guess it's just knowing what's going to happen in the future with these -- whether it's the smaller schools outside of the big five or the Olympic sports. That's a big question. We talked a lot about them being okay on their own, they don't generate the money anyway, so we're going to be over here and they're going to be over there. But I'm not sure what the real future will be and that worries me.

STEVE PATTERSON: I don't think we spent enough time talking about the majority of student athletes that are not in the higher revenue sports.

THE MODERATOR: Like the rowers at Columbia.

STEVE PATTERSON: Yes.

ARMEN KETHEYIAN: Enforcement. I don't think there's ever been a better time to cheat than there is right now in college sports.

BOB BOWLSBY: I've heard that somewhere.

THE MODERATOR: I know somebody that agrees with you.

ARMEN KETHEYIAN: You hit the nail on the head and for a lot of different reasons. The enforcement staff is really despondent at this point in time; the cheating has gotten much more sophisticated; the investigators are more inexperienced. And the Miami case was devastating to the enforcement group, but if you're cheating right now, this is the best time to do it because of what's happening at the NCAA.

THE MODERATOR: Bob, we know you agree with him on that.

BOB BOWLSBY: I do, and I think probably if we could have delved a little deeper into one item, it would be the jeopardy that all of this uncertainty creates for our especially men's

Olympic sports but Olympic sports in general. I fear that much of what could happen over the coming two years will have a detrimental effect on gymnastics programs and wrestling programs and track and field programs and swimming programs, and that really would be devastating for our country.

But I think the other piece that bears re-mentioning is just that I really believe that a college education is transformative on a lifetime basis, and I think the impact of that, the ability to change lives as Selvin has said I think is minimized in this discussion and ought to be more front and center.

DONNA LOPIANO: I think the money in college sports is not going to go down. It's only going to get bigger. That coupled with the prospect or the opportunity of trouble damages in an antitrust suit makes it a very attractive and continuing proposition to go to court against the NCAA and its member institutions. There needs to be serious consideration of an antitrust exemption, a limited antitrust exemption, conditioned on the reform of intercollegiate athletics along the lines that we've discussed, and including the provision of subpoena power to an NCAA enforcement system that would be staffed by former professional judges, third-party investigators in serious cases. I think that can be cleaned up with Congressional intervention.

JUDGE KEN STARR: I would talk a little bit more about student safety, concussions, that entire narrative is something we're all aware of. The NCAA is very sensitive to this. Our universities are very sensitive to this. We tend to think of it in terms of football, but it also is an issue as you know in soccer. It is also an issue in acrobatics and tumbling, so we just need to be redoubling our efforts. Obviously the science continues to pour in, and we need to be absolutely steadfast in making sure that that student athlete, who has suffered a concussion, is, in fact, able, by the way, to go back to class in a timely manner. We have to be very sensitive to that as well as back on the playing field.

KEVIN BLACKISTONE: Well, I've become a little bit more of an anarchist over the years.

I think that we have to find a new financial and welfare model that is more equitable to the labor pool that produces all of this wealth and one that no longer makes a mockery of higher education.

SELVIN YOUNG: I'm kind of more concerned about what we would be able to do for the future for our athletes that go pro in something other than sports. Are we using a lot of these new donors and these new big companies donating all this money. They have thousands and thousands of employees. Are they hiring our student athletes. Are we setting up scenarios for our guys and women to be able to go and get a job outside of that, and also doing things, like he was saying and Steve was saying, that support the system that's there for that at-risk student or that at-risk kid, continuing to put that in the front, because a lot of those students are the guys who are pretty much the game-changers in a lot of those scenarios. I'd like to see, continue to put more emphasis on that.

OLIVER LUCK: I'll try to end maybe on a little bit of a high note, which is an acknowledgment and a recognition of the great things that have happened to student athletes over the last 60, 70 years. Going to class, working hard, learning how to manage their time, dealing with setbacks, learning how to get up off the mat, and I think that's been a tremendous contribution to American Society. Sometimes I think we end up talking in today's world too much about the money. Money is important, but talking too much about the money and not enough about education, because that's really what I take away from my four years as a student athlete. It wasn't football or games or practice, it was what I learned in the classroom, what allowed me to go on to law school or what allowed me to raise a good family. Those are the issues that I think we sometimes give short shrift to.

Q. My first question is for Mr. Young and Mr. Luck. If anyone else would like to jump in, feel free. Although you both went pro, how much did your commitment to your sport stop you and your teammates from pursuing part-time jobs or internships, and do you believe that a sum of money could fix that?

