INFORMATION TO USERS

This reproduction was made from a copy of a manuscript sent to us for publication and microfilming. While the most advanced technology has been used to photograph and reproduce this manuscript, the quality of the reproduction is heavily dependent upon the quality of the material submitted. Pages in any manuscript may have indistinct print. In all cases the best available copy has been filmed.

The following explanation of techniques is provided to help clarify notations which may appear on this reproduction.

1. Manuscripts may not always be complete. When it is not possible to obtain missing pages, a note appears to indicate this.

2. When copyrighted materials are removed from the manuscript, a note appears to indicate this.

3. Oversize materials (maps, drawings, and charts) are photographed by sectioning the original, beginning at the upper left hand corner and continuing from left to right in equal sections with small overlaps. Each oversize page is also filmed as one exposure and is available, for an additional charge, as a standard 35mm slide or in black and white paper format.*

4. Most photographs reproduce acceptably on positive microfilm or microfiche but lack clarity on xerographic copies made from the microfilm. For an additional charge, all photographs are available in black and white standard 35mm slide format.*

*For more information about black and white slides or enlarged paper reproductions, please contact the Dissertations Customer Services Department.

UMI Dissertation Information Service

University Microfilms International
A Bell & Howell Information Company
300 N. Zeeb Road, Ann Arbor, Michigan 48106
Copyright by
Charles Allen Browning
1986
To My Mother and My Brothers
ACKNOWLEDGEMENTS

I express sincere appreciation to Dr. Charles L. Mand for his guidance and patience throughout the research and writing. Thanks go to Dr. Mel Adelman for his suggestions and comments. Special gratitude goes to Larry Romanoff for his tolerance during the completion of the coursework and to Dr. Williamson Murray for believing. Finally, the technical assistance of Dr. Carol Drake Mehls and Jennifer Chapman is gratefully acknowledged.
VITA

March 21, 1953 . . . . . . . . . . . . . . . . . . . . . . . Born - Bossier City, Louisiana

1976 . . . . . . . . . . . . . . . . . . . . . . . . . . . . . B.S., The Ohio State University, Columbus Ohio

1977-1983 . . . . . . . . . . . . . . . . . . . . . . . . . . . . . Athletic Counselor, The Ohio State University

1980 . . . . . . . . . . . . . . . . . . . . . . . . . . . . . M.A., The Ohio State University

1983-1985 . . . . . . . . . . . . . . . . . . . . . . . . . . . . . Academic Coordinator, University of Colorado-Boulder

1985-1986 . . . . . . . . . . . . . . . . . . . . . . . . . . . . . Assistant Athletic Director, University of Colorado-Boulder

FIELDS OF STUDY

Major Field: Athletic Administration

Studies in: Exercise Physiology and Business Management
# TABLE OF CONTENTS

<table>
<thead>
<tr>
<th>DEDICATION</th>
<th>ii</th>
</tr>
</thead>
<tbody>
<tr>
<td>ACKNOWLEDGEMENT</td>
<td>iii</td>
</tr>
<tr>
<td>VITA</td>
<td>iv</td>
</tr>
<tr>
<td>CHAPTER</td>
<td></td>
</tr>
<tr>
<td>I. INTRODUCTION</td>
<td>1</td>
</tr>
<tr>
<td>Statement of the Problem</td>
<td>9</td>
</tr>
<tr>
<td>Need for the Study</td>
<td>9</td>
</tr>
<tr>
<td>Scope of this Study</td>
<td>10</td>
</tr>
<tr>
<td>Procedure</td>
<td>10</td>
</tr>
<tr>
<td>Definition of Terms</td>
<td>11</td>
</tr>
<tr>
<td>II. THE ORIGIN OF THE CONCEPT OF ELIGIBILITY</td>
<td>13</td>
</tr>
<tr>
<td>Introduction</td>
<td>13</td>
</tr>
<tr>
<td>The Growth of College Athletics</td>
<td>16</td>
</tr>
<tr>
<td>Early Attempts at Control and</td>
<td>21</td>
</tr>
<tr>
<td>Regulation Through Association</td>
<td></td>
</tr>
<tr>
<td>The Formation of the Forerunner of the National Collegiate Athletic Association: The Intercollegiate Athletic Association</td>
<td>30</td>
</tr>
<tr>
<td>III. THE PERIOD OF GROWTH AND CONSOLIDATION OF THE NCAA</td>
<td>32</td>
</tr>
<tr>
<td>Introduction</td>
<td>32</td>
</tr>
<tr>
<td>Discussions and Actions of the NCAA: The Era of Local Autonomy and Enforcement Through Education</td>
<td>40</td>
</tr>
<tr>
<td>Conclusion</td>
<td>94</td>
</tr>
<tr>
<td>IV. THE NCAA BECOMES AN ENFORCEMENT AGENCY</td>
<td>101</td>
</tr>
<tr>
<td>Introduction</td>
<td>101</td>
</tr>
<tr>
<td>Discussions and Actions of the NCAA: An Enforcement Agency is Born</td>
<td>116</td>
</tr>
<tr>
<td>Conclusion</td>
<td>165</td>
</tr>
</tbody>
</table>
### CHAPTER

<table>
<thead>
<tr>
<th>V. THE FIRST ATTEMPT OF THE NCAA TO ENFORCE MINIMUM ACADEMIC ELIGIBILITY STANDARDS</th>
<th>174</th>
</tr>
</thead>
<tbody>
<tr>
<td>Introduction</td>
<td>174</td>
</tr>
<tr>
<td>Discussions and Actions of the NCAA: The Era of the 1.600 Rule</td>
<td>189</td>
</tr>
<tr>
<td>Conclusion</td>
<td>288</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>VI. THE SECOND ATTEMPT OF THE NCAA TO IMPROVE STANDARDS OF ACADEMIC ELIGIBILITY</th>
<th>300</th>
</tr>
</thead>
<tbody>
<tr>
<td>Introduction</td>
<td>300</td>
</tr>
<tr>
<td>Discussions and Actions of the NCAA: The Failure of the 2.00 Rule and the Adoption of Proposal 48</td>
<td>321</td>
</tr>
<tr>
<td>Conclusion</td>
<td>400</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>VII. CONCLUSION AND ANALYSIS: THE CONTINUOUS AND INTERMITTENT QUALITIES OF INTERCOLLEGIATE ATHLETICS</th>
<th>410</th>
</tr>
</thead>
<tbody>
<tr>
<td>BIBLIOGRAPHY</td>
<td>429</td>
</tr>
</tbody>
</table>
Chapter I

Introduction

In 20th Century America, college athletics have become historical, sociological, economic, psychological, and political phenomena. Briefly, college athletics are historical in that universities have built monumental stadiums and sports arenas. University students learn of the legends of past eras and a number of sports halls of fame have been erected. College athletics are sociological phenomena in that they can have mass spectator appeal. This quality has resulted in the development of true spectacles in many cases. Bands play characteristic music, cheerleaders and pom-pom girls perform routines, concessionnaires vend appropriate food and beverages, and the spectators think and act as a crowd. Economic opportunities abound because of these well-attended college athletic events, opportunities for coaches, administrators, vendors, local merchants, and broadcasters. This superficially demonstrates the economic aspect of the college athletic phenomenon. Evidence of the psychological impact of college athletics on our
society can be discovered in many university psychology departments across the country, where courses in sports psychology are found ever more frequently. One must also note the psychological appeal that athletic prowess and success holds for American youth. President Theodore Roosevelt provided the impetus for athletic leaders which led to the founding of the NCAA, and college athletic issues have been argued before the United States Supreme Court and the United States Congress.

The point is not to argue that college athletics are more or less important than some believe them to be but simply to show that they are important. Accepting this, it would be a gross oversimplification to imagine that the impact of college athletics on American society is uni-directional. True, college athletics do cause reaction and change in our culture, but the causality flows both ways. American society and events throughout the nation and the world have great impact upon college athletics. The context in which athletic leaders make decisions and exercise options is of critical importance, and it is not hyperbole to say that the relative strength of the direction of causality greatly favors society at large. Presidential directives, Supreme Court
decisions, World Wars, and affirmative action guidelines are much more powerful and irresistible than are uniquely athletic exigencies. Further, the universities themselves, while subject to the same external influences, have their own missions and problems which generally outweigh the particular needs of their several athletic departments.

Clearly, the causalities surrounding college athletics, those decisions, influences, and factors which have brought us to our present position are exceedingly complex. We could probably, after some discussion, reach general agreement about a number of issues that have been and are central to athletic decision-making, but the relative degree of centrality of each of these issues is, over the dimension of time, dynamic. In fact, this dynamism very likely occurs over the dimension of space as well, so it is unlikely that we could reach any consensus on the relative importance of the various issues.

In order to make any sense of what could easily become a chaotic analysis, we must begin by recognizing that history is both continuous and intermittent. For centuries men have argued over the relative role of these two qualities in human events. The debate continues today with all the spirit
it has ever had, but this is not the place to join in the debate. Suffice it to say that both qualities are present, and both must be understood in order to gain a better feel for the current status of college athletics. Now it is easy enough to stay abreast of the intermittent events in college athletics by following the daily sports page. The immediate relative importance of these events can be equated, in rough fashion, with the amount of coverage that they receive. It does, however, require more effort to appreciate the continuity in college athletic affairs, the trends that have brought us to our contemporary juxtaposition. In many cases, the trend escapes the view of the casual observer. Furthermore, we all must of necessity view athletic history in the wrong direction; that is, we must view it from present to past. We already know what happened; our hindsight is 20/20. This factor affects our ability to perceive and colors our interpretations. For the most part, those who made the decisions that we review were looking simply from present to future. Certainly none were able to see from future to present. Their's was an entirely different perspective relative to that which we possess, so in many cases their decisions are
incomprehensible to us unless we vicariously posit ourselves in their chronological position.

It should now be apparent that most decisions are now and probably always will be made with the same basic perspective from which most of those in the past have been made, namely, from present to future. However, it must be admitted that there have always been some few individuals who have extended their perspective into the past and so have developed a perspective that can be represented as extending from past to present to future. This extension of perspective can be the product of gathering age, dedicated study, or both, and is referred to as wisdom or education. Whatever the means through which it is gained, this extension of perspective allows one to develop a sense of the continuity of human events and, as a result, exhibit a sort of prescience that is the result of the recognition of the very real parameters, the dynamic context within which human events occur.

One can see that in order to better understand any significant event in human affairs one must possess a certain level of historicity. Of course, it stands to reason that as historical perspective broadens and deepens, one's comprehension of an event
changes in corresponding fashion. So the question is just how much research should one perform before one can feel satisfied with one's ability to recognize and appreciate the context in which an action took place. There is no simple answer to this question. Clearly, each individual should employ a cost-benefit analysis with the particular needs of the individual and the unique characteristics of the historical event or situation factored into the equation.

The task of historians is to extend their perspective into the past by interpreting facts and recreating context. Many years of historical work allow historians to begin to recognize similarities in trends, to experience the sensation of deja vu. The result of this lifetime spent immersed in historical context is that the historian begins to develop a deeper and fuller understanding of contemporary affairs; he begins comprehending, in the truest sense, the forces and factors which have been influential in our arrival at the present circumstances. And, finally, he starts to have a sense of the future, a feel for what is to come. Again, this process is most time-consuming and so, very likely, beyond the scope of activity for the layman, and yet,
the results of such a study can be of inestimable value to the layman.

As we turn once again to college athletics, it is clear that on a personal, even community level, college athletic events are important, important in ways which have already been explained. From a personal standpoint, the investigation of questions of importance within college athletics can be productive and beneficial. To maximize these benefits while minimizing costs, it is convenient to stand on the shoulders of the professional historian. In other words, we must permit the historian to pose his question, conduct his research, and draw his conclusions. These conclusions, if valid, can serve as useful guides for action by leaders in college athletics.

A question which could guide this study is: How did college athletics reach the position in which we find them in 1985? But this query is broader than necessary and would require considerable effort, so we will narrow our focus to an investigation of an even more specific question. What has been the involvement of the National Collegiate Athletic Association in the question of admission of athletes, the eligibility of these admitted athletes during their
freshman years, and the eligibility, in an academic sense, of those continuing students who chose to be athletes.

At first glance this question may seem to be trivial, but the fact is that on a national level it has aroused considerable controversy. In order to understand the context of the current controversy, we must return to the nineteenth century.
Statement of the Problem

The purpose of this study is to:

1. Investigate the development of NCAA rules and regulations pertaining to academic eligibility, both initial (freshman) and continuing, from 1905 to 1985.

2. Identify significant events or milestones in the progression from 1905 to 1985.

3. Recreate the discussions surrounding important pieces of legislation in order to reveal the reasoning used to support or resist such legislation.

4. Reveal, through historical narrative, the trend toward increasing central (national) control of intercollegiate athletics, increasing complexity of NCAA rules and regulations, and concomitantly, increasing homogeneity, with regard to academic standards, among NCAA member institutions.

5. Determine the most significant external sociological, educational, and political factors which affected NCAA policy.

6. Discuss the major internal issues impinging upon NCAA academic eligibility rules and regulations.

Need for the Study

The justifications for this study are to:

1. Record for the first time, in organized and coherent fashion, the evolution of NCAA academic rules and regulations and the relationship of these rules to intercollegiate athletic participation,
practice, and financial aid for individual student-athletes and the relationship of these rules and regulations to institutional eligibility for NCAA events.

2. Recount the history of the issue of freshman eligibility for varsity participation and the various standards used throughout the years to qualify freshman for such participation.

3. Provide a historical context for present and future policy-makers in the NCAA.

Scope of This Study

This study is limited to:

1. NCAA rules and regulations and the relevant discussions that occurred at NCAA Annual Conventions and NCAA Council and Committee meetings that were conducted throughout the years.

2. The years 1905-1985. This period of time encompasses the entire history of the NCAA.

3. Rules and regulations regarding academic eligibility of student-athletes.

Procedure

The sources for this study were limited to four primary sources:

1. Proceedings of the Annual Conventions of the NCAA.

2. Annual Reports of the NCAA.

3. Yearbook of the NCAA.

And numerous secondary sources.

**Definition of Terms**

1. **ACT** - American College Test, made up of four scores: English, mathematical, social science, and natural science. Each has a range of 1 to 36 and a composite score is calculated with a range of 1 to 36.

2. **By-Law 4-6-(b)** - The 1.600 rule.


4. **Carnegie Unit** - A unit equal to completion of one high school academic course that extends over one full school year.

5. **Freshman Rule** - The rule that prohibits freshman from participating in varsity intercollegiate competition.


7. **Official Interpretation (O.I.)** - These are approved interpretations or clarifications of NCAA rules and regulations that are located adjacent to the legislation to which they apply in the NCAA Manual.

8. **1.600 Rule** - Also By-Law 4-6-(b). The rule that established prediction tables based on high school class rank or grade point average and test scores. Individuals were required to predict at least a 1.600 at the end of their freshman year in order to qualify. Section 2 of the rule required a continuing student-athlete to maintain at least a 1.600 accumulative grade point average to be eligible.
9. **Proposal 48** - Also By-Law 5-1-(j). The rule which established a core curriculum and minimum test scores for qualification as a freshman.

10. **Proselyting** - Also, proselytizing or recruiting for the express purpose of encouraging enrollment because of exceptional athletic ability.

11. **Qualification** - The act of satisfying a minimum academic standard in order to earn the right to practice, and/or participate, and/or receive financial aid.

12. **Residence Rule** - In the early years of the Association this rule was used in place of the freshman rule, the rule which prohibited participation by freshman in varsity contests. The residence rule was actually broader as it applied to transfer students as well. Any student, freshman or transfer must put in one year or one semester of residence in order to be eligible for varsity competition.

13. **SAT** - Scholastic Aptitude Test, made up of two scores, verbal and mathematical, each ranging from 200 to 800. The sum of verbal and mathematical is the commonly reported combined score.

14. **Satisfactory Progress** - Also normal progress, a concept that has been applied to athletic eligibility corresponding roughly to a requirement that an individual complete 20 per cent of degree requirements each calendar year.
Chapter II

The Origin of the Concept of Eligibility

Introduction

The issue of academic eligibility for intercollegiate events began its long development in the middle of the nineteenth century. From that time to the present many external forces have influenced this development, forces such as educational policy and theory, the growth and financial health of institutions of higher education, the need to generate revenue and to win, and, of course, various amateur athletic organizations including the Intercollegiate Football Association, the Intercollegiate Association of Amateur Athletes of America, the various regional conference organizations and most important, the National Collegiate Athletic Association.

Early on, the mention of eligibility referred to amateurism more than it referred to academic status.¹ College athletes and teams competed against sports clubs of many sorts but almost invariably

amateur status was a requirement. Most track and field events were open to all comers provided they could demonstrate their amateur credentials.

One of the first organizations specific to college athletics, the Intercollegiate Football Association, was primarily interested in drafting rules for play and in scheduling contests rather than eligibility while the Intercollegiate Association of Amateur Athletes of America, formed in 1876, did not include any provision relative to eligibility in its first constitution.\(^2\)

As college athletics expanded they began to develop schedules which included only other college squads. This was particularly true for football, a sport for which no professional league existed. The result was an acceptance of amateur status as a quid pro quo that could be taken for granted and the development of a uniquely collegiate concept of eligibility that focused on academic status. This collegiate concept of eligibility, in its broadest sense, included four points: the number of years spent in college, the program of work carried, the grades and number of credits attained, and the question

\(^2\)Ibid., p. 36.
of time in migration. As we shall see, these points did not change significantly over the next century, but, as attempts are made to quantify the spirit of each of these points a great deal of quibbling results over the letter of the legislation. Still, the question that one must ask is why did academic eligibility become such an important issue?

3Ibid., p. 35.
The Growth of College Athletics

On August 3, 1852, the Yale crew met the Harvard crew in a rowing athletic challenge. This event represents the first intercollegiate event. Over the next several decades many of the intercollegiate sports which exist today were introduced — 1859, baseball; 1869, football, 1874, track and field; 1881, lacrosse; 1883, tennis; 1890, cross-country; 1892, basketball; 1894, fencing; 1896, hockey; 1896, golf; 1897, swimming; and in 1900, wrestling.4

A number of reasons have been advanced that attempt to explain this rapid growth of college sports. While it is true that college students, and for that matter all youth, have always engaged in physical contests and activities, it is also true that the intercollegiate movement which occurred in the United States after the Civil War was unique in the world. Among the plausible explanations for this development are the rapid increase in the need for a higher formal education and the concomitant dramatic increase in student enrollment,5 the growing secularism in American culture, an increase in concern for the


5Ibid., p. 6.
wants and needs of youth as evidenced in the work of John Dewey, and a reduced willingness on the part of the student body to exist solely on the fare of the curriculum. Clearly, the impetus for growth in athletic activities was provided by students while the faculty reacted with mild disapproval or not at all. In fact:

greater formal recognition of student responsibility was probably a response to the sudden massive growth of athletics, the tendency of many institutions to assume a posture of treating their students as if they were grown ups and a disinclination on the part of the new professors with their Ph.D. degrees and scholarly orientation to have anything to do with such trivial matters as discipline and the extracurriculum.  

So it seems that intercollegiate sport served as both cause and effect in the developments in higher education toward the end of the nineteenth century.

The consequences of student control of college athletics were not entirely sanguine and in many cases proved scandalous. As early as 1871 attempts were made to establish written rules for football, and in 1876

---

6Harry A. Scott, Competitive Sports in Schools and Colleges, as quoted in Edward J. Shea and Elton E. Wieman, p. 4.

the first intercollegiate football association was founded. 8 The decade of the 1880s witnessed a mushrooming of athletic programs:

More branches of athletics were introduced. Training was intensified and elaborated and trainers were employed. Coaching began to be a progressively technical task, and paid coaches grew to be rather the rule than the exception. . . Equipment ashore, and afloat grew in amount, in complexity, and, above all, in cost. All of those factors were reflected in a rapidly rising expenditure for athletics, which called for increased funds for their support, whether from subscriptions or from gate receipts or both. . . Special financial support began to be solicited from alumni. One result was that alumni who made generous contributions to college athletics received, openly or covertly, in return, a generous share in their control; and alumni who became active in that control gained or retained their power and prestige by their own contributions of money and by subscriptions which they solicited from other alumni and from friends of the college. 9

As Savage describes, a creeping involvement on the part of alumni and other financial contributors was evident. Still, faculty, for the most part, disdained any opportunity to involve themselves in the management of athletic programs.


9Savage, pp. 22-23.
Another consequence of this dynamic growth in collegiate athletics, in particular football, was greater and greater separation of college sport from other forms of amateur sport. Competition for control existed between the governing organizations from the start, for example, in 1891, the Intercollegiate Association of Amateur Athletes of America allowed an individual to receive a cash prize of $25 without forfeiting his amateur status while the Amateur Athletic Union established a $35 maximum,\textsuperscript{10} and this competition continues to this very day in many sports. Yet in the major financial and prestige sport of football the colleges quickly became dominant and soon established themselves as the exclusive purveyors of the sport. This exclusive arrangement resulted in a sense of pride and elitism among college men as football came to represent a uniquely college activity and the pride and prestige of old alma mater depended to a large extent on the performance of one's football squad.

Finally, the exclusion of non-college amateur groups from the football competition permitted athletic associations to focus their eligibility discussions on

\textsuperscript{10}Ibid., p. 40.
the four points mentioned above. While professionalization and proselyting of college athletes became major problems, the exclusive nature of college athletics allowed athletic leaders to attempt the development of solutions to these problems and the problem of inequality of competition within the narrow framework of academic eligibility. This fact, above all others, explains the tremendous importance attached to academic eligibility standards.
Early Attempts at Control and Regulation through Association

As formal contests between institutions became standard practice, planning and organization came to play an increasingly important role in the conduct of athletic affairs. The watershed in American college athletics can be placed at November 26, 1876 when Harvard, Yale, Princeton, and Columbia met in Springfield, Massachusetts in order to establish consistent rules of play for their football contests. Almost as an afterthought the delegates agreed to name a champion at the conclusion of each season. This innocent decision contributed, to a large degree, to a change in emphasis from simply competing to winning.\footnote{Guy M. Lewis, "The American Intercollegiate Football Spectacle, 1869-1917," (Unpublished doctoral dissertation, University of Maryland, 1964), p. 38.}

As winning took on added importance, those student managers and captains responsible for the performance of the team chose to engage in activities resembling later day proselyting and subsidizing. The latest equipment and facilities became essential while travel expenses grew in proportion to the number and distance of opponents. The consequence of these developments was a tremendous increase in the cost of fielding a football team. Students found that
they were unable to cover these costs through student subscriptions and, confronted with faculty and administration apathy or antipathy, were forced to turn to alumni for financial support.\(^\text{12}\) Concomitant to the provision of financial support by alumni was the provision of management assistance, a mixed blessing at best, and gradual loss of student control followed.

One might expect alumni to be concerned, first and foremost, with the reputation of their alma mater and, alas, they were. Unfortunately, they frequently held the view that football success was of equal or greater importance than academic standards. As rivalries developed between colleges, the need to field a winning team grew apace. Abuse of this nature was bound to elicit a response of some sort from the faculty and, sure enough, it did. Charges of overemphasis became common and, in response, many colleges began to form faculty athletic committees.\(^\text{13}\) Harvard was the first to move in this direction when, on June 5, 1882, President Charles W. Eliot initiated the creation of such a committee.\(^\text{14}\)

\(^{12}\)Savage, p. 22.

\(^{13}\)Flath, pp. 17-18.

\(^{14}\)Lewis, p. 39.
There were a number of reasons for the extraordinary appeal of football. Chief among them was that football was, at this time, exclusively a college game.\textsuperscript{15} In this land of rising expectations and new-found wealth, many individuals who otherwise failed to gain entry into polite society were able to claim allegiance to a prestigious university by following the football team. The nouveau riche seized upon football spectacles as a perfect opportunity to appear in public in ostentatious fashion.\textsuperscript{16} Football quickly evolved into a unique link between institutions of higher education and the public at large.\textsuperscript{17}

The late nineteenth century was also the era of titanic struggles between newspaper tycoons. Men such as Joseph Pulitzer of the \textit{New York World}, James Gordon Bennett of the \textit{New York Herald}, and Charles A. Dana of the \textit{New York Sun} realized that a sports page served as a tremendous boon to circulation. The sports page and sports journalists have often claimed much credit for the success of college athletics but clearly the newspapers themselves owe a great deal of

\begin{footnotes}
\item[15]Ibid., p. 41.
\item[16]Ibid., pp. 47-49.
\item[17]Ibid., p. 70.
\end{footnotes}
their success to college sports and their appeal to the reading public. Clearly, the benefits flowed in both directions in this symbiotic relationship.

During the 1880's, educators lamented the "distraction to students, the extended trips to other colleges, and the distortion of academic ideals" while complaining of the evils associated with brutality and professionalization. Woodrow Wilson, as President of Princeton, spoke for many when he said:

> The side shows are so numerous, so diverting, - so important, if your will - that they have swallowed up the circus, and those who perform in the main tent must often whistle for their audiences, discouraged and humiliated.20

Unfortunately, many folks believed that athletics, and especially football, were the most important social functions of the colleges. Clearly, the time had come for the university authorities to step in

---

18Ibid., pp. 42-45.


21John A. Lucas and Ronald A. Smith, p. 191.
and take charge. Ironically, "institutions that had never found it advisable to consult on matters of curriculum now sought means of regulating their athletic relations."22

The tendency to associate in order to address mutual athletic concerns was somewhat more common among those schools located west of the Alleghenies while "in the eastern states, there was 'discernible a tendency for colleges and universities to attack the problem... on an individualistic basis."23 At the turn of the century, three distinct types of athletic control could be identified:

First, Harvard's highly centralized tripartite type, in which faculty, alumni, and undergraduates cooperated, had spread to Amherst, Bates, Bowdoin, the University of Maine, Wesleyan, and in the South, Tulane. Second, in the West and South, a dual plan was common, under which faculties and undergraduates shared the burden. Finally, at Princeton, the University of Virginia, and Yale, all of which were "noted for the strength of their student traditions," the management of athletics was in the hands of students, "faculty interference" being almost eliminated, although graduate influence was "sometimes present in great force."24

---

22 Rudolph, p. 374.

23 Savage, p. 39.

24 Henry D. Sheldon, Student Life and Customs, as quoted in Howard J. Savage et al, p. 24.
As time passed and the excesses and abuses persisted, it became more apparent to everyone involved that collective action was necessary. Howard J. Savage summed up the situation quite succinctly in his 1929 report:

In short, high though the academic standards of participation maintained at certain institutions may be, they represent no universal condition. Faculties, trustees, and even college or university presidents are not as yet united as respects the maintenance of strict requirements in the face of the supposed benefits that can be wrung from winning teams. The fact that all of these supposed advantages are tinged at one point or another with the color of money casts over every relaxation of standards a mercenary shadow.25

Although the need to associate was growing with each new allegation, simple recognition of this necessity was not a solution. Any full-grown organization must first experience its youth and all the growing pains that accompany this stage.

Considerable acrimony attended the writing of early eligibility regulations and the implementation thereof:

The first major eligibility controversy erupted in 1889. Prior legislative action set the stage for the dispute. In 1881, the convention ruled ineligible all players receiving college expenses from other than normal sources. Before the 1882 season, the Intercollegiate Football Association set a

25Savage, p. 119.
limitation on participation in championship games at five years. The rules were adequate and the enforcement was left to the individual schools. Many graduates filled positions on the teams. Amos A. Stagg played his first season as a regular in 1888, as a twenty six year old graduate student. The use of graduate and special students went unnoticed until 1889, when a number of questionable players appeared on the rosters of the leading teams. A disagreement between Harvard and Princeton initiated the controversy.28

It was proposed by Walter Camp of Yale that all players be "bona fide" students, however this was opposed on constitutional grounds.27 By 1892, "the new rules practically limited players to four years of undergraduate participation. Under the new code, graduate, special and transfer students were all but eliminated from competition."28 Still many eligibility differences remained unresolved.

During the 1890s, many regional conferences were formed, including the Intercollegiate Athletic Association of the Northwest in 1892,29 and the Intercollegiate Conference of Faculty Representatives in 1895.30 In each case, academic eligibility was a

26Lewis, pp. 87-88.
27Ibid., p. 89.
28Ibid., p. 109.
29Ibid., p. 142.
topic of some import and stricter standards were very often discussed, while less frequently enacted.

During the first years of the twentieth century, abuse and controversy grew in intensity. There was general agreement among faculty that all of the problems could be placed under the wide umbrella of over-emphasis. The specific charges included: commercialization, professional coaches, gambling, drunkenness, mass hysteria, brutality, and unsportsmanlike conduct. It is important to recognize that:

No sport came to dominate college athletics as did football. It was football which had the greatest influence in turning college athletics from student to faculty control; it created the dominant figure of the professional coach and the demise of the student captain; it attracted the alumni to the alma mater; it created a visible college to large masses of the public; it commercialized intercollegiate sport; and it brought about highly organized and consumer oriented spectator sport on the college campuses across the nation. Football has dominated most athletic programs by consuming the largest amount of money and creating the greatest revenues, while at the same time generating the most institutional prestige through winning teams. It has likewise produced most of the problems which have arisen in college sports and because of these problems it has led to the most powerful college athletic agency, the National Collegiate Athletic Association.

---

31 Lucas and Smith, p. 239.
32 Ibid., p. 229.
And so, there is little question that it was football and the problems associated with the sport which provided the critical impetus for the formation of a viable national organization for control of college athletics.
The Formation of the Forerunner of the National Collegiate Athletic Association: The Intercollegiate Athletic Association

While 1905 was a year that owned its fair share of scandal and outrage on the intercollegiate football scene, there was not anything particularly egregious that would set this year apart from any other in the previous decade. True enough, the amount and volume of the muckraking in the popular press probably reached a crescendo, but the most significant occurrence leading immediately to concrete action by athletic leaders was the direct involvement of very important people, most notably President Theodore Roosevelt.33

At the urging of Endicott Peabody, headmaster of Groton School, Roosevelt convened a White House meeting of athletic representatives from Harvard, Yale, and Princeton. Despite widespread calls for the abolition of football, Roosevelt had no intention of supporting such action. His objective was the revision of the rules of play in order to clean up the

33Ibid., p. 242.
Chapter III
The Period of Growth and Consolidation of the NCAA

Introduction

From its founding in 1906 until it had become a fixture on the American amateur sports scene in 1938, the NCAA was a voluntary organization of members with no powers of enforcement. This lack of power was probably instrumental in the growth of the organization for member institutions were adamant in their defense of local control of athletic affairs. Still, the loud public outcry against brutality and commercialism in college football necessitated some sort of collective action.¹

In addition to the principle of local control, the NCAA was founded upon the principle of faculty control of intercollegiate athletics. As we have seen, college athletics began as a student-run activity, became an alumni-run enterprise with growth, and then,
because of the many excesses, were placed under the nominal control of the faculty.

There existed two fundamental issues to be resolved by the association. "First, what rules of play should guide such competition? Second, who should be eligible to represent a school in athletic competition?" The formation of rules committees for the various sports addressed the first issue, while the membership at large discussed the second.

Even before the NCAA launched into a discussion of academic eligibility it had a number of fine examples that it could observe. First, was the Inter-collegiate Conference (Big Ten) founded in 1895. In the original constitution of the conference the following regulations may be found:

1. Each college and university which has not already done so shall appoint a committee on college athletics which shall take general supervision of all athletic matters in the responsibility of enforcing the college or university rules regarding athletics and all intercollegiate sports.

2. No one shall participate in any game or athletic sport unless he be a bona fide student doing full work in a regular or special course as defined in the curriculum of his college; and no person who has participated in any match game as a member of another college team until he has been a matriculate

---

2Ibid., p. 247.
in said college under the above conditions for a period of six months.

7. No student shall be permitted to participate in any intercollegiate contest who is found by the faculty to be delinquent in his studies.  

A second example worth noting is the Athlete's Certificate of Eligibility that was in common use at Harvard University:

Rule 1 - No one shall be allowed to represent Harvard University in any public contest, either individually or as a member of any team, unless he can satisfy the Committee on the Regulation of Athletic Sports that he is, and intends to be throughout the College year, a bona fide member of the University, taking a full year's work.

Rule 2 - No student on probation can take part in any public athletic contest. A student who is dropped for neglect of his duties in a lower class shall be debarred from taking part in any intercollegiate contests until the end of the next academic year or until he produces a faculty certificate that he has made up all the deficiencies which stand in the way of his restoration to his original class.

Rule 3 - No one who is not a regular student in the College or Scientific School, and no regular student in either of these departments who has ever played in any intercollegiate contest upon a Harvard team until he has resided one academic year at the

University and passed the annual examinations upon a full year's work. . . .

Rule 5 - No student, whether he has represented one or more colleges shall take part in intercollegiate contests for more than four years, and this period shall begin with the year in which as a player upon a university team he first represented any college. In reckoning the four years, the year of probation mentioned in Rule 3 shall be excluded, and also any year lost to a student by illness.4

There was only one problem—the NCAA was making every effort to become a national organization and so was confronted with many different types of institutions. This fact made a uniform code of eligibility somewhat impracticable, if not impossible.

Another problem hindering the effort to codify eligibility standards was the widespread adoption of the elective curriculum. This curricular phenomenon reached its peak about 1910 and resulted in a chaotic situation.5 The development elicited various reactions from leading educators, but it was not until the Depression of the 1930's that a major drive to regain coherence in the curriculum was marshalled.6

---

6Ibid., p. 55.
All of these developments in athletics, in curriculum, and, on the broadest level, in the reorganization of the American college into the American university, were manifestations of the remarkable growth and development of American society and American business. In each case, the excesses, the overemphasis, the overcommercialization would result in Progressive efforts at regulation. 7

This Progressive spirit was a "kind of middle-class sense of obligation, a readiness to bring American society to a new sense of its problems and its promises." 8 The university communities of America were particularly taken with the Progressive spirit and, because college athletics existed within these communities, vigorous efforts were launched at solving the abuses in college football. Unfortunately, college sport was growing so rapidly that attempts to regulate frequently fell behind. 9

With all the talk of problems and crises it is easy to forget that college football did survive the era and, in fact, thrived. "Between 1921 and 1930,

7Ibid., pp. 84-85.


9Ibid., pp. 374-375.
attendance at all college games doubled and gate receipts tripled.\textsuperscript{10} The game also developed into a truly national activity as "football's relative popularity shifted decidedly from the East to the Middle and Far West; total receipts increased three and a half times in the Middle and Far West."\textsuperscript{11} Even the Depression failed to dint the nation's enthusiasm for the gridiron sport. Although attendance did fall for several years, by 1937 total attendance was double that of 1930.\textsuperscript{12}

Certainly the extraordinary growth in the American population and economy was responsible in large part\textsuperscript{13} for the growth of college athletics, but there is more. Higher education itself underwent dramatic changes as the colleges of the nineteenth century became the universities of the twentieth. First, student enrollments exploded. Briefly, in 1870 there were 67,350 college students, in 1890 there were 156,756, and by 1910 enrollment totaled


\textsuperscript{11}Ibid.

\textsuperscript{12}Ibid.

\textsuperscript{13}Stern, p. 249.
355,215. The next thirty-five years witnessed even more striking growth as 2,230,000 students attended American colleges and universities in 1948. This growth was possible because the primary and secondary schools expanded to an even greater extent, with public high school enrollment jumping more than ten-fold between 1890 and 1920. Compulsory attendance laws were passed across the country and enforcement procedures grew apace.

Second, the elective curriculum became widespread and "democracy" arrived at many state universities:

Democracy in education can be synonymous with either mediocrity or ability; in one sense it has been invoked as an excuse for the vulgarization of the educational system. If it is democratic to admit to our colleges great numbers of students who lack intellectual interests and to attune the educational system to their sub-intellectual needs and capacities, there has been an excess of democracy in the conduct of American higher education. State universities are commonly required to admit all graduates of state high schools who have academic records that can be examined without shuddering, with the consequence that an unholy proportion of the freshman classes in these institutions consists of sheer excess baggage. This is 'democracy' with a vengeance.

14 Hofstadter, p. 31.

15 Ibid., p. 96.

16 Ibid., pp. 107-108.
These occurrences resulted in a fractionalized campus community. It became impossible for any individual to know everyone on campus, or even a large fraction of them; students felt no loyalty to their class as the old structured curriculum had passed; and the intellectually disinterested were unable to identify with the intellectual objectives of the institution. Football provided students and alumni with the one rallying point, with "an opportunity to cheer for the same team," while the sport, in many cases, became symbolic of state and regional pride. Each of these factors, economic and population growth throughout the United States, enrollment growth in American colleges and universities that outstripped the growth of the general population by a wide margin, the liberalizing of admissions standards and curriculum with the concomitant splintering of the university community, along with a number of additional factors, contributed in its own way to the enormous expansion of college football.

17Rudolph, p. 379.
18Hofstadter, pp. 112-114.
19Rudolph, p. 379.
The result was that the sport of football was a young and testy tiger during the 1906-1938 epoch. Football coaches' salaries approached those of the university president and football revenues were significant. The pressure to generate gate receipts was such that it became imperative to field a winning squad. Thus, as the fledgling NCAA considered various eligibility standards, it became apparent that enforcement would be akin to grabbing the tiger by the tail. The result was thirty-two years of a policy of moral persuasion and education, a policy of limited success.

It was within this social, educational, and athletic framework that the evolution of acceptable standards for academic eligibility took place. The high-minded reasons for needing such an evolution were numerous, but always the achievement of the ideal was hampered by a distrust among institutions. The distrust was not so much of the motives of one's colleagues as it was of their actions. Most fundamentally, this distrust was based on an intense need and desire to win on the part of almost everyone.
Discussions and Actions of the NCAA: The Era of Local Autonomy and Enforcement through Education

The First Annual Meeting of the Intercollegiate Athletic Association of the United States (later to become the National Collegiate Athletic Association) was held in New York City on December 29, 1906. The primary topic for discussion was football rules revision in order that brutality and other abuses might be reduced while exchanges also occurred on the subjects of proselyting and subsidizing of football players. The issue of amateur status also received some attention, particularly with respect to summer baseball.21 On this occasion the delegates agreed that:

Definite rules of eligibility made mandatory upon all members of the Association were judged impracticable at the present time, by reason of the widely diverse conditions prevailing in different parts of the country.22

The convention did, however, go on "to set up a code of eligibility which might stand as a norm for enactment" while "not discouraging a more rigid code." The membership agreed "to oblige all institutions . . .