SELVIN YOUNG: I have a little brother at Utah University right now, and he was able to get a little internship this summer, but he chose to go into animation program, which he wants to graduate in. When school starts back, he was telling me, hey, I don't want any money now, but you're going to probably have to send me a little something when school starts back because I won't be able to get a job and I won't be able to do

some of this stuff, and then he was like, I'm not hungry at the same time every day, and the time that I can go eat, maybe I was doing something in the training room or something or whatever, so by the time I got there I wasn't hungry. But I'm hungry now, and it's -- I don't know what time it is and I don't have nothing to eat. So he can't go get a job, stuff like that.

That does play a big part, a big role, and money would solve it, but like he was saying, a lot of the things that we learn in college are some of the things that we're going to have to deal with in the real world. There's going to be times where you're going to be starting out at the bottom of whatever it is, whether you're in the mailroom or whatever you're doing, you've got to learn some of the things that they're learning now, time management on the highest level of anywhere besides I'd say the Army or stuff like that.

OLIVER LUCK: I'm not sure my experience as a student athlete is important or relevant in today's world because things have changed so much, but I sincerely can't remember not taking a class because it clashed with football practice, number one, and number two, in my era, late '70s, early '80s, we all had summer jobs. We needed the money. And I worked two, three months in the summer for a coal company, good money, worked hard, wasn't the don't-show-up kind of a company, and we had time to come back, work out, throw, in my case as a quarterback threw the ball or lift weights, whatever it is, and it keeps you busy. But that's a skill that as Selvin mentioned is crucial in today's world, and that's something I think that we don't really recognize often enough in terms of how student athletes in all of the sports learn how to manage their time.

Q. Mr. Bowlsby, although you don't believe in pay for play, do you believe that athletes should get paid for their image and likeness?

BOB BOWLSBY: Yeah, assuming that the elements that Armen referred to can be managed. I think that the intersection with donors and representatives of the athletics interests are problematic. There have to be some structures on it because you don't have to have a very good imagination to envision scenarios where there would be things taken advantage of.

But generally speaking, I agree with Oliver that name, image and likeness of any individual should be taken very seriously. Now, there is

another element to that, though, and it's a difficult one to parse because as you think about the name on the front of the jersey, it's hard to separate that from the name on the back of the jersey. What is the real value of that student's image as it stands alone versus the image of that student athlete wearing a University of Texas jersey and representing that university? Those are complex conversations that need to be held prior to embarking on this, but generally speaking, I agree that the name, image and likeness -- I think the collegiate community has learned a lesson about taking broad latitude with name, images and likenesses, and we don't know how it'll turn out, whether it'll be a broad ruling from the judge in Oakland or a narrow ruling, but I think we've all learned something about that, and I believe that Oliver's position on it is accurate.

Q. You guys have had a great discussion but I'd like to change the topic just a little bit. I'd like to ask Ms. Lupiano and Mr. Patterson if they think the NCAA or the Big 12 has a role in creating a culture among its athletes that does reflect more respect toward women off the field. Obviously there's been a lot of off-the-field issues having to deal with women. I was wondering if you could comment on that.

DONNA LOPIANO: Yeah, I think the NCAA is far behind the entire international field of sport governance organizations. It does not have a code of conduct. It does not enforce a code of conduct for either its coaches or athletes. The USOC does. It's getting better at it. It's not really great right now, but at least it's made first steps. I think we have to do better when we look at the survey that Claire McCaskill just recently did where in a survey of over 400 institutions of higher education, 20 percent of them said that athletic departments were allowed to investigate their own sexual abuse violations. There's a lot to be done here, and we're not doing a very good job of it.

STEVE PATTERSON: I think at the University of Texas we've made it clear where we're at over the last few weeks. We don't investigate those issues internally. We turn them over to the police or to the campus, and I think Coach Strong made it very clear what his stand is by the dismissals last week.

ARMEN KETERYIAN: Think it's one of the most significant issues facing universities today if

not the most significant issue when, as Donna referenced, Claire McCaskill's report shows that one in five young women coming on a college campus today would be subject to some form of sexual assault, and when you have these cases, and we could name cases as long as our arms of university athletic departments taking over investigations to the detriment of the victims in these cases, it's appalling to me. It's something that's really important to me right now.

JULIET MACUR: In which case do you hand it over to the campus police rather than the Austin police or something?

STEVE PATTERSON: The campus police if it's an on-campus issue, APD will handle it if it's off campus. But those are separate police organizations.

JULIET MACUR: But isn't that an issue, too, handing it over to the campus police? Obviously they're invested in not giving any bad PR about the campus. I think that's been the whole problem at a lot of different universities is they give it to the campus police when it's obvious that it might be a crime, which the campus police isn't really equipped to handle that.