---


to the enforcement of these principles in such a manner as the faculties might deem best." The intention was "to control more effectively college athletic sports in the interest of educational work."  

Although the stated principles of the national organization stopped short of prohibiting freshman participating, the comments of H. D. Wild of Williams College, representing the First District, are most illuminating.

The question most agitated among New England colleges the past year seems to have been as to the eligibility of first year men. There was a feeling on the part of some colleges that all Freshman should be debarred during their first year. Such a radical step was, however, abandoned for a rule debarring Freshman on the basis of entrance conditions, as well as those incurred afterwards.

Wild continued by explaining that at both Williams and Wesleyan freshman with three or more Carnegie units of deficiency were barred from competition while at Amherst any entrance deficiency whatsoever resulted in ineligibility.

It is clear, however, that there was no uniformity across the country. According to the

23 Ibid.


25 Ibid.
representative of the Second District, Captain Palmer E. Pierce of West Point, "Some of the larger institutions, not among our members, have adopted a higher code of eligibility, and now prevent the Freshmen from taking part in 'varsity' intercollegiate competitions." At the same time, William Duane of the University of Colorado, in the Sixth District, admitted that "Our attempts to introduce the 'Freshman Rule' have not as yet been completely successful." Only one district, the Fourth, seems to have achieved anything approaching unanimity with the Western Athletic (Big Ten) and Ohio Conferences requiring "one year's residence... in all cases before participation in athletics."28

At the second Annual Convention the discussion of the "Freshman Rule" continued, although no national standard was achieved. In fact, the Third District was unable to establish uniformity because, according to W. L. Dudley of Vanderbilt:

It was felt that the straight one year rule would be an injustice since there was such variation unfortunately in the entrance requirements of Southern Colleges, ranging from six to fifteen

26Ibid., p. 17.
27Ibid., p. 21.
28Ibid., p. 17.
Carnegie Foundation Units. It was therefore decided that the one year rule be passed but not applying to students who enter college with fourteen or more units to their credit. This will tend, it is believed, to strengthen the secondary schools and raise the entrance requirements of some colleges.29

Unfortunately, it was already becoming evident that education alone could not guarantee compliance. It was suggested that any reported improprieties be investigated and that in the event that guilt was discovered, the appropriate response would be the "pillorizing of offending institutions before the public."30 A basketball rules committee was also formed.31

The following year the Second District representative, H. A. Peck, of Syracuse, explained that a number of institutions within his district had adopted the "Freshman Rule" and had discovered that a reduction in "semi-professional features" had resulted in those institutions. Conversely, those schools who allowed freshman participation had used the fact as a recruiting advantage.


31Ibid.
Peck went on to suggest a "universal" application of the rule in order that this advantage might be eliminated.\textsuperscript{32}

While all this talk of high standards was, on the surface, laudatory, at least one convention delegate, Louis Bevier, Jr., of Rutgers College expressed his disenchantment by stating his belief that "the delusion must pass that eligibility rules... are or can be made self-enacting."\textsuperscript{33} Later, during the same convention, the President of the Association, Captain Palmer E. Pierce of West Point discussed the desirability of the three year rule (i.e., only three years of varsity competition) for each member.\textsuperscript{34} Soon thereafter, Pierce spoke of the founding philosophy of the association even while he revealed some indication that the future might hold some change:

The object of the association is to encourage the proper control of college athletics and support the representative rules committees. The association was born as the result of the agitation in 1905 on the part of the public for


\textsuperscript{34}Ibid., p. 34.
reform, particularly in football, and it is not too much to say that the influence of the Association has resulted in great good in this direction. The effort to accomplish reforms wherever needed in college sports is not attempted by the 'big stick' method, but solely by education and influence. The Association does not profess to be a governing athletic body for all institutions in the United States. Some day it may become a governing body, but if so it will be by a process of evolution. Particular stress is now laid upon the formation of local associations in order that local conditions may be met and all difficulties overcome.35

There was, however, no change in the Constitution or the By-Laws.

Because credibility was such an issue for the NCAA, as a struggling, young organization and as the controlling body for college football, public recognition of the fact that "among the delegates were few physical directors or others vitally connected with gymnasium training; there were Presidents of colleges and professors of everything under the sun,"36 was most significant. This involvement of such a wide range of university faculty and personnel demonstrates just how ingrained athletics had become in the life of a university.

This may, in part, explain the belief that tougher enforcement of academic rules would eliminate many evils. In the case of summer baseball, H. G. Chase, of Tufts University, suggested that:

If the rule of class standing is rigidly enforced we should not have nearly as much difficulty. There has been an avoidance of the responsibility by the Faculty in many cases allowing students to take 'snap' courses.37

This seems to be a veiled attack on the newly installed elective system and the consequent destruction of the prescribed four year curriculum. In this system, those students who chose to do so were free to enroll in those courses deemed least demanding and, of course, one can easily surmise that athletes received expert advice when engaging in such selections.

The trend toward adoption of the "Freshman Rule" continued in desultory fashion across the land with Wesleyan and Williams debarring all freshman, beginning in 1912-13, until their second semester of residence,38 while the Rocky Mountain Faculty Athletic Conference legislated that "no athlete shall represent

37Ibid.

his institution who has not been there long enough to prove himself a bona fide and worthy member of it."\textsuperscript{39}

Still there was resistance to the one year residence rule. According to H. Shindle Wingert of Ohio State University, the University of Michigan was "practically the only institution in the state" that observed the rule while Ohio was "an exception" among states in that the rule was almost universally observed.\textsuperscript{40}

Further west, the residence rule had undergone some alteration as reported in the Sixth District by Dr. J. Naismith of the University of Kansas:

Most of them (conferences) require a half-year's residence, while the Missouri Valley Conference requires a full year's residence and a full year's work before the student is eligible for any form of intercollegiate athletics.\textsuperscript{41}

Progress was also evident in the Seventh District, but Hugo Bezdek, University of Arkansas, was forced to admit that "until today the only general law not in practice is the freshman residence rule." He did state his belief that the rule would be adopted in

\textsuperscript{39}Ibid., p. 22.

\textsuperscript{40}Proceedings of the Seventh Annual Convention of the National Collegiate Athletic Association (New York: December 27, 1912), pp. 17-19.

\textsuperscript{41}Ibid., p. 18.
two or three years and explained that many institutions observed the rule when competing against institutions that had already established the rule.42

In 1913, the Southern Association considered adopting the one-year rule for all members within the district but eventually agreed to allow those institutions with less than four hundred male students to utilize freshman athletes for varsity competition with the proviso that these freshmen, in order to be eligible, should be completely free of any entrance conditions. Concern was expressed by a number of the larger institutions about the discriminatory aspects of the rule.43 This distinction between institutions based upon the size of their student bodies and, by extension, the size of their athletic programs or at least their commitment to such programs is first evidenced here. Clearly, the fundamental issue is equality of competition. There exists some concern with the academic preparation of the freshmen, but the evidence suggests that here the concern is driven primarily by efforts to assuage the protests of the

42Ibid., p. 21.

larger institutions rather than by any effort to protect the academic interests of the students.

Further west, the Kansas Intercollegiate Conference applied the one-year rule with discretion in order to equalize athletic competition among member institutions. In fact, some schools were even permitted to use preparatory students "for the purpose of equalizing... athletic strength." \(^{44}\)

Another local modification is noted in the Iowa Athletic Conference which had fixed upon "six calendar months of residence with full credit for at least fifteen hours" before a student could be permitted to represent his college. The secretary of the conference wrote that:

> We have now tried this six calendar months rule for four years and have discovered that less than half as many Freshman fail in scholarship as under the former one-year residence rule.\(^{45}\)

Unfortunately, no further explanation is provided, so we can only speculate about whether the motive to retain these freshmen was academic, athletic, or financial.

This same year a request was sent by a group of undergraduates that they might be permitted to

\(^{44}\)Ibid., p. 23.

\(^{45}\)Ibid.
participate in NCAA activities. The Executive Committee voted to reject such a request and thus ended, finally and completely, the era of student administration of intercollegiate athletics. The Committee did agree to publish and distribute to the public the proceedings of the Association.\textsuperscript{46}

At the Ninth Annual Convention of the NCAA held in Chicago on December 29, 1914 (the first to be held outside of New York City), discussion of the state of the one-year residence rule continued with renewed vigor. Second District representative A. F. Judd of the University of Pittsburgh remarked that, at that time, only four institutions, of a total membership of over thirty in the district, observed the freshman rule. Those schools were Princeton, Pennsylvania, Columbia, and Syracuse with the University of Pittsburgh and Pennsylvania State College to be added to the group the following year.\textsuperscript{47}

In the South, the preceding year was reported to have been "a rather turbulent one" because of the application of the one-year residence rule. Among the larger universities there was general agreement that

\textsuperscript{46}New York Times, 30 December 1913, p. 10.

\textsuperscript{47}Proceedings of the Ninth Annual Convention of the National Collegiate Athletic Association (Chicago: December 29, 1914), p. 11.
the rule had produced favorable results, with only Vanderbilt in disagreement. An attempt to make the "rule applicable to all members of the association" failed due to the resistance of the small colleges. The final resolution of the question was left to each individual institution.⁴⁸

On the Pacific Coast the Southern California Intercollegiate Athletic Conference was formed on September 16, 1914. O. C. Lester of the University of Colorado reported that:

The more important points covered by the constitution and rules adopted are as follows: fifteen points of entrance credits; one-year residence rule; no inter-collegiate freshman contests.⁴⁹

Clearly this rule attempts to guarantee that athletes are prepared for college academic work and that they have established themselves as capable college students before they are permitted to represent their institution in any athletic conference.

The following year the University of Southern California regressed when it withdrew from the Southern California Conference in a dispute over the strict enforcement by the conference of the freshman rule. USC claimed that the role of the conference should be

⁴⁸Ibid., pp. 15-16.
⁴⁹Ibid., p. 25.
simply advisory with final power of dispensation left to the individual faculties. Many of the smaller colleges across the nation continued to allow freshman to participate on the varsity level.

At this juncture, the state of affairs in college athletics was summed up quite nicely by a former President of the United States, William H. Taft:

Mr. Taft warned the college student against the desire to win to such an extent as to lead to abuses. He referred to the commercialism which envelops college athletics and advised those in control to eradicate it as much as possible. Strict rules of eligibility were necessary, he said, to keep the students from becoming professionals, and the need of safeguarding the purity of athletics at colleges was dealt with to a great length by the speaker.

"The transfer of the control of athletics in some colleges to the faculty has resulted in giving the public more confidence and has served to bring about better conditions with all college athletic teams.

"The standard of scholarship has improved, while the students have show a corresponding progress in athletic skill.

"The curriculum and scholarship would be enforced as the primary purpose of the four years spent at college, but to make that the sole purpose would be to take out of the influence of college life and the value of college memories and associations the flesh that clothes and rounds out the frame.

---

"The skill of athletes has greatly increased. They have approximated the skill of professionals in the same fields and the temptations to professionalism, temporary and permanent, have become stronger and stronger. The rules of eligibility therefore have become more important in order to keep the taint of professionalism out of college athletics.

"When the college athletic rules of eligibility and maintenance of scholarship were regulated by undergraduates, or, indeed, by alumni, suspicion played a considerable part in obstructing fair arrangements. The desires of the representative committees to have their teams win were not neutralized by a responsibility for the conduct of affairs in the college, such as faculty committees have.

"We have made great improvements in intercollegiate athletics, due to rigid limitations by agreement. We confine intercollegiate athletics now to undergraduates. It is not possible for a man to grow old in college athletics by studying first for one degree and then another until he becomes a man of thirty or thirty-five. This was a great abuse in my day. A man could go through the academic department, and then through the scientific department, and then through the law school, and then through the divinity school, and then through the medical school, and continue to win victories on the diamond or the football field until he had passed the military age.

"Then, in my day, athletes were too often coddled in respect to their scholarship. Few good men in the field were excluded because of not coming up to the standard. I believe the rules as to scholarship are now enforced with a rigor in most colleges that calls for our express approval. It doubtless leads to the focusing of student attention and aid in respect to the studies of members of the team, which but for their athletic prowess would be absent. But we can hardly complain of the
motive if the fact is that the scholarship of the athlete is thereby improved." 51

Taft repeats many of the oft heard complaints against college athletics, commercialism and overemphasis, and continues by offering a number of the most frequently mentioned solutions, rigorous eligibility standards and strict enforcement of such standards by athletic associations. He concludes that college athletics are, at this time, conducted on a higher plane of integrity than was ever true in the past. This judgment applied to both the standard of academic achievement displayed by college athletes and to the level of athletic excellence attained.

On the eve of the United States entry into World War I proselyting was still a major issue. On another subject, Major Pierce made a presentation to the 1916 Convention entitled "College Athletics as Related to National Preparedness." As a result of the enthusiastic reception which this talk elicited, a resolution was passed:

Resolved, That this convention calls upon all affiliated persons to give their active support to the cause of national defense to the end that the nation shall be assured immunity from invasion, and that all members be urged to

emphasize the necessity of physical preparedness on the part of each individual.\(^5^2\)

The delegates also discussed the possibility of initiating an investigation of college athletic evils. The decision was taken to forward a request to the Carnegie Foundation, the Sage Foundation, and the General Education Board to determine their willingness to undertake such a project. Despite the fact that such an expose was likely to be "wide-sweeping and sensational," the consensus was that it would be "effective" and that a "remedy could be quickly found."\(^5^3\)

E. Raycroft of Princeton University presented a lengthy statement in support of the general adoption of the one-year residence rule so that the freshman athlete might "adjust himself successfully to his new environment." He also argued that the rule "would tend to reduce the scholastic mortality among the members of Freshman athletic teams." Finally, he believed that the change would allow students "a much


needed opportunity to recover from the strain of previous competition."\textsuperscript{54}

In the Third District, the Conference of Southern State Universities had finished their first football season under the one-year residence rule. C. H. Hearty of the University of North Carolina declared that "the athletic atmosphere has been clarified and many perplexing problems of the past have found their own solution or have simply disappeared" as a result of the adoption of this new legislation. The Southern Conference announced their intention of implementing the regulation the following September.\textsuperscript{55}

Two new conferences on the West Coast, the Pacific Coast Conference and the Northwest Conference, were founded upon the belief that:

the important rules governing eligibility are: Fifteen units required for entrance; one year of residence as a regular student doing full work and satisfactorily completing twenty-two hours during this period of residence; not more than three years


\textsuperscript{55}Ibid., p. 15.
of participation in the aggregate, the three years of competition to take place within five years after first registration.\footnote{Ibid., p. 22.}

The Eleventh Annual Convention concluded with two reports which spoke to the question of freshman eligibility. The report of the Committee on the Effects of Intercollegiate Athletics, "Some Ethical Problems Surrounding Intercollegiate Athletics," was presented by Dr. J. H. McCurdy, Director of Physical Education, International Y.M.C.A. College and included among its recommended principles for the conduct of college athletics the statement that "freshmen with entrance conditions shall not be eligible for any outside competition." \footnote{Ibid., p. 42.} Finally, Dr. Paul C. Phillips, Professor of Physical Education, Amherst College, discussed "Scholastic Conditions in Intercollegiate Athletics." His presentation centered on a group of New England colleges and universities which had, for the most part, adopted the freshman rule about a decade ago. In his discussion of admission standards he stated that:

Of the list, two require fourteen points; seven, fourteen and one-half points; four, fifteen points;
These standards represent the norm for the era but would be considered stringent at most Division I-A institutions in the 1980's.

As one would expect, the manpower needs of the armed forces after the entry of the United States into the war resulted in reduced numbers of athletes available for varsity competition. With the exception of Harvard, Yale, and Princeton, the major football powers chose to continue competition although often under strained circumstances. Both Secretary of War Newton D. Baker and Secretary of the Navy Josephus Daniels sent messages in support of such a policy, despite the following speech by President Pierce:

We must keep our eligibility rules, so far as they have any foundation in justice and common sense.

If our rules regarding eligibility are founded on justice, to give them up now may be to lose them for a decade or a generation. For the purpose of those rules, so far as they are just, is not to punish anybody, not to condemn a class of man as unworthy to represent their college, but simply and solely to insist that men shall work before they play, shall be real and serious students before they parade

58 Ibid., pp. 45-46.

across the field and through the head lines of the newspapers. Any man, in my judgment, who is fit to receive the diploma of his college is fit to play her games, and no man who is not sincerely working for that diploma and all it stands for should carry the college name on any field.

In wartime every student should go to the front or work hard behind the front. The student who stays in college and refuses to study is simply an academic slacker. The eligibility rules, made in the interests of scholarship, are more needed by athletic students in wartime than at any other time. Their minds are necessarily perturbed and distracted, and the rules, which are often more efficacious than any statutes of the college, are most needed in the days of national agitation and trial. Let not the great war drive us back, either in labor or in sport to the unregulated license of forty years ago.60

which was greeted with general agreement and despite the following resolution:

First - That athletic sports be made subservient to the work of military preparation and be made, therefore, an essential factor in military training.

Second - That intercollegiate and interscholastic schedules be arranged for so long a time and so far as national and local conditions permit, and that all possible encouragement be given to the development of intramural sports, with a view to promoting the participation of all students.

Third - That professional coaching and the expenses incidental thereunto be reduced to a minimum.

Fourth - That there be no preseason coaching or practice, no scouting, and no training table.

60Ibid.
Fifth - That the number of officials at intercollegiate games and their fees be kept as low as possible.

Sixth - And further, be it resolved that this association reaffirm its belief in the eligibility rules which it has already endorsed, including the Freshman rule, and therefore recommends that there be no lowering of eligibility standards during the present crisis.61

Many schools relaxed their adherence to the freshman rule but with the explicit intent of returning to pre-war standards at the first opportunity.

Sixth District Representative, George W. Bryant of Coe College reported that there was "no relaxation in rigidity of eligibility requirements." He continued that "the Iowa Conference, . . . . as a war emergency measure allowed five of the weaker colleges . . . . to use a limited number of freshman." But he added that "there was a practically unanimous decision not to extend any such concession for the future." 62

The Southwest Conference offered, as justification for their relaxation of the one-year residence rule, the drop in public interest in college athletics due to the absence of many of the upperclassmen who had

61Ibid.

been on athletic squads. Use of freshmen in varsity competition was believed to increase gate receipts which were needed to continue intramural programs as well as intercollegiate athletics.\textsuperscript{63}

West of the Rockies, USC remained intractable on the issue of freshman eligibility and remained the only institution with more than 125 male students to refuse to adopt the rule.\textsuperscript{64}

The autumn of 1918 saw an exacerbation of the shortage of males in college athletics as the exigencies of full mobilization were realized across the land. The attitude of most NCAA members can best be summed up by J. B. Crenshaw of the Georgia School of Technology:

\begin{quote}
Though the formalities governing intercollegiate sports were not carried out in regard to eligibility of players, and the playing of freshmen, the spirit of the regulations had been in force everywhere.\textsuperscript{65}
\end{quote}

The Fourteenth Annual Convention was the initial meeting of the membership after the conclusion of the war. True to expectations, the issue of re-establishing consistent eligibility standards was

\textsuperscript{63}Ibid., p. 32.

\textsuperscript{64}Ibid., p. 35.

\textsuperscript{65}Proceedings of the Thirteenth Annual Convention of the National Collegiate Athletic Association (New York: December 27, 1918), p. 20.
paramount. Albert Lefevre of the University of Virginia adamantly declared that "the greatest single good that has resulted from the Association of Southern State Universities has been the adoption and enforcement of a strict rule excluding freshmen and first-year men." However, the Southern Intercollegiate Athletic Association remained refractory on this point. Lefevre concluded his harangue by expressing the hope that the S.I.A.A. would soon "see their way clear to enact this principle, and thus remove at least one notable cause of athletic confusion and discord."  

Agitation for a more uniform code of standards led to the adoption by the Fourteenth Annual Convention of the recommendation of the Executive Committee as follows:

Resolved, that this Association recommends that its members schedule games hereafter with those institutions only whose eligibility code is in general conformity with the principles advocated by this Association, such as the freshman rule (for either a year or a semester), the one year migratory rule, the limitation in years of athletic participation, and the amateur rule.  

Yet, "It was on this subject [restricted scheduling] that the greatest difference of opinion was
expressed." Although the NCAA remained an association that lacked any intent or ability to enforce this resolution throughout the nation, the voluntary nature of the association seems to have lent considerable credence to this pronouncement. In fact, at the annual convention the following year, E. M. Lewis of the Massachusetts Agricultural College felt obliged to apologize for the fact that "only two or three of the colleges have taken any action on the recommendation of the last year." This, despite the fact that the New England Athletic Conference had given lengthy consideration to the issue and had voiced their majority support for the freshman rule.

The Fifteenth Annual Convention also bore witness to a vehement diatribe by Dr. E. C. Huntington of Colgate University during which he blasted the:

generally poor condition of college athletics concluding with the plea that "if we cannot agree on the freshman rule, we might on the half-year rule."

All was not confusion and gloom though, as evidenced by the plan in the Third District, to form


70Ibid., p. 14.
the Southern Conference with the freshman rule as one of its fundamental principles. It was thought that "this one year rule will do more to eliminate professionalism than any other rule so far made and is a real safeguard" which will allow the membership "to produce winning teams, but representative teams, keeping in mind the importance of athletics, but not making education secondary to athletics." The Southwest Conference, too, had adopted the one-year rule and felt that it had been a progressive decision.71

Before adjourning in 1920, the delegates to the Fifteenth Annual Convention approved a resolution calling for the formation of a Committee of Nine that would be empowered to hear and rule on "charges of proselyting or eligibility." Further, this Committee of Nine was to be divided into Committees of Three, based upon geography, that would serve as a "court of last resort" in the respective areas. No provision was made for enforcement or penalties.72

Although there was much dissension surrounding the advisability of universal application of the freshman rule, the growing consensus did favor its implementation. At the Sixteenth Annual Convention,

71Ibid., p. 15.
72Ibid., p. 49.
held in New York City on December 29, 1921 the representative of the Second District, Dr. George L. Meylan of Columbia University, summed up the reasoning of those proponents:

The Freshman in college can rarely devote the time and energy required for participation in varsity athletics without seriously impairing his chances of making good in his studies. There is also some danger that varsity athletics prove too strenuous for the health of the young and immature first-year student. Furthermore, the application of the freshman rule helps materially in discouraging proselyting because it ensures the satisfactory completion of one year of academic work before a student can participate in varsity athletics.73

Later during the same convention it was stated that the Southern Intercollegiate Conference had been formed as a result of reasoning such as this, while as recently as December 10 of the same year the Southern Intercollegiate Athletic Association had agreed upon the adoption of the freshman rule.74

At the same convention, a new constitution was suggested for the Association. One of the principle causes of the defeat of this proposed constitution was Article 6 which specified that one of the purposes of the Association was:


74Ibid., pp. 40-41.
The supervision, regulation and conduct, by its constituent members, of intercollegiate sports and regional and national amateur athletic contests and the preservation of collegiate athletic records.\textsuperscript{75}

Particular objection to this article was registered by Howard McClenehan of Princeton University who opposed the assumption of any administrative function by the NCAA. He insisted that the NCAA had been formed as an advisory body and should remain so. During the informal discussion of this topic which followed the formal business meeting, it became clear that one of the motives that was propelling the advocates of the new constitution was a fear that the Amateur Athletic Union would win over many present NCAA members unless such action was taken. Although the constitutional proposal was tabled until the 1922 Convention, the delegates did vote to refuse an offer to join the Olympic Association. The ostensible reason for this latter action was a fear of A.A.U. domination of Olympic activities.\textsuperscript{76}

Still, there were many institutions which sponsored athletic teams who were not members of conferences and/or not members of the NCAA but, because

\textsuperscript{75}New York Times, 30 December 1921, p. 18.
\textsuperscript{76}Ibid.
of financial and geographical constraints, remained on
the schedules of NCAA members even though these
non-members had opted to continue using freshmen in
varsity competition. This perceived competitive
inequality was addressed in 1922 by the Missouri Valley
Conference when "the rules committee of the conference
was directed to . . . present for adoption . . . a
rule. . . that members shall not schedule football
games with colleges. . . who use freshmen." 77 Finally,
the President of the NCAA, Pierce recommended the
acceptance of the one-year rule, good scholastic
standing, and amateur status as the most effective
means of combating professionalism. 78

One begins to see the trend in the NCAA toward
imposing the will of the majority, or at least the
will of a cohesive minority, upon the member insti­
tutions who tended to lag behind in the implementation
of legislation that was viewed as increasing NCAA
control over the athletic affairs of individual
members. This trend was evidence when the convention
of 1922 concluded with the report of the Committee on

77 Proceedings of the Seventeenth Annual Convention
of the National Collegiate Athletic Association (New
York: December 28, 1922), p. 27.

78 Ibid., p. 65.
Resolutions which was adopted unanimously by the delegates.79

This action seemed to "lift the organization out of the 'theoretical status' under which it has been laboring since its birth in 1906 and make it over into an up-to-date working body in which 'practice' and 'theory' are playfellows."80 Among the "fundamental principles, policies, and practices" which the Association encouraged the membership to employ was "the general adoption of the freshman rule."81 In addition, the membership considered resolutions to promote the:

- migratory and three-year eligibility rules,
- deny graduate students the right to compete on athletic teams,
- oppose intercollegiate contests between freshman teams,
- prohibit participation on teams other than college teams except by faculty permission,
- fight the betting evil,
- declare for faculty control and advocate and spread the amateur principles of the association.82

Only the resolution on freshman contests failed to pass.

As the venerable Walter Camp warned of the evils of over-organization, President Pierce closed the

79 Ibid.


proceedings with the assurance that progress was being made toward elimination of evasion of eligibility rules and that:

Educators of our land are becoming more and more convinced of the advisability of combining athletically related colleges into administrative and regulatory groups. As a result quite a number of new leagues have been formed, the total number now being thirty.83

The following year no less than four of the eight district representatives made specific reference to the increasing use of the freshman rule among their respective memberships. Entrance requirements, while varying to a great extent from school to school and from region to region, are also commonly linked to athletic eligibility.84 One year later, W. R. LaPorte of the University of Southern California stated that upon entrance a minimum of fifteen Carnegie units must be presented so that a student-athlete might be permitted to compete but, in any event, freshmen were prohibited from participating in varsity contests. In addition, the institution required that,

---

83 Ibid.

"all contestants be passing in at least twelve hours of their work at the time of any particular contest." It is interesting to note that LaPorte is on the faculty of an institution that had long resisted the implementation of this policy. He then explains that these practices "represent in general the standards followed in competition by the majority of the institutions within the scope of the Eighth District." It is worthwhile to repeat the exact words of LaPorte as recorded in 1925, nearly 65 years ago, so that we might make a thorough and fair comparison with current stipulations:

A student, to be eligible for competition, must present at least fifteen Carnegie units for entrance. A freshman may not participate on varsity teams, and no student may compete for more than three years on the varsity, nor in more than four separate academic years. He may not compete for at least one year after registration in the university.  

Still the driving force in NCAA affairs was football and a new problem had arisen on the horizon, the professional leagues. Particularly concerned were the men of the American Football Coaches Association

---


86 Proceedings of the Twentieth Annual Convention of the National Collegiate Athletic Association (New York: December 30, 1925), p. 34.
who voted at their December, 1925 meeting that "no person who actively associates himself in any capacity whatsoever with any professional football team after September 1, 1926, shall be eligible to membership in the A.F.C.A." Two days later the NCAA voted to support this resolution. Robert C. Zuppke, the President of the A.F.C.A. and the coach of Red Grange and the University of Illinois summed up the current state of affairs:

As the game, with its individual heroes and its coaches, is traveling along the road to fame, certain rather gaudily-painted signs are attracting our attention, and obscuring the clear view of the distant blue scenery.

The thought that these signs convey are embodied in the word overemphasis. This word is the signal call of a new offense to be directed against the public interest in the game. Many serious-minded people claim that football is so overemphasized that the entire scheme of American education is thrown out of focus, producing an unhealthy condition in the game itself. Whether or not these people are students of the problem or merely alarmists is another question. The queries arise: What is overemphasis? Why is overemphasizing? and who has collected the necessary data upon which to base that assumption?

Whether the great interest the public takes in American football produces an unhealthy relation between the educational scheme and the game or whether the kind of publicity the game receives really produces a maladjustment and a disproportion between football and scholarship

remains a debatable question. The dramatic character of the game itself, the college alumnus, and the sports writer, is the triumvirate that has created this public interest. The growing demand for seats built the various stadia, and the false pride of the various alumni demanded winning teams. And, although the character of the game itself is recognized as a symbol of sportsmanship, fault is being found, not so much with the players, the coaches, the rules and the ethics of the game, as with a theory based on the greater interest the public and students take in a college game, as compared to the interest the same group evidence in the attainment of scholastic eminence.

Granted that our college students gossip more about football during their idle moments, does it necessarily follow that their interest in science, art, philosophy or religion suffers, or does it merely prove that football can make more noise than do the more gentle academic arts and sciences.89

On the other hand, the seemingly inexorable progression toward centralization of authority and enforcement was apparent as President Pierce stressed the need for the formation of local leagues for the purpose of fighting the influence of both professional football and overemphasis. The 1925 Convention concluded by deciding a means of arbitration between two institutions embroiled in a dispute:

The matter shall be referred to a board consisting of one representative from each of the institutions involved and the Vice-President of the association representing the district of the institution against whom any complaint is made, or some person appointed by

him, and the decision of this board shall be final. 90

Again, there was no procedure for enforcing this 'final' decision.

An interesting addition to our understanding of the puzzle of the spread of the freshman rule is supplied by E. L. Mercer of Swarthmore College at the Twenty-first Annual Convention. He claimed that with the formation of conferences of logically associated colleges "has come the almost universal adoption of the freshman rule." A quick review of the past twenty years of intercollegiate activity had indicated that, as a rule, institutions that joined conferences were more likely to observe the freshman rule. 91 This was certainly true of the Southwest Conference, when it chose to begin "the enforcement of the fifteen entrance unit requirement for participation in athletics for all students entering after September 1, 1926. 92

Again we are provided with yet another sound reason for the universal standard known as the freshman

---

92 Ibid., p. 28.
rule. H. V. Carpenter of the State College of Washington observed that:

the similarity of rules enforced in the different conferences is leading to a better understanding of these things by incoming students, so that there is less trouble in enforcement.93

Carpenter continues by providing the Convention with the results of an informal personal study. He discovered that "of nine of the leading conferences, fifteen units of credit are required for entrance in all but one." He failed to state the requirement of the remaining conference or to reveal which one it was. The conferences studied were the Harvard-Princeton-Yale group, the "Big Ten," the Missouri Valley Conference, the Southern Conference, Kansas Intercollegiate Conference, Rocky Mountain Conference, the Pacific Northwest Conference, and the Pacific Coast Intercollegiate Athletic Conference. Carpenter concluded with the observation "that the stronger conferences (athletically) have the stricter rules."94

In 1927, the Southern Conference joined the national trend toward entrance requirements for athletic eligibility by requiring a minimum of fifteen

93Ibid., p. 35.
94Ibid., pp. 36-37.
units and "the recommendation of the principal." While Sanford admitted that this "may seem rather rigid," he argued that the move was made "in the interest of scholarship." The remainder of his justification is colorful and provides us with insight about the high school-college matriculation problems of the era:

It (the new regulation) will enable the principal of the high school to demand better work on the part of the promising athlete. Such a student will not have the opportunity of attending summer schools here and there to make up deficiencies. He must present his diploma or fifteen units from the high school with the recommendation of the principal. This will protect the good name of Conference institutions. Under this regulation, it can not be said that a certain student had the units necessary to enter certain conference institutions. It will stop what I am pleased to call 'back-alley-talk.'

It is clear that long ago college athletic officials recognized the impact that their scholastic expectations had on high school athletes and students in general. It is hard to imagine that this impact has lessened to any extent over the years.

One state that had been slow to adopt the freshman rule or any pertinent legislation was

---

Michigan. This shortcoming was remedied in 1930 when the Michigan Collegiate Conference declared that "no athlete who enters college deficient in credit may ever be eligible for competition on Michigan Collegiate Conference college teams." One has to wonder what effect this change had on recruiting, level of competition, and retention since no mention is made of the number of freshmen who were actually barred from competition.

For the past few years, and even before, the problem of academic eligibility had been overshadowed by the chronic dispute with the AAU over authority to determine the amateur eligibility of college athletes for international events. As early as 1923, open warfare had flared up over the dispensation of the Charles Paddock case. The NCAA adopted the following resolution:

Whereas the National Collegiate Athletic Association was requested by the Paris University Club to secure the attendance of American college students in the international university meet in Paris, May 4 to 6, 1923, and whereas Mr. Charles W. Paddock of the University of Southern California, accepted the invitation to participate in the university meet and received permission from his university to do so and was a representative of the University of Southern California.

Whereas Mr. Charles W. Paddock having competed in the university meet was suspended by the Amateur Athletic Union of the United States and thereby, under the rules adopted by the International Olympic Committee is ineligible to participate in the forthcoming Olympic Games; be it therefore

Resolved, that these facts and the correspondence concerning this case be given to the public, that American colleges and universities reserve the right to determine eligibility of their students to compete in intercollegiate athletic meets in this country or elsewhere.

The National Collegiate Athletic Association recognizes the American Olympic Association as having complete jurisdiction over all matters pertaining to the representation of the United States in the Olympic Games, as provided for in Article 2 of its constitution.97

Some semblence of peace had been established in time to select and send a U.S. team to the 1924 Olympic Games but soon after the team had returned from Europe the squabbling resumed.

In 1926, the NCAA withdrew from the American Olympic Association, along with the Navy and the National Amateur Athletic Federation, over the old issue of authority to determine amateur eligibility. President Pierce suggested that:

the AAU cannot succeed in its efforts to perpetuate its system of control upon amateur sports. It is un-American and out of date. It places the responsibility for amateurism on the individual instead of the organization he may represent. The athletics of the United States

have become too well and completely organized to make it necessary or desirable that every athlete be required, by the order of a foreign organization (the International Amateur Athletic Federation with which the AAU is affiliated), to sign a registration card and pay a fee to the AAU before he can compete in the Olympic Games.  

Unwittingly, Pierce had undercut his oft-reaffirmed belief in the importance of local autonomy, for, if the increasing degree of organization in American amateur sport militated against individual responsibility for amateurism, it can also be argued that, by extension, this same increasing organization contraindicated individual institutional autonomy within the NCAA.

Again, the combatants struck a truce in order to field a team at the 1928 Olympics, but the old dispute erupted within months of the close of the Games. It took a year of frequently heated discussion to resolve the differences between the NCAA and the AAU, but eventually peace was made when the Olympic body was reorganized with markedly greater NCAA representation and universities were granted the power to certify their own athletes.

The question of academic eligibility was never at issue in the NCAA-AAU feud and, in the view of

---


at least one NCAA delegate, was too seldom at issue among NCAA members themselves. S. V. Sanford spoke as the representative of the Third District:

Every institution in this district has strict rules on scholastic standing, and for the most part is enforcing them. The college that is lax in enforcing scholastic requirements suffers irreparably. The conscience of the institution as a whole is clear on this point although there are violations. These violations not only hurt the institution involved, but they hurt the cause of intercollegiate athletics and bring a conference into unfavorable light.

Every time the question of scholastic requirements is brought forward for genuine discussion, it is always relegated to the rear on the basis that we must leave that question for the individual college to solve. Every college man knows that a football player should parade in the classroom before he parades across the headlines of the sporting page. Why we should admit that we can pass drastic regulations along other lines, but can not touch scholastic requirements, is an enigma to me. Every honest college man knows that this is one of our really great problems in the proper handling of athletics and yet we adjourn from year to year without announcing any ideal for the colleges to follow. Scholastic requirements can be controlled, so far as the athlete is concerned, and this phase of the problem, in my judgment, should be given greater consideration at our annual meetings. It is safe to say that anything the National Collegiate Athletic Association decides to control in athletics can be controlled, for there is no college that would dare to stand against a set of principles,
general in nature, which this national body adopted. It seems that Sanford was in error on two counts, first, "every college man" refused to acknowledge that scholastic requirements constituted a problem of primary concern and second, there were a great many colleges which dared to "stand against a set of principles" adopted by the NCAA. The next ten years would provide ample evidence of Sanford's errors in judgment.

Although the Depression brought about some retrenchment in the observance of accepted norms for freshman participation, for the most part the implementation of the rule progressed into all sports, rather than just the major ones. The decade of the 1930's also viewed the growth of two problems in intercollegiate athletics, recruiting and subsidization, that many linked to the relaxation of academic standards. W. Aigler of the University of Michigan speaks eloquently on this point:

If entrance requirements are set at a proper point and administered without favor because of athletic reputation, if each candidate for an athletic team must have spent not only one year in residence,

---

but have completed satisfactorily one full year of college work (the kind of work that will be acceptable for the degree for which he is a candidate), if candidates for teams are required to have scholarship records that are clear, indicating that they are truly college students in good standing, likely to go on and receive the degree of the institution in which they are enrolled if all these things are demanded as a requisite for eligibility, it is the firm belief of many close observers that most of the problems of recruiting and subsidization will almost automatically disappear.101

It is unlikely that the solution was as simple as Aigler would have one believe, but certainly his suggestions, if implemented, would have had a salutary effect on the world of college athletics. Aigler failed to acknowledge the fact that college athletics reflected, in many ways, the world around them and it is likely that athletics mirrored the society more quickly and more fully than the universities of which they were a part. President William M. Lewis of Lafayette College declared that:

Moderation has not been much in evidence in the American scheme of things for some years. Our present financial depression is the result of extravagance. Moderation is now being forced upon us, with resultant readjustment marked by unemployment and suffering.

The lack of moderation in the field of athletics, particularly football, has led us

away from the ideals of sportsmanship. There are not a few indications that intercollegiate and interscholastic sports are riding to a fall similar to that taken on the stock market, and that the result will be the restoration of moderation, with attendant sanity and self-control.  

Although intercollegiate sports did not suffer tragedy of the magnitude of that suffered by the stock market, it was becoming apparent to many NCAA leaders that the best means of attaining sanity was central control rather than self-control. This tendency was revealed in the recommendation of the President of the Association, Charles Kennedy of Princeton when he suggested:

> that the purposes of the association would be furthered by the installation of a paid executive who would make it possible for the body to function throughout the year and be ready for action or consultation at any time.  

Still, there is evidence that most faculty and administrators did not involve themselves in college athletics to any great degree and so were guilty of a crime of omission when athletic scandals emerged. At least one man, President Thomas G. Gates of the University of Pennsylvania did not fall into this category as he expounded upon the contemporary athletic situation in the following fashion:

103New York Times, 1 January 1932, p. 56.
It is my belief that an institution has today the kind of athletic system that its president wants it to have or permits it to have. It is all very well to blame the abuses upon the public or the alumni or the emphasis given in the newspapers. But in the last analysis the president is responsible. We are not doing our full duty in any sense, however, if we merely think of our responsibilities in terms of rather elegant terms of character building, physical development and intellectual and spiritual stimulation. We must see to it that in both sport and study our students have some fun.

We must change the point of view which permits people to connive at these practices (subsidization and proselytizing of athletes), since they assume them to exist in secret at all institutions, to a point of view that it is nobler to place on a field a team that is 100 percent honest but which loses than a team which on the surface merely appears to be reasonably honest but which wins.

There is a pronounced body of opinion in favor of shortening the football season, though it is probably true that more institutions believe in it as a theory than put it into practice. It is my hope that we shall shortly limit our intercollegiate football season at Pennsylvania to six or at most, seven games for our first team.

It seems to me that an institution's natural rivals are those institutions not too far distant, whose standards of work and play are approximately the same and whose sizes are comparable.

There are some who go so far as to say that coaches should be volunteers and not paid at all - I cannot go as far as that, for it seems to me just as sound that our coaches should be professional experts as that our professors of Latin or mathematics should be.

On this point (gate receipts) it seems to me we should be frank, honest and practical. Gate receipts at most institutions could not
possibly be abolished at this time. The larger institutions, in order to take this step, would have to have millions added to their endowments to enable them to carry on the large physical education programs and the large athletic facilities with which they find themselves.104

This presentation represents an assessment of college football that is, at times, honest and pragmatic and at other times, naive to a startling degree. Gates, as President, accepts responsibility for the management of athletic affairs at his institution, even admitting involvement in the vicious cycle of building bigger and better athletic facilities and then struggling to pay for them. He recognizes the need for competent professionals in the role of coach but fails to concede, or maybe understand, that true professional coaches will strive to accumulate the very best athletic talent available by the most efficacious means. Finally, it seems that he contradicts himself as he describes the enormous sums needed to sustain athletic physical plants even while advocating a shorter playing season. One can easily see the difficulty in reaching any consensus on athletic issues.

Just three years later, the Association adopted a "fair practice code" regarding recruiting and

104 Ibid.
subsidizing of athletes. While this legislation was not binding, it was intended to serve as a guide to university and athletic administrators in the conduct of their affairs. The code is striking in that it represents an admission, at least implicitly, on the part of the NCAA that these activities were all too common practice.\textsuperscript{105} The code follows:

1. It is unjustifiable for a student to receive any subsidy of monetary value, either directly or indirectly, primarily for athletic services.

2. It is unjustifiable to employ prospective athletes before they matriculate in an institution or to make advance payment to prospective students for future services or to make any guarantee of payment which is not conditional upon the service being performed in advance of payment or to make any payment for services at a rate greater than the current rate for other students in the institution.

3. It is unjustifiable to permit a boy to participate in intercollegiate contests who has ever received a loan, scholarship aid, remission of fees or employment primarily because he is an athlete through channels not open to non-athletes equally with athletes.

4. It is unjustifiable for members of athletic or physical education staffs to recruit athletes by initiating correspondence or conversation, or by arranging for interviews with boys who are prospective athletes.

5. It is unjustifiable to promise prospective athletes employment, loans, scholarships or remission of fees except as may be secured by

\textsuperscript{105}\textit{New York Times}, 29 December 1934, p. 18.
other students through the regular channels of the institution and these channels should be outside the athletic or physical departments.

6. It is unjustifiable for alumni groups, clubs, fraternities or other organizations to make promises of direct or indirect subsidies to prospective students primarily for athletic ability.

7. It is unjustifiable to endeavor to persuade a prospective athlete by offers of scholarships or jobs or by any other means to transfer from a college where he has made application for admission and has been accepted.

8. It is justifiable to permit athletes to work in any department of the university so long as they have full return in work and receive the same rate of pay as is given to other students.

9. It is justifiable for members of the athletic or physical educational staffs in speeches or in response to direct inquiries to point out what they believe to be the educational advantages of the institutions which they represent.106

The evidence indicates that the outlawed practices continued unabated and so it seems that it was with appalling hypocrisy that this "fair practice code" was endorsed. One finds it difficult to imagine the level of cynicism with which a coach conducted his affairs at this time.

Less than one year later, the Southeastern Conference chose to discontinue the charade when, just two weeks before the 1935 NCAA Annual Convention, they

106Ibid.
voted to openly subsidize athletes. The response was immediate:

Numerous academic leaders have fired broad­sides at the Southeastern Conference, basing their criticism chiefly on the ground that open subsidization of students with athletic ability will only lead to more abuses. On the other hand, there has been high praise from many quarters for the "progressive" purpose of the move, namely, to bring a common collegiate practice into the open, where it can be properly controlled.107

It is impossible to discover any claim of innocence among college athletic officials. This leaves one with the conclusion that, to some degree, every college athletic program in the country was guilty of recruiting and subsidizing. Accepting this, one can understand the logic of the explanation of Dr. Wilbur Smith of Tulane who stressed that the new rule would simply place under faculty control that which had gone on for years.108 The athletic director at the University of Georgia, H. J. Stegeman, described the newly legalized scholarships as follows:

These scholarships will be handled entirely by the universities and will cover tuition, board and lodging. No cash at all will be given to the students receiving the scholarships.109


108 Ibid.

109 Ibid.
Despite a great deal of discussion, no action was taken by the Association on the actions of the Southeastern Conference or on the issue of recruiting and subsidization. The position of the majority, albeit a shrinking one, was contained in the formal address of President John L. Griffith:

There are those who feel that the NCAA should adopt a hard and fast definition of legitimate and illegitimate recruiting and subsidizing and, having done so, it should employ a corps of officials to police the colleges, with the thought that, if fouls are committed, some kind of penalty should be enforced.

The NCAA has through the years been opposed to this principle, because we have felt that lasting progress is attained by and through education, including moral education, rather than by legislation, coercion and force.

If the NCAA attempted to assume the responsibility of ordering the conduct of the colleges of this country, then the small, homogeneous groups called conferences would gradually become ineffective and ultimately they would be destroyed.

What, then, can this association do? We can go on in the future as we have done in the past, depending upon educational methods, urging that the colleges that do not maintain teams composed of mercenaries compete with like institutions of like ideals.110

And then, as if to convince himself, Griffith argued that, "there are fewer boys per thousand today being

illegitimately subsidized in our colleges than was true twenty-five or fifty years ago."\textsuperscript{111}

This claim is, however, most difficult to accept after considering the plea of W. Branch Rickey, vice-president of the St. Louis Cardinals:

Stop subsidizing athletes in violation of the spirit of true sportsmanship, or come out in the open and admit you're hiring your team.

All of us know what is happening today in many American colleges and universities where athletes are subsidized. I call upon you in the name of true sportsmanship to stop subsidizing under cover of complicated evasions marked by hypocrisy or come out in the open and change your rules and hire your teams openly.\textsuperscript{112}

It is easy to believe Rickey's claim that everyone knew what was going on, but an open admission from everyone to this effect was quite another matter.

Those individuals who did address the problem feared that open subsidization would result in the recruitment of academically unqualified students yet, as an afterthought, admitted that "good athletes can also be good students."\textsuperscript{113} Harold S. Wood of Wesleyan believed that:

\begin{itemize}
\item \textsuperscript{111}\textit{New York Times}, 30 December 1936, p. 24.
\item \textsuperscript{112}\textit{New York Times}, 31 December 1937, p. 10.
\item \textsuperscript{113}Ibid.
\end{itemize}
Properly maintained standards of admission to colleges will do more to overcome the evils of present-day college football than any other single remedy.

Today the important objections to college football are not the same as they were in 1897 -- they have been replaced by two new ones, subsidization of outstanding players and recruiting.¹¹⁴

And, although he did not say it, the majority of NCAA members had reached the conclusion that the solution for 1938 was not the same as that in 1897, for just one year later the NCAA was to set a precedent by rewriting its constitution in order that it might better enforce the mandates of the majority.

This evolution is best demonstrated by a careful review of the constitutional articles that pertain to our discussion. In 1938, Article V of the NCAA Constitution stated that:

The members of this Association severally agree to supervise and, in so far as may be practicable, to control athletic sports so that they will be administered in accord with the law of amateurism and the principles of amateur sport set forth in this constitution, and to establish and preserve high standards of personal honor, eligibility and fair play. The self-government of the constituent members shall not be interfered with or questioned.¹¹⁵


One year later, the Constitution of the National Collegiate Athletic Association had been revised and adopted at the annual convention held in Los Angeles, California, on December 29 and 30, 1939. The faculty governors of college athletics had given up on education as a means controlling their charges. Just as public outrage had driven the men of 1905 to form a national association, a nation-wide crisis of confidence in 1939 drove the leaders of college athletics to toss aside the long-standing policy of local autonomy:

Academic rules of the National Collegiate Athletic Association, after sitting on the fence without authority for more than three decades, armed themselves with a club today and, in effect, warned the membership either to behave or suffer the consequence.

In the past the association's function has been educational in principle in the strictest sense. Hereafter it will have first word in administrative policies in the matter of proselytizing, unwarranted financial aid to athletes and other problems that long have been a sore spot in the college athletic picture.

Adoption of the code had been vigorously opposed by Lou Little of Columbia University, retiring president of the American Football Coaches Association. Speaking for his organization, Little told the NCAA membership: "You can't get any place by compulsion or restriction."116

Although the new legislation may well have given the association the first word on matters of common concern, it did not provide much beyond this.

Article IV, Section 6, read as follows:

(a) The membership of any member failing to maintain acceptable scholastic or athletic standards may be terminated by the vote of two-thirds of the delegates present at an annual convention, provided notice of intention to move such termination is given in writing to the Secretary ninety days prior to the Convention, and provided such notice is included in the official notice of the convention.\textsuperscript{117}

This change represented a true revolution in the philosophy of the Association, and, although no specific scholastic or athletic standards were delineated, there was a consensus among the leading members that all freshmen should be barred from varsity competition, that admission of athletes should be upon the same basis as that for all other students and that athletes should maintain the same academic standards as other students. With this, the era of local autonomy and control through education had drawn to a close.

\textsuperscript{117} Proceedings of the Thirty-fourth Annual Convention of the National Collegiate Athletic Association (Los Angeles: December 28-30, 1939), p. 121.
Conclusion

By 1939, it was apparent to everyone concerned that the NCAA was a permanent fixture on the American sports scene. The development of the Association had been more in response to felt needs among participating institutions than the result of thoughtful design. In fact, the outstanding quality of the NCAA was its ready responsiveness to the perceived needs of its constituents. The Association had yet to develop its own agenda.

At its founding, the NCAA was dominated and controlled by institutions located primarily in the Northeast. As public interest in college football spread to the Midwest and the West, so, too, did the locus of control within the NCAA. This fact, as a matter of course, is not surprising, for the stated purpose of the Association at the time of its founding was to serve a national membership.

Yet, development of a national perspective was not as easy as one might assume, for the established eastern powers clung to their privileged position and their natural advantages in population and media exposure served to their great advantage. Then, too, the wide diversity to be found within American education, both higher and secondary, militated against
the growth of a cohesive, homogeneous national organization. In fact, the cultural diversity found across the nation worked against the acceptance of a single athletic modus operandi as athletic mores reflected those of the society in which they existed.

The loose-knit NCAA made no effort to enforce a common code, with the exception of playing rules, but did begin to formulate standard accepted practices relative to different phases of college athletic administration. This process was aided to a great extent by the creation of local and regional conferences made up of like-minded institutions. These conferences were more homogeneous in composition than the national organization and so were able to exert tighter control over procedures without seeming oppressive.

The driving motive behind this collegial peer pressure that manifested itself within conferences was the need to maintain at least the image of integrity while ensuring equality of competitive opportunity. This athletic situation provided each institution with the desired link to its alumni and public and, ideally, the concomitant revenues and prestige without conflicting to too great an extent with the central intellectual mission of the institution. Most
universities chose to live on athletic compromise rather than choosing to die on intellectual principle. Along with John Dewey, vocational education, and the elective curriculum, athletics did their part to corrupt the intellectual fiber of American higher education.

All in all, the creation of conferences resulted in greater homogeneity and moderately higher standards of athletic practice across the country as the leveling process was not always one of seeking the least common denominator. Enforcement of rules within conferences provided members with the assurance that their competitive peers were not gaining an unfair advantage and so encouraged observance of established conventions. As legislated athletic practices within conferences became more accepted, it became more comfortable and possible for the NCAA to enforce standard guidelines. Since many delegates to the Association meetings were the same individuals who were active in conference activities, and since these individuals had, in many cases, led the tightening of control within conferences and witnessed its attendant benefits, the trend toward greater centralization of control on a national basis was driven by a desire to
achieve the same results among the entire NCAA membership.

As revenues mounted and media coverage grew apace, it became even more imperative to ensure equality of competition and to minimize the opportunity for scandal. To put it simply, the risks and the potential benefits associated with managing a successful athletic program had grown to be enormous. The pressures applied to those making local decisions on athletic matters was such that it became far more desirable to have, as a backstop, a nameless and unassailable national organization upon which to place the onus of responsibility. Presidents, faculty, and even governing boards were frequently unwilling, and sometimes unable, to resist the importunings of athletic supporters and so were willing to sacrifice the prerogative of local autonomy in exchange for national support.

Never during the formative years of the NCAA was academic eligibility the primary area of controversy and concern. During the first two decades of NCAA history, the football playing rules held the center stage as the game evolved into its modern day version. World War I provided a brief diversion during which patriotism and national health became athletic
objectives, while throughout this period proselyting and subsidization began to take on the appearance of permanent aspects of college athletics. During the 1920's, facility expansion occupied the attention of athletic administrators until the Great Depression put an end to most all business activity outside of survival. As the nation emerged from the Depression with a grim determination to succeed, so, too, did college athletics come roaring back from financial difficulty with a determination to have the best athletes that could be wooed and bought. Despite the fact that the NCAA membership had agreed upon policies which expressly prohibited proselyting and subsidization, it was common practice across the land. In 1939, the membership of the Association took its first timid step toward administrative control.

Although standards of academic eligibility were not delineated in the NCAA Constitution of 1939, many leading conferences had specified minimum standards. There was general agreement within the Association that athletes should be admitted with the same credentials as other students, that they should enroll in the same curricula, and that they should maintain the same standards of performance in the classroom.
Unfortunately there was no guarantee of any type that this was the case.

A number of reasons had been advanced in support of academic eligibility standards. Among them were the maintenance of amateur ideals, the equalizing of competition, the facilitation of rules enforcement, and the salutary impact of such standards on the high schools of the nation. While each of these reasons is laudatory in itself, it seems most unfortunate that academic eligibility is almost invariably discussed as a means of solving or minimizing prevalent problems of one sort or another.

One can search long and hard during this era and still come up short in an effort to find an athletic leader who argued that education was a valuable activity in its own right, and so the more education the better, even for athletes. A more moderate expectation might permit one to search for the argument that education, as stimulated by rules of academic eligibility, would prepare the athlete for his future endeavors, but this search, too, would be disappointing. The best one can discover is a firm commitment that athletes should be bona fide students with the accompanying definition of such. Regardless of the reasons advanced for promoting the concept of
academic eligibility, no effort was made to enforce such a concept within the framework of the NCAA.

The situation is even more remarkable when viewed in light of the fact that, at least nominally, college athletics were under the control and supervision of the faculty. Those individuals who gathered together each year to discuss and act upon athletic issues were a rarified and self-selected group. Invariably, NCAA delegates had earned a college degree and in a great many cases had earned Ph.D. degrees. One would imagine that the group might have internalized the values of higher education and so might be expected to represent a higher ideal of athletic practice. On the other hand, those who gathered at NCAA conventions were, in large part, self-selected; they had a personal interest in college athletics and, while it may be a bit harsh to characterize them as sycophants, they certainly began each day with a bias that was pro-college athletics. Etiology aside, the fact remains that the NCAA was a reactive organization rather than pro-active one.
Chapter IV
The NCAA Becomes An Enforcement Agency

Introduction

Although the likelihood that the primitive control mechanisms that were approved at the 1939 Convention would have been effective is, at best, problematic, the fact is the entire college athletic scene was violently disrupted by World War II. Eligibility standards, especially the freshman and transfer rules, were compromised in the interest of national security. It was only after the war that athletic officials began to regain control of athletic affairs and not until 1947 that the conduct of athletic programs again approximated the state of affairs that had obtained prior to the War.

For the next twenty years college athletics would be buffeted by external events largely beyond the control of athletic administrators. These forces included the massive increase in enrollment in higher education propelled by the G. I. Bill, the concurrent belief in the need for an almost universal opportunity for a higher education, gambling associated with
college sports, and finally, the development of television as the primary form of home entertainment. The latter two occurrences served as the major reasons for the consolidation of national direction of athletic matters in the NCAA in 1952. The first occurrence, providing an opportunity for higher education for most every desirous American, did not elicit an immediate response from athletic policy makers but, when coupled with the ubiquitous and ever increasing need to win, would create headline issues from 1965 to the present.

As millions of veterans returned from World War II and began to enroll in college, the nation turned its attention to the business of enjoying life in a way that had been impossible since the crash of 1929. One of the most popular forms of entertainment became sports, including college football and basketball. With this renewed interest, the old evils of proselytizing and subsidization returned to college athletics with all of their previous vigor and more.

Although the NCAA now possessed a means for expulsion, this mechanism was cumbersome and ineffective, primarily because the regulations called for a two-thirds vote in order to act. Still, the dominant mind-set of the Association membership was that of growing support for some central authority. The result
was the adoption of the "Sanity Code" in 1948. Unfortunately, this code proved unworkable for soon after the start of the new decade:

A string of ugly stories about corruption in college sports leaped to the headlines of the nation's press. The United States Military Academy acknowledged that all but two members of its vaunted varsity football team had been dismissed for cheating on examinations. The public soon learned that college basketball was the victim of the biggest scandal in the history of American sports; in exchange for keeping the point spread of games within the range called for by certain gamblers, players had been paid cash by the gamblers.¹

At the same time a technological development, television, resulted in a drop of 1,403,000 in paid attendance at college football games between 1948 and 1950. The result was that:

The apparent failure of the sanity code, and the negative effect of unrestricted television upon attendance induced the colleges to extend additional powers to the NCAA. Many colleges, especially those in the Southwestern and Southeastern conferences, defied the NCAA by continuing to offer 'full-ride' athletic scholarships regardless of the athlete's need or academic promise. A showdown vote came in the 1950 NCAA Convention when a motion to suspend seven colleges cited for noncompliance fell short of the necessary two-thirds vote. With this setback, the NCAA repealed the sanity code and, in 1952, decided to permit the awards of full scholarships based only upon athletic ability. At the 1952 Convention, the

colleges also extended to the NCAA the power to impose sanctions upon those colleges which violated the association's legislation. For the 1952-1953 seasons, the NCAA for the first time placed two colleges, Kentucky and Bradley on probation. Finally, the convention named a full-time executive director and established a national headquarters in Kansas City, Missouri. With the 1952 actions, the colleges had taken the first steps toward converting the NCAA into a major athletic regulatory body.\(^2\)

This action was stimulated by the threat of outside intervention,\(^3\) intense public criticism of the conduct of college athletics and the desire, on the part of member institutions, to share in the revenues and exposure associated with television.\(^4\)

These developments contributed, in large part, to the evolution of college athletics from a player-centered to a spectator-centered activity.\(^5\) The result was that:

In managing college sport as a spectator-centered enterprise, the colleges confronted a unique problem, one not shared by professional sports leagues. The problem was


\(^4\)Rader, American Sports, p. 269

\(^5\)Ibid., p. 266.
that of recruiting athletes. Without a draft system, some 120 colleges might compete for the same blue-chip football or basketball player. With the stakes so high, the temptation to cheat in the recruitment and retention of top-flight athletes intensified. To equalize and regularize the conditions of competition for athletes and to improve potential revenues from television the colleges turned to the NCAA. Consequently, by the 1960's, the formerly impotent NCAA had become a large, yet somewhat unwieldy and ineffectual economic cartel.6

Clearly, the fundamental problem associated with recruiting was one of shortage, that is a shortage of blue-chip athletes. While scouting and evaluation activities became ever more complex and athletic programs extended their tentacles of influence into recruiting "hot-beds," two sources of high school athletic talent remained less than fully utilized: blacks and the academically unprepared. During the two decades after 1952, college coaches, aided by the civil rights movement and the effort to extend opportunity, would move to fully exploit the athletic talent contained in these groups.

The tremendous impact of television on American life and, more specifically, college sports, would be difficult to overstate. In 1947, there were 10,000 televisions in the United States. In just one short

---

6Ibid., p. 267.
decade this total had grown to forty million. During this time, the "American psychologist" published a study which indicated that the average family had their television turned on an average of five hours a day. The result was that:

Attendance at sporting events fell, and it would take nearly a decade before full recovery could be achieved. Attendance at nearly all forms of public entertainment—major and minor league baseball; college football; even high school football games, boxing and the movies—dropped precipitously.

It was unfortunate that college athletics were engulfed in a series of scandals just as "television was making its debut on the college scene." Fortunately, NCAA leaders recognized early on the impact that television might have on attendance and so commissioned the National Opinion Research Center of the University of Chicago to study the situation:

The National Opinion Research Center each year examined a number of variables in an effort to determine the saliency of each in


8Rader, In Its Own Image, p. 35.

9Ibid., p. 33.

10Ibid., p. 67.
accounting for football attendance. They repeatedly concluded that television—not student enrollments, the weather, prosperity, or even a team's won-lost record—was principally responsible for the great slump in attendance at college football games. According to the NORC, only the NCAA restrictions on telecasts prevented a total calamity. Yet, even with the strictures of the NCAA, college football attendance would not reach 1948 totals until ten years later.\(^{11}\)

While initially television caused concern about dropping attendance figures, soon the attention of college athletic leaders turned to the question of distribution of television revenues. The NBC package had grown from $700,000 in 1952 to around $3 million in 1960. Not only were schools which failed to appear on television cut out of the proceeds but they also suffered a decrease in home attendance figures. In 1962, CBS paid $5.1 million for NCAA football broadcast rights inducing the have-nots of college football to demand a plan to "share the wealth." When their efforts were defeated it was clear that, in the future, the rich would continue to get richer while the poor would continue to struggle.\(^{12}\)

While the influence of television and the printed media was unquestionably quite strong, one

---

\(^{11}\)Ibid., p. 72.

\(^{12}\)Ibid., pp. 74-75.
must also remember that college athletics existed within the framework of higher education. The 25 years which followed the end of the Second World War bore witness to tremendous growth as total enrollment expanded from about two million in 1946 to around eight million in 1970.\(^\text{13}\) Between 1950 and 1960, the population of the United States increased by eight percent, while the number of those who chose to attend college leaped by forty percent.\(^\text{14}\) Certainly this rate of growth, in itself, was not new (in the years between 1870 and 1970, college enrollments doubled every fourteen or fifteen years\(^\text{15}\)) but the reasons for such growth were unique to the era.

First, high schools were graduating students in numbers that were greater than ever. From 1870 to 1940, the high school population increased by a factor of almost ninety, from 80,000 to seven million, while the population of the nation increased three-


In part, this dramatic growth can be attributed to stricter observance of the compulsory education regulations, but also the rise of theories of Progressive education had resulted in the development of general, vocational, and business curricula designed to meet the needs and retain the presence of an ever larger percentage of the total teenaged group. In 1900, only about ten percent of the age-group attended high school, but by 1950 the comparable figure was 65 percent.17

Then, too, there was a decided shift in emphasis toward public higher education and an accompanying decrease in the social prestige associated with attendance at a university:

In the late 1940's, there were more students in private institutions of higher education than in public. In the mid-1950's, public enrollments began to outdistance private enrollments, and by 1970, approximately three-quarters of the eight million students in higher education were in public institutions. This vast opening up of higher education changed the nature of college-going in America. No longer was it a privilege reserved for the brightest or the most affluent in the high school graduating class. In 1946, one of eight college-age youths was enrolled in higher education; by

16Ravitch, p. 9.

17Ibid., p. 45.
1970, one of three was a college or university student. This had the paradoxical effect of making a college degree less of a rarity, less of a badge of status, but more of a necessity for entry to white-collar occupations.18

One result of this trend was the growth of gigantic universities. Only ten institutions could boast an enrollment of more than 20,000 in 1948 but there were 55 of such size in 1967.19 The great majority of these huge institutions were public.

Very likely the single most important occurrence which initiated the explosion in university attendance was the Congressional approval of the G. I. Bill. Although many predicted that the returning veterans would not enroll in large numbers, quite the opposite occurred as 1,013,000 veterans enrolled in the fall of 1946.20 Such large numbers were unheard of and many questioned the wisdom of such a policy as the G. I. Bill:

On the tenth anniversary of its passage, Newsweek summarized its benefits, but noted dourly that not everyone who went to college at government expense gained from the experience: "Their appearance at college came largely from a growing—and debatable—American conviction that everyone, regardless of ability, ought somehow to go to college."

18Ibid., pp. 183-184.
19Ibid., p. 15.
20Ibid., p. 13.
Though it originated in a compromise between officials who wanted to stave off unemployment and veterans' groups that wanted a good package of benefits, the G.I. Bill's most lasting effect was probably its encouragement of the conviction that "everyone, regardless of ability, ought somehow to go to college."\(^{21}\)

Despite the questions that were raised, the course was set and the charge irreversible for:

More than at any other time in American history, the crusade against ignorance was understood to mean a crusade for equal education opportunity. At every level of formal education, from nursery school to graduate school, equal opportunity became the overriding goal of postwar education reformers. Sometimes those who led the battles seemed to forget why it was important to keep students in school longer; to forget that the fight for higher enrollments was part of a crusade against ignorance.\(^{22}\)

Another result of the enormous increase in university enrollments was added pressure on admissions offices and on the admissions decision process. In 1946, President Truman had appointed a commission of 28 distinguished Americans under the direction of George F. Zook, President of the American Council on Education. After much work, the commission produced a six-volume report that concluded that, among other things, "at least 32 percent of our population

\(^{21}\)Newsweek, October 4, 1954, p. 91, as quoted in Diane Ravitch, p. 15.

\(^{22}\)Ravitch, p. xi.
has the mental ability to complete an advanced liberal or specialized professional education." In order that this objective might be accomplished it was proposed that all barriers to education opportunity be eliminated immediately.23

Certainly the G.I. Bill went a long way toward achieving this end, but aside from the fact that many individuals were still left with inadequate means of financing a college education, admissions officers were faced with the problem of deciding who deserved to occupy the limited number of seats in their respective freshmen classes. Because of the increasing complexity of the task and the added paper work associated with such complexity, admissions directors were left with little choice but to increase the size of their staffs.24 This seemed the only means of guaranteeing opportunity yet ensuring well-considered and valid admissions decisions.

As the number of college applications became overwhelming, a new evaluative tool rose to


prominence, the Scholastic Aptitude Test. In 1947, the SAT replaced the traditional "college boards" which had been sponsored by the College Entrance Examination Board. The "college boards" had stressed essay questions which had been individually graded.25

In addition:

After the brilliant success of psychological testing in the First World War, the College Entrance Examination Board took an increasing if cautious interest in this new form of measurement. The examinations it had set up to this point had been tests of ability to assemble information, power of expression, intelligent appreciation, and courage to express independent judgment. To supplement but not supplant these measures of a candidate the board now sought added tests to estimate his potentiality and his aptitude. By using a combination of test results it became possible to anticipate college success—to save the prospective misfit from the humiliation of failure at college, to search out the gifted early, and to predict the kind of curriculum a student should pursue. In this period, too, much more attention was given to the personal and moral qualities of candidates for admission—qualities such as perseverance, initiative, purposefulness, sense of proportion, and the like.26

25Ravitch, p. 69.

Unfortunately:

As colleges gave more attention to aptitude tests and personal qualities, new problems of grave social significance came to the surface. In any selective system of higher education there lurked constant anxiety whether the most deserving were finding their way to college. More ominous, however, were the restrictive admissions policies of colleges which sought to adjust enrollments to the physical and instructional capacities of their institutions. No quarrel arose when in addition to intellectual potentiality colleges selected candidates so as to draw them from all parts of the nation. But there was strong evidence at the time of the Second World War and after that colleges were also choosing on the basis of race and religion. Some thought balanced distribution was justifiable here too, but there was a recurrent anxiety about the justice of the proportions.

Educators had long debated these questions, and, in particular, the question of access to higher education. The SAT, "a standardized, multiple—choice test of verbal and mathematic skills, which was virtually curriculum free," seemed an appropriate

---


28Ravitch, p. 7.

29Ibid., p. 69.
and reliable solution to the problem of determining admissibility as well as a useful tool for solving the gigantic problems of complexity and workload faced by admissions officers.

At the same time that the SAT was gaining wide acceptance among institutions which practiced selective admissions, an entirely new approach to the problem of equal opportunity to higher education was gaining in popularity, namely the practice of "open admissions." Ostensibly, this method of admissions solved the problem of equal opportunity, yet there remained questions:

While no doubt 'open admissions' was a device for upward mobility, it was also true that meritocracy was more interested in equality of opportunity than in equality itself. As long as the distribution of power and privilege among adults remained radically and dramatically unequal there could be little hope for real equality of opportunity even when initiated by an 'open door' policy. Meritocracy based on equality of opportunity rested on the further assumption that psychological tests were a valid way of determining who was to get higher education and how much. Once the darling of liberals and egalitarians, these tests had been seriously questioned because of being culture bound. Whatever contribution they made to meritocracy, they still tended to discriminate against the blacks and the poor.30

---

Despite the many questions that remained unanswered, the one assumption that was not challenged in any serious fashion and that became more widely accepted with the passing of each decade was that higher education was a plus for any individual. In fact, this assumption seemed to be confirmed by the experience of "open admissions." 31

Discussions and Actions of the NCAA: An Enforcement Agency is Born

The outbreak of the Second World War prevented the smooth evolution of consistent enforcement of the freshman rule, as many colleges and conferences discussed the suspension of the rule in order that they might continue to sponsor varsity intercollegiate teams. Suspension was not universal with the result that many cases of disputed eligibility for NCAA meets and tournaments were necessarily referred to the Eligibility Committee. In every case, Reformation," pp. 176-182, cited by John S. Brubacher and Willis Rudy, Higher Education in Transition: A History of American Colleges and Universities, 1636-1976 (New York: Harper & Row, 1976), p. 262.

31 Brubacher and Rudy, p. 262.
the suspension of the freshman rule was determined to be for the duration of the war only.  

Again one must recognize that a desire to develop and enforce academic standards had not been the primary motivation for the revolutionary change in the philosophy of the NCAA in 1939, but rather the impetus was supplied by the growing concern and embarrassment regarding proselyting and professionalism in college athletics. In fact, academic standards had deteriorated, in many cases as a direct consequence of this trend toward proselyting and professionalism, and so stood to gain from the strict enforcement of long-standing association conventions.

During World War II, the NCAA provided enthusiastic support for the war effort in response to the requests of the federal Office of Civilian Defense which, "exhorted colleges particularly to . . . expand athletic programs to include every activity from simply hikes to competitive football."  

In December, 1942, the Association chose to forego its annual meeting in order to comply with policies of the Office of Defense Transportation. Instead the Executive Committee and

---


the various committee chairmen conducted abbreviated sessions in New York. They decided to continue, as far as possible, to conduct athletic activities in a normal fashion and concluded their gathering with the following resolution:

The member institutions of the NCAA have been ready since the beginning of the war to contribute all of their athletic and physical education equipment and staffs to the war effort in whatever manner they may be requested and desire only that they be used in as complete and effective a way as possible.

Statements of officers in the armed forces indicate that competitive sports, both intercollegiate and intramural, have developed in our college athletes qualities which have made them better leaders and better fighters. This is borne out by the experience within the various institutions in the records of their alumni and undergraduates in the services.

The NCAA therefore makes the following recommendations:

1. That the officers in charge of the training programs already in and shortly to be put into our universities and colleges be strongly urged to permit members of the services in training in the institutions to participate in team sports along with regular college students wherever the organization of the training program permits it.

2. That the member colleges of the NCAA preserve the values of the armed services already demonstrated in competitive sport by continuing programs of intercollegiate sport wherever the facilities and equipment permit it and wherever the organization of the training program permits it.

---

3. Since more informal and less highly organized intercollegiate sports programs will be necessary, colleges are urged to study the further development of athletic relations with institutions in close geographical range and increase wherever possible the number of men and teams in each sport for whom the challenge and stimulus of such intercollegiate competition is available.

4. To the end that these recommendations may be made effective in the development of sports programs in wartime, the NCAA, through its member institutions, stands ready to make its facilities and personnel completely available as a part of the training and sports program.35

As the war effort increased in intensity and momentum, the NCAA, too, became more committed in its support for the drive to total victory. After suspending the freshman rule for the 1943 season, the Association in 1944 agreed to shelve the one-year transfer rule and to permit four years of varsity competition for undergraduates rather than the traditional three years. The Thirty-eighth Annual Convention again closed with a resolution, both patriotic and self-congratulatory in nature:

The National Collegiate Athletic Association—with a membership of more than 200 colleges, universities, and intercollegiate athletic conferences—reaffirms its policy of encouraging the continued development of competitive athletics as a vital element in the training of young men for service in the armed forces of the United States. At the

---

beginning of the war our member institutions pledged their facilities and staffs to the war effort, to be used as completely and effectively as national authorities found possible.

We believe the experience of the last year has confirmed the practical wisdom of that policy, in that the armed forces have made effective use of the facilities and staffs of many member institutions.

We believe that continuation of competitive athletics throughout the period of the war is vital to the total training of the individual.

We believe that competition is an essential element in any effective program of physical training and recreation.

We believe that additional use of existing facilities and staffs can and should be made in order to include all elements in our collegiate institutions in competitive intercollegiate and intramural sports.

We believe that competitive sports are an integral part of American life in time of war and in time of peace and, therefore, that we have an obligation not only to expand the present uses of our facilities but to prepare for the period following the war when new problems must be faced.  

As the war drew to a close, new problems did arise as predicted. Institutions were inundated with a flood of military veterans with speckled eligibility profiles. In addition, gambling became a prevalent activity associated especially with college football.

---

36 New York Times, 7 January 1944, p. 11.
Consequently, the pressure to win rose dramatically and along with this rising pressure came the traditional evils of proselyting and subsidization. In the mid-1930's, the Southeast Conference had set a precedent by openly acknowledging that its faculty had chosen to administer financial aid based on athletic ability. In 1946, two college presidents, Dr. John A. Hannah of Michigan State College and Dr. T. J. Davies of Colorado College, suggested that the NCAA follow suit and offered the following regulations as a starting point:

1. A scholarship nominee must meet regular entrance requirements of the institution.
2. He must continue to meet academic requirements each year.
3. His failure to compete in athletics, either because of injury or academic reasons, must not terminate the scholarship.
4. He must not be paid more than value received on any job given him by the institution.\(^{39}\)

These rules made particular sense, according to Hannah, because they accepted the inevitable fact of some sort of aid to athletes, they ensured that the aid would be handled by legitimate college officials and they guaranteed that the teams of opponents would be composed of "bona fide" students. Hannah claimed


\(^{39}\)New York Times, 10 January 1946, p. 27.
that, "if we were assured that all of the representa-
tives of all the colleges and universities playing on
teams were actually students within my definition, I
think there would be greater satisfaction among us than
there is."40

The advice of these presidents did not go
unheeded, for there was general agreement that some­
thing needed to be done, something "more than a
reaffirmation of glittering generalities." In fact,
many believed that an effective "means of implementing
the standards set up and correcting abuses" should be
adopted.41 As a result, the Conference of Conferences
of the NCAA formulated what came to be known as the
"Sanity Code," however, they did not go so far as to
accept the concept of financial aid based on athletic
ability. The Code, as originally written and presented
to the NCAA, follows:

1. Principle of Amateurism—An amateur
sportsman is one who engages in sports for the
physical, mental or social benefits he derives therethrough, and to whom the sport is an avoc­
ation. Any college athlete who takes pay for
participation in athletics does not meet this
definition of amateur.

40Ibid.

41New York Times, 7 January 1947, p. 34.
2. Principle of Institutional Control and Responsibility—The control and responsibility for the conduct of both intercollegiate and intramural athletics shall in the last analysis be exercised by the institution itself.

3. Principle of Sound Academic Standards—The institution shall see to it that an athlete is admitted to college on the same basis as any other student and observes and maintains the same academic standards.

4. (a)—Financial aid, to any athlete, originating from any source other than persons on whom he may naturally or legally be dependent for support, shall be permitted without loss of eligibility only if approved and awarded on the basis of need by the regular agency established in his institution for the granting of aid to all students. Such aid shall not exceed tuition for instruction and/or stated incidental institution fees, except when the total aid awarded is restricted to a Governmental grant or a scholarship not based on athletic ability and which is announced in an official publication of the awarding institution. The acceptance of financial aid beyond that specifically here stated shall render the recipient ineligible for intercollegiate athletic competition.