STEVE PATTERSON: That presumes we handle it. It doesn't come through us. It doesn't come through the athletic department. It goes to either the -- that's the way the legal authorities are set up in Austin. There's an issue on the campus, it could be a break-in, could be a stolen bike, could be anything. Campus police handle it on the campus. It's a state institution that has state-run authorities. If it's off the campus, it's in the municipalities, the municipalities handle it.

JUDGE KEN STARR: I'll just add that we learned long before Senator McCaskill's very important report that there is a vital need structurally for checks and balances. So that is a question that university governance has to ask itself obviously to the athletic department and the athletic director, do we have the kind of structure and system in place that make sure that these kind of profoundly serious charges are fully and fairly investigated in a very professional way and without casting any aspersions on any program at all, one wonders when, in fact, it is the investigation within the department itself, and you may find it very difficult under those circumstances to bring the kind of dispassionate independent judgment you need to make sure that there's fairness to all concerned, beginning with the victim.

JOHN CURRIE: She didn't ask me that question but sometimes this stuff really bothers me because these are abhorrent acts that are happening in society and on campus, right, but it's really unfair to say that this is a student athlete problem. This is a higher education problem. It's a societal problem, and sexual assault is a societal problem. I dare say that our student athletes are under about as much scrutiny as any subset on our campuses. Our student athletes are the only ones that are drug tested on our campuses for the most part. Professors aren't. The police may be or maybe the -- somebody is, but it's pretty much just that subset.

So I think it's really unfair, and obviously the student athletes earn notoriety because of great accomplishments on the field or Andrew Luck majored in whatever Andrew majored in or all that kind of stuff, right, but they also have a different level of scrutiny because of their notoriety that unfairly creates the impression that our student athletes are the only ones that might be drinking under age on a college campus or smoking pot or having premarital sex, okay. These are across-the-campus type issues, and I believe that student athletes are provided as much or more support in dealing with those things as any other group.

BOB BOWLSBY: I think it bears mentioning, too, that many of the incidents, and this doesn't justify them at any level, but many of them are drug and alcohol related, or they occur after consumption, and that's a way not only to start in advance of activities happening, but obviously there has to be the right response after incidents occur.

But there's a very large culture of high consumption and risky behavior on almost every campus, and so I think that's where you start on those things. And by the way, it's architectural engineering, for those of you that wanted to know what Andrew's major was.

JULIET MACUR: I don't think you could start at the college level when it comes to telling the guys not to go drink and smoke and then go sexually abuse a woman off campus. I mean, this has to happen even before high school, I think. Last year I wrote a story about some football players in Steubenville, Ohio, which I'm sure everybody knows by now was a huge case of a town being in love with its football team, and they basically gang raped a woman, and everybody

news about it. Nobody said anything about it because they loved the football team and they loved the coach, and then some of these players maybe move on to college and they have this mentality of this is how we can treat a woman, and I think that it should start with your little league coach or your pee-wee football coach that has to instill this idea of respecting women and don't sexually assault a woman, which sounds ridiculous to stay, but you have to start that young, because as it snowballs through the years, you go through high school and you can do what you want, then you end up at, let's just pick any college, Florida State, and you think you can do whatever you want to a woman without any repercussions because even the -- not only the campus police but even the police in the city in which the college is in is not investigating things correctly as was with the Jameis Winston case, which one of our reporters did a great story on. I think education has to start way early, and I hope these athletic directors are including that in their preparations for all of their athletes.

THE MODERATOR: The Big 12 brought this conference together, so for the last word I'll give it to Bob.

BOB BOWLSBY: Well, thank you all for being here, and especially thanks to all of you, our panelists. I appreciate it very much, and appreciate you being here. I think it would become obvious to everybody in the room that two hours isn't nearly enough on these issues, but our attempt was to have as thorough a vetting of some very complex issues that are timely, and I think we've accomplished that. It doesn't happen without these panelists, and it certainly wouldn't have the impact without all of you being here.

It is our hope that this has allowed a more thorough and robust discussion than has previously been available publicly, and so thank you all for that and thank all of you for your participation.

The anti room that is immediately out the back includes four interview areas, so if any of you would like to do additional interviews, have additional questions for any of the panel members up here, we will certainly accommodate that in the room immediately outside the back. We intentionally put the cocktail hour on the other side of the interview room, so we think that most of us will be motivated to make the post-session interviews relatively short. But thank you for being here, and thank you for a wonderful two hours.

And special thank you to Jimmy Roberts, our moderator.

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