   (b)—In the award of student aid an athlete shall neither be favored nor discriminated against.

   (c)—Any scholarship or other aid to an athlete shall be awarded only through a regular agency approved by the institution for the granting of aid to all students, this agency should give to the recipient a complete written statement of the amount, duration, conditions and terms of the award.

   (d)—No athlete shall be deprived of scholarship or other aid because of failure to compete in intercollegiate athletics.

   (e)—Compensation of an athlete for employment shall be commensurate with the service rendered.
5. Principle Governing Recruiting—No member of an athletic staff or other official representative of athletic interests shall, outside the boundaries of his own campus, solicit the attendance at his institution of any prospective student; nor shall he, whether on or off his campus, be permitted to offer financial aid or equivalent inducement to any prospective student. This principle shall not be construed as restricting the public appearances of a member of an athletic staff in the general interests of his institution, even though the occasions may be of an athletic nature.

6. Implementation of the Principles—A firm agreement between the institutions which accept and implement these principles that they will confine their intercollegiate competition to contests with institutions which avow the same principles and which conduct their athletic programs under rules which make these principles effective.\(^2\)

One should note that the only means of enforcement contained in this code was that of ostracism as the NCAA was not granted any coercive powers in the proposal. When this code was presented to the Association membership it received an overwhelming endorsement. Only Section Five met with any opposition, but, in the end, it too was approved by a vote of 76-33.\(^3\) It now remained for the 1948 Convention to write the "Sanity Code" into the NCAA Constitution.

The year 1947 ostensibly marked the end of eligibility exceptions for freshmen due to the World

\(^{42}\text{Ibid.}\)

\(^{43}\text{New York Times, 9 January 1947, p. 30.}\)
War as the Constitution of the National Collegiate Athletic Association was changed so that is explicitly stated that an athlete must be in compliance with all of the following regulations in order to be deemed eligible for NCAA sponsored events:

1. Regular Status Rule. (a) A student entered in an NCAA athletic event must be a matriculated student at the certifying institution. That is, he must have been admitted under the published admission rules of that institution as a regular student in a curriculum leading to a degree or comparable objective.

2. One-Year Rule. A student is not eligible for competition in an NCAA event during his freshman year and the interval between terms at the end of the year.

3. Three-Year Rule. A student shall not be eligible for competition in an NCAA event, if he has had three seasons of varsity competition in the sport involved.

Note 1. After September 1, 1947, no freshman shall be eligible for NCAA competition, the rules of the Conferences or institutions to the contrary notwithstanding.

Note 3. Competition by a freshman on a varsity team between October 16, 1940 and September 1, 1947 need not be counted as one of the three seasons of varsity competition referred to in Rule 3.

Note 4. Competition by a freshman on a varsity team after September 1, 1947 must be charged as a season of varsity competition and must be counted as one of the three seasons of varsity competition referred to in Rule 3.44

Despite the clarity with which the Association stated its position on freshman eligibility there seems to have been less than unanimous compliance. Edward J. Parsons of Northeastern University admitted that "there have been a few instances in which one or both of these rules (freshman and transfer) have not been re-established." The Mid-American Intercollegiate Athletic Conference adopted a rule that stood as an exception by allowing "a veteran to become eligible upon admission if he has not participated in intercollegiate competition in another institution," as reported by George L. Rider, Miami University. Still, the overwhelming majority of the membership resumed observance of recommended NCAA policies.

In addition, the Forty-second Annual Convention formally adopted the "Sanity Code," in slightly modified form, as a response to the public outrage and the growing cynicism surrounding college athletics. Again, it was Branch Rickey, now president of the Dodgers, who described so aptly the contemporary situation:

45Ibid., p. 32.
46Ibid., pp. 36-37.
There isn't a professional club which does not have written evidence, and in quantity, that many colleges have induced boys to enter. Such men are just as much 'professional' in our opinion as if they were on our payrolls.

Surely, it is not part of the educational process to create or permit hypocrisy.47

And so, it was with little discussion and almost no opposition that the "Sanity Code" was adopted. The only change from the original proposal of 1947 was in Section Five relative to recruiting:

Section 5. Principle Governing Recruiting.
No member of an athletic staff or other official representative of athletic interests shall solicit the attendance at his institution of any prospective student with the offer of financial aid or equivalent inducements. This, however, shall not be deemed to prohibit such staff member or other representative from giving information regarding aids permissible under Section 4.48

The effect of this change was to permit off-campus recruiting by athletic staff members.

Finally, the Executive Committee concocted administrative machinery in order that the provisions of the "Sanity Code" might be enforced. First, the Constitutional Compliance Committee, made up of three individuals, was charged with interpreting the code, receiving complaints, and determining the propriety of

47New York Times, 9 January 1948, p. 27.

conducting an investigation. Next, in the event that an investigation was deemed necessary, a fact-finding committee consisting of three members and drawn from a standing panel of fifteen would actually conduct the investigation. Then, to finish the process, the fact-finding committee would deliver their report to the NCAA Council and, in turn, the Council would refer the matter, along with a recommended course of action, to the NCAA membership at the following national convention.\textsuperscript{49} Dr. Karl E. Leib of the University of Iowa and the president of the NCAA admitted that loopholes still existed and that he was worried about this fact. But he suggested that, "eventually we will have to extend and strengthen the code. However, we are on the right road and are determined to continue along it."\textsuperscript{50}

At a round table discussion conducted the following year by H. C. Willett of the University of Southern California, representatives from across the nation reviewed NCAA eligibility rules and interpretations thereof. As chairman of the Eligibility Committee, Willett had developed

\textsuperscript{49}\textit{New York Times}, 9 January 1948, p. 27.
a comprehensive perspective on the variations in interpretation from location to location and so conducted this review in an attempt to develop a consensus view.

The "Regular Status Rule" which required "that a student must be admitted according to the published standards of his college" was not discussed because no questions had ever been raised regarding this rule during the tenure of Willett. At the conclusion of the meeting the panel was asked to express their opinions regarding the advisability of applying eligibility rules to all intercollegiate competition in addition to NCAA sponsored events. Eight members replied in the affirmative while one individual was uncertain, yet the group adjourned without formulating any specific recommendations.51

It was also reported that, despite the fact that the NCAA had not engaged in any punitive actions under the provisions of the "Sanity Code," the state of affairs in college athletics was improving and, it was expected, would continue to improve.52 Concern was expressed about the effect of television on game

51The Nineteen-forty-eight Yearbook of the National Collegiate Athletic Association (San Francisco: January 7-8, 1949), p. 129.

attendance in college sports, and Fritz Crisler, athletic director at the University of Michigan, warned that "if colleges want to get out of television it should be done this year, otherwise it will be so firmly entrenched that public pressure will not permit our withdrawal."\(^3\) The prophecy of Brutus Hamilton, director of athletics at the University of California, was more to the point, "Television is an industrial revolution to which all of us must adjust ourselves."\(^4\)

Another fact of life in American college athletics came to be seen as a problem in 1949, that is, post-season bowl games. An ad-hoc committee reported that some bowls were spending as much as twenty to thirty percent of receipts on promotion, publicity, and public relations while returning as little as forty percent of total receipts to the competing institutions.\(^5\) The membership agreed that the NCAA should control acceptances of bowl-bids and that further study of the situation should be made.\(^6\)

\(^3\)New York Times, 8 January 1949, p. 18.

\(^4\)Ibid.


\(^6\)New York Times, 9 January 1949, Sports Section, p. 3.
After only two years in existence, the "Sanity Code" was put to a show-down vote when, in January, 1950, seven NCAA member institutions faced expulsion from the Association for various rules violations. The membership was split into three general categories: those who supported the "Sanity Code," those who opposed it, and those who favored some modification of the present code.\(^{57}\) The seven institutions which stood accused were Boston College, The Citadel, Villanova, Virginia Military Institute, Virginia Tech, the University of Maryland, and the University of Virginia, and, although a majority of delegates present favored expulsion, the act required a two-thirds majority. The final vote was 111 in favor of expulsion, 93 against, so the effort fell short of success by a mere 25 votes. The move to ostracize the rule-breakers had been defeated by a coalition of southern institutions led by the Southeastern, Southwest, and Southern conferences.\(^{58}\)

This action sounded the death-knell for the "Sanity Code," for at the 1951 Convention the Big Seven, Missouri Valley, and Eastern Conferences joined

\(^{57}\)New York Times, 13 January 1950, p. 28.

those conferences from the South in voting the "Code" out of existence by a margin of 130 to sixty, just three votes over the required two-thirds minimum.59 The Forty-fifth Annual Convention concluded with the adoption of a policy on post-season bowl games. This policy dealt with ticket allocation, division of gate receipts and related topics.60

At the Forty-sixth Annual Convention in January of 1952 a number of specific suggestions were made, but even then no revolutionary changes in eligibility rules were advised. The revolution occurred later in the convention when Amendment D to the Constitution was passed 164 to 55 over the objections of Notre Dame's Theodore Hesburgh, among others. His amendment added paragraph (9) to Article II as follows:

To legislate through By-laws or by resolution of a convention upon any subjects of general concerns to the members in the administration of intercollegiate athletics.61


Clearly, the objections registered by the delegates from Notre Dame were prompted, in large part, by a desire to preserve a lucrative, independent television package. Notre Dame had previously expressed concern about the constitutionality of NCAA control of television appearances, and had declared a desire to negotiate its television pact on an individual basis.\(^\text{62}\) While the new Article II, Paragraph 9 did not remove constitutional concerns in the eyes of everyone, it did eliminate any possible conflict between the provisions of the NCAA Constitution and the actions of the Football Television Committee.

Aigler summed up the impact of the new legislation during the discussion which preceded the vote when he stated that, "all this proposal amounts to, is that legislation can be enacted by this Association by a majority vote without the two-thirds vote which is now necessary for amendment to the constitution." Aigler's understatement belies the degree of democratization and the rate of progress toward strong central authority that will accrue as a result of the seemingly innocuous Article II, Paragraph

\(\text{\textsuperscript{62}}\text{New York Times, 10 January 1952, p. 39.}\)
Aigler's statement also fails to reveal the driving force behind the adoption of this legislation just one year after the less restrictive "Sanity Code" had been thrown out in unceremonious fashion.

As a response to the numerous public disclosures of scandalous conduct within college athletic programs, the American Council on Education had determined to appoint a Special Committee on Athletic Policy. This Special Committee was charged with conducting a comprehensive survey of the current situation in college athletics and developing a set of recommendations. The chair of the committee was Dr. John A. Hannah, President of Michigan State College. Assisting him were John J. Cavanaugh, President of the University of Notre Dame; A. Whitney Griswold, President of Yale University; R. G. Gustavson, Chancellor of the University of Nebraska; Raymond B. Allen, Former President of the University of Washington; John L. Flyer, President of Furman University; Umphrey Lee, President of Southern Methodist University; Victor L. Butterfield, President of Wesleyan University; John D. Williams, Chancellor of the University of Mississippi; John S. Millis, Pres-

---

ident of Western Reserve University; and Albert Ray Olpin, President of the University of Utah. The committee represented all geographical areas of the country and most of the major athletic conferences. This regional balance coupled with the prestige of the committee members themselves lent extraordinary credence to the recommendations of the committee. The ten recommendations were:

I. As in all other educational activities, the control of athletics should be held absolutely and completely by those directly responsible for the administration and operation of the institution. Specifically, the department of athletics should have a place in the institutional structure comparable to that of any other department; it should be subject to the same institutional policy and budgetary controls as are all other educational departments; and members of the department should have the same status as other faculty members of comparable ranks, including that of qualifying for tenure or a long-term contract after a substantial trial period. When this improved status is realized, coaches should not be paid salaries in excess of those paid to other full-time members of the faculty. If there is an athletic board, it should be advisory to the president, and at least a majority of its members should be tenure members of the faculty. They should be elected or appointed as are members of other faculty committees and boards, with provision for suitable rotation of service.

II. Admission standards, as announced in official publications, should apply to all students, athletes and non-athletes alike. All admission procedures should be handled by the regular admission officers and committees of the institution.
III. In order to be eligible for intercollegiate competition, a student should be enrolled in an academic program leading to a recognized degree, and should be making normal progress, both quantitatively and qualitatively, toward the degree. In a four-year course, for example, normal academic progress is construed to mean achievement, year by year, sufficient to permit graduation within four calendar years of the time of matriculation.

IV. No student should be permitted to participate in intercollegiate athletics as a member of a varsity team representing a senior college or university during his first academic year of attendance at the institution.

V. American colleges and universities have historically striven to make educational opportunity available to all worthy students, without regard to economic status. To that end, every institution should make continued efforts to increase the number of available scholarships and grants-in-aid for students of unquestioned academic ability who are in need of financial help. These scholarship funds are doors to educational opportunity. As such they constitute a trust, to be administered in ways consistent with a college's educational objectives for the benefit of young men and women of outstanding ability and promise.

A. The first essential in combatting proselyting and subsidization of athletes is to require that all financial aid to any student, in money or in kind, except that which comes from his own family, be administered by the institution under procedures established for administering scholarships and grants-in-aid to all students. Alumni groups, civic organizations, and individuals may be encouraged to contribute funds for the support of worthy students, but each institution should require that all funds be deposited with the institution for disbursal and control under published policies.
B. Institutions should award and renew all scholarships and grant-in-aid to students on the fundamental basis of demonstrated academic ability and economic need. Promise of superior performance in extracurricular activities, including athletics, may be one of the factors considered in awarding scholarships and grants-in-aid. It should never be the sole factor or even the primary one. Athletes holding scholarships or grants-in-aid should be required to meet the same standards of academic performance and economic need as are required of all other recipients.

C. Reiterating the importance of graduating stipends to individual need, the Committee believes and recommends that any scholarship, grant-in-aid, or combination of financial awards for undergraduate students should be limited both in amount and in time, to the student's actual education expenses for tuition, fees, room, board, and books, incurred during this first four undergraduate years.

D. The Committee believes and recommends that no award should be conditioned by agreement on the part of the student to participate in athletics or any other extracurricular activity. No award should be withdrawn for reasons other than failure to meet the same conditions of scholarship and need as those under which the award was initially made.

E. If the athlete meets his expenses wholly or in part from employment, it is essential that he, like every other student, be required to give an honest hour of work for every hour's wage.

F. Whatever policies may be adopted, the Committee recommends that each institution publish an accurate statement of the qualifications for each available type of scholarship and grant-in-aid.

G. The Committee also recommends that each institution be held strictly accountable for
adhering in practice to its published statements of policy regarding qualifications for scholarships and grants in-aid, including their renewal. Furthermore, the Committee believes that the conditions of each award should be stated in writing to the student when the award is made, and that the institution should be held strictly accountable for adhering to those conditions.

VI. Each institution should clearly state in its catalog the reasons for its program of intercollegiate athletics and its policies with regard to the admission and aid of athletes. Each institution should also release each year to opponent institutions, to regional accrediting agencies, and to appropriate educational and athletic associations the following information:

1. The names of all freshmen and varsity football and basketball squad members with their class standing (for freshmen, senior year in high school), and the nature and amount of financial help, if any, each received during the past year.
2. Figures comparing averages for groups as follows:
   (a) The class standing (senior year in high school) of the freshman football squad, the freshman basketball squad, and other athletes as a group as against the standing of the other male freshmen.
   (b) Comparable figures for freshmen receiving financial aid or work opportunities, giving number, average grant, and total amount for athletes as against other male freshmen.
   (c) Similar figures for sophomores, juniors, and seniors clearly indicating the relative academic performance, the number of grants, and the average and total financial investment of the institution or otherwise, for the athletic groups as against all other male students.

VII. Seasons for the three leading team sports, football, basketball, and baseball, should be clearly defined. The Committee
recommends that all intercollegiate football games and practice be limited to the period between September 1 and the first Saturday in December; that all intercollegiate basketball games and practice be limited to the period between December 1 and March 15; and that all intercollegiate baseball games and practice be limited to the period between March 1 and the end of the Spring semester or term, except for participation in commencement events. No post-season games should be permitted, and the number and frequency of intercollegiate contests should be carefully controlled and periodically reviewed. These recommendations have the following purposes: to eliminate bowl games, post-season tournaments, and in-season off-campus tournaments not under institutional auspices, all of which, in the opinion of the Committee, have exerted great pressure on many institutions to produce winning teams at any price; and to protect students from excessive demands on their time and energies, which should be devoted primarily to academic pursuits.

VIII. All institutions make efforts to attract students of the type and quality best adapted to profit from the academic programs offered. Such efforts, if properly conducted, are valuable since they give prospective students pertinent information about various institutions in which they may be interested. It is essential, however, that the abuses of recruiting athletes be eliminated

A. No member of the athletic staff or other representative of athletic interests should be permitted to offer financial or equivalent inducements to any prospective student; nor should any other person or group of persons, outside or inside the institution, be permitted to do so, except those members of the faculty and staff specifically authorized to award scholarships and grants-in-aid to all students.

B. No institution should conduct, or permit, to be conducted in its name or in its behalf, any program at which prospective students display their abilities in any branch of athletics. This prohibition applies specifically to practice sessions or
tests and to all-star games in which players are recruited from secondary school teams.

C. No institutions should pay the traveling expenses of any prospective student to visit its campus or to take a trip with any of its athletic teams, nor should it permit entertainment of athletes in excess of that offered other prospective students visiting the campus.

IX. Since athletics are agreed to have important educational and recreational values, colleges and universities should make every effort to offer the opportunity of participation to all students.

X. In order to avoid some of the undesirable outside pressures associated with intercollegiate competition, institutions should be encouraged to compete with others having similar policies and programs. The efforts of the several athletic conferences to bring about and to regulate such competition are commended.64

Even before the Committee made public its final report, Hannah and Dr. Arthur S. Adams, the president of the A.C.E. met with the NCAA Council and Executive Committee in order to assure the NCAA officials that the A.C.E. did not intend on usurping the prerogatives of the NCAA, but Hannah did emphasize that "he believed that the accrediting associations, upon which the A.C.E. will rely to enforce its code, could do some things that the NCAA can do only with difficulty, if at all." The President of the NCAA, Hugh C. Willett

admitted that, "some differences of opinion with regard to details contained in the report developed during the discussion," but he pointed out that, it was clear that, "the A.C.E. needs the NCAA's and conferences' active help to realize its goal."65

The next day the membership approved, in overwhelming fashion, the creation of a membership committee, consisting of the NCAA president and the eight district vice-presidents. The membership committee was to serve as a replacement for the Constitutional Compliance Committee which had been eliminated the previous year along with the "Sanity Code" and was designated an enforcement agency although the code which was to be enforced was yet to be put to a vote. Supporters of the new committee held that it, along with the new Article II, Paragraph 9, would provide a much more effective means of maintaining acceptable academic and athletic standards than the mechanism contained in the A.C.E. proposal. This action by the Association came after Dr. Frederick L. Hovde, President of Purdue University, had declared his unqualified support for the A.C.E. proposal and had

stated his belief that "the big majority of college presidents will support the report."\textsuperscript{66}

On the final day of the forty-sixth Convention, the delegates endorsed the "philosophy and general objectives of the A.C.E." by a vote of 116 to 19 but refused to accept the A.C.E. position on post-season contests, spring practice, and they refused to ban athletic scholarships as the A.C.E. had recommended. They did agree to place administration of all financial aid under the supervision of the appropriate university officials.\textsuperscript{67}

It was not until the following year, 1953, that the new membership committee actually received the ringing endorsement of the membership at large when formal approval was registered for the disciplinary actions which had been taken against the University of Kentucky and Bradley University. In fact, at the urging of Willett, outgoing President of the Association, who cautioned that outside agencies would move to regulate NCAA activities unless the NCAA membership adequately policed itself, the convention voted to strengthen the enforcement powers of the NCAA

\textsuperscript{66}New York Times, 12 January 1952, p. 17.

Council, consisting of the president, secretary-treasurer, eight regional vice presidents, and seven at-large members by granting to it, "the authority to take disciplinary action short of expulsion or suspension against offending institutions between annual conventions." The only restriction on Council action was to limit them to the consideration of only those cases referred to them by the membership committee.\textsuperscript{68}

One will recall that, as a fundamental principle of the NCAA, for any student to be eligible for intercollegiate athletics they must have been regularly admitted by the published standards of the institution. It was reported at the Forty-seventh Annual Convention that the Big Ten Conference had adopted new procedures so that "as a check on admissions and academic eligibility, each member institution is required to file with the Commissioner true copies of the entrance credentials and college records to date of all athletes certified as eligible for competition." Although the records were not open to the public, the

several members of the conference were free to examine them.

The following year, Article IV, Section (e) of the By-Laws of the Constitution was amended so that freshman participation on a varsity team at an institution with an undergraduate male enrollment of less than 750 would not be counted as one of the three permissible seasons of varsity competition. The differences in perspective, opinions, and needs between the major sports-playing universities and the small colleges had been growing more significant and apparent for some time. This act represents the first full and open acknowledgement of this fact. From this point on, our discussion will be limited to those institutions which approximate the classification of Division I in 1985.

By 1954, the membership committee faced a backlog of twenty cases of alleged rules violations. They had acted on a total of fifteen cases since their creation in 1952 of which nine had been dismissed. To expedite the review process, the membership committee was eliminated in order that the investigating

---

subcommittee might report their findings directly to the Council:

An effort to set up an eligibility code on a national basis, instead of leaving it to individual conferences or schools, failed. Also defeated was an amendment proposing that freshman and transfer rules, in effect for NCAA championships, should also apply to all intercollegiate contests by making them a requirement for membership eligibility.

These rules already are in force in virtually all the conferences.

The feeling of the delegates was that it was inadvisable for the NCAA to become involved in the minutiae of eligibility rules.\(^7\)

Although it would be some time yet before Article II, Paragraph 9 and its associated legislative opportunities would be applied to academic eligibility, evidence of what was to come was visible as early as 1954.

In 1954, at the Fifty-first Convention, specific limitations were placed on the amount of financial aid an athlete could receive when "athletic ability is taken into consideration in making the award." The limit was described as "commonly accepted educational expenses," which included "tuition and fees, room and board, books and not more than $15 a month for laundry." In addition, an amendment relative to recruiting allowed a member institution to pay for

one trip to campus for a prospect. All external support groups were barred from engaging in such action.71

A year later, Memphis State University received two years probation for granting financial aid in excess of the defined limit. Also, the NCAA investigation of the Memphis State basketball program had "established that three players had been admitted to Memphis State without having fulfilled the entrance requirements as published in the university's catalogue."72

In Cincinnati at the 53rd Convention, the NCAA at last agreed upon a national definition of a full-time student. Despite protests that institutional autonomy was being unduly restricted, the new Article IV, Section 1, Paragraph C read that:

He must, at the time of competition, be registered for at least a minimum full-time program of studies as defined by his institution, which, in any event, shall not be less than 12 semester or quarter hours; or, if the competition takes place between terms, he must have been so registered in the term immediately preceding the date of competition. (NOTE: The required minimum of 12 semester or quarter hours shall become effective as of September 1, 1959).


The motion was carried 97-81.  

Two years later the NCAA passed the five-year rule. This specified that an athlete must complete his eligibility within five years of his date of first enrollment in college. Years spent in the military or on compulsory church missions were exempted from the five-year limit. But:

By far the most important development at the National Collegiate Athletic Association convention at Pittsburgh was the association's controversial decision to extend its controls into previously ungoverned areas of in-season competition.

Heretofore its eligibility requirements for sports participation had been almost exclusively limited to NCAA championship meets and tournaments. Matters of every day eligibility previously had been settled on the conference or institutional level.

The NCAA took this far-reaching step by adopting an amendment that added a 'fundamental policy' section to its constitution.

The new section reads: 'It is the fundamental policy of this association that legislation governing the conduct of the intercollegiate athletic programs of member institutions shall be obligated to apply and enforce this legislation and the enforcement program of the association shall be applied to an institution when it fails to fulfill this obligation.'

---


74New York Times, 12 January 1961, p. 34.
Over strenuous objection by many college sports administrators who felt that the provision too sharply curtailed individual rights and responsibilities, the amendment passed by a one-vote margin.\textsuperscript{75}

The NCAA, originally an advisory body with no power or intention of interfering with institutional autonomy, had now become an organization with the authority to investigate and punish member institutions. Further, the Association held the prerogative of policing the daily activities and policies of the membership. The bailiwick of the NCAA was now defined as the sum total of college athletic activities and it only remained to develop more specific operational guidelines.

One significant challenger to NCAA control of American amateur sport in the 1960's remained powerful and intransigent, the AAU. Throughout the 20th century these two organization had tussled over control of amateur sporting events. Frequently, the conflict became particularly intense as the next Olympic Games drew near. In April, 1960, the NCAA quietly canceled its Articles of Alliance with the AAU,\textsuperscript{76} articles which


had been in effect since the late 1940's. The ostensible reasons for such cancellation as declared by the NCAA Council were:

1. Inconsistent administering of rules and regulations.
2. Inadequate administration of eligibility requirements.
3. Lack of harmony and goodwill in arranging and controlling foreign sports trips.
4. Inability to secure necessary cooperation with sister organizations to advance the best interests of amateur sports.

As the conflict caught the attention of the media, relations between the NCAA and the AAU became even more strained. The NCAA responded by creating sports federations in track, basketball, and gymnastics and by authorizing the Council to take matters to the federal government if necessary. Support for this action generally was provided by high schools, junior colleges, the Armed Forces, and the YMCA. The coup-de-grace was a total ban on participation in all organized, outside basketball competition by college

---


78Flath, p. 139.

athletes. This was interpreted as a direct affront to the AAU.

The duel grew in ferocity until the Attorney General of the United States, Robert F. Kennedy, was forced to mediate. Eventually, retired General Douglas MacArthur was able to effect a truce in time for the 1964 Olympic Games. Unfortunately, open warfare was again the rule by the start of 1965.

As the 1950's became the 1960's, NCAA academic eligibility was affected by a new phenomenon that has played a greater role ever since. Specifically, the reference is to standardized entrance examinations. Oliver K. Cornwell of the University of North Carolina expressed his pleasure at the rapid spread of the use of these examinations and concluded by stating his conviction that the "results are going to be very worthwhile."

He went on to discuss the attempts of conferences to deal with the most pressing problems of intercollegiate athletics and listed entrance

---

80 Ibid., p. 4.
83 1958-1959 Yearbook of the National Collegiate Athletic Association, p. 56.
requirements as one of those requiring most immediate attention while Robert F. Ray of the University of Iowa reported that the Big Ten was looking into the feasibility of establishing "an academic basis for grants-in-aid to entering freshmen." Ray continued by expressing the belief of a conference member that in order for a freshman to receive a grant-in-aid he must have graduated in the upper half of his high school class or have maintained a "C" average during his senior year. He concluded by stating that college athletics, as a whole, were in good shape but admissions policies represented one of the few serious problems.

These men gave further weight to the decision that the NCAA Council had made on August 3, 1960 at a meeting in Denver when they directed the officers of the Association to appoint a special committee to "study the feasibility of a minimum academic requirement for the awarding of institutional aid to incoming student-athletes." 

---


85 Ibid., pp. 62-65.

86 Ibid., p. 115.
At the Fifty-sixth Annual Convention, Ray of the University of Iowa delivered the report of the NCAA Committee on Financial Aid-Academic Floor. He was assisted in his presentation by Ted McCarrell, Dean of the Division of Student Services at the University of Iowa. Although the remaining members of the committee were unable to be present they were Rixford Snyder, Stanford University; Dean S. Trevor, Knox College; and James H. Weaver, Atlantic Coast Conference.

Ray began by explaining the rising numbers of those who desired to attend college and the impact that this fact would have on academic standards. The result of this improvement in standards was increasing pressure on those in athletics to recruit academically qualified student-athletes in order to avoid creating a double standard on campuses. He went on to explain the need for those in athletics to be leaders in society, and this leadership included setting respectable academic standards. Ray claimed that the Big Ten Conference had assume this leadership position when in December, 1961, they adopted regulations that made eligibility for an athletic grant-in-aid contingent upon demonstration of "academic promise, as demonstrated by rank in class and achievement on College
Board or ACT tests." A regression table was developed on which a high school senior had to predict a grade point average of 1.700 for his freshman year of college.

McCarrell was then introduced in order that he might explain the development of the regression tables at the Big Ten institutions. He began by stating the objectives of the conference:

1. We want athletic students who enter institutions to have a good chance of achieving a degree in four years.

2. I think most of us, if we think seriously, would like to think that the athletes who represent us are fairly decent representatives of the male students in our colleges.

3. I think most of us would agree, for the most part, we would like to see something happen so we can be sure that if we give financial aid to a boy at entrance he will not turn out to be an individual who is so single-minded he will have an interest only in sports. I have a personal conviction that many of these problem cases that we have had in the past, which have given athletics a bad name with some people, came from this group that really had no potential need for college.

4. I think all of us want some sort of rules to assure ourselves if we are going to continue eligibility, the student should be making some progress toward an objective such as earning a degree in, say, four years.

According to McCarrell, in the Big Ten study of male students, if the student had achieved at least a
1.7 at the end of his freshman year, 1.8 at the end of the sophomore year, and 1.9 at the end of the junior year, his chances of graduating were quite good. The question that remained to be answered was, how to predict performance during the freshman year. Tests were a useful tool but "examinations can not measure such things as motivation, encouragement, the change that takes place normally as people grow up." The investigators discovered that it was possible to predict freshman performance with some degree of accuracy when both test scores and high school rank were considered. Thus, the prediction tables listed those minimum performance levels at which there was at least an even chance of graduating. As stated before, the Big Ten adopted this plan in December, 1961.87

At the Fifty-seventh Annual Convention, held in Los Angeles on January 7-9, 1963, the representative of the Fourth District, Robert F. Ray, reported that two conferences in his district were considering establishing eligibility requirements for the awarding of financial aid to athletes. The two conferences were the College Conference of Illinois and the Midwest Collegiate Athletic Conference. Neither conference had

871961-1962 Yearbook of the National Collegiate Athletic Association, pp. 190-204
finalized the legislation at the time of the convention. Ray went on to report that the Mid-American Conference had revised eligibility standards in such a way that they were now in conformity with the Big Ten Conference. 88

The following year Marcus L. Plant of the University of Michigan revealed the results of the first year under the 1.600 prediction formula for financial aid eligibility in the Big Ten Conference.

He reported that according to Commissioner William R. Reed:

> The median rank in class of entering freshmen under grant-in-aid was the 73rd percentile; the median SAT score was 990; the median ACT score was 22. Whereas the attrition in freshmen classes generally is reported to run as high as 40 per cent, we lost only about 10 per cent of our freshmen athletes last year for academic reasons. 89

At the same convention, James K. Sours of the University of Wichita, spoke of a survey that had been conducted among schools in the Fifth District regarding

---


the formulation of national minimum academic standards for the awarding of athletic grants-in-aid. Fifteen institutions preferred little or no involvement on the part of the NCAA with views like the following being expressed:

1. Standards between various conferences and universities vary too widely to make this reasonable.
2. . . . should be done at the conference and institutional level. Too hard to do on a national basis.
3. The NCAA is too much of a heterogeneous organization to establish academic criteria to cover all its members.

Concurrently, ten members felt that the NCAA should be more involved and expressed this belief, in this fashion:

1. Unless (the NCAA) maintains high academic criteria for its member institutions, the entire association will suffer.
2. There seems to be a wide gap between criteria for granting aid to other students.\(^90\)

Later, James H. Weaver of the Atlantic Coast Conference reported for the Committee on Academic Testing and Requirements that Dr. Arthur Mittman of the University of Oregon had agreed to direct the research effort in order to determine a 1.600 prediction formula for each institution, conference, and for the

\(^{90}\)Ibid., p. 73.
membership as a whole. Once again the minimum standard for eligibility for grant-in-aid was at least a predicted 50/50 chance of graduation. At the time of Weaver's report, 77 institutions had agree to provide Mittman with the necessary data.91

The following year, the ball was picked up and carried by the Long Range Planning Committee after lengthy consultation with the Committee on Academic Testing and Requirements. It was proposed by these two committees that the NCAA Council sponsor the legislation that follows:

A member institution shall not be eligible to enter a team or individual competitors in any NCAA-sponsored or sanctioned event (or be eligible to participate in the NCAA-controlled football television program), unless the institution:

1. Limits its grants-in-aid, or scholarship awards (for which the recipient's athletic ability is taken into account) to only those incoming student-athletes who have a predicted minimum grade point average of 1.600; and

2. Limits its subsequent grant-in-aid awards and eligibility for participation only to student-athletes who have a grade point average, either cumulative or for the previous academic year (as defined by the institution), of 1.600; and . . . that (a) any student granted aid, or competing in violation of these minimum standards, shall be ineligible for any NCAA competition as defined above; and that (b) any institution which does not comply shall

91Ibid., p. 282.
be ineligible for any NCAA competition, as defined above, for a period of two years.

As evidence in support of the worthy nature of this piece of legislation, it was reported that the 1964 Conference of Conferences had endorsed the proposal by a vote of 48-6.92

It seems that, although pressure to establish standards of this nature had been growing for some time, the most immediate event that had provided the critical impetus was a report on the image of college athletics presented the previous year by Wiles Hallock of the Pacific Eight Conference. In this report, Hallock had suggested that with respect to public image one of the primary areas for concern was the "academic status of the aided athlete." As a result, the Committee on Academic Testing and Requirements had undertaken to study this problem and had been granted the requisite funds by the NCAA. The introduction to the Committee's report offered a two-pronged rationale for universal concern:

1. From an economic standpoint, it is essential that these awards (athletic grants-in-aid) be based upon measures that give reasonable assurance that the

student-athlete will be able to compete in the classroom as well as on the playing field.

2. Further, it is consistent with the philosophy of higher education to expect the student-athlete to be representative of the male student population at the respective institutions.

The study was conducted in the following manner. A sampling of conferences listed in the membership along with the institutions within the selected conferences, plus a representative number of independents were chosen. In the case of institutions with less than 500 male freshmen all freshman males were included in the study, while in larger institutions a sample of 500 was drawn for the study. Of the 89 institutions contacted, 82 agreed to participate and 65 eventually supplied data. Many of those which did not participate were simply unable to do so because of insufficient date.

The study was limited by the arbitrary selection of conferences and independents for inclusion in the study. The data analyzed were only those data that were available from most institutions. Finally, a multiple regression analysis was performed. The result was the development of an expectancy table by which prediction could be made regarding probability of academic success.
Mittman explained that if a university recruited a large number of individuals who predicted right at the 1.600 level on the expectancy table, approximately 80 per cent of them would have achieved at least a 1.600 cumulative grade point average at the conclusion of their freshman year. In an effort to allay fears that large numbers of otherwise qualified athletes might be eliminated by the proposed standard, Mittman argued that, despite the fact that 50, 60 or 70 per cent of these individuals who would be eliminated might achieve a 1.600 after one year of college, there were actually very few individuals below this 1.600 prediction level. Nowhere were race, sex, or socio-economic status mentioned as factors that were considered as related to predictability. Clearly, the 1.600 level was not sacrosanct but chosen because of the predicted graduation rate and because it seemed to be fair to the greatest number of institutions. In fact, expectancy tables were prepared based upon the national sample, based upon each conference, and based upon each institution.

Next, Mittman spoke to the question of implementation of these new standards by those individuals, especially coaches, who actually do the recruiting. He cited an example of a student in the 99th
percentile of his high school class who scored a 7 composite on the ACT. Mittman suggested that this would not pose a problem because, "I doubt if any college would take him," but in any case, a simple review of the expectancy table by the individual involved would clearly indicate his recruitability. Finally, Mittman recommended that only the ACT or the SAT be used in determining eligibility because of the great need for security. Security aside, the study group had developed correlation tables for four standardized tests: ACT, SAT, SCAT (School and College Ability Text), and the College Qualification Test; against both high school grade point average and high school class rank. Mittman concluded by stating that either class rank or grade point average could be correlated with standardized test scores since his studies had demonstrated that they were almost equally reliable.

The discussion that followed this presentation included a number of interesting points that further highlight just how minimal the 1.600 standard was. Jesse Mason of the Georgia Institute of Technology pointed out that an individual with a 2.0 in high school would need to score somewhat less than a 500 SAT in order to qualify at the 1.600 level. Further, the
average high school grade point average for the sample was 2.998 so, clearly, 2.0 represented a level significantly below the mean.

The reasoning of the individuals who had met as members of the Conference of Conferences in Denver during the previous summer and had expressed their formal support for the legislation, was presented by Robert F. Ray, President of the NCAA. He argued that although some believed 1.600 to be too low, in fact, at the time, the floor for the awarding of athletic financial aid could best be represented as a vacuum. Conversely, there were those who argued that the 1.600 standard was too high. Ray countered by suggesting that the "general public reaction" might be less than favorable to a "minimum basis...something like C-minus, or really a D-plus, because unless I can't calculate very well any more, 1.600 can be accumulated with a larger number of D's than C's [sic]." Ray offered as additional evidence in favor of the legislation the experiences of the several conferences that had implemented similar provisions at an earlier date. It seems that these conferences had experienced reduced attrition rates and stronger beliefs, on the part of their respective faculties, that the aided student-athletes stood a reasonable chance of success in the
classroom. Willis J. Stetson of Swarthmore College added that the implementation of the legislation in the form of an amendment to Article IV, Section 6 of the NCAA By-laws would serve as a useful aid to many institutions in their on-going efforts to upgrade academic standards.93

On Wednesday afternoon, January 13, 1965, President Ray reconvened the Business Session of the Fifty-ninth Annual NCAA Convention. Some time later, Lawrence C. Woodruff of the University of Kansas moved the adoption of Proposal G as an amendment to Article IV, Section 6. After receiving a second, Woodruff proceeded to explain that, as a believer in Jeffersonian democracy, he was pleased to remind the delegates that this amendment represented a grass-roots movement, that over 40,900 individual performances had been analyzed in order to establish a fair and reasonable standard, that this was a serious effort to eliminate financial waste by reducing the rate of attrition, and that this amendment would enable the membership to "dignify the term scholarship." Woodruff continued by stressing his sincere belief in the tremendous public relations value of such a piece of legislation, by reassuring the delegates that more

93Ibid., pp. 241-252.
complete and reliable prediction tables would be prepared in the event that the amendment passed, and by reiterating the arguments against those who felt that the 1.600 standard was too high or too low. Finally, Woodruff quoted the chairman of the Committee on Academic Testing and Requirements, James Weaver, "I can't imagine any faculty representative voting down a 1.600, barely a D-plus, as a floor for academic performance and facing his faculty colleagues when he gets home."

After an effort to table the amendment was defeated 30-163, the convention approved the amendment which was now to apply to student-athletes first entering member institutions January 1, 1966, and thereafter.  

It is interesting to note that the amendment was added to Section 6 of Article IV pertaining to institutional eligibility rather than individual eligibility and read as follows:

(b) A member institution shall not be eligible to enter a team or individual competitors in an NCAA-sponsored meet, unless the institution:

(1) Limits its scholarship or grant-in-aid award (for which the recipient's athletic ability is considered in any degree) to incoming student-athletes who have a predicted minimum grade point average of 1.600 (based on a maximum of 4.00) as determined by demonstrable institutional, conference or national experience tables; and,

\footnote{Ibid., pp. 321-327.}
(2) Limits its subsequent scholarship and grant-in-aid awards and eligibility for participation to student-athletes who have a grade-point average, either accumulative or for the previous academic year, of at least 1.600. (NOTE: Institutions which do not conform to the foregoing requirements shall be ineligible for NCAA-sponsored events until they have operated in conformity for a period of two years.)

The NCAA now had in place rules for both initial and continuing academic eligibility.

Conclusion

By 1965, the NCAA only vaguely resembled its predecessor of 1905. The organization that had been founded upon the principles of faculty control and institutional autonomy had become a bureaucracy with a budget, an agenda, and momentum of its own. While faculty representatives still conducted the business of legislating, the actual work of executing such rules and regulations as the faculty deemed appropriate fell to the growing, permanent staff of the NCAA national office. Many judgments and decisions of real import were taken by this professional staff. The issue of institutional autonomy, while frequently invoked during convention debates, was in fact little more than an historical curiosity by 1965. Few faculty members

---

\[95\text{Ibid., By-Laws, p. 37.}\]
possessed the time, interest, or most, important, the
time, interest, or most, important, the
expertise to "control" athletic matters and even fewer
institutions could claim the financial strength or
political courage to bolt the NCAA structure.

The national office of the NCAA was created in
the late 1940's in order that Association business
might be conducted throughout the year. The Executive
Director and his staff were charged with maintaining
continuity from convention to convention and with
supporting the several committees and the Council which
met and discharged official business during the year.
It was only natural that this central bureaucracy
would develop its own perspective on athletic matters
as they became more familiar and comfortable with their
environment. In a relative sense, the national staff
became recognized as expert, for it was they who were
able to bring an historical perspective to legislative
discussions and controversies. As experienced faculty
representatives were replaced by neophytes, the
relative degree of expertise held by the national staff
grew in proportion. They were often the only individ­
uals present who were able to recall from personal
memory past discussions and decisions.

As is typical of healthy and wary organi­
zations, the NCAA jealously guarded its turf from
outside intruders and its reputation from tarnish. This fact was manifested repeatedly as the media, the A.C.E., and even member conferences stimulated progressive action through criticism and, occasionally, through threats of interference or corrective action. The "Sanity Code" of 1948 was the direct response to media and public outrage over corruptive gambling activities linked to college athletics and to disgust over the hypocrisy associated with prevalent recruiting and subsidizing activities.

Although shortlived and so ultimately unsuccessful, the "Sanity Code" represented an important step forward for the NCAA as it created, for the first time, an investigative machinery, the Constitutional Compliance Committee, with the authority to receive and investigate allegations of improper conduct. The "Code" also addressed the major areas of athletic policy that frequently were the source of contention between member institutions, although it did so in somewhat unsatisfactory fashion. Specifically, the "Code" addressed the issues of financial aid, recruiting, and, in a general way, academic eligibility.

Financial aid was to be based exclusively on demonstrated need, while athletic ability was not to be a consideration in the awarding of such aid. Off
campus recruiting was prohibited in the original draft document, but the final version of the "Code" did permit athletic staff members to travel off-campus for the purpose of soliciting the enrollment of prospective student-athletes. Finally, a broad statement on academic eligibility simply indicated that student-athletes should be admitted according to published standards and should remain in "good standing" throughout the period of their competitive lives.

Ostracism represented the means of penalizing those institutions found to be in violation of the stated principles of the "Code." In the event of a declaration of guilt, law-abiding institutions were expected to refrain from scheduling contests with the guilty party, making the ultimate penalty one of a loss of revenue and prestige. While the success of this type of penalty is problematic, it is clear that no penalty, however just and appropriate, can work effectively without first being applied. This required an affirmation of guilt, by the membership, an event that was most unlikely at the time that the "Sanity Code" was in force for imposition of penalty required a two-thirds vote of the membership. On the one significant test-vote on the "Code," a sizeable majority voted to apply the penalty, but, despite overwhelming
evidence, the Council was unable to gain the requisite two-thirds majority. This event effectively emasculated the "Sanity Code."

Just two years later, external pressure again rose to irresistible levels as the A.C.E. issued ten general guidelines for the conduct of intercollegiate athletics. Many of the A.C.E. proposals were, quite simply, unacceptable to athletic officials and coaches and very likely would have proven unenforceable. Nevertheless, the A.C.E. had designed an enforcement mechanism via the higher education accrediting agencies, could claim widespread support among university presidents throughout the country and so appeared to be a legitimate threat to the hegemony of the NCAA.

The Association responded with new legislation which created a membership committee charged with preparing briefs on allegations of rules violations and then presenting these findings to the Council for their consideration. Further, the Council was empowered to act between Conventions, thus providing for continuous and more efficacious enforcement of the rules. The membership also agreed to place all financial aid awards under the purview of the appropriate university personnel while admitting openly that, from this time
forward, athletic ability was a legitimate criterion to use in making judgments in awarding financial aid.

Two factors permitted the membership committee to succeed in its assigned duties. First, Article II, Paragraph 9 allowed the faculty representatives to legislate via the By-Laws of the Association. Approval of additions or deletions to the By-Laws required a simple majority vote, thus decreasing, to a great extent, the likelihood of a hamstrung convention. Second, the NCAA managed to successfully take charge of bowl games, football television appearances and revenue, and the ever-growing NCAA championship basketball tournament. Each of these activities became enormously lucrative during the 1950's and 1960's and so served as a powerful and effective lever for the NCAA Council in its enforcement activities. It is ironic that the very activities which added to the pressure to win and, by implication, to violate rules—bowls, television, tournaments—also provided the NCAA with the means of establishing firm central control over American college athletics. Individual institutions were caught between the proverbial rock and hard place, for they could not afford to violate rules and be barred from NCAA events nor could they permit their competition to violate rules and gain an unfair
competitive advantage. The only sensible course of action was to support and strengthen the central authority of the NCAA. The risks associated with any other strategy were simply too great.

Adjustments remained to be made in regulations relating to financial aid and recruiting. It is likely that small adjustments will always need to be made from time to time, but in 1957 two major definitions emerged from the NCAA Convention. Permissible financial aid was defined as and limited to "commonly accepted educational expenses." This included tuition and fees, room and board, books, and up to but not more than, $15 per month for laundry and other incidental expenses. Recruiting rules were adjusted to limit institutions to providing one paid visit by a prospect to their campus.

In 1959, the Association established a minimum standard for a full-time student, a requirement for eligibility for financial aid and participation in NCAA events, as not less than twelve semester or quarter hours. Finally, in 1961 the NCAA was granted authority to apply its rules and regulations to all in-season athletic events as well as NCAA sponsored and sanctioned events. This idea was first discussed in 1949 when general support for the concept was expressed, but at that time no action was taken. With the
development of a workable enforcement procedure and with the granting of authority to the NCAA to investigate in-season observance of the rules during the course of investigating allegations of other rules violations, the NCAA had now established, in a sense, year-round control over college athletic activities.

The one area which remained poorly regulated was academic eligibility. The rules were nebulous and investigations seldom dug deeply into academic matters. While it is true that education, per se, had not been discussed as an activity of primary value in the whole scheme of NCAA activities, it is also true that the incredible heterogeneity to be found in American higher education militated against a universal national standard for academic eligibility. As institutional admissions practices became more homogeneous, particularly with respect to the use of standardized entrance examinations, it became more possible to establish a single national standard for initial eligibility.

Again, the NCAA was prodded into action by external forces. In 1961, the Big Ten Conference had implemented a qualifying standard for athletic financial aid, and early reviews indicated that the legislation was accomplishing its purpose. Soon after,
Wiles Hallock delivered a report to the NCAA which confirmed what many had suspected for some time. The public image of the NCAA was suffering major damage as a result of the public view that aided athletes were, all too often, not legitimate students. The response of the Association was the development and application of the 1.600 standard for both initial and continuing eligibility. In fact, it was institutions that were restricted by the new standard, as they were prohibited from allowing non-qualifiers, as defined by the 1.600 rule, from receiving financial aid or competing in order that the institution might remain eligible for the NCAA events. Originally compliance with the 1.600 rule was listed as a prerequisite for participation in the NCAA football television package, but it was the view of the majority that this was a bit too draconian so the provision was dropped from the final legislation. The NCAA was unwilling, at this time, to establish academic eligibility standards that applied directly to student-athletes.
Chapter V
The First Attempt Of The NCAA To Enforce
Minimum Academic Eligibility Standards

Introduction

The launch of Sputnik in 1957 ignited a drive for excellence in American education which resulted in a return to the traditional liberal arts curriculum:

Able students were encouraged to enroll in advanced courses and to work hard to get into elite colleges. Standardized achievement scores rose steadily, as did high school enrollments in advanced academic courses. For the first time in the twentieth century, foreign language enrollments grew: in 1955, only 20 percent of high school students were studying any foreign language, a figure that rose to 24 percent by 1965.1

The ten-year rise in average test scores which occurred between 1955 and 1965 was especially important because the use of test scores in the admissions process increased dramatically during this period. This was necessary because of the tremendous diversity among

American high schools and because of the explosive growth in the number of applicants to American colleges and universities.\(^2\) In fact, the baby boom generation first began to join the college ranks in significant numbers in 1964 and 1965.

Despite the fact that higher education officials had known for some time that enrollments were due to increase, in many cases they failed to expand existing faculties and facilities. These physical shortcomings coupled with the drive for excellence that was a consequence of the Sputnik hysteria, resulted in a general trend toward selective admissions in higher education.\(^3\)

Then, too, American society at large had come to accept a sort of "general meritocratic rule" that some argued was "an inevitable feature of highly organized societies with a very specialized division of labor." Despite ambivalent feelings among many people,


meritocracy was becoming an ever more prevalent feature of American culture as faculties moved to apply meritocratic standards to undergraduate admissions.4

The mechanism which came to dominate the transition from high school to college was characterized by quantified estimations of past academic performance and academic aptitude or achievement:

Colleges select students on the basis of high school grades and entrance test scores because both have been found to correlate with college grades and because the combination provides a better prediction than either one alone. School grades predict college grades because the traits and habits that enable a student to do well in high school are likely to persist when he enters college. Any student of good native intelligence, particularly if he has the advantage of a stimulating home background, can make good grades by working hard, reading what he is told to read, carrying out assignments on time, and giving on examinations the kind of answers teachers prefer. Entrance examinations give a better indication of intellectual capacity because they are scored against national norms while high school grades differ from one school to another.5

The use of standardized entrance examinations to determine eligibility for admission to higher


education was soon to become a controversial practice but in the early 1960's:

most educators saw tests as a democratizing rather than an aristocratizing influence. They assumed that academic ability was far more evenly distributed than social status or economic power, and that if the educational system could dole out rewards on the basis of academic performance it would be a major avenue of social mobility. The typical debate over college admission policy therefore found conservatives arguing that academic competence was not everything; that the sons of alumni had a 'claim' on their college; that it was important to have 'well-rounded' boys who had a potential for 'leadership' (criteria that usually seemed to produce an entering class full of not necessarily interesting but usually well-bred Anglo-Saxon youngsters from middle-class families); and that the college should not simply admit students 'by the numbers.' Liberals, on the other hand, usually saw these arguments as manifestations of snobbery and urged that the college seek out the ablest students it could find, wherever they might come from. They defended this position partly by urging the importance of 'equal opportunity,' social mixing, and the like, but mainly by arguing that since the college was 'really' an academic institution, it had no business judging its members by any standard other than their on-the-job competence.6

For the most part, liberals won this battle despite the fact that much evidence remained that there was considerable variance between test scores and college entrance opportunities. Unfortunately, it soon became apparent that the exclusive use of test scores in rendering admissions evaluations would again favor

---

6Jencks and Riesman, pp. 121-122.
those who came from the most privileged backgrounds. This discovery was soon accompanied by "a rising crescendo of protest, especially from the civil rights movement and others who believe in a more egalitarian society, against the use of tests to select students and allocate academic resources." 7

The American College Testing Program had long reported that "perhaps the most reliable research finding in education is that high school grades are predictive of college grades." 8 Still the purpose of employing standardized examinations was to raise the admissions process from "the realm of gross error closer to the realm of calculated risk." 9 Yet, "the problem in such an approach has been to find predictors that are relatively independent of one another. Since school grades and test scores are not perfectly correlated, they can be used together and the combination will ordinarily provide somewhat improved

7Ibid., p. 122.


estimates of probable college success."\(^{10}\) Research had demonstrated that:

the most prognostic combination of independent variables include: (1) high school marks and intelligence test score, (2) high school marks and aptitude test score, and (3) intelligence test score and achievement test score. The additional of a third or fourth predictive variable added very little to the size of the correlation co-efficient. The Pearson product-moment correlations associated with each of these factors are (1) high school scholarship -.56, (2) general achievement scores -.49, (3) intelligence test scores -.47, (4) general college aptitude test scores -.43, and (5) special aptitude test scores -.42.\(^{11}\)

Furthermore:

it was found that: in multiple-variable prediction of first semester GPA, it appears to make little difference whether high school percentile rank or high school GPA is used and little difference whether SAT or ACT scores are used, although students presenting SAT scores for admission tend to be an academically more select group.\(^{12}\)

So, policy makers recognized that, individually, high school grades or class rank and test scores, either aptitude, achievement, or intelligence, would correlate

---

\(^{10}\)Ibid., p. 29.

\(^{11}\)Harley F. Garrett, "A Review and Interpretation of Investigations of Factors Related to Scholastic Success in Colleges of Arts and Science and Teachers Colleges," pp. 91-138, as cited in David B. Wagner, p. 29.

with high school grades within the range of .40 to .60, while "multiple correlations using two or more of these in combination would usually be in the range of .55 to .65,"\(^{13}\) permitting them to account for about a third of the variance in predicting college academic performance. Finally, studies had indicated that:

> the range of talent or the 'homogeneity of ability' within the student sample was the most significant factor in the variation of correlation coefficients between institutions. The standard deviation of the SAT score is used as an indicator of homogeneity. It has been found that the larger the standard deviation the greater chance that the correlation coefficient might be substantial. The reverse of this is also true. The lower the standard deviation of the SAT score, the lower the coefficient can be anticipated to be.\(^{14}\)

An unusual and interesting confluence of events occurred around 1965 and thereafter. This confluence caused a reversal in the decade-long rise in average SAT and ACT scores across the nation, resulting in a relaxation in admission standards and an easing in the drive for academic excellence that had been the response to Sputnik. In turn, many individuals


demanded a reevaluation of admissions policies which restricted access to higher education, especially for minorities, through the vehicle of standardized test scores.

In 1975, "the College Entrance Examination Board announced that scores on its Scholastic Aptitude Test had fallen steadily for a decade." Many labeled the "open education" movement as the primary culprit, but the cause of such a significant and far-reaching trend was much broader:

During the decade after 1965, political pressures converged on schools and universities in ways that undermined their authority to direct their own affairs. New responsibilities were assigned to educational institutions, even as effective authority was dispersed widely among students, faculty, unions, courts, state and federal regulatory agencies, state legislatures, Congress, the judiciary, and special interest groups. Educational administrators found themselves in the midst of unfamiliar power struggles.

Events which had a direct bearing on higher education were the landmark civil rights legislation of 1964 and 1965, student activism and the associated military draft deferments, the demand for "relevance" in the curriculum and the concomitant retreat from liberal

15Ravitch, p. 255.
16Ibid., p. 267.
17Ibid., p. 280.
arts requirements, and finally the escalating volume of demands that admissions policies be reevaluated in light of indications that standardized examinations were discriminatory.

"As the racial crisis and the urban crisis became the nation's most pressing problems, the Cold War competition with the Soviets moved to the back burner and lost its motivating power. Before long, the pursuit of excellence was overshadowed by concern about the needs of the disadvantaged." Affirmative action, originally defined as a policy to ensure equal opportunity for the disadvantaged became, more and more, a policy to guarantee equal results for those groups:

Unwilling to risk federal grants, universities usually complied, but individual professors unleashed a barrage of criticism against affirmative action. Their concerns were, first, that academic merit (intellectual ability, teaching experience, scholarship, recognition by one's peers) should be the only consideration in selecting faculty members; second, that the pressure to hire minorities and women would force universities to hire less qualified people; third, that white males would be the victims of 'reverse discrimination'; fourth, that the issue gave federal investigators access to confidential faculty files, thus endangering the traditional process of peer review among colleagues; and fifth, that government intervention in the internal affairs of the university infringed on academic freedom.19

18Ibid., p. 233-234.

19Ibid., pp. 283-284.
Access to higher education was particularly important for women and minorities in view of the fact that, in 1967, over six million Americans were enrolled in colleges and universities, "a larger proportion of the population than has been so engaged in any other nation at any other time in history." Because there were no compulsory college attendance laws, these remarkable attendance figures demonstrated the enormous importance that Americans attached to gaining a college degree. To many, the degree itself came to be a more desirable objective "than the education it is presumed to represent." Nevertheless, the accepted wisdom held that college attendance was a sine qua non for full participation in the American lifestyle.

Closely linked to questions of access was the controversy which welled up around standardized examinations, for these "criteria tend to discriminate against students from culturally deprived homes in which there is a lack of intellectual stimulation." In fact, "Aptitude tests do not, as was once thought, measure genetic ability. They measure the extent to which a student has developed his ability, be it great

20Woodring, pp. 57-58.
21Ibid., p. 60.
22Ibid., p. 156.
or small, and absorbed or mastered certain skills psychologists and educators think important.\textsuperscript{23}

While no one questioned the claim that standardized examinations when coupled with high school performance were the best tool available for predicting college grades there was some disagreement about just how important college grades were in the final analysis. Some argued that:

\begin{quote}
since everyone agrees that getting high grades is not the proper reason for going to college, and since the correlation between grades and adult achievement, though positive, does not appear to be very high, it seems entirely possible that our 'most selective colleges' are not admitting the ones who would profit most from a college education.

Entrance standards in a selective college ought to be based upon predictions of what a student is likely to achieve with a college education that he could not have achieved without it. The question should be not 'What kinds of grades will he make in college?' but "To what extent is it likely that a college education will enable him to make a greater contribution to society twenty, thirty, or forty years after graduation?'\textsuperscript{24}
\end{quote}

Others argued that predicting college grades was precisely the task of standardized examinations and that that was:

\begin{quote}
precisely why they are so useful. For colleges are much like schools, and the student who was adept at picking up what was expected of him in
\end{quote}

\textsuperscript{23}Jencks and Riesman, p. 123.

\textsuperscript{24}Woodring, pp. 156-157.
school is a good bet to do the same in college, while a student who did not pick up such skills in school is not very likely to do so in college either.

But the important point to bear in mind is that the function of both aptitude tests and high school grades in college admission is merely to predict college grades, and that in this role they do a moderately good job. This is particularly true in extreme cases: a student who has aptitude scores conspicuously lower than his college classmates is quite unlikely to survive in competition with them.25

Even more striking was the claim that there is no evidence that reliance on either high school grades or aptitude tests discriminates against the poor. A student with poor grades or poor aptitude scores is likely to do about equally badly in college whether he comes from a poor home or a rich one. The predictors, in other words, are no more 'middle class' in their emphases than the colleges themselves. . . .

Those who look askance at testing should not, then, rest their case on the simple notion that tests are 'unfair to the poor.' Life is unfair to the poor. Tests merely measure the results. . . .

Nor can we see any reason to suppose that measures of academic competence are more class-biased than in the past. It is true that private colleges now place more emphasis on aptitude scores and less on achievement scores than they did, but this hardly seems likely to have worked against the poor. On the contrary, it was precisely to reduce the advantage of rich and well-prepared prep school boys that subject-matter tests were played down. . . .

But the real point is that children raised in different circumstances necessarily have different hopes, expectations, and

compulsions. We suspect that these differences account for more of the class variation in college chances than all other differences combined.26

Finally, the 1960's were a time of considerable student activism as those of college age:

challenged the Establishment on a curiously assorted variety of issues: the war in Vietnam, the draft, civil rights, the voting age, the laws restricting the use of liquor and psychedelic drugs, laws governing pornography, and the right of either college authorities or the local police to govern the behavior of students on and off campus.27

As is often the case, the number of those who actually subscribed to such anti-establishment positions was never equal to the volume of the uproar which was displayed in the media:

Those who considered themselves radicals were about 3 to 12 percent of college students, depending on the campus and the political climate at the time. On any given campus, the activist radicals who regularly participated in protests were rarely more than 3 percent. Even at the height of the protests, only 25 percent believed that ROTC should leave the campus, only 30 percent believed that professors should not be permitted to do military research, and only 22 percent believed that defense companies should not be permitted to recruit on campus.28

26Ibid., pp. 124, 125, 132, 147.

27Woodring, pp. 75-76.

28Seymour Martin Lipset and Gerald M. Schaflander, Passion and Politics: Student Activism in America, pp. 45-61, as cited in Diane Ravitch, p. 223.
Despite the controversy and confusion which so dominated the campus scene, "enrollments continued to increase and financial support for public and private institutions grew."29 This increase was aided by the coming of age of the baby-boom generation and by the Vietnam war draft which allowed deferments for those males who chose to remain in college.30 Student demands for "relevance" in the curriculum were:

but a pretext for dismantling requirements. In many institutions, there was genuine confusion or disagreement about what knowledge was of most worth: in the large universities, the retreat from requirements was a triumph of specialized research over the liberal arts curriculum, rather than a response to student pressure.

One national survey found that 'the number of institutions requiring English, a foreign language, and mathematics as part of everyone's general education declined appreciably from 1967 to 1974--from 90 percent of the institutions surveyed to 72 percent for English, from 72 to 53 percent for foreign language, and from 33 to 20 percent for mathematics.'31

29Ravitch, p. 224.

30Ibid., p. 226.

The result was a general lowering of academic requirements across the country with a consequent lowering of graduation requirements in the high schools. By 1971, as the lag in facility construction and faculty hiring caught up with enrollment and because the military began to employ the lottery format for their draft "there were an estimated 110,000 vacancies in the nation's four-year colleges and universities." The response was a widespread reduction in admissions standards.

It was in this context that the NCAA proposed, discussed, passed, and implemented the 1.600 rule. The major concerns which prompted the legislation were:

A. The conviction that student-athletes should be representative of the male student population in attendance at the respective member institutions of the NCAA.

B. The image of intercollegiate athletics.

C. The economics of intercollegiate athletic programs.

Clearly, there was a new mood in the air as Americans expressed concern about civil rights, peace, pollution, and college athletics:


For every white youth lifted out of a coal-mining town and every black person taken from the ghetto by an athletic scholarship, there are hundreds of other lower-class youth who have wasted their lives futilely preparing to be a sports star.34

Discussions and Actions of the NCAA: The Era of the 1.600 Rule

While it is true that many conferences and institutions had been operating under their own prediction formulas for several years, there remained many institutions that had never operated under such a standard, so for these institutions the effects of Article 4, Section 6-(b)-(l) remained to be seen. Upon the implementation of the 1.600 rule, Earl M. Ramer of the University of Tennessee reported that in response to an inquiry conducted in the Third District, sixteen of 23 institutions from three major conferences had voiced favorable attitudes while only three were unfavorably disposed. There was some confusion regarding implementation, however, the primary objection seems to have been what was characterized as the unnecessary intrusion of the NCAA in institutional and conference affairs.35

Despite mixed feelings among the membership, the Committee on Academic Testing and Requirements had moved forward by conducting a meeting on April 9, 1965 in Kansas City, Missouri where they compiled a list of recommendations for the NCAA Council including suggested conversion tables and a form to be used in actual implementation.\footnote{Ibid., p. 129.} The Secretary-Treasurer of the NCAA, Francis E. Smiley of the Colorado School of Mines, reported that on January 11, 1966 the NCAA Council had agreed upon the date for filing the institutional choice regarding the type of prediction table to be used as February 15, 1966. This did not alter the previously established effective date for the 1,600 rule of January 1, 1966. Smiley went on to explain the use of the Procedure Manual for Implementation of the 1,600 Rule.\footnote{Ibid., pp. 305-306.}

Despite the overwhelming vote in favor of By-Law 4-5-(b) at the 1965 Convention, certain elements with the Association had supported a number of amendments to the legislation as it had been originally written. Chief among these proposed amendments was that offered by the Southeastern Conference. This proposal mandated a delay in the implementation of
By-Law 4-6-(b) until January 1, 1967. Jefferson Bennett of the University of Alabama reasoned that, although the Southeastern Conference had performed the necessary actions in order to be in compliance, there was still considerable confusion surrounding the recently amended By-Law. Neither Official Interpretations or Round Table discussion with the NCAA Council had cleared this confusion. In fact, Bennett suggested that the confusion had been exacerbated. \(^{38}\) Bennett was confirmed in his confusion by Ramer who, despite his vocal support for By-Law 4-6-(b) a year earlier, now doubted the ability of the membership to comprehend and, thus, develop a commitment to the legislation. He further defended his position by revealing that, on the previous day, the Third District had voted three to one in favor of the amendment for delay. To his credit, he reiterated his support for the establishment of an academic floor but only after complete clarity of design and purpose had been achieved. \(^{39}\)

Additional support for delay in implementation was voiced by Marcus Mapp of the newly formed Gulf States Conference and J. William Davis of Texas

\(^{38}\)Ibid., pp. 306-307.

\(^{39}\)Ibid., p. 307.
Technological College who spoke for the membership of the Southwest Athletic Conference. Both individuals admitted their perplexity with the new standard and the suggested methods of implementation.¹⁰

Opposition to the amendment for delay was expressed by Ray, on the basis that the implementation of By-Law 4-6-(b) had already been delayed for one year in order that the membership might prepare themselves for effecting it. Further delay would result in the waste of many hours of work that had already been devoted to the necessary preparations. Ray also suggested that the public image of college athletics was in jeopardy if it came to appear to the public that the concern of college athletic leaders for academic standards was less than sincere. To counter the three to one vote in the Third District that had favored delay, Ray pointed out that, in the Fourth District, a near unanimous vote in opposition to the amendment had been recorded. There had been only one dissenting vote cast. Finally, Ray reminded the convention that By-Law 4-6-(b) merely established an academic floor for the awarding of athletically related financial aid and did not dictate admissions policy to any institution.¹¹

¹⁰Ibid., pp. 307-308.
¹¹Ibid., p. 308.
Opposition to the amendment was also stated by Arthur R. Reynolds of Colorado State College who believed that despite the fact that the new standard was not perfect, it would very likely be impossible to write a rule that would have complete support among the membership, so, for the sake of public image, the NCAA should press forward by enforcing the new By-Law.\textsuperscript{42}

One must also remember that a number of conferences had initiated similar standards for awarding financial aid to athletes several years earlier. This fact provided anyone who was truly interested with first-hand examples of the type and number of problems that one could expect to encounter when implementing the new standard. President Barnes called for a vote on the amendment to delay implementation of the 1.600 rule and counted 106 in favor and 151 opposed to delay. The amendment failed.\textsuperscript{43}

Immediately, Merk W. Hobson of the Big Eight Conference offered another amendment which suggested a one year delay in Section 1 of By-Law 4-6-(b), that is, in the section which specifically referred to awarding of initial grants-in-aid to incoming freshmen. Hobson argued that this amendment was significantly

\textsuperscript{42}\textit{Ibid.}, pp. 309-311.

\textsuperscript{43}\textit{Ibid.}, p. 311.
different from the one that had just been defeated because it only referred to the section on predicted grade point average while leaving intact the section which established minimum academic standards for continuing students. Again the argument was made that an additional year of research and preparation would clear up a great deal of confusion while also permitting the NCAA to develop a monitoring and enforcement organization that would operate fairly and effectively. Additional support for the amendment came from Earl Lory of the University of Montana who discussed the confusion issue from a new angle. He claimed that the prediction tables were inadequately validated and so could very well eliminate deserving individuals from consideration for athletically related financial aid. He continued with the argument that everyone should have the right to show that they are able to do better than predicted.  

The opposition was led by John A. Fuzak of Michigan State University who reminded the delegates that they had already been granted a one year grace period in which to develop workable prediction tables, and, in the event that they had been unsuccessful in this endeavor, they could certainly use national tables

---

44Ibid., pp. 311-312.
until such time as they were prepared to go forward with the appropriate institutional ones. He felt that the fact that there were those among the membership who had failed to recognize the significance of By-Law 4-6-(b) in January, 1965 was, in itself, insufficient cause for delay. Further, Fuzak considered the explanation contained in the implementation manual to be "clear and forthright." He concluded by suggesting that immediate implementation of By-Law 4-6-(b) would serve as an effective prod to those who had been dilatory in their preparations. Without this stimulus, the problems which supposedly justified delay would appear equally significant the following year.45

Before a vote was called, Jesse W. Mason of the Georgia Institute of Technology astutely pointed out that, as By-Law 4-6-(b) was currently written, Section 2 would not be implemented until 1967 in any case, and so, in effect, this amendment suggested an action which was identical to that which had been rejected on the vote immediately preceding.46 President Barnes called for a vote with the result being a defeat for the amendment, 84-163.47

46Ibid.
47Ibid., p. 313.
The next amendment was an attempt at change in a direction contrary to that of the first two as it was composed of more rigorous standards for athletic grants-in-aid, athletically related employment, and athletic participation. The amendment was presented to the membership for consideration by Edwin D. Mouzon of Southern Methodist University on behalf of the Southwest Athletic Conference. The intent of the proposed legislation was to prohibit those individuals who predicted less than 1.600 from practicing and from receiving any form of institutional financial aid. It was argued that students who predicted so poorly needed every bit of available time for study. Further, it was suggested that the words "for which the recipients' athletic ability is considered in any degree" be removed from By-Law 4-6-(b). 48

Immediate objection was expressed by Mason about the removal of the qualifier "athletic ability." His belief was that this action, taken literally, prohibited the provision of institutional financial aid to any student who predicted less that a 1.600. Max O. Schultze of the University of Minnesota also objected but on the basis that denial of the opportunity to hold a job was simply illegal. Additional

48Ibid.
opposition was provided by Fuzak who felt that this amendment would deny opportunity to individuals because it attempted to control admission policies of member institutions. It was also exclusionary in the sense that once an individual was declared to be ineligible under this legislation, he could never become eligible.\footnote{\textit{Ibid.}, pp. 313-314.}

The objections expressed to the amendment were not objections to its intent but to possible interpretations that could prove punitive or illegal. Robert Johnson of the College of William and Mary concluded that he must oppose the amendment as written, but at the same time he expressed support for its intent. Davis of Texas Tech was vocal in his support of the intent of the proposal because, in his view, the current By-Law 4-6-(b) could be easily circumvented by those desiring to do so by simply providing work opportunities for those individuals who did not qualify for athletic scholarships.\footnote{\textit{Ibid.}}

Finally, Reed of the Big Ten Conference moved to table the amendment until such time as it could be clarified and reconsidered. This action was intended to allow those who supported the intent of the
amendment to vote for the rewritten article. The motion to table was passed 205-12.51

Another effort to raise the standards expressed in By-Law 4-6-(b) was made by Weaver of the Atlantic Coast Conference when he moved that an SAT of 800 or an ACT of 18 be established as a minimum standard in addition to a predicted grade point average of at least 1.600. Weaver's proposal represented a move to establish a truly consistent national floor for the awarding of athletic aid. Opposition was based on two beliefs: the exclusive use of test scores as a basis for eligibility would significantly reduce the reliability of prediction as compared to use of test scores in combination with either class rank or grade point average, and the establishment of an absolute national floor would ignore differences between institutions, differences which impacted to a very great extent on the academic success of students. As William Hubert of the University of New Mexico said, "You are predicting human lives. We are not betting on horse races." The amendment was defeated, 16-185.52

A final attempt to amend Section (2) of By-Law 4-6-(b) was launched by J. W. Sawyer of Wake Forest

51Ibid., p. 315.

52Ibid., pp. 315-316.
College on behalf of the Atlantic Coast Conference. This proposal suggested lowering the minimum grade point average for eligibility for athletic aid to 1.300 for the freshman year of college and 1.600 for each year thereafter. Discussion was exceptionally brief and the amendment failed 11-197. All remaining amendments were withdrawn by Moore.53

The afternoon session began with a motion to remove the amendment of Mouzon from the table. In re-written form the amendment proposed the addition of the clause "and eligibility for participation in athletics or in organized athletic practice session" to Section (1) of By-Law 4-6-(b). The intent of this legislation was to prevent those who predicted less than a 1.600 from taking part in any organized athletic activity as well as to prohibit the awarding of athletic financial aid to said individuals. It was pointed out that these "non-predictors" could become eligible by completing their freshman year of college work with at least a 1.600. Further, this legislation was intended to apply only to student-athletes and was not meant to, in any way, dictate institutional admissions policy. The amendment was approved.54

53Ibid., pp. 316-317.
54Ibid., pp. 318-319.
Discussion then turned to Official Interpretations pertaining to By-Law 4-6-(b). Bradford A. Booth of the University of California at Los Angeles presented O.I. 111 which read:

If a high school graduate attends a collegiate institution or institutions less than one full academic year (two full semesters or three full quarters), before his enrollment at the certifying institution, he shall be judged by his predicted grade point average as a high school graduate.55

After brief discussion O.I. 111 was approved, but O.I. 112 proved to be a tougher nut to crack. It was presented by Plant as such:

A student's failing grade must be included in computing his grade point average; if he repeats the course, obtains a different grade and this grade then replaces the failure on his official transcript, the new grade may be counted. A 'withdrawn failure' (WF) shall be considered the same as a failure. In the instance when an institution permits a student who has failed a course to take a substitute course for purposes of satisfying a degree requirement and the institution records on the student's transcript the failing grade in the first course and his subsequent grade in the substitute course, then both grades shall be counted.

The discussion which ensued was spirited and involved, and objections were raised on a number of issues. Howard Grubbs of the Southwest Athletic

55Ibid., pp. 326-327.
Conference was concerned about computation of grade point average for students who had passed a course and then repeated it. An amendment to the O.I. was suggested in an effort to clarify this point. But Mouzon objected on the grounds that the amendment violated institutional grading policy at Southern Methodist University. This conflict would require, on the part of S.M.U., the computation of a distinctly athletic grade point average or else S.M.U. might find itself at a competitive disadvantage. Ray took exception to the suggestion that athletes be treated in a fashion other than that in which all students are treated. He felt that the computation of an "athletic" grade point average constituted a violation of NCAA principles by providing student-athletes with a form of special privilege. The denouement was not to be achieved for at least a year, as Schultze moved to table until such time as clarification could be accomplished. The motion to table was approved.\(^6\)

An additional explanation was provided by O.I. 114 such that, for the purpose of determining predictability, a member institution could use high school grades or class rank from the sixth, seventh, or eighth semester. This was accepted with minimal

\(^6\)Ibid., pp. 327-330.
A student who establishes a grade point average of 1.600 or better at the conclusion of his freshman year (including summer school if attended) shall qualify under By-Law 4-6-(b)-(2) during his sophomore year even though at the conclusion of the first semester (or first or second quarters) of that year his accumulative academic grade point average registers below 1.600. A student-athlete who establishes less than a 1.600 grade point average at the conclusion of his freshman year (including summer school if attended), however, shall qualify under By-law 4-6-(b)-(2) if at the conclusion of the first semester (or first or second quarter) of his sophomore year, his accumulative grade point average for the previous two semesters (or 3 quarters) is 1.600 or better. These same principles shall be applicable to the junior and senior years.

(Note: If a student receives a four year grant but fails to meet the 1.600 requirement at the conclusion of a given academic year, aid then must be withdrawn until the student attains the required grade point average.)

Before the motion to approve this O.I. could be subjected to discussion, Davis proposed an amendment to O.I. 115 that would have removed the reference to "summer school." Aside from the fact that O.I. 116 pertained to summer school yet had not been discussed and so could conceivably be jeopardized by any

---

57 Ibid., p. 331.
discussion relative to summer school, Davis felt that the inclusion of summer work encouraged enrollment in "Mickey Mouse" courses in order to facilitate the achievement of the 1.600 standard. Booth objected to the amendment on the basis that all summer courses at his institution (UCLA) were conducted with the same rigor as were those courses taught during the regular school year. Further, it was pointed out that "Mickey Mouse" courses were certainly available during the regular school year if a student should choose to exercise this option. Finally, Schultze added that many students attended summer session for entirely legitimate reasons and this amendment would militate against such attendance. The practice of enrolling in summer school, for any number of reasons, was traditionally a prerogative available to student-athletes and should remain so according to Hal Cornell of the University of South Carolina. The amendment to O.I. 115 was defeated while O.I. 115, as written, was approved.58

The final attempt to modify implementation of By-Law 4-6-(b) was presented in the form of O.I. 116. This O.I. would have prohibited the issuance of financial aid during summer session to an individual

58Ibid., pp. 331-334.
who had not achieved at least a 1.600 either accumulatively or during the past two semesters. The constitutionality of O.I. 116 was called into question by David S. McAlister of the Citadel. He further pointed out that any change in the Constitution would require a two-thirds vote. President Barnes and the Parliamentarian ruled that, in fact, O.I. 116 did modify the Constitutional provision for "commonly accepted educational expenses" and so a two-thirds vote would be necessary for approval. The final tally was 98-51, clearly short of the two thirds minimum, but only by a slight margin.

It should come as no surprise that the 1967 Convention was the scene of a number of serious attempts to rescind or alter By-Law 4-6-(b). The first proposal, presented by John W. Winkin of Colby College, mandated the elimination of paragraph (b), including subparagraphs (1) and (2), in its entirety. Winkin argued that By-Law 4-6-(b) contradicted Article 3, Section 3 of the Constitution, the Principle of Sound Academic Standards, in two ways: the By-Law implied that the member institutions were not admitting and administering institutional financial aid to student-athletes in the same fashion as they did for other

---

59Ibid., p. 334.
students, and the term student-athlete was used very loosely and could conceivably apply to any incoming student who had participated in a varsity sport while in high school. Objection to the 1.600 rule was further justified because in the view of Winkin, the rule applied an absolute standard to heterogeneous institutions. While Winkin lauded the objective of the 1.600 rule, he expressed reservations about the efficacy of the By-Law as currently written because of the impossibility of equating "factors that are not equatable."60

Additional support for the amendment was voiced by Philip R. Theibert of Brown University on behalf of the Ivy League.61 The Ivy league had been solidly against the 1.600 rule from the very first. Initially they had argued that the rule was disgracefully low and that they held to a much higher standard of eligibility in any case.62 Furthermore, the Ivies felt, as did many others, that the 1.600 rule violated the


61 Ibid., p. 134.

timehonored principle of institutional autonomy. Upon further reflection, the Ivy institutions advanced the claim that they did not provide student-athletes with bona fide athletic grants-in-aid and, in any event, they could not in good conscience permit the NCAA to delve into the operations of their admissions offices. The position of these eastern colleges elicited a heated charge from Edwin H. Cady, faculty representative of Indiana University, to the effect that they were "misrepresenting the facts" when they claimed that they did not award athletic scholarships. Cady concluded by expressing his disdain for those "who seemed holier than thou and of higher character than others."64

Next, Hugh McCurdy of Wesleyan University explained that at his institution, and he imagined at many others, students were not graded in such a manner that grade point averages could be easily calculated in a representative fashion. He went on to point out the wide discrepancies in grading policy from one instructor to the next. McCurdy argued that these discrepancies did, in fact, reduce the validity of the 1.600 requirement. The New England College Athletic

Conference also lined up behind the proposed amendment.65

The contrary position was first presented by Earl Ramer. His stated belief was that, despite the complex nature of the issue, the simple choice to be contemplated at this time was whether or not to give the 1.600 rule, a rule that had been subjected to lengthy debate during the course of earlier conventions, a reasonable and fair trial period during which data could be collected and analyzed. Certainly, he agreed, the business of academic prediction was not foolproof, and institutional autonomy was a prerogative to be jealously guarded, but in the case of By-Law 4-6-(b) the membership had acted on faith rather than knowledge and now the best and possibly the only means of gaining the necessary knowledge was to allow the operation of the 1.600 rule to continue while evidence was collected.66

Second, Harry M. Cross of the University of Washington delineated two important distinctions. By-Law 4-6-(b) did not create eligibility but merely restricted it. That is, an individual who predicted

66 Ibid., p. 135.
less than 1.600 or achieved a cumulative grade point average of less than 1.600 was restricted in his eligibility by the NCAA. But the achievement of a 1.600, in either case, did not guarantee eligibility but reserved the final determination to the individual institution. So, in fact, the prerogative of institutional control was not prohibited, but restricted. In addition, By-Law 4-6-(b) was an operational piece of legislation in that it did not define broad principles but simple established guidelines for conduct. For this reason, it was properly found in the By-Laws rather than among the Articles of the Constitution. This important distinction between Constitutional Articles and By-Laws was further demonstrated by the difference in support required from the membership to change an Article versus a By-Law. As operational guidelines, By-laws should of necessity be more responsive to the contemporary environment while constitutional Articles should express timeless principles. Thus, one could appreciate the need for a two-thirds majority to alter the Constitution as opposed to a simple plurality to alter the By-Laws.67

67Ibid., pp. 135-136.
President Barnes called for a vote and the amendment was defeated 113-153.68

Next, Amendment E was presented and explained by Frank Carver of the University of Pittsburgh. Amendment E proposed the elimination of paragraph (2) of By-Law 4-6-(b) and the modification of paragraph (1). As a reminder, paragraph (2) pertained to continuing eligibility while paragraph (1) referred to initial eligibility for financial aid at member institutions. Carver stated his support for a floor "under the requirements for eligibility" and for an upgrading of standards overall in college athletics, but he wished to also preserve institutional autonomy and the right of students. Furthermore, he felt that wide variations in grading policy from one university to the next made equitable administration of paragraph (2) virtually impossible. Curiously, the statement was made that "many schools with exceptionally high institutional requirements" did not require a 2.000 for graduation. The claim was also made that pass/fail grading was becoming more common. The amendment, as offered, read:

(1) Limits its scholarship or grant-in-aid awards (for which the recipient's athletic ability is considered in any degree) to

68Ibid., p. 137.
incoming student-athletes who have a predicted minimum grade point average of 1.600 or higher (based on a maximum of 4.000) as determined either by a national experience table or a conference table, in either case approved by the association; and withholds such scholarship or grant-in-aid awards from student-athletes admitted with lesser predicted averages until those student-athletes have achieved grades of 1.600 or higher and at least until the end of their first full regular academic term (exclusive of the summer term).69

Immediate objection was voiced by Ramer on the point that this proposal would prohibit the use of institutional prediction tables, thus reducing institutional autonomy, despite the claims of Carver to the contrary. Ray supported Ramer and added that one of the original reasons for the 1.600 legislation was the belief that athletes should be representative of the respective student-bodies of which they were a part. Without institutional prediction tables it would be difficult, if not impossible, to achieve this objective. One final argument against the amendment was expressed by Carl E. Erickson who felt that the probationary period of one "full regular academic term" was a regressive step. He reminded the delegates that

69Ibid., pp. 137-138.
the current requirement was one full academic year.\textsuperscript{70} The proposal was voted down 86-166.\textsuperscript{71}

In response to a question on a point of order by James R. McCoy of Ohio State University, President Barnes discussed the position of the NCAA Council on By-Law 4-6-(b). It seems that after a number of meetings, meetings that were not ad hoc, By-Law 4-6-(b) events, the Council had determined to support the position of the Committee on Academic Testing and Requirements. The position of this Committee was to maintain By-Law 4-6-(b) in its present form until sufficient data could be collected so as to allow for studied judgments.\textsuperscript{72}

Discussion on Amendment F began with the introduction of Lysle Butler, the athletic director of Oberlin College, who then spoke in support of the proposal. While admitting that the past few votes had convinced him of the futility of defending this proposed amendment, Butler first explained that the amendment would eliminate Section (2) of By-Law 4-6-(b). Section (2) referred to continuing eligibility for student-athletes. The argument was that

\textsuperscript{70}Ibid., p. 138.

\textsuperscript{71}Ibid.

\textsuperscript{72}Ibid., pp. 138-139.
first, institutions varied both between and within themselves, and so a 1.600 could mean many different things and second, any intrusion into the issue of continuing eligibility by the NCAA was a violation of institutional autonomy. In addition, the infringement upon institutional autonomy could have severe repercussions on the several conferences throughout the nation. Butler also feared that By-Law 4-6-(b)-(2) was hastily conceived and poorly validated.73

This last charge was answered immediately by Fuzak who said, "I have to swallow a little resentment, Mr. Butler, on the implication that the committee didn't know what it was doing, but I will do my best." He continued that during the formulating of the legislation the committee had the advantage of "a good deal of counsel and some rather expert advice." Assistance had been supplied by the College Board and the American College Testing Service on the tasks of development of acceptable tables and on the issue of interpretation of data. Consequently, the 1.600 rule was not the result of "just going along by guesswork and by hope." The committee had intentionally linked implementation of the 1.600 prediction formula with the 1.600 continuing eligibility standard in order to

73Ibid., pp. 139-140.
"discourage the recruitment of the young man who does not predict 1.600." This, Fuzak charged, was a standard so minimal that he found it hard to comprehend any objection. The amendment was defeated, 53-169.

Discussion then proceeded on to Amendment G which was presented by the Southwest Athletic Conference, represented by Davis of Texas Tech. This amendment proposed to retain paragraph (1) as written while eliminating paragraph (2) in its entirety. As a substitute for paragraph (2), the supporters had tacked on the last portion of the ECAC amendment which, in effect, would permit any nonpredictor to become eligible for financial aid after having once earned a 1.600 at a certifying institution. The amendment deliberately contained the "idea of eligibility for participation in athletics or in athletic practice. If he is not eligible to receive the award, he is not eligible to participate in athletics."

Ross H. Smith of the Massachusetts Institute of Technology voiced an objection to the 1.600 rule as applied to non-predictors on the basis of the unequal competition in the classroom from one institution to another.

---

74 Ibid., p. 140.
75 Ibid.
76 Ibid., pp. 140-141.
another and from one academic program to another within an institution. This objection was followed by a question for clarification by Ray regarding eligibility for a nonpredictor following achievement of a 1.600. It seems that this amendment would have permitted the awarding of financial aid after a student once earned a 1.600 in any term regardless of accumulative grade point average and regardless of academic performance in any subsequent term. This amendment, Ray explained, would eliminate any academic floor for continuing eligibility for either financial aid or participation. Davis countered by explaining that the rationale for such a change was that a student-athlete should only be required to meet the 1.600 standard on one occasion, either upon entrance or at a single later instance.\textsuperscript{77}

The first vote taken was on whether to retain the amendment to the original amendment, more specifically the vote addressed the substitution of the ECAC amendment for paragraph (2). It was defeated 56-129. The following vote was for the original amendment which would simply eliminate paragraph (2) with no substitution. This was voted down 125-127, but a recount

\textsuperscript{77}Ibid., pp. 141-142.
was immediately moved and carried 146-111. The recount was 116-144. Amendment G went down to defeat.78

The next amendment on the agenda was offered for discussion by Butler of the Ohio Athletic Conference. This amendment proposed an editorial change in the By-Law where reference was made to the reasons for awarding financial aid. As written, the By-Law and the 1.600 standard were applicable to any student for whom athletic ability was considered in any degree. The proposal would alter the By-Law to read any student for whom athletic ability was "one of the basic considerations." Butler reminded the delegates that the Long-Range Planning Committee had just recently recommended to the NCAA Council:

That serious consideration be given to the principle of two voting groups within the NCAA, these groups to be defined relative to the amount of aid and the basis for its award; i.e., athletic ability and substantial aid without regard to need formula in one voting group and those whose awards are considered in terms of academic ability and awarded solely on need in the second voting group. When legislation arises that affects one group only that group shall vote.

This recommendation of the Long-Range Planning Committee represented, to Butler, the probable direction in which the NCAA must move and so, for this reason, his proposed editorial change was appropriate.

78Ibid., pp. 142-143.
Robley Williams of the University of California, Berkeley objected on the basis of the ambiguity of the phrase, "one of the basic considerations." He feared that this would open the door to much abuse because institutions could easily claim that athletic ability had not been considered in any basic way with no obligation to substantiate this claim. His conclusion was that this did not represent a mere editorial change, but, in fact, a very serious alteration.79

The amendment was defeated, 38-161. The one remaining amendment on the agenda was defeated without significant discussion.80

The 62nd Annual Convention of the National Collegiate Athletic Association was held in New York City on January 8-10, 1968. Once again, the 1.600 rule was paramount among the concerns of the membership and, as a consequence, occupied a great deal of time and engaged much discussion. The very fact that the 1968 meeting was held in New York was significant, for it was the members of the Eastern College Athletic Conference, led by the Ivy League institutions, that had been most vocal in their opposition to the 1.600 rule. The convenient location encouraged a high

79Ibid., p. 144.
80Ibid., pp. 144-147.
percentage of the 165 E.C.A.C. members to attend the gathering.81

It was reported by Arthur W. Nebel of the University of Missouri that the NCAA Council, in accordance with the original plan, had reviewed the implementation of By-Law 4-6-(b), and, while there was still "virtually unanimous agreement" regarding the intent of the legislation, there was some disagreement over details. As he reminded the delegates that the purpose of the By-Law was to ensure that athletes, in fact, fairly represented the respective student bodies of their several universities, Nebel confessed that the Council in conjunction with the Committee on Academic Testing and Requirements now believed that some adjustment was in order. These proposed adjustments were to be considered by the convention on the following day.82

Next, Weaver spoke as chairman of the Committee on Academic Testing and Requirements. He began by introducing the committee members: Laurence C. Woodruff, University of Kansas; Carl E. Erickson, Kent

---

81 *New York Times*, 7 January 1968, Sports Section, p. 3.

State University; John A. Fuzak, Michigan State University; Clarence Von Eschen, Beloit College; and Ken Vickery, Clemson University. Mr. Weaver then proceeded with a review of the research that the committee had recently completed.

Of the 603 member institutions, 86.4 per cent of 521 had attested to their compliance with By-Law 4-6-(b). Of this number (521), 102 were using approved institutional tables, 92 used conference tables, and 327 used the national tables. The remainder of the 82 who were not in compliance was composed of 24 who indicated that paragraph (2) was the stumbling block to their complete compliance and an additional twenty who were new members who had simply been unable to complete the necessary paperwork to satisfy the By-Law. A questionnaire had been distributed to the membership for the purpose of ascertaining the reactions of these members to By-Law 4-6-(b) after one year of enforcement, the 1966-67 academic year. Only 148 or 25 per cent of those surveyed responded, a fact that Weaver attributed to the excessive length of the instrument. The following results were presented:

a) 3.2 per cent of the freshmen numeral winners and varsity lettermen who were enrolled as of January 1, 1966, would not have predicted 1,800 on the tables now being used as a result of By-Law 4-6-(b).
b) Of the student-athletes recruited since January 1, 1966, 11.7 per cent failed to predict 1.600 or better on the table utilized by the recruiting institution.

c) Considering the student-athletes of the freshman class entering in the fall of 1966 who predicted 1.600 or better on the basis of the tables utilized by the institution involved, 97.6 per cent completed the academic year. The 2.4 per cent who did not complete the academic year failed to do so for several reasons including those unrelated to academics. Of those which completed the academic year, 89.5 per cent did so with an average of 1.600 or better.

d) 13 per cent of the responding institutions believe there will be less academic loss at their institutions as a result of the 1.600 legislation.

The Committee on Academic Testing and Requirements continued by expressing their complete support for the position of the NCAA Council as expressed on the preceding December 1. The Council had voiced four reasons for their position:

1) Through the processes of paragraph (1), member institutions are not required to meet one national standard, but they are asked to identify their academic standards to their sister institutions through institutional or conference tables, or the NCAA national tables. Those members of this Association who have alleged and deplored "double standards" at other institutions should support most heartily this legislation because it represents the solution and cure for that alleged practice.

2) Many conferences have developed prediction tables for the first time, thus placing the recruiting process among their member institutions on a more equal and
acceptable basis. This can do much more for intra-conference harmony than all the receptions and goodwill dinners combined.

3) Many institutions which did not have prediction tables have undertaken studies and adopted tables as a result of the rule.

4) The continuing effect of the legislation is just beginning to be seen. For the first time, institutions have a standard of comparison of the academic level of performance of their respective student bodies and the internal pressures from the faculty to raise standards is going to have a definite accelerating effect upon those who some NCAA members now feel are operating with institutional and/or conference tables not as high as they should be.

Weaver concluded the report of the committee by allowing that the association had been not only reasonable but, in some cases, lenient in their enforcement efforts. As data accumulated, it would, he opined, be necessary to adjust the prediction tables in some cases. Finally, Weaver stated that after some 35 years in attendance at NCAA Conventions it was his studied belief that the 1.600 legislation would prove to be one of the best pieces of legislation in the NCAA Manual.83

Immediately following the official report, Woodruff offered these observations. Opposition to By-Law 4-6-(b) had appeared even before enactment,

83Ibid., pp. 45-48.
certainly long before any actual evidence, either pro or con, could be collected. The opposition was based upon one of three arguments: "that it violated institutional sovereignty, that it took away institutional responsibility, or that it infringed upon institutional freedom." According to Woodruff, these objections, upon further reflection, seemed to reveal a certain cynicism and hypocrisy. For this reason, he thought it appropriate to reveal the results of a study of the 980 certified Big Eight, freshman athletes for the 1966-67 school year. Of the total, 86 percent ranked in the top fifty percent of their high school graduating class. Those graduating in the lowest quartile represented less than one per cent of the group. Performance on the ACT averaged 22.1 while the mean cumulative grade point after the freshman year of college was 2.09. The level of 3.0 was attained by ten per cent, the 2.0 level by 65 per cent and fully eighty per cent reached or exceeded 1.600. Woodruff repeated the stated objective of the legislation, to wit, that eighty per cent of predictors should earn at least a 1.600. (He seems to have misunderstood the legislation because, in reality, the intent was that eighty per cent of those who predicted at the 1.600 level should have achieved this level. Certainly one
would expect the rate of success of those predicting at higher levels to improve in corresponding fashion and so, more than eighty per cent of the total of 980 could be expected to reach or exceed 1.600). Clearly, in his opinion, By-Law 4-6-(b) was accomplishing its objective. Yet, the general feeling among the faculty at the University of Kansas was that the grade point expectation was inexcusably low, in fact lower than that required for continuing good standing. Because of the minimal nature of this standard, any retreat on this point should be resisted in order to avoid a New York Times headline like this, "The National Collegiate Athletic Association has abandoned academic standards for its athletes." Woodruff was seconded in his entreaties by Clarence Von Eschen of Beloit College who expressed his belief that presenting a public image which demonstrated a commitment toward academic excellence was more valuable than the concomitant loss of institutional autonomy.84

Next came the first mention of any impact upon the "culturally deprived." This subject was broached by Albert W. Twitchell of Rutgers University at the request of his president. The previous year, Rutgers University had been barred from the NCAA Cross

---

84Ibid., pp. 48-49.
Country Championship because they had allowed a freshman to compete in football who had predicted only 1.542. The university administration had permitted this participation after lengthy deliberation by the regular academic and administrative admissions group and the seventeen member university financial aid committee. The individual had been admitted via normal channels for the culturally deprived and, as such, the university administration, while cognizant of NCAA policies, felt that he was entitled to all of the opportunities for extra-curricular activities that were available to other students. He opted to participate in football. The president of Rutgers was in favor of an amendment to By-Law 4-6-(b) as follows: "That exceptions to paragraph (1), may be permitted, provided that: (a) the exceptions are made in accordance with established over-all university policy; (b) notification of the acceptance is made, both to the NCAA and the colleges which might be involved in competition; and (c) the normal admission policy for the college is on record with the NCAA." 85

In response to the Rutgers proposal, Fuzak described the program for the culturally deprived at Michigan State University, a program that had been

85Ibid., p. 50.
operational for some time. The experience at Michigan State had demonstrated that a great deal of time and effort was necessary in order for these students to establish a likelihood of success. This essential time and effort would be reduced and diluted by the pressures and demands of intercollegiate athletics. Fuzak also argued that withholding an individual from intercollegiate athletic participation for one year or until he had stabilized academically did not make him a second-class citizen. The very real and serious reasons why an individual did not meet regular admissions standards should be addressed before "intercollegiate athletics should be required or expected to provide some exception."\(^\text{86}\)

Later during the convention a discussion was conducted on the subject of freshman eligibility. Opinions on both sides of the issue were expressed but the preponderance of the delegates favored the elimination of the rule. The rule allowed freshman participation in varsity competition only at institutions with fewer than 1250 male undergraduates. John Pease of Kansas State Teacher's College, Emporia, failed to understand the argument that freshman participation at larger institutions interfered with the educational...

\(^{86}\text{Ibid.}, \text{ pp. 50-51.}\)
process while there was little or no interference at small institutions. Other delegates presented evidence which refuted the belief that the freshman rule increased total participation, while Lory explained the disadvantages of having freshman squads relative to travel and personnel costs. The final remarks came from Ernest C. Casale of Temple University who reminded delegates of the ever increasing need for athletic facilities and green space and the deleterious contribution that freshman squads made to this inexorable pressure. 87

The formal amendment relative to the freshman rule was presented by Milton P. Hartvigsen of Brigham Young University who said that:

The intent of this amendment is to render freshman students eligible for all NCAA events, except in sports of football and basketball, and for four years of participation in such events, provided the freshman year is one of the four.

Hartvigsen offered a number of arguments in support of the amendment including the claim that a similar amendment had been narrowly defeated the preceding year without the benefit of serious consideration. Several conferences as well as individual institutions had conducted regular studies in the past year; those

---

87 Ibid., pp. 57-59.
responsible for the proposed amendment (the Western Athletic and Southeastern Conferences) believed that it was in harmony with and supportive of stated NCAA objectives, specifically, "the areas of educational concern, athletic concern, financial concern, and the right of student choice in his educational experience."
The amendment was simply an extension of the freshman rule as it presently applied to the College Division, i.e., those institutions with a male enrollment of less than 1250, and so, in principle, had already gained approval from the membership; and finally, this rule was permissive in nature rather than coercive. No institution would be required to change any policies, but they would be permitted to compete with those freshman who had satisfied the NCAA minimum standard and any additional standard that the institution deemed appropriate. The line of reasoning of the proposal also recognized the changing social and educational milieu, changes which included but were not restricted to school admissions policy, the 1.600 rule, and the increasing homogeneity of the secondary education experience across the nation. Although supporting evidence was not presented, Hartvigsen stated his belief that the wide variety of academic, social, and
athletic opportunities available to students allowed them to "mature in more ways than one." 88

The question was posed by Cady regarding the exclusion of football and basketball players from varsity competition. If the arguments presented by Hartvigsen were valid for all other sports should their validity not extend to football and basketball? Hartvigsen defended the exclusion of football and basketball on the basis of the intense pressure associated with varsity competition in those sports, and the belief on the part of many NCAA members that this intense pressure would interfere with the education of the athletes concerned. 89

President Marcus Plant admitted that the NCAA Council withheld their sponsorship from the amendment but had voted not to oppose it. The opinion was voiced by Carver that, upon passage of this amendment, it would be impossible for an institution which did not compete freshmen to find enough opponents who were also willing to withhold freshmen from varsity competition. 90

88 Ibid., pp. 82-84.
89 Ibid., p. 84.
90 Ibid.
The remaining discussion contained no original ideas or thoughts. A vote was called and the amendment passed, 163-160.91

Discussion resumed with the 1.600 rule as the centerpiece. Carver, on behalf of the E.C.A.C., offered an Amendment E to the Convention for discussion and consideration. Amendment E would have eliminated paragraph (b) of By-Law 4-6 from the NCAA Manual. Neither subparagraph, that which applied to initial eligibility and that which applied to continuing eligibility, would have been retained. However, it was moved, seconded, and approved 199-117 to postpone discussion of Amendment E until after consideration of Amendment H and I since they contained information pertinent to Amendment E.92

Amendment H was presented to the Convention by Davis. Davis explained that this amendment would eliminate the 1.600 rule and substitute the requirement that initial eligibility be determined by Association-approved tables while continuing eligibility would be on the basis of institutional standards for satisfactory progress provided that the member institution reported these standards to the national office.

91Ibid., p. 86.

92Ibid., p. 88.
According to Davis, the membership was confronted with three distinct options: Amendment H, eliminate the current 1.600 rule but keep prediction tables which had been approved by the Association; Amendment I, continue the 1.600 rule with some modification; and Amendment E, eliminate the 1.600 rule.  

Clarification of Amendment H was attempted by Booth who began by admitting that he would be offering Amendment I to the Convention in the very near future, a clear case of bias. Nevertheless, he opined that the substitution of Association-approved prediction tables for national tables would "of course" result in the use of less rigorous prediction standards. Further, it was his belief that the removal of a national standard for continuing eligibility and the imposition of institutional standards in its place would, in fact, mean the use of "a very slippery phrase, subject to a wide range of interpretations" in place of the more specific paragraph (2) of By-Law 4-6-(b). Booth argued that there were many who believed that the 1.600 standard was itself ridiculously low and so, in the interest of compromise, the Council had agreed (in Amendment I) to forego proof of minimal scholarship in the form of the 1.600 standard for continuing eligibility if an

---

93 Ibid., pp. 88-89.
institution would once certify compliance with the national prediction formula. He finished, in venomous style, with "Amendment H says, in effect, 'We cannot make 1.600 on the national table, but we still want to be relieved of the obligations of exacting 1.600 from our participating athletes.'"94

In defense of Amendment H, Butler, speaking for the Ohio Athletic Conference, first recounted the three original arguments in favor of the 1.600 rule: "To upgrade (academically) athletics, to provide a policy of (equitable) competition, and to save recruiting money." The possibility of successfully achieving the first two objectives seemed problematic at best while some progress could be recognized over the last two years in the effort to accomplish the third objective.

Butler then enumerated four major flaws in the By-Law 4-6-(b):

1) The 1.600 legislation penalizes many students and even teams because of the violation of even a single individual, and this frequently is in an entirely unrelated sport.

2) It is frequently impossible to get a good prediction for the foreign students, many of whom are recommended to us by the State Department.

---

94 Ibid., pp. 89-90.
3) There is no flexibility in the 1.600 legislation. There is no allowance for hardship cases. I don't think the Council or this body itself is omnipotent enough to write legislation that has no exception.

4) I submit, gentlemen, this legislation is so confusing and poorly conceived that we need to not only amend it but to reconsider the desirability of repealing it.

Finally, Butler pointed out that any "slipperiness" inherent in institutional standards for satisfactory academic progress should not be blamed on Amendment H, for, in fact, the NCAA Constitution mandated specifically that institutions should exercise control over the determination of eligibility.95

Cady countered the arguments presented by Davis and Butler. He argued that 1.600 was a standard so low as to be "a little humiliating." Because of his belief that "requiring 1.600 verges on disaster" he found it nearly impossible to believe that any university could object to its enforcement. Further, he thought that the 1.600 standard had served as a useful prod to those student-athletes who were somewhat deficient in motivation, a prod that caused some to "soar way up to a 1.600." Finally, Cady addressed the issue of institutional autonomy. He felt that in

95Ibid., pp. 91-92.
the contemporary world, autonomy was very difficult to achieve and maintain. He suggested that in an era "of association, of federation" it was essential that members communicate with one another about common activities. The suggestion was made that there were "obvious dangers in . . . the arguments for autonomy."96

Fuzak seconded the arguments of Cady and added that the 1.600 legislation had served as an impetus for conducting a number of studies of admissions procedures, studies which had resulted in a real "academic gain" for the several universities. Then, too, the athletic coaches at Michigan State had been won over to supporting the legislation. This fact represented a reversal of the traditional position of the coaching staff. In concluding, Fuzak revealed that high school administrators in the state of Michigan had indicated their belief that the 1.600 legislation had stimulated high school student-athletes to improved academic work. Fuzak did express his feeling that Amendment I was superior to Amendment H.97 The chair called for a vote and Amendment H was passed, 170-156.98

\begin{footnotes}
\item[96]Ibid., p. 92.
\item[97]Ibid., p. 93.
\item[98]Ibid.
\end{footnotes}
Now Amendment I was put before the Convention by Booth. Allowing for minor editorial differences paragraph (1) of Amendment I was identical in its effects as the corresponding paragraph in Amendment H. The paragraph on continuing eligibility, paragraph (2), was kept as it was found in By-Law 4-6-(b) except that "participation" was restated as "competition in varsity intercollegiate athletics." Then there was a significant addition to the paragraph:

except that this paragraph (2) shall not apply to institutions that use the Association's national experience tables or more demanding institutional or conference predictive formula in applying paragraph (1). Such institutions shall be limited only by the official institutional regulations governing normal progress toward a degree for all students as well as any other applicable institutional eligibility rules, including those of the athletic conference of which the institution is a member. These institutional or conference standards shall be filed in the office of the Association.

This addition was followed by a second note:

Institutions that are now in compliance with By-Law 4-6-(b)-(1) through use of the NCAA national tables or more demanding predictive processes may qualify for the exception in By-Law 4-6-(b)-(2) immediately. In other cases, 4-6-(b)-(2) shall continue to apply to student-athletes recruited prior to compliance with the stipulation of 4-6-(b)-(1).

These two provisions represented an effort to compromise the two beliefs that on the one hand the 1.600 rule was a positive force in intercollegiate
athletics and that on the other hand individual institutions should be able to exercise their prerogative in determining continuing eligibility provided that student-athletes were making progress toward a degree according to an established standard. Booth, on behalf of the NCAA Council and as a member of the Council, urged approval of this amendment.99

Fellow Council member and University of Tennessee faculty representative Ramer followed with a recommendation that the delegates reject Amendment I in order that Amendment H might be put into effect. His position was based upon Section 3, Article 3 of the Constitution and the question of institutional autonomy.100

In quick succession, Reynolds, Smiley, Ray and Von Eschen expressed support for Amendment I. A standing vote was called and Amendment I was endorsed, 232-92. Immediately thereafter, the tabled Amendment E was put upon the floor and defeated in a voice vote.101

That afternoon, two Official Interpretations (O.I.) were reviewed that were especially pertinent to

99Ibid., pp. 94-95.
100Ibid., p. 95.
101Ibid., pp. 95-97.
By-Law 4-6-(b).  O.I. 116, in the form of Amendment D, read as such:

It is not permissible for a member institution to retest a student upon his enrollment at the institution and use that test score in determining his predictability if prior to his enrollment the student had been tested and his prediction established.

This amendment was easily approved.102

The next amendment, E, proposed the addition of O.I. 117:

If a student's predictability has not been established and he reports for practice or competition, the institution shall be required to establish his prediction within four weeks from the time the student reports. During the four-week period, the student may engage in practice but not in competition. At the end of the four-week period, if the student's prediction has not been determined, he must terminate his practice until the prediction is known. If the student eventually predicts 1.600 or better, he is eligible to practice and represent the institution in competition in accordance with institutional policies.

According to Ramer, the purpose of this O.I. was to introduce some flexibility into the enforcement of By-Law 4-6-(b). Butler posed a question regarding those individuals for whom no predictability was possible, specifically, international students and individuals from preparatory schools that did not compute a grade point average or a

102Ibid., p. 110.
class rank. President Plant explained that, in the case of foreign students, the Association had expressed its willingness to accept the judgment of the institutional registrar as to predictability. However, this procedure for exception was not acceptable for application to the cases of those students not possessing a high school grade point average or rank. The O.I. was passed, viva voce.  

Finally, the NCAA membership:

Voted to make a student responsible for his actions if he knowingly violated recruiting rules or other rules of the NCAA. In the past, only coaches, athletic directors and institutions were punished by the NCAA for violating such rules. If found guilty by the NCAA Council, a student could be declared ineligible for intercollegiate competition.

The 63rd Annual Convention of the National Collegiate Athletic Association was held in Los Angeles on January 6-8, 1969. Despite the change of venue and the passing of four years since the approval of the original By-Law 4-6-(b), the modified 1.600 rule and the issue of freshman eligibility were to remain issues of some contention. It was suggested that By-Law 4-6-(b) had achieved wide acceptance and supporting data were provided. In the previous year, 546

---

103 Ibid., pp. 110-112.

institutions had conformed to the provisions of the legislation. Of this total, national prediction tables were used by 377 schools, conference tables were used by ninety universities, and 79 institutions had developed and gained approval of their own institutional tables. Only 67 members were ineligible for NCAA competition because of non-compliance with the 1.600 rule.

In the ongoing effort to achieve uniformity in the application of By-Law 4-6-(b), the NCAA Council had endorsed the continued use of only the ACT or the SAT in establishing predictability and had placed a proposal on the Convention agenda to the effect that only scores from tests taken at national testing sites on national test dates be accepted for the purpose of establishing initial eligibility. As a result of research done by the Committee on Academic Testing and Requirements, the Council had introduced an interpretation for which they sought approval. They proposed that only high school class rank be used for prediction, except in those cases where no class rank was available. The Council had also voted to instruct the membership to update their institutional and conference prediction tables and to have these updated tables in the Association office no later than
September 1, 1969. Finally, the Council had developed a compromise on the issue of freshman eligibility. As a reminder, the 1968 Convention had approved freshman eligibility for NCAA-sponsored events in all sports except football and basketball. The new rule would again permit freshmen to participate in varsity competition, in all sports except football and basketball, but not in NCAA-sponsored events. Every student-athlete would be entitled to three years of competition in NCAA events, but such competition would not be permitted during the freshman year.\textsuperscript{105}

Later, during the Round Table Discussion, the subject of freshman participation was considered. Most of the sentiment was for complete elimination of the freshman rule. Butler was applauded when he entreated the delegates "to get back to the business of promoting participation instead of restricting it." Because athletic participation was educational, he argued that it was counterproductive to restrict student choice just as it would be wrong to prevent a student from enrolling in a history course.\textsuperscript{106} Stanley J. Marshall of South Dakota State University argued that students


\textsuperscript{106}\textit{Ibid.}, pp. 58-59.
were now better prepared academically and that university and college level academic programs had not kept pace with the acceleration in high school academic work. These facts, coupled with the academic floor that had been established with the implementation of the 1.600 rule, severely reduced the risk of academic failure during the freshman year. Furthermore, it seemed patently unfair to allow freshmen in the great majority of sports to compete while those freshmen in basketball, for instance, were denied the opportunity.107

A reminder was offered by A. C. Bundgaard of St. Olaf College. He pointed out that one of the primary original aims of the freshman rule was to equalize competition by allowing only those institutions with a male undergraduate population of less that 1250 to use freshmen. This allowance, Bundgaard argued was the only thing that permitted these smaller institutions to compete successfully. Without the continuation of the current freshman rule, it would be imperative to create a third college division in order to maintain equitable competition.108

-------------------
107Ibid., pp. 59-60.
108Ibid., p. 62.
The ubiquitous Butler responded that the Association spent too much time and effort trying to equalize competition. This effort was directed towards factors that were, for the most part, impossible to control and, even if possible, probably undesirable to control. Mentioned among these factors were: size and prestige of the institution, size and prestige of the coaching staff, teaching loads of the coaches, size of the athletic budget, variations in recruiting policies and practices, admissions policies, and academic standards. All of these factors affected the level of competition, and yet now the delegates had focused their attention upon the single issue of freshman eligibility.\textsuperscript{109}

Marshall Turner of Johns Hopkins University suggested that the entire issue of equal competition would be considerably deflated if all national championships were eliminated.\textsuperscript{110} (There is no indication that this statement was made tongue-in-cheek). One has to believe that Harry Troxell of Colorado State University was serious when he referred to the era as one of student protest and so one in which it would be most inadvisable, if not impossible, to deny student

---

\textsuperscript{109}Ibid.

\textsuperscript{110}Ibid., pp. 62-63.
athletes the right to participate.\textsuperscript{111} (It seems that Troxell had confused the definitions of rights and privileges). In concluding, Glenn J. Drahm of Coe College expressed his belief that, while money was a factor, it should not be the lone determinant in a decision regarding freshman eligibility. The paramount issue was the education of the student-athlete and the other interests associated with their education.\textsuperscript{112} In a straw vote, it was demonstrated that a majority of the College Committee favored participation in varsity competition for all sports and at institutions of all sizes.\textsuperscript{113}

When the amendment which contained the provision to allow all freshmen in all sports to participate in varsity competition was offered to the Convention for their consideration, many of the arguments were repetitive. Davis did suggest that approval of any amendment at this time would be premature because the current rule had only been operational for one year, a period of time that was much too short for any sort of valid reappraisal.\textsuperscript{114} James H. Witham of

\textsuperscript{111}Ibid., p. 65. \\
\textsuperscript{112}Ibid. \\
\textsuperscript{113}Ibid., p. 66. \\
\textsuperscript{114}Ibid., p. 89.
the University of Northern Iowa suggested that, since this amendment was permissive in its effect, that is individual members could choose to observe or ignore the provisions as they saw fit, this was an instance where individual institutions could "say to hell with the NCAA, we will do what we want to." Objection to the amendment was voiced by J. D. Morgan of the University of California, Los Angeles, who felt that, for the first time, a split had developed in the NCAA between those who decided to use freshmen in NCAA events and those who had opted not to do so. The proposed amendment would extend this split into the sports of football and basketball. Turner seconded Morgan's conclusions. The vote was taken and the amendment lost, 85 to 209.

The delegates discussed a number of Official Interpretations of By-Law 4-6-(b) which more carefully specified standard operating procedures. Some of these O.I.'s altered the basic effect of the 1.600 rule.

---

115 Ibid., pp. 88-90.
116 Ibid., p. 90.
117 Ibid., p. 91.
118 Ibid., pp. 114-119.
During the year, 1969, the Committee on Academic Testing and Requirements considered four items on their agenda:

1. **Cutoff scores:** The Committee expressed itself as opposed to introducing a minimum cutoff on the national tables.

2. **Undue weighing of high school record in prediction tables:** The Committee concluded that this should be judged on a case-by-case basis.

3. **Revision of the 1,600 Procedure Manual:** The fifth edition of this booklet was distributed to the membership on April 25, 1969.

4. **Study concerning disadvantaged students:** Various sources were assigned for contact in this research. A report summarizing the results of this survey was later directed to the NCAA and subsequently printed in the November, 1969, issue of the NCAA News.

In addition, a survey of the membership was conducted in order to gather information for an update of the national prediction tables. After reviewing the data that had been collected, the Committee decided that the validity of the current tables was acceptable and so no change was necessary.

During 1969, the Committee also:

1. Concluded that if statistics submitted are valid and regression equations have been properly computed, prediction tables giving unusual weight to high school record shall be accepted; however, any questionable tables are to be justified before the Committee.
2. Voted that the NCAA should request the two national testing services to investigate repeat test scores which NCAA feels are unusual and the NCAA Council should give consideration to a policy of invalidating scores which reflect abnormal changes.

3. Proposed new and revised interpretations for consideration by the NCAA Council.

4. Authorized a subcommittee to inspect new institutional and conference tables and report to the Committee.\textsuperscript{119}

Walter Byers, the Executive Director of the NCAA, reported that for the 1969-70 school year 87 active members of the Association were ineligible for NCAA competition due to non-compliance with the 1.600 rule. This left 523 eligible institutions. Of this number, 371 chose to use the national tables, 79 chose conference tables, and 73 developed their own institutional tables.\textsuperscript{120}

Weaver of the Atlantic Coast Conference and chairman of the Committee on Academic Testing and Requirements delivered the report on disadvantaged students and compensatory education. As a result of "legal and social stress in integration," new emphasis was being placed on the recruitment of minority


\textsuperscript{120}Ibid., p. 70.
students. The largest shift in admissions policy could be found in the selective-admissions institutions, but the shift was apparent across the board at predominately white institutions. Weaver revealed that, according to a report from the American Council on Education issued in March, 1969, about twelve per cent of college-aged Americans were black, while only about six per cent of those enrolled were black. Efforts to correct this discrepancy were reviewed. Upward Bound, the Office of Economic Opportunity, the U. S. Office of Education and city programs such as COPE in Boston and OPEN in Washington, D.C. provided various types of assistance.

It was reported that the use of pre-college ability tests in the admission process had withstood any challenge of its validity. Despite the "cultural and verbal biases" of these tests, they were deemed acceptable because these very biases also existed in the classroom and on college-level examinations.

Weaver referred to statements made by S. A. Kendrick, executive associate of the College Entrance Examination Board, to the effect that studies had revealed that at historically predominantly Negro colleges they found "the same general degree of correlation between scores and college grades as is
usual in other colleges." Kendrick admitted that marginal students from the ghetto do occasionally become academically excellent, but this fact was also true of marginal students from upper-middle class suburbs. In particular, Kendrick felt that the first year or two of college work was critical to the ultimate success of disadvantaged students.

Next, Weaver reviewed a report from Kirker Smith, associate director of admissions and records at the University of Illinois at Chicago Circle. Smith argued that it was essential to develop a support system for marginal students, otherwise they could be committing "academic suicide." Records at U.I.C.C. showed that the rate of attrition was "relatively high" for those with a composite ACT of less than twenty.

Weaver concluded his report by stressing the need for sensitivity on this issue. In light of recent reports on the alleged educational abuse of black student-athletes, it was most important to ensure academic stability of these individuals before allowing them to compete athletically. The basic rationale of By-Law 4-6-(b) was to ensure that student-athletes, white and black, were representative of the respective student bodies. This, it was surmised, would enhance their opportunity for academic success. Furthermore,
both test scores and high school record were considered in the determination of initial eligibility, thus the necessary flexibility was an integral part of the process. Finally, Weaver noted that By-Law 4-6-(b) applied only to recruited athletes and so in no way were institutional admission policies determined.\textsuperscript{121}

At the 1970 Convention an amendment was passed which required all transfer students to be in compliance with the 1.600 rule. In order to be eligible for athletically related financial aid, a transfer student was required to present for transfer at least a 1.600 grade point average at the institution from which he was transferring. In addition, this amendment stated explicitly that junior college transfers who had failed to predict upon graduation from high school must either graduate from the junior college or must have a combination of 48 semester hours and two years in residence in order to be immediately eligible for athletic grant-in-aid and competition.\textsuperscript{122}

Fuzak recommended approval of a revision of 0.I. 117. This revision would require institutions to accept only those test scores earned at national test

\textsuperscript{121}Ibid., pp. 107-109.

dates for computation of predictability. Fuzak claimed that the SAT was administered at 2800 test sites on six scheduled dates while the ACT was available at some 2300 testing centers on five dates.\textsuperscript{123} The revised O.I. 117 was approved by voice vote.\textsuperscript{124}

During the year between the 1970 Convention and the 1971 Convention, the Committee on Academic Testing and Requirements met three times to review recently collected data and important questions regarding By-Law 4-6-(b). Among the topics that were discussed was the relative weight of test scores versus high school academic performance in predicting 1.600 on the various tables in use. The Committee initially agreed that neither factor should have a comparative advantage. After further consideration the recommendation was made that the Committee would not approve any table that gave more than sixty per cent weight to either one of the factors.\textsuperscript{125}

Questions were also asked regarding the variance between national and conference and

\textsuperscript{123}Ibid., p. 111.

\textsuperscript{124}Ibid.

institutional tables, regarding participation by institutions who were not in compliance with By-Law 4-6-(b) in the Association's football television plan, and regarding supposed improvements in security relative to ACT and SAT scores now that only scores earned at national test sites on national test dates were accepted for prediction. Finally, Byers revealed that only 34 member institutions had failed to file compliance forms for By-Law 4-6-(b), this compared to 87 one year earlier.126

As the decade of the seventies began, the NCAA membership gathered in Houston, Texas for their 65th Convention. It was now six years since By-Law 4-6-(b) had been approved and five years since its implementation. Despite the passing of half a decade, a great deal of controversy still attended any discussion of the 1.600 rule. Closely related to this By-Law was the issue of freshman participation in varsity competition, an issue soon to be debated.

NCAA President Harry M. Cross presented Proposal 10 to the delegates for their consideration. The intent of the proposal was that freshman should be eligible for NCAA competition in all sports including

126Ibid., p. 50.
football and basketball. Theibert moved the adoption of the proposal and followed with his supporting argument. He claimed that at least 500 NCAA institutions were on an "inescapable austerity to-boggan" and headed for financial trouble. Good intentions aside, Theibert admitted that his university would soon be forced to abandon its freshman football squad by order of the trustees. Again the argument that freshman should be permitted a year to adapt to college academic rigors was presented, this time by Roy Whistler of Purdue University and the Big Ten Conference.

The amendment was defeated, 102-113, upon which action Troxell moved and received a second on a motion to reconsider. The motion was defeated.

The first attempt to repeal By-Law 4-6-(b) came in the form of Proposal 16 and was offered for consideration by Robert Tierney of Queens College. Tierney said that the By-Law had become irrelevant due to sociological changes that had taken place around

128 Ibid.
129 Ibid., p. 102.
130 Ibid., pp. 105-106.
the country. Winkin reiterated the banal argument that By-Law 4-6-(b) contradicted Article 3, Section 2 of the NCAA Constitution, i.e., institutional autonomy, while George A. Hansell of the PMC Colleges addressed, in more specific fashion, the sociological factors referred to by Tierney, namely disadvantaged students with subpar test scores. Hansell stated that test scores were invalid predictors for this group and cited a study by the Ford Foundation that had been conducted at Brown University which demonstrated that, "in many situations...students classified as academic risks go on to perform just as well as their better qualified classmates." (Of course the logical mate to this statement, that in many situations students classified as academic risks do not go on to perform just as well as their better qualified classmates, remained unspoken.) Hansell then referred to a Philadelphia study of 2100 students which purported to have discovered that academic risk students graduated "almost as often as high college board scorers." These risk students were less likely to be admitted to graduate school but, if admitted, they "did as well there as other students." (As an

---

131 Ibid., p. 108.
aside, this fact seems to offer additional support for the selective admissions policies of graduate schools.) The report concluded that "risks are just as likely to achieve career success as other students." (One is left wondering why anyone should want to perform well on standardized tests or in the classroom if these statements, are, in fact, true.) Finally, Hansell argued that high test scores and grades do not tell the whole story but must be equated with another factor, motivation.\(^{133}\) (Apparently, it did not dawn on anyone that the whole issue of academic eligibility for athletes would be greatly diffused if coaches would accept these premises and apply them during their evaluations of athletic talent. The delegates also neglected to discuss means of quantifying motivations.)

Additional arguments in support of the legislation were presented by Paul Masoner of the University of Pittsburgh who felt that, because opportunities to make changes in the 1.600 procedures had been squandered, the legislation should be repealed. Ray Klivecka of the City College of New York supported repeal simply because the 1.600 rule served as a restriction on student participation. Further support

\(^{133}\)Ibid., pp. 109-110.
for the proposal was based on the reasoning that many institutions did not require test scores for admission and so the rule was an unnecessary imposition on them.\textsuperscript{134}

Contrary arguments were presented by a number of individuals. Alan J. Chapman of Rice University believed that the original justification for the 1,600 rule still obtained and, because the rule had had a marked impact upon intercollegiate athletics, it should be continued despite its complicated nature.\textsuperscript{135} A reversal in position was admitted by Davis who had long been in opposition to By-Law 4-6-(b). Davis spoke on behalf of what he now recognized as the salutary effect of the legislation on college sports.\textsuperscript{136} John Larson of the University of Southern California spoke to the issue of enforcement and the complex problems associated with enforcement by arguing for continued reevaluation and modification of the By-Law rather than repeal.\textsuperscript{137} Chapman assured the convention that, as chairman of the Committee on Academic Testing and Requirements, he would guarantee the continued

\begin{itemize}
\item \textsuperscript{134}Ibid., pp. 110-111.
\item \textsuperscript{135}Ibid., p. 109.
\item \textsuperscript{136}Ibid.
\item \textsuperscript{137}Ibid., p. 110.
\end{itemize}
exploration of inequities in the system in an effort to reduce and eliminate them. According to Marshall the College Committee had voted 6-1-2 in favor of maintaining the 1.600 rule in principle. When the vote was called, proposal 16 was defeated.

The delegates then turned to a consideration of O.I. 100, the definition of a prospective student-athlete. For purposes of enforcing By-Law 4-6-(b), it had become essential to explicitly define a student-athlete, to describe the types and forms of recruiting activity which transformed a prospective student into a prospective student-athlete. It was hoped that the O.I. would also reduce the current level of hypocrisy in college athletic recruiting by making the rules more flexible. A voice vote clearly approved O.I. 100.

Discussion now centered on Proposal 17 which contained changes in By-Law 4-6-(b) that would bring it into conformity with the definitions of a student-athlete contained in O.I. 100. The NCAA Council

---

138Ibid.
139Ibid.
140Ibid., p. 111.
141Ibid., pp. 111-112.
142Ibid., p. 114.
sponsored Proposal 17 and stated that the intent of the legislation was:

To modify the financial aid provisions of the 1.600 rule for bona fide disadvantaged student programs and to clarify and strengthen the rule's application to all athletically recruited students.\textsuperscript{143}

Chapman described a situation in which the institution used national prediction tables and the student, a non-predictor who may or may not have been recruited, did not receive financial aid, did not practice or participate, and did not earn at least a 1.600 grade point average after two semesters and yet could be declared eligible for competition and financial aid as a sophomore. The amended By-Law would close this loophole by addressing the requirements for an individual student-athlete rather than institutional requirements. Institutions then would be restricted only in the sense that they had to guarantee that only student-athletes who have satisfied the provisions of By-Law 4-6-(b) were permitted to receive financial aid or engage in competition.\textsuperscript{144} Here is the specific addition to subparagraph 1 of By-Law 4-6-(b):

\textit{except that an institution may provide financial aid to a student whose matriculation was not solicited by a member of the

\textsuperscript{143}\textit{Ibid.}, p. A-10.

\textsuperscript{144}\textit{Ibid.}, p. 114.
athletic department or by a representative of
its athletic interests (see 0.1. 100) and whose
admission and financial aid have been granted
without regard in any degree to his athletic
ability; such a student shall not be eligible
for participation in athletics or in organized athletic practice sessions unless he
satisfies the requirements of paragraph 2 and
there is on file in the office of the director
of athletics certification by the faculty
athletic representative, the admissions officer
and chairman of the financial aid committee
that this exception applies.\textsuperscript{145}

In subparagraph 2 the changes are underlined:

except that the performance requirement of
this paragraph shall not apply to a student--
athlete who predicted at least 1.600 upon
entrance into an institution which uses the
Association's national experience tables or
more demanding institutional or conference
predictive formulae in applying paragraph (1).
As to such a student-athlete, he shall be
limited only by the official institutional
regulations governing normal progress toward a
degree for all students, as well as any other
applicable institutional eligibility rules,
including those of the athletic conference of
which the institution is a member. These
institutional or conference standards shall
be filed in the office of the Association.\textsuperscript{146}

The proposal was put to a voice vote and
approved. Chapman then moved that No. 17 become
effective immediately and this, too, was approved by
voice vote.\textsuperscript{147}

\textsuperscript{145}Ibid., p. A-8,
\textsuperscript{146}Ibid., p. A-9.
\textsuperscript{147}Ibid., p. 114.
The final attempt to modify By-Law 4-6-(b) was introduced by Warren Schmakel of Boston University as Proposal 18. The intent of the proposal was to allow non-predictors who did not receive aid to become eligible at mid-year if they earned at least a 1.600 grade point average during their first semester or first two quarters. Opposition was voiced by David Swank of the University of Oklahoma who feared that many of these non-predictors would be enrolled in "rather unsubstantial" courses for the sole purpose of gaining eligibility.\textsuperscript{148} The proposal was defeated.\textsuperscript{149}

Chapman, Chairman of the Committee on Academic Testing and Requirements reported that, as of September 26, 1971, there were still 53 institutions that had failed to certify their compliance with By-Law 4-6-(b). The remainder of the 656 active members were observing national, conference, or institutional tables. It was reported that the Committee had reaffirmed its decision to require a balance in the relative weighting of test scores versus class rank with a maximum acceptable skew of forty-sixty either

\textsuperscript{148}Ibid., pp. 114-115.
\textsuperscript{149}Ibid., p. 115.
Further actions of the Committee during 1971 were:

a. Voted that the Council sponsor an amendment requiring institutions indicating compliance with By-Law 4-6-(b) to maintain a file, that may be examined upon request, in which the eligibility of each student athlete is certified as being in conformance with 1.600 legislation.

b. Voted that the Association publish in the NEWS a list of institutions conforming to By-Law 4-6-(b), indicate the method of conformity and designate whether institutional or conference tables are less demanding than the national table; further, a list of institutions not in conformance also will be published.

c. The Council defeated a motion to amend 0.I. 116 to permit member institutions to provide institutionally-administered tests to untested "walk-ons" who are not student-athletes per 0.I. 100 with the understanding that such students shall be required to be tested again on the next national testing date, the results of the second test taking precedence.

d. Voted that the Council approve the Committee's policy that in evaluating the pass-fail grading system, the pass shall be computed as 2.000 and fail as 0.000.

e. Voted that the Council decline to accept rounding of grade point average predictions to the third decimal.151

---


151 Ibid., p. 63.
f. The Committee reviewed two proposals submitted by the Committee on Long Range Planning. One would moderate the 1.600 rule to allow individuals who are predictors to participate in NCAA championship events even though the institution would not be eligible for a team championship as a result of non-compliance. The other consideration was the advisability of waiving the 1.600 rule for institutions which have less than a specified number of students enrolled provided that the institution certifies that it does not recruit student-athletes.

The Council voted to support the Committee on Academic Testing and Requirements and oppose both suggestions advanced by the Long Range Planning Committee.

g. The Council voted to support the Committee's recommendation that henceforth new members who are not in compliance with the 1.600 legislation will be required to conform to By-Law 4-6-(b) for a period of two years before becoming eligible for NCAA championship competition.152

One is left with a sense of increasing complexity and complication regarding enforcement of By-Law 4-6-(b) due primarily to the remarkably ingenious efforts to exploit loopholes. One must conclude that, because of the state of mind of the membership as evidenced in their attempts at circumvention, By-Law 4-6-(b) was on a course of ultimate extinction, and so it was.

152 Ibid., pp. 92-93.
The start of the 1972 Convention witnessed an informal discussion on the placement of the 1.600 rule in the By-Laws rather than in the main body of the Constitution. Byers admitted that he knew of no good reason why the rule had been placed in the By-Laws except that those who offered the legislation as an amendment for consideration at the 1965 Convention, presented it as a By-Law requiring a simple majority vote for approval. The proposal had received a majority vote for approval at the time, while a two-thirds vote could now attach the rule to the Constitution. Byers explained that the Financial Aid Committee was now considering limitations on the number of permissible awards and the subject of where the proposed legislation should be placed had come up. He agreed that it was an important consideration. 153

President Ramer interjected with his belief that the entire question of making a distinction between in-season eligibility and eligibility for NCAA events needed to be re-evaluated and, for this very reason, a committee was investigating the problem at that time. There seemed to be a strong possibility

that further adherence to the distinction would be terminated.154

The resistance to the freshman rule which had been growing noticeably for the past few years was manifested in the form of Proposal 24 and was referred to as "famous" by President Ramer.155 Williams presented the proposal to the convention with the reminder that freshman participation in sports other than football and basketball had proved successful. Furthermore, at their most recent summer meeting, the athletic directors had endorsed freshman participation in all sports. The Big Ten and Pacific Eight Conferences went on record as opposed to Proposal 24, while both sides reiterated their hackneyed arguments in support of their respective positions.156 One is left with the distinct impression that the only substantive changes over the past few years relative to the advisability of allowing freshman to compete in football and basketball were of a financial nature. It is difficult to discover major shifts in educational and pedagogical policies, or in levels of students' maturity and academic attainment.

154Ibid., p. 28.
155Ibid., p. 163.
156Ibid.
Charles Oldfather of the Big Eight Conference suggested that the vote be divided for football and basketball. Ramer concurred in this suggestion and, discovering no opposition among the delegates, he first called for a vote on Proposal 24 with respect to basketball. It was approved by a show of hands. Next the vote for football was taken and the result was 94 for and 67 against. Freshman who predicted at least a 1.600 were now eligible for NCAA events in all sports.

Although Proposal 32 did not follow No. 24 on the agenda, Ramer suggested that the convention move immediately to a discussion of 32 and the remaining proposals that pertained to the 1.600 rule. Proposal 32 was introduced by Tierney. Tierney advocated the abolition of By-Law 4-6-(b) because:

1. It is discriminatory. Some schools, particularly those with special programs, cannot possibly conform to this legislation. Others find it difficult to do so. In varying degrees, therefore, it unfairly penalizes most student-athletes in that institution.

2. The legislation violates institutional autonomy. I don't think I need to embellish on that point at this time.

157Ibid., pp. 163-164.
158Ibid., pp. 164-166.
159Ibid., p. 166.
3. There is a serious question as to the validity of the type of tests that are used to project a 1.600 index.

4. I feel that we should abolish this legislation now before someone on the outside perhaps may do it for us and perhaps through a lawsuit.160

Additional support for the proposal came from Robert M. Behrman of the City College of New York. He described the basketball scandal of 1951 and the subsequent de-emphasis of sports at C.C.N.Y. Concomitant to this de-emphasis was the elimination of athletic grants-in-aid and the prohibition of athletic recruiting by C.C.N.Y. staff members. Still, C.C.N.Y. had several individual athletes who earned the privilege to compete in NCAA championships each year, but in order to do so, C.C.N.Y. was forced to abide by the provisions of By-Law 4-6-(b). This practice, Behrman argued, was a form of discrimination against the remainder of the student body.161 Chapman quickly pointed out that By-Law 4-6-(b) as per 0.I. 100 applied only to student-athletes,162 yet as Michael Fleischer of Herbert H. Lehman College maintained, all

160Ibid., pp. 166-167.
161Ibid., pp. 167-168.
162Ibid., p. 168.
freshman student-athletes must predict 1.600 or forego competition during their freshman year. 163

Chapman led the opposition while speaking for the Committee on Academic Testing and Requirements and the NCAA Council. Chapman admitted that the ACT and SAT were, in fact, discriminatory, yet he urged the delegates to remember that prediction was not made on these tests in isolation but in conjunction with high school academic performance and the result was that the Association's national prediction tables did predict quite successfully for athletes. The delegates were also reminded that the recent approval of Proposal 24 meant that freshman would now be seen competing in the sports of football and basketball. 164 Larson felt that this fact made it all the more imperative that studentathletes be representative of their respective student bodies. 165 Proposal 32 went down to defeat 125-186. 166

As the convention prepared to address Proposal 33, Oldfather pointed out that passage of 33 depended for the most part on approval of Proposal 65, which if

163 Ibid.
164 Ibid., pp. 167-168.
165 Ibid., p. 168.
166 Ibid.
accepted would become O.I. 417 and would be affected by Amendment K to Proposal 65.167 First, a review of Proposal 65:

O.I. 417. Financial assistance, as the term is used in By-Law 4-6-(b), included all institutional funds such as scholarships, grants, loans, work-study program assistance, on-campus employment and aid from government or private sources for which the institution is responsible for selecting the recipient or determining the amount of aid, or providing matching or supplementary funds for a previously determined recipient; further, it includes off-campus employment earnings and other sources of aid for which the athletic interests of the institution intercede in behalf of the student-athlete.168

Amendment K merely suggested the addition of the phrase "except bonafide earnings from off-campus employment," thus permitting non-predictors to work without jeopardizing either their own or their institution's eligibility.169

Since all three of these items were discussed simultaneously, it is appropriate to review the textual changes suggested by Proposal 33 in By-Law 4-6-(b). Sections one, two and three would begin with:

(1) Limits its scholarship or grant-in-aid awards and any other institutionally administered or arranged financial assistance...

167Ibid., p. 169.
(2) Limits its subsequent scholarship and grant-in-aid awards and any other institutionally-administered or arranged financial assistance. 

(3) Limits its initial scholarship and grant-in-aid awards and any other institutionally administered or arranged financial assistance. 

The underlined portions represent the additions contained in Proposal 33.

Frank Remington of the University of Wisconsin presented a hypothetical situation wherein an individual was contacted by an athletic representative of a university. Subsequent to this initial and sole contact, no recruitment occurred for whatever reason. Afterwards, the individual, on his own volition, enrolled at the same university, applied for and received institutional financial aid. The impact of the proposed legislation would be to cause the university to become ineligible for NCAA events, even if the athletic department had requested that aid be withheld from the student in question. Chapman admitted that while this hypothetically was true, the university could appeal the case to the Council. Unfortunately, the burden of proof was on the university; the

171 Ibid., pp. 170-171.
assumption would be that the institution's athletic interests had interceded on behalf of the student in gaining financial aid.\textsuperscript{172}

The attack was joined by Cady who inveighed against the unrealistic approach of much of NCAA legislation. He felt it impossible that an athlete of major college caliber should not in some way be recruited and yet they had 0.1. 100. He could not imagine a university that would have the time and resources to prove conclusively that athletic ability was not considered in any degree in the awarding of financial aid and yet Proposal 33 was being seriously debated. Finally, he argued that the individuals "trapped by this interpretation or this set of interpretations, the men caught in the net have been poor, black and government-aided."

The legislation under consideration contradicted the efforts of government to help the poor, contradicted the efforts of trustees to make education opportunities available to poor and minorities, and contradicted the dominant belief systems of

\textsuperscript{172}Ibid., p. 171.
faculties. Amendment K, Proposal 65, and Proposal 33 were each in turn defeated by a show of hands. Following these three negative votes, the convention considered Amendment L (O.I. 419) and an affirmative vote was rendered. The new O.I. 419 read as follows:

O.I. 419. The phrase, "for which the recipient's athletic ability is considered in any degree, "as set forth in By-law Article 4, Section 6-(b)-(1), does not include an award of scholarships, grants, loans, work-study program assistance, on-campus employment and aid from government or private sources to a student-athlete given under the following conditions established in writing and certified by the faculty athletic representative, the admissions officer and the chairman of the financial aid committee of the institution:

(a) The program awarding institutional aid is completely independent of the athletic interests of that institution and the program in awarding institutional aid applies written criteria which base selection upon factors unrelated to ability to participate in intercollegiate athletic competition, and

(b) The award of institutional aid to the particular recipient was based upon the written criteria unrelated to his athletic ability and that the selection of the recipient was not influenced by the intercollegiate athletic interests of the institution. Any intervention by the athletic intercollegiate interests of the institution to bring about an award of institutional aid other than merely notifying the student-athlete of the existence of the program awarding

\[173\text{Ibid., pp. 171-172.}\]

\[174\text{Ibid., p. 173.}\]
institutional aid, shall constitute adequate proof of influence unless the contrary is clearly established by the institution.\textsuperscript{175}

Remington explained that the legislation was intended to deal only with aid that was clearly unrelated to athletic ability. This interpretation did not address eligibility for practice or participation, or eligibility for aid in the years following the freshman year. Remington stressed that a particularly desirable feature of this legislation was that the burden of proof was on the institution. In other words, if institutional financial aid was awarded to a student-athlete as per 0.I. 100, the assumption would be that it was related to athletic ability unless the institution provided proof to the contrary, but upon the presentation of the necessary evidence, an institution could safely provide financial aid to student-athletes who failed to predict.\textsuperscript{176}

A final illuminating case was described by Clyde W. Walton of Northern Illinois University. At his university a program entitled Complete Help and Assistance for a College Education (CHACE) operated entirely independent of the athletic department and

\textsuperscript{175}Ibid., p. A-35.

\textsuperscript{176}Ibid., p. 174.
yet, coincidentally, the two entities frequently recruited the same students. Because the great majority of those who were recruited were disadvantaged blacks who performed poorly on standardized examinations, a sizeable percentage of this group failed to predict. As soon as their non-prediction was known the athletic department would cease recruiting them while the CHACE program would continue to do so independently of the athletic department. The new O.I. would allow the CHACE program to provide aid to these non-predictors without jeopardizing the good standing of the institution within the NCAA.\textsuperscript{177} As mentioned earlier, O.I. 419 was approved by a hand vote.\textsuperscript{178}

The next topic for consideration was Proposal 35, an addition to the By-Laws which required that all institutions in compliance with By-Law 4-6-(b) maintain an up-to-date file on the eligibility of each student-athlete that had been certified as eligible. Fleischer feared that maintaining a file of this nature and allowing it to be inspected by outside sources constituted a violation of students' right to privacy.\textsuperscript{179} President Ramer assured the delegates that

\begin{itemize}
\item \textsuperscript{177}Ibid., pp. 174-175.
\item \textsuperscript{178}Ibid., p. 176.
\item \textsuperscript{179}Ibid.
\end{itemize}
the assumption was that only the Infractions Committee of the Eligibility Committee would be requesting access to the files. This request would be directed through the institution's faculty athletic representative in order to clarify cases of questionable eligibility before the occurrence of an athletic event. The addition to By-Law 4-6-(b) was approved.

Casale offered Item 61 for a vote. This 0.I. specifically prohibited rounding of prediction results so even if a prospect predicted 1.5999999... to an infinite number of decimal places he would be classified as a non-predictor and thus would be ineligible. This 0.I. was approved verbally.

Then, in rapid succession and with little discussion, Proposals 62, 64 and 66 were approved by the delegates. No. 62 provided the mechanism for establishing the prediction of an individual who did not complete high school but had completed the General Education Development (GED) examination. No. 64 formalized the recommendation of the Committee on

---

180 Ibid.
181 Ibid.
182 Ibid., p. 177.
183 Ibid.
184 Ibid.
Academic Testing and Requirements that the relative weighting of class rank and test scores in various prediction formulas should not vary more than a sixty-forty relationship.\textsuperscript{185} Finally Proposal 66 explicitly declared non-predictors ineligible for practice, participation, or financial aid based upon athletic ability. In the event that an individual did receive aid, he would be forced to forfeit his entire remaining eligibility, while participation or practice by a non-predictor would dictate the loss of one year of eligibility for every year of participation while ineligible.\textsuperscript{186}

On the other hand, the delegates refused to accept prediction based upon residual tests for students (not student-athletes as per 0.I. 100), who had missed the national test date. Fuzak led the opposition to this proposal with the arguments that it was not a hardship on an institution to withhold a walk-on from practice until the next national test date, that a great deal of innuendo had already been associated with residual examinations and even the national testing services had expressed concerns about the security surrounding the administration of residual

\textsuperscript{185}Ibid., p. 178.

\textsuperscript{186}Ibid.
tests, that under this proposal it would be possible for students to participate in autumn sports for some length of time before an accurate prediction could be established, and that this O.I. would open the door to a great deal of potential abuse and exploitation.\textsuperscript{187}

With that, the 66th Annual Convention drew to a close.

For the 1972-73 school year, it was reported that only 63 members of a total active NCAA membership of 665 failed to comply with By-Law 4-6-(b). This represented only nine per cent of the membership. Of the 602 institutions observing the 1.600 rule, 75 per cent used national tables, twelve per cent adhered to conference tables, and thirteen per cent developed association-approved institutional tables. Despite the difficulties associated with implementation, policing, and enforcement of the 1.600 rule and despite the plethora of Official Interpretations dealing with By-Law 4-6-(b), the overwhelming majority of institutions were complying without unmanageable problems.\textsuperscript{188}

\textsuperscript{187}Ibid., p. 177.

\textsuperscript{188}1971-1972 Annual Reports of the National Collegiate Athletic Association (Kansas City, Missouri: National Collegiate Athletic Association, 1972), pp. 30-31.
During 1972 the Committee on Academic Testing and Requirements sent five proposals to the NCAA Council for their consideration. The Council refused to move on four of the suggestions, while they concurred in the Committee's recommendation that exceptions to the requirement that weighting of high school class rank and test scores be allowed to vary no more than sixty-forty be referred to expert judgment rather than automatically rejected.

The four Committee recommendations that were tabled included a requirement that student-athletes who improve significantly from one test to the next or whose high school academic record does not correspond with the test scores be retested under the supervision of the national testing service. Significant improvement was defined as six points on the ACT composite score or 250 on either half of the SAT or 350 on the combined SAT score. This proposal seems to indicate some suspicious activity in the administration and recording of ACT and SAT test results.

A second recommendation was to remove financial aid from any mention in By-Law 4-6-(b) and apply the eligibility provisions only to student-athletes as defined in 0.I. 100. The Council did agree to remove the financial aid consideration in the By-Law but
defeated the motion to apply the provisions of the 1.600 rule only to student-athletes.

Next, a proposal that all institutions be required to use national prediction tables was delayed for one year. The final proposal came from Cross who advocated allowing anyone with a 2.350 grade point average in high school or who ranked in the top half of their high school class to practice and participate. Again, the Council refused to sponsor these proposals.¹⁸⁹

Despite the 91 per cent compliance rate and the many laudable objectives of the 1.600 rule, detractors had long been chipping away at the support for the By-Law. The 1972 Convention had established freshman eligibility in football and basketball. Because of the high public profile of athletes in these sports and because of the tremendous pressure placed upon coaches to win and produce revenue, the 1.600 rule itself had come under considerable pressure. The 1973 Convention sounded the death-knell of By-Law 4-6-(b), (c), and (d), that is the 1.600 rule and its various applications to continuing and transfer students.

¹⁸⁹Ibid., p. 131.
Proposal 75, if passed, would delete paragraphs (b), (c), and (d). It was offered for consideration by Tierney who argued that despite the ingenious modifications that had been suggested for the 1.600 rule over the past several years, none of them could be expected to solve the myriad problems. The fact remained that the 1.600 rule violated the constitutional precept of institutional autonomy, it discriminated against certain types of student-athletes, the prediction tables were to some extent suspect, a number of secondary schools had withheld their complete cooperation, and, in conclusion, the NCAA had begun by establishing rules for eligibility for NCAA events and now concerned itself with applying the 1.600 rule to eligibility for in-season competition. ¹⁹⁰ Behrman labeled the 1.600 rule "a source of confusion, embarrassment, frustration, and hostility." He claimed that the legislation had "evoked considerable consternation and antagonism... running the gamut from students and college presidents to Congressman" and so he advocated a vote for Proposal 75 in order to "end the hassling, the embarrassment, the inequities, the unfairness, and

the administrative complexities which relate to the rule."¹⁹¹

In the face of this wave of adjectives, Chapman implored the delegates to consider the potential abuse of marginal students that could result from the removal of any academic floor for eligibility¹⁹² while William E. Leckie of the Colorado School of Mines repeated his futile plea of a year earlier that a two-thirds majority place the 1.600 regulations into the Constitution where he firmly believed it belonged.¹⁹³

When the final tally was recorded, Proposal 75 had gained approval, 204-187. The 1.600 rule was history.¹⁹⁴ Richard A. Young of Bowling Green State University moved that Proposal 75 become effective immediately. It was seconded and approved by a show of hands.¹⁹⁵

Now came discussion of establishing some sort of academic floor for eligibility as a replacement for the deposed prediction formula. Jack Davis of Oregon

¹⁹¹Ibid., pp. 146-147.
¹⁹²Ibid., p. 146.
¹⁹³Ibid.
¹⁹⁴Ibid., p. 147.
¹⁹⁵Ibid., p. 148.
State University sponsored Proposal 76 on behalf of the Pacific-8 Conference. The convention agreed to consider each of the three sections individually.\textsuperscript{196}

In By-Law 4-6-(b), paragraph (1), on freshman eligibility, the phrase:

who have a predicted minimum grade point average of at least 1.600 (based on a maximum of 4.000) as determined by the Association's national prediction tables or Association-approved conference or institutional tables

had been deleted by action of Proposal 75. Proposal 76 substituted the phrase:

who have graduated from high school with a minimum grade point average of 2.000 (based on a maximum of 4.000) for all work taken and certified officially on the high school transcript.

In paragraph (2), dealing with continuing eligibility, the deletion by No. 75 was:

either accumulative or for the previous academic year of at least 1.600; except that the performance requirement of this paragraph shall not apply to a student-athlete who predicted at least 1.600 upon entrance into an institution which used the Association's national prediction tables or more demanding institutional or conference predictive formulae in applying paragraph (1).

As to such a student-athlete, he shall be limited only by the official institutional regulations governing normal progress to a degree for all students, as well as any other applicable institutional eligibility

\textsuperscript{196}Ibid.
rules, including those of the athletic
cconference of which the institution is a
member. These institutional or conference
standards shall be filed in the office of
the Association.

The recommended substitution was:

for the previous academic year of 1.700
at the completion of the first academic
year, 1.800 at the completion of the
second academic year, 1.900 at the completion
of the third academic year and a 2.00 at
the completion of the fourth academic year.

Paragraph (3) pertained to junior college transfers and
the section read:

failed to predict 1.600 on the association's
national experience tables must: (i) be a
graduate of the junior college; or (ii)
present a minimum of forty-eight semester
hours or a minimum of seventy-two quarter
hours of transferable degree credit with
an accumulative minimum grade point average
of 1.600

was deleted while it was proposed that the following
be added:

failed to graduate from high school with a
minimum 2.00 grade point average must: (i)
be a graduate of the junior college; or (ii)
present a minimum of forty-eight semester
hours or a minimum of seventy-two quarter hours
of transferable degree credit with an
accumulative minimum grade point average of
1.800. 197

Davis explained that there were some who
feared that with the elimination of the 1.600 rule the

baby had been thrown out with the bath water, and so the Pacific-8 Conference proposed a 2.000 floor which, they believed, was "consistent with most universities, recognizes the academic standards of institutions and provides for their prerogative beyond that." No one objected on the basis of institutional autonomy nor did anyone defend the interests of the disadvantaged.\textsuperscript{198} By a show of hands Proposal 76, paragraph (1) passed.\textsuperscript{199}

Davis then proposed the adoption of paragraph (2). This progression of 1.700, 1.800, 1.900 and 2.000, he felt was in line with most institutional standards.\textsuperscript{200} Objection on the basis of institutional autonomy was now voiced by Hill. Hill also defended the prerogative of individual conferences to establish requirements for continuing eligibility.\textsuperscript{201} Chapman opposed paragraph (2) because it failed to recognize the variations in academic demands from one university to another and, more important, the difference in academic rigor between various disciplines within a university. Chapman feared that this

\begin{enumerate}
\item \textsuperscript{198}Ibid., p. 149.
\item \textsuperscript{199}Ibid.
\item \textsuperscript{200}Ibid., pp. 149-150.
\item \textsuperscript{201}Ibid., p. 150.
\end{enumerate}
legislation would be regressive in its effect as it would direct athletes into less rigorous majors in order that they might maintain their grade points at the satisfactory level. Finally, it was pointed out that many institutions had gone primarily to pass-fail grading systems while other schools gave no grades below C.\textsuperscript{202} Paragraph 2 failed by a show of hands.\textsuperscript{203}

As the delegates turned to paragraph (3), Davis raised a question regarding the 2.000 grade point average requirement mentioned in the paragraph.\textsuperscript{204} President Ramer ruled that in fact the 2.000 standard had already been ratified and so, in effect, the question now before the convention was the change from 1.600 to 1.800 for junior college grade point average upon transfer.\textsuperscript{205} Davis then explained that the rationale for raising the grade point requirements for junior college students was that since the old requirement of 1.600 was no longer extant it seemed appropriate to establish an academic floor. 1.800 was a minimal and reasonable level.\textsuperscript{206} It was also pointed

\textsuperscript{202}Ibid.
\textsuperscript{203}Ibid.
\textsuperscript{204}Ibid.
\textsuperscript{205}Ibid.
\textsuperscript{206}Ibid., pp. 150-152.
out by Fuzak that, in most cases, the junior colleges were better able to work with the individual who was unable to earn a 2.000 in high school than were the four-year colleges.\textsuperscript{207} Despite these pleas the legislation was rejected, 169-145. \textsuperscript{208}

As the delegates turned to Proposal 77, it became apparent that at least part of the proposal had become redundant with the approval of the first section of Proposal 76. Proposal 77 applied to By-Law 4-6-(b) and, like Proposal 76, was composed of three sections which contained changes in paragraphs (1), (2), and (3). Hill requested a withdrawal of section (1) and the delegates approved such action. Then with little discussion section (2) was approved and became immediately effective. Section (3) stirred more conversation but was also approved.\textsuperscript{209} Proposals 78 and 79, related to the old 1.600 rule, were withdrawn, Proposal 80, an effort to exempt those institutions which did not recruit from the provisions of By-Law 4-6-(b) was defeated, Proposals 81, 82, and 83 were ruled out of order by President Ramer, Proposal 84 was withdrawn and finally Proposal 85, which brought By-Law 4-6-(d) into

\begin{itemize}
\item \textsuperscript{207}Ibid., p. 151.
\item \textsuperscript{208}Ibid., p. 152.
\item \textsuperscript{209}Ibid., pp. 152-154.
\end{itemize}
line with the recently adjusted By-law 4-6-(b) was approved. The new section (d) read as follows:

(d) Institutions which do not conform to the requirements of By-Law 4-6-(b) shall be ineligible for NCAA-sponsored events and appearances on the NCAA national television program until they have operated in conformity for a period of two years.

It is appropriate at this time to review, in full, the revised By-Law 4-6-(b). It should be recalled that section (1) was altered by the corresponding section of Proposal 76 and sections (2) and (3) were the result of the corresponding sections in Proposal 77. Effective immediately in January 1973 the revised By-Law 4-6-(b) appeared in this fashion:

Article 4, Section 6-(b), A Member institution shall not be eligible to enter a team or individual competitors in an NCAA-sponsored meet, unless the institution in the conduct of all its intercollegiate athletic programs:

(1) Limits its scholarship or grant-in-aid awards (for which the recipient's athletic ability is considered in any degree) and eligibility for participation in athletics or in organized athletic practice sessions during the first year in residence, to student-athletes who have graduated from high school with a minimum grade point average of 2.000 (based on a maximum of 4.000) for all work taken and certified officially on the high school transcript, except that an institution may provide financial aid to a student whose matricula-

210Ibid., pp. 154-157.
tion was not solicited by a member of the athletic department or by a representative of its athletic interests (see 0.I. 100) and whose admission and financial aid have been granted without regard in any degree to his athletic ability; such a student shall not be eligible for participation in athletics or in organized athletic practice sessions unless he satisfies the requirements of paragraph (2) and there is on file in the office of the director of athletics certification by the faculty athletic representative, the admission officer and chairman of the financial aid committee that this exception applies; and

(2) Subsequent scholarship and grant-in-aid awards (for which the recipient's athletic ability is considered in any degree) and eligibility for competition in varsity intercollegiate athletics for student athletes shall be limited only by the official institutional regulations governing normal progress toward a degree for all students, as well as any other applicable institutional eligibility rules, including those of the athletic conference of which the institution is a member. These institutional or conference standards shall be filed in the office of the Association.

(3) Limits its initial scholarship and grant in-aid awards (for which the recipient's athletic ability is considered in any degree) and eligibility for participation in athletics or organized practice sessions during the first year of residence of student-athletes transferring from one collegiate institution to those who meet the requirements outlined in paragraphs (1) and (2) above, except that a student athlete who transfers from a junior college and who failed to present an accumulative minimum grade point average of 2.000 upon his graduation from high school must: (i) be a graduate of the junior college or (ii) present a minimum of forty-eight semester hours or a minimum of seventy-two quarter
hours of transferable degree credit with an accumulative minimum grade point average of 2.000 and have spent at least two academic years (four semesters or six quarters) in residence at the junior college, excluding summer sessions, or (iii) present a minimum of thirty-six semester hours or a minimum of forty-eight quarter hours of transferable degree credit with an accumulative minimum grade point average of 2.250 and have spent at least three semesters or four quarters in residence at the junior college, excluding summer sessions, or (iv) present a minimum of twenty-four semester hours or a minimum of thirty-six quarter hours of transferable degree credit with an accumulative minimum grade point average of 2.500 and have spent at least two semesters or three quarters in residence at the junior college, excluding summer sessions.212

The underlined portions represent the additions made at the 1973 Convention.

Mention should be made of one last proposal at the 1973 Convention. M. Edward Wagner of the California Collegiate Athletic Association suggested that any reference to the freshman year be deleted from By-Law 4-1-(f) and rephrased in such a manner that athletes would be permitted four years of varsity competition within five years of their initial enrollment without regard to their particular year in school. This effort represents the birth of the modern

redshirt rule, and although defeated in 1973 the
movement would soon realize success.213

During the lifetime of the 1.600 rule a
number of legal actions had been brought against the
NCAA. Through the course of these legal actions, it
became clear that, in the view of the courts, the 1.600
rule was a consequence of a desire on the part of the
Association to adequately define the term "student-
athlete" and to implement this definition through the
vehicle of prediction formulas. The Association was
attempting to obtain "a high level correlation between
students and athletes in order to be assured of the
success of the individual prior to matriculation at a
given institution."214

In the most significant case, an athlete at
the University of California, Berkeley, Isaac Curtis,
had been admitted under the provisions of a program
created specifically to aid minority students. He had
not predicted 1.600 on the NCAA prediction tables but
had finished his first year of college with better than

213Ibid., pp. 163-164.

214Milton Ernest Reece, "The National Collegiate
Athletic Association and the Courts: A Summary of
Litigation Involving the Constitutional Laws of the
United States and the Rules of the National Collegiate
Athletic Association, 1970-74" (unpublished doctoral
dissertation, The University of North Carolina,
a 1.600 grade point average. The University of California had allowed Curtis to compete as a freshman despite his non-compliance with By-Law 4-6-(b). Curtis was declared ineligible by the NCAA. This was:

probably the most famous case involving the 1.600 rule. It had been referred to as a 'landmark' case and cited in many of the other similar cases before the bar. It was the first of its kind and was decreed against the National Collegiate Athletic Association in February, 1972.

In spite of the Association's rules, Judge Wollenberg declared a preliminary injunction against the National Collegiate Athletic Association.

No final action was taken by the court against the Association. The case became moot when the plaintiffs left the University.215

In the final analysis, "no regulations of the Association was found to be unreasonable, capricious or arbitrary under constitutional law. The 1.600 rule was challenged by the plaintiffs in nine cases and only one found the rule unconstitutional."216

Also during the era, the NCAA made provision for the withdrawal of athletic financial aid from those individuals who violated "the rules of the institution or the rules of the athletic department." While the ostensible purpose of this legislation was to penalize

215Ibid., pp. 72-75.
216Ibid., p. 166.
student protesters who engaged in violence, C.D. Henry of Grambling College charged that it could have racist consequences. Others feared that certain coaches would use the regulation to eliminate their "unimpressive athletes, those who fail to make a team." Byers, the Executive Director of the NCAA, rejected such claims with, "Oh, that's a lot of hogwash. There are no such coaches."217

Conclusion

The 1,600 legislation was conceived as a solution to the growing disparity between the academic credentials of student-athletes, particularly those in the high-profile sports of football and basketball, and the academic credentials of student bodies at large. For a number of reasons, test scores and high school academic preparation had improved steadily from 1955 to 1965. This fact, when coupled with the enormous growth in the college-age population, led to increased competition for admission to universities and greater pressure to perform in the classroom after matriculation.

Athletic officials, true to the accepted wisdom of the era, chose to develop prediction tables.

based upon the most reliable statistical predictors available to them, high school academic records and standardized test scores. Exhaustive research was conducted in order to ensure that the prediction tables were valid and tables were prepared that were specific to institutions or conferences. National tables were also available for those who chose to use them.

The original intent of the legislation was to ensure that incoming student-athletes held at least a fifty-fifty chance of graduating. Studies indicated that the fifty-fifty level of predictability occurred at the 1.600 level, that is, those who achieved a freshman college grade point average of 1.600 stood a fifty-fifty chance of eventually graduating. The task now was to develop an index using high school grade point average or class rank and standardized test scores that would accurately predict the grade point average for the freshman year. The index that was finally produced was eighty percent accurate, meaning that of those who predicted a 1.600 about eighty percent eventually achieved or exceeded this level of performance. This degree of predictability was accepted as satisfactory.

When the 1.600 legislation was presented to the 1965 Convention for discussion and approval, it was
proposed as an addition to the By-Laws, thus requiring only a simple majority rule. There was no discussion to speak of regarding the advisability of placing the legislation in the By-Laws as opposed to the Constitutional Articles. It is true that the 1.600 rule stood as a guideline for operation procedures and, as such, was not a general principle of college athletic policy. Operational procedures must be time and place specific in order to be most efficacious, while general principles should be, in large part, timeless in their applicability. For these reasons, the placement of the 1.600 rule in the By-Laws was very likely appropriate. Still, this left the 1.600 rule vulnerable to changing circumstances and the whims of a simple majority. This fact is especially important as the 1.600 rule was the subject of perpetual controversy and sustained repeated attacks over the course of eight consecutive NCAA Conventions until its ultimate demise in 1973.

During the lifetime of the 1.600 rule, a great many arguments were advanced in support of the legislation. At least as many were offered in opposition. Originally, the justification for the rule was to ensure that athletes were representative of their respective student bodies. This object, it was argued, was fundamentally worthy and, if accomplished, would go
a great distance toward repairing the public image of college athletics. Furthermore the academic floor, although minimal, would improve the academic success rate of athletes. This improvement would increase the return on the enormous financial investment in recruiting. Finally, the academic floor ought to eliminate "double standards" in the eligibility game, thus providing for more equitable competition.

Opponents argued that the 1.600 rule was a direct and serious violation of the long-standing principle of institutional autonomy, that the prediction tables had been inadequately validated, and that the interpretation and implementation of the rule was extraordinarily complex with the result being a good bit of confusion. In addition, the claim was forwarded that the business of academic prediction was risky at best and made more risky by the application of an absolute standard to highly heterogeneous institutions.

Advocates countered that the 1.600 rule did not dictate institution admissions policy but merely restricted such policy and then only with respect to athletes. Furthermore, the very act of association implied some compromise on the idea of autonomy.
The argument that the 1.600 rule represented an absolute standard imposed on widely divergent universities was labelled as specious for the institutional prediction tables were geared to the characteristics of the individual institutions and, despite the lack of complete reliability in the prediction formulas, the indexes, as currently devised, seemed to represent the best of all possible solutions. Finally, the business of equalizing competition could never be accomplished to the satisfaction of everyone, for, legislation aside, great disparities continued to exist in the competition in the classroom, both within and between universities, so lack of perfection should not be allowed to detract from the effort to achieve some basic equality.

As the 1960's became the 1970's, novel arguments of a more legalistic tenor were heard. The 1.600 rule exercised a discriminatory impact upon the "culturally deprived," it violated the "rights" of students to participate, and it "restricted" opportunities for students to participate. The threat of lawsuits or outside interference seemed ever imminent. Individuals of a more practical bent believed that many innocent athletes were penalized due to a violation by a single individual who often competed in an unrelated
sport while the use of test scores in the prediction process worked an unacceptable hardship on many institutions which did not require test scores for admission.

Although the Ivy League inveighed against the 1.600 rule because it was "disgracefully low," others attempted to persuade their colleagues that the 1.600 was having a salutary effect on the quality of academic work being performed in the high schools. One thing, however, was clear, many high school principals remained recalcitrant over the issue of the paperwork associated with 1.600 compliance.

Recalcitrance was not a quality exhibited by high school officials alone, for numerous Official Interpretations were discussed and approved, college officials, coaches in particular, became frustrated with the expanding and complex set of regulations dealing with the 1.600 rule. During the era of the 1.600 rule, athletic lawmakers agreed that no retests would be permitted after an individual had matriculated and established his prediction. In the event that an athlete reported for practice prior to establishing a predicted grade point average, a four week grace period was determined to be reasonable. A consensus soon established that only ACT and SAT scores would be
accepted for prediction and only such scores earned on a national test date and at a national test site. Eventually, it became necessary to define, in detail, a recruited student-athlete and so 0.1. 100 came into existence. This led to a requirement that an essential part of the act of compliance by an institution was the maintenance of a file containing the pertinent academic information on all athletes that had been certified as eligible and that the rounding of decimals in the prediction process was prohibited. Finally, agreement was reached on the relative weighting of the high school academic record versus test scores in the prediction formula—sixty-fourty was the maximum acceptable skew—and a prediction formula was devised for those who had taken the General Education Development (G.E.D.) examination.

After surveying the extraordinary complexity of the rules, regulations, and interpretations surrounding By-Law 4-6-(b), one finds little difficulty believing that enforcement and compliance represented a boiling pot of controversy. Yet, for the most part, the NCAA membership acted in good faith and did comply, in overwhelming fashion, with the legislation. From the 1967-68 academic year to the 1972-73 academic year, the membership grew from 521 to 665 members. The
number of those members who failed to file compliance forms did fluctuate some, probably due primarily to new membership applications, but generally declined throughout the period. The academic years and the corresponding number of those who were in non-compliance were: 1967-68, 82; 1968-69, 67; 1969-70, 87; 1970-71, 34; 1972-72, 53; 1972-73, 63. The percentage of non-compliance went from fifteen to nine percent. Still, of the 91 percent in compliance in 1972-73, many found the regulations to be perfectly odious.

A brief review of the era of the 1.600 rule reveals that the legislation was first approved at the 1965 Convention in Chicago. At the time, it was not a headline issue, for the on-going feuds with the AAU and with the National Football League occupied center stage. January 1, 1966 was the implementation date and February 15, 1966 was the deadline for institutional declarations of intent. In 1967, the rule was modified in order that it would apply to eligibility for participation in regular season intercollegiate contests and organized practice as well as to eligibility for athletically-related financial aid. At the 1968 Convention, freshmen were granted varsity eligibility in all sports except football and basketball, continuing eligibility was remanded to individual
conferences and institutions, and, for the first time, individual athletes were declared liable for any violations of NCAA rules.

The 1.600 rule was made applicable to transfers, both junior college and four-year college, in 1970 and the 1.600 rule was adjusted so as to apply to individual student-athletes in 1971. Finally, in 1972 freshmen were declared eligible for varsity contests in all sports and one year later, the 1.600 rule was eliminated and the 2.000 rule was adopted.

For its first three years, By-Law 4-6-(b) included a paragraph (2) which dictated minimum standards for continuing eligibility. Detractors for this paragraph argued that it was inappropriate and, quite likely, in violation of the NCAA Constitution to treat athletes as a special category of students yet, after they achieved victory in 1968, they failed to recognize that the remaining provisions of By-Law 4-6-(b) continued to do just that. Even more remarkable is the fact that throughout all the discussion of the validity of the 1.600 prediction formulas, no mention is made of the validity of the continuing eligibility provisions and there is no indication that any research was ever conducted on the subject. The continuing eligibility standard was linked to the 1.600
prediction minimum as a vehicle to discourage institutions from recruiting non-predictors.

Frequently, the issue of student "rights" was invoked as an argument against the 1.600 rule. As was so common during the Vietnam War Era, rights were often confused with privileges. Certainly, the right to participate in intercollegiate athletics is nowhere delineated in the amendments to the U.S. Constitution and, even with the rapid expansion of the concept of civil rights in the United States after 1960, it remained problematic that Americans possessed a "right" to participate in college sports. On the other hand, no discussion occurred relative to obligations associated with one's status as a college athlete. An argument could have been made that one had an obligation to be a legitimate student before being granted the privilege of intercollegiate athletic participation. Of course, this line of reasoning would have required a firm definition of a legitimate student, in one sense, precisely what the 1.600 rules was attempting to accomplish.

The myriad Official Interpretations and persistent attacks related to By-Law 4-6-(b) demonstrate a disappointing lack of commitment to the intent of the law probably due, for the most part, to the
incredible pressure to win and concomitant desire to gain a competitive advantage on one's opponents. The result was that the letter of the law was spelled out in greater and greater detail as coaches struggled to circumvent the intent. It is too simple, though, to argue that coaches were responding solely to external forces, for it is far more likely that the greatest pressure was self-imposed as they strove to gain success and recognition in their chosen careers. Even those with a personal commitment to educational ideals, and they may have been very few indeed, probably held a greater devotion to winning athletic contests. On many levels, this is a very relative world.

Finally, the 1.600 rule was designed by the NCAA membership as a response to the growing competition for college admissions and the increasing rigor in the college classroom. Coincidentally, upon the adoption of the regulation in 1965, a reversal of this trend began. Average test scores began a frightening ten year decline, open education and demands for "relevance" in the curriculum resulted in reduced rigor in the classroom and finally, the drive for greater selectivity in admissions that had been so evident before 1965 was reversed and replaced by a growing belief in open admissions in the 1970's. Clearly, the
policies of the NCAA, in particular the 1.600 rule, while laudable in many respects, were running counter to the major trends in American higher education. The coup-de-grace was delivered in 1972 when freshmen were granted varsity eligibility in the high-profile, high-pressure, high-revenue sports of football and basketball. The advocates of the 1.600 rules were unable to hold their fragile coalition together, and one year subsequent to the death of the freshman rule the final nail was driven into the coffin of the 1.600 rule as the membership voted by a slim majority to end the era of academic prediction.
Chapter VI
The Second Attempt Of The NCAA To Improve Standards Of Academic Eligibility

Introduction

A number of important issues confronted the world of college athletics during the decade of 1973-1983, the years spanning the time between the elimination of the 1.600 rule and the adoption of Proposal 48 (By-Law 5-1-(j)). One of the most far-reaching was the passage of the Education Amendments Act of 1972 by the U.S. Congress. Title IX of the Act stated that "no person in the United States shall, on the basis of sex, be excluded from participation in, be denied the benefits of, or be subject to discrimination under any education program or activity receiving Federal financial assistance..."¹ There were exceptions to Title IX for single-sex undergraduate institutions, religious institutions, and military academies, but, at the same time, Congress modified Title VII of the 1964 Civil Rights Act, thus

eliminating the exemption that had previously been enjoyed by educational institutions with respect to employment discrimination, and they altered the 1963 Equal Pay Act by eliminating the exemption for executive and professional employees. With these three actions, Congress ensured that Title IX would be the most far-reaching federal intrusion into higher education ever. Despite the implications, educational institutions did not, as a rule, raise objections.²

The new regulations were to be effective immediately in all areas of American life except physical education and athletics where the Department of Health, Education, and Welfare established an interpretive period to last three years. On July 21, 1975, operational guidelines were approved which granted institutions of higher education three years to come into compliance and one year to assess areas of non-compliance.³ Section 86.41 (c) of the guidelines read:

(c) Equal Opportunity. A recipient which operates or sponsors interscholastic, intercollegiate, club or intramural athletics shall provide equal athletic opportunity for members of

²Ravitch, pp. 295-296.

both sexes. In determining whether equal opportunities are available the Director will consider, among other factors:

(i) Whether the selection of sports and levels of competition effectively accommodate the interests and abilities of members of both sexes;

(ii) The provision of equipment and supplies;

(iii) Scheduling of games and practice time;

(iv) Travel and per diem allowance;

(v) Opportunity to receive coaching and academic tutoring;

(vi) Assignment and compensation of coaches and tutors;

(vii) Provision of locker rooms, practice and competitive facilities;

(viii) Provision of medical and training facilities and services;

(ix) Provision of housing and dining facilities and services;

(x) Publicity.

Unequal aggregate expenditures for members of each sex or unequal expenditures for male and female teams if a recipient operates or sponsors separate teams will not constitute noncompliance with this section, but the Director may consider the failure to provide necessary funds for teams for one sex in assessing equality or opportunity for members of each sex. ¹

The NCAA moved to comply with the Title IX implementation guidelines even with the obvious costs and with ambivalent feelings; the fact remained, participation by women in athletics had doubled in the period

1966-1972 and was expected to continue growing, even without stimulation from the federal government,\(^5\) but, as the NCAA moved to apply its rules and regulations to women's athletics, the Association of Intercollegiate Athletics for Women (AIAW) raised objections. Initial negotiations between the organizations failed to resolve the divisive issues,\(^6\) and not until the 1980's were women's athletic activities brought fully under the umbrella of the NCAA. This transition was not without controversy as:

Female coaches sued Washington State University, complaining that male coaches received a free car; female athletes sued West Texas State University on the grounds that outside 'booster clubs' were providing extra scholarships for male athletes; and female basketball players sued the University of Alaska, charging that the men's team got newer uniforms and a bigger budget than did the women's team.\(^7\)

The important thing to recognize is that there were two issues at work here. First, the AIAW fought tenaciously to maintain administrative control of women's athletics and second, the male athletic administrators, while willing to comply with Title IX to the extent of assuming responsibility for women's athletics,

\(^5\)"Colleges Seek Input to Title IX," NCAA News, 15 March 1974, as cited in William Bryan Harms, p. 27.

\(^6\)Ibid., p. 39.

\(^7\)Diane Ravitch, p. 302.
were unwilling to fund women's sports teams at the level deemed equitable by the courts and by the guidelines for implementation of Title IX.

In the final analysis, enforcement of sex-discrimination guidelines proved far more wide-reaching, in terms of federal involvement in higher education, than had affirmative action. While affirmative action guidelines covered some 900 institutions, Title IX and other sex discrimination applications affected every institution in the nation, some 3,000 or so.® The relationship between the federal government and higher education was permanently changed for:

through the issue of sex discrimination, federal agencies gained access to confidential personnel records, compelled universities to divulge tenure deliberations, and caused the creation of new bureaucratic structures within the university to supervise their orders. In one university, a federal investigator surreptitiously monitored classes for evidence of bias in professors' lectures. By 1980, federal regulatory authority reached into every institution of higher education in the nation, even those that had never accepted federal contracts. This substantial encroachment on institutional autonomy, so long considered a necessary component of academic freedom, would have been resisted tooth-and-nail in the 1950's; because government purposes in the 1970's were perceived to be beneficent, the new order was quickly effectuated.9

8Ibid.
Other issues that occupied the attention of athletic leaders were television, recruiting, grant-in-aid, and academic eligibility. Of course, each of these issues was important to the extent that it affected the equality of competition and the ability to compete was based, at bottom, on financial resources.

Television had helped college football become a truly national game and had pumped millions of dollars into the coffers of college athletic departments. At the same time, any pretense that college football and basketball were player-centered activities was thoroughly dissipated by the time that the 1970's had arrived. Clearly, these sports were now dependent on large numbers of paying spectators and on professional athletic administrators. In fact, the athletic bureaucracy grew by leaps and bounds. "While the number of male players in varsity sports rose by 11.8 percent between 1966 and 1972, the number of full-time personnel involved in administration climbed 35.9 percent. The number of part-time administrative employees jumped 52.7 percent."10

Unlike the 1950's, the 1970's witnessed a growth in attendance, five million for the decade, even while television ratings surged ahead of those for major league baseball. Wide-open offensive play, weekly press polls, and post-season bowl game spectacles aided in the continued increase in fan support.\textsuperscript{11} Television revenues grew to extraordinary levels as ABC purchased the exclusive broadcast rights to college football in 1977 for $120 million for four years.\textsuperscript{12} The combined 1981 television contract with ABC-CBS guaranteed the NCAA $65.7 million per year as the financial future of television football continued to look bright.\textsuperscript{13}

Unfortunately, the College Football Association (CFA), formed in 1976 to represent the interests of about sixty of the big-time football programs (excluding the Big Ten and the Pacific-10) threatened to bolt the NCAA organization and negotiate its own television football package. The 1981 NCAA television plan represented a compromise with the CFA, and, because it distributed a larger portion of the proceeds to these


\textsuperscript{12}Ibid., p. 81.

\textsuperscript{13}Rader, American Sports, p. 271.
schools, a crisis was averted.\textsuperscript{14} By 1984, the CFA was again dissatisfied and two of its members, the University of Oklahoma and the University of Georgia, filed suit in federal court with the intention of gaining a declaration against the NCAA television football package. The U.S. Supreme Court in 1984 did proclaim the football package to be in conflict with federal antitrust laws. By this action, the NCAA had lost one of its most potent control mechanisms.\textsuperscript{15}

The extraordinary revenues associated with successful college football and basketball were a mixed blessing for, as athletic programs became dependent on this source of income, the need to win in order to ensure continued infusions of capital became overwhelming. Recruiting, grants-in-aid, and academic eligibility, long essential ingredients in the intercollegiate athletic stew, became critical components which, of necessity, had to be mixed and regulated with great precision. Each of these components carried with it a dual cost, a financial cost and a competitive cost, and the risks associated with these costs grew with every new television contract.

\textsuperscript{14}Ibid., p. 275.

\textsuperscript{15}Rader, \textit{In Its Own Image}, pp. 81-82.
Recruiting had long been a source of controversy, but the enormous stakes now intensified, to extraordinary levels, the temptation to cheat.\textsuperscript{16} Costs associated with recruiting sky-rocketed and, eventually, limits were established on visits, both by coaches to prospects and by prospects to campus. By the same token, grants-in-aid had long been restricted to "commonly accepted education expenses" but their cost grew by 100 percent from 1965 to 1975 while the general price index increased only thirty percent.\textsuperscript{17} Only individual conferences had made any attempt to control the total number of grants that could be awarded. The wide disparities between conferences in number of permissible grants and, by extension, the maximum allowable budget for grants, were finally eliminated in the 1970's.

The single remaining pressure-point where one could gain a competitive advantage was academic eligibility. It had been pressure on this very point that had killed the 1.600 rule and left the NCAA with the sole qualifying standard of a sixth, seventh, or eighth semester accumulative high school grade point average of

\textsuperscript{16}Rader, \textit{American Sports}, p. 267.

2.000. There was no test score or curriculum requirement associated with the 2.000 rule. Furthermore, the NCAA had been unable to agree on a definition of "good academic standing" or enact a minimum standard for satisfactory progress for studentathletes. In an effort to reduce the competitive cost of fielding a successful and revenue producing team, coaches and athletic leaders exacted a financial cost, namely higher student-athlete attrition rates and loss of public and university goodwill:

In 1980, a string of ugly stories leaped to the headlines of the nation's press. In the Southwest reports indicated that Arizona State football players received credits for unattended, off-campus 'extension courses.' A sordid story of forgery and fakery wrecked the University of New Mexico basketball team. Then came even more startling revelations. Half of the Pacific-10 Conference schools admitted that they had 'laundered' academic transcripts and granted false course credits to athletes. The culprits included UCLA, for many years the premier team in college basketball, and the University of Southern California, a perennial contender for the national football crown.\(^\text{18}\)

As a result, a public debate began to consider the advisability of athletic grants-in-aid based on athletic ability, for many argued that this form of aid led to the recruitment of individuals lacking in academic ability and interest and the consequent exploitation of

\(^{18}\text{Rader, American Sports, pp. 281-282.}\)
these individuals. Soon, many universities initiated studies of graduation rates of varsity athletes in order to ascertain the magnitude of their athletic academic problems. The research uncovered problems of such scope as to call into question the academic integrity of the institutions themselves.

In the early 1980's athletic improprieties were not alone among the problems of higher education. In 1983, the National Commission on Excellence in Education issued a block-buster report entitled, "A Nation at Risk: The Imperative for Educational Reform." This report began with:

Our nation is at risk. Our once unchallenged preeminence in commerce, industry, science, and technological innovation is being overtaken by competitors throughout the world.

The risk was described as a deterioration in the "knowledge, learning, information, and skilled intelligence" of Americans relative to their international competitors. As evidence that this risk was real and significant, the Commission cited the following indicators:

19 Mayo, p. 6.
20 Ibid., p. 8.
International comparisons of student achievement, completed a decade ago, reveal that on 19 academic tests American students were never first or second and, in comparison with other industrialized nations, were last seven times.

Some 23 million American adults are functionally illiterate by the simplest tests of everyday reading, writing, and comprehension.

About 13 percent of all 17-year-olds in the United States can be considered functionally illiterate. Functional illiteracy among minority youth may run as high as 40 per cent.

Average achievement of high-school students on most standardized tests is now lower than 26 years ago when Sputnik was launched.

Over half the population of gifted students do not match their tested ability with comparable achievement in school.

The College Board's Scholastic Aptitude Tests demonstrate a virtually unbroken decline from 1963 to 1980. Average verbal scores fell over 50 points and average mathematics scores dropped nearly 40 points.

College Board achievement tests also reveal consistent declines in recent years in such subjects as physics and English.

Both the number and proportion of students demonstrating superior achievement on SAT's (i.e., those with scores of 650 or higher) have also dramatically declined.

Many 17-year-olds do not possess the 'higher order' intellectual skills we should expect of them. Nearly 40 percent cannot draw inferences from written material; only one-fifth can write a persuasive essay; and only one-third can solve a mathematics problem requiring several steps.

There was a steady decline in science achievement scores of U.S. 17-year-olds as measured by national assessments of science in 1969, 1973, and 1977.
Between 1975 and 1980, remedial mathematics courses in public four-year colleges increased by 72 per cent and now constitute one-quarter of all mathematics courses taught in those institutions.

Average tested achievement of students graduating from college is also lower.

Business and military leaders complain that they are required to spend millions of dollars on costly remedial education and training programs in such basic skills as reading, writing, spelling, and computation. The Department of Navy, for example, reported to the Commission that one-quarter of its recent recruits cannot read at the ninth-grade level, the minimum needed simply to understand written safety instructions. Without remedial work they cannot even begin, much less complete, the sophisticated training essential in much of the modern military.22

Findings of the Commission were that the high school curriculum had been "homogenized, diluted, and diffused" with courses containing little of intellectual significance, that expectations for students had deteriorated significantly, that the time required of American students to be "on task" was inadequate, and teachers and the teaching profession exhibited serious shortcomings. The report concluded with five recommendations: the curriculum needed to "get back to basics," expectations should be raised, more time should be spent by students on the business of learning, teachers and the teaching profession ought to be

22Ibid.
up-graded, and leadership and financial support for this effort would be required.23

Professional educators had long known most of what was contained in this report and, in fact, numerous efforts to address the "risk factors" enumerated in the report had already been started and were under way. This report, however, did summarize the existing state of affairs and demonstrated the fact that many of the problems of great concern in education were generally known.

The 1970's had seen a steady and all-pervasive grade inflation which reduced the reliability of high school grade point averages as measures of high school academic preparation.24 When, in 1975, the College Board announced that SAT scores had sustained a decade-long decline, the public expressed an immediate desire that their children get "back to the basics." Parents were supported in their suspicions of laxity in the schools25 when the College Board declared in 1977 that, included among the many causes of the test score decline

23Ibid., pp. 12-16.


25Ravitch, pp. 311-312.
were "(1) that less thoughtful and critical reading is now being demanded and done, and (2) that careful writing has apparently about gone out of style." As a result, 38 states adopted legislation that mandated that the basic skills should be examined through minimum competency tests.26

As American universities began to raise admissions standards, repeating the cycle begun as a response to the Sputnik launch, they encountered an obstacle which had been non-existent in 1960 -- the affirmative action policies of the federal government. Raising admissions standards in a time of grade inflation required heavier reliance on standardized test scores,27 a policy not altogether acceptable to American minorities.

Affirmative action, as applied to educational practice and admissions implied:

1. That no policies or practices may continue to lead to discrimination against members of such groups.
2. That special efforts should be made to recruit members of these groups.
3. That compensatory education should be available to such persons when deemed helpful.


4. That special financial assistance and counseling should be provided when needed, and
5. That goals may be set against which progress can be measured.28

Specific quotas had been declared unconstitutional in the 1978 Bakke decision, but the same decision had allowed for the consideration of race in admissions decisions as an "effort to overcome the effects of societal discrimination and to reduce the underrepresentation of minorities."29 In the 4-1-4 decision, Justice Lewis Powell held the deciding vote. In his written opinion, he quoted Alexander Bickel, formerly of Yale University:

The lesson of the great decisions of the Supreme Court and the lesson of contemporary history have been the same for at least a generation: discrimination on the basis of race is illegal, immoral, unconstitutional, inherently wrong, and destructive of democratic society. Now this is to be unlearned and we are told that this is not a matter of fundamental principle but only a matter of whose ox is gored. Those for whom racial equality was demanded are to be more equal than others. Having found support in the Constitution for equality, they now claim support for inequality in the same Constitution.30

28Public Policy and Academic Policy, pp. 5-6.
29Ravitch, p. 288.
The question that had to be answered by educators was—can this individual, when once admitted, perform at the academic level expected of all students? While the American people indicated that they strongly believed in meritocratic standards, the means of determining who met these standards, of determining who should be admitted to American universities, of determining who could be expected to perform in the classroom, was the subject of some dispute.

First, it is important to point out that only about ten percent of all American college students attended universities that could claim to have applicant pools large enough to permit any significant degree of selectivity. Further, it was these very colleges which seemed to be most willing to consider special talents and criteria in addition to test scores and high school grades.

Nevertheless, research has demonstrated conclusively that many minority groups, blacks in particular, do perform on standardized examinations at a level that


32George Gallup Organization, poll taken December 5-December 7, 1980 as cited in Diane Ravitch, p. 292.

is consistently below that of whites. "In 1982, the total (combined verbal and mathematical) average scores were 707 for blacks and 927 for whites, a difference of 220 points."^34

Even more startling was a listing of average SAT scores for the student bodies of selected institutions in 1983:

Average less than 700: North Carolina A & T, Grambling State, Texas Southern, Bethune-Cookman, Prairie View, Texas El Paso, Delaware State

Average 800-900: Northeastern, Indiana State, Nevada Las Vegas, Lamar, Morehouse

Average 1000-1100: North Carolina, Michigan State, Texas, Marquette, Pittsburgh

Average More than 1200: Stanford, Duke, Rice, Northwestern, U.C. Santa Cruz.^35

Clearly, there was and is wide variability among American colleges and universities. It is worth noting that of those institutions with a student body average of less than 700 all but one, Texas El Paso, were predominately black and UTEP was predominately minority (Hispanic and black). Even with the wide disparity in black and white

---


performance on standardized tests, it seems that "test scores overpredict the later performance of blacks," so, at least in this sense, "test scores are not predictively biased against blacks."\(^{36}\)

But technical criticisms were not the root cause of the objections to standardized testing. There were two powerful lobbies which staged campaigns against the instruments of the Educational Testing Service (SAT) and the American College Testing Program (ACT)—the National Education Association (NEA) and the consumer advocates led by Ralph Nader. The NEA feared that these examinations would continue to demonstrate "that school-teachers are drawn from the ranks of those who do poorly, in comparison with those entering other occupations, in tests of verbal and mathematical aptitude and accomplishment" and that acceptance of testing would lead to competency-testing of students in order to gauge the performance of teachers in the classroom. On the other hand, Ralph Nader and his associates viewed the testing services as "large and powerful organizations with interests antagonistic to those of the students--making use of arbitrary and anxiety creating instruments of selection." Of course, tied closely to this

\(^{36}\)Ibid., p. 161.
line of reasoning were the issues of cultural and socio-economic bias.  

Still, standardized tests were the most reliable tools of prediction available, were "closely related to intelligence tests," and, when combined with high school academic performance, were the best means available for predicting future academic success on the college level.  

In fact, abolition of such selection measures would very likely have resulted in a great disservice to blacks for the only reasonable alternative at the time was admissions interviews. These interviews had not demonstrated any predictive superiority over current admissions techniques and, quite possibly, may have resulted in the admission of blacks solely on the basis of skin color rather than academic competence.  

37Riesman, pp. 126-128.  

38Klitgaard, p. 92.  


40Riesman, pp. 128-130.
Questions of admissions procedures aside, college grades themselves contained a large percentage of variance, perhaps as much as twenty percent.\(^{41}\) Divergent grading policies were evident across both courses and departments, and students themselves made prediction of college grade point averages difficult as they self-selected into courses that tended to match their ability level thus distorting accumulative grade point averages. Finally, as demonstrated earlier, institutions varied widely in terms of the level of academic talent present in their classrooms, making any comparison of admission standards or grade point averages between institutions highly speculative at best.\(^{42}\) Clearly, "it would still be advisable for an institution to carry out its own predictive studies, preferably over a number of years."\(^{43}\)

Despite the problems that remained and the controversy that attended to admissions procedures:


\(^{43}\)Klitgaard, p. 114.
By 1980, 75 of every 100 youths graduated from high school, and about 45 then entered college. The gap in educational attainment between whites and blacks was narrowed substantially in the 1960's and 1970's. In 1960, about 40 percent of black youngsters finished high school, compared to some 67 percent of whites; by 1980, 70 percent of blacks did so, compared to 82.5 percent of whites. The gap remained, but the progress in reducing it was remarkable.\textsuperscript{44}

Discussions and Actions of the NCAA

With the abolition of the 1.600 rule and all of its attendant difficulties, the Committee on Academic Testing and Requirements confronted a severely reduced workload for 1973. The new chairman, Rix N. Yard of Tulane University, did however have four committee proposals to present to the NCAA Council. They were:

(a) The Council had directed the Committee to develop tables for the purpose of converting various high school grading systems to a 4.00 scale. Mr. Yard stated that this Committee feels this is both an impossible and impractical task and recommends that the Council not require the development of conversion tables. As a basis for this recommendation, Mr. Yard cited the following reasons: the number of high school grading systems is many and varied; the

result of the use of conversion tables would be an arbitrary product, and the NCAA should not be in a position of dictating to a high school the meanings of its grading system.

(b) The Committee recommends that B4-6-(b) (2.000 rule) be abolished. The committee feels that the current rule is meaningless because there is a wide variance in high school grading systems and conversion tables; the 2.000 standard is arbitrary; college admission policies now provide enrollment opportunities for students who can not satisfy the regular admissions standards applicable to the student body in general, therefore, the rule of the NCAA in establishing a minimum academic floor is not consistent with present day admissions policies; it is doubtful that B4-6-(b) could be successfully defended in litigation, and many high schools will not provide a grade point system either by conversion or for eight semesters.

Voted that the Council sponsor an amendment at the 68th Annual Convention to abolish B4-6-(b).

(c) The Committee suggests adoption of a normal progress rule requiring the completion of 24 semester hours or 36 quarter hours for the previous two semesters or three quarters of attendance in order to be eligible for participation in intercollegiate athletics. The student's eligibility for practice or financial aid would not be affected.

Voted that the Council sponsor an official interpretation of C3-3-(c) defining "normal progress" as the completion of 24 semester hours or 36 quarter hours for the previous two semesters or three quarters of attendance.

(d) Voted that in the event the 2.000 rule is not abolished by the annual Convention, the Council sponsor an amendment to permit use of the seventh or eighth semester grade point
average to establish eligibility under the 2.000 rule.\textsuperscript{45}

In addition to these recommendations from the Committee on Academic Testing and Requirements, there was one noteworthy recommendation which came from the Long Range Planning Committee, specifically that an amendment should be constructed that would require application of all NCAA eligibility rules to in-season competition just as these rules now applied to post-season events. This requirement was an idea that had been discussed in previous years but had come to nothing. In many cases, de facto compliance during the regular season could be found, but the Committee wanted de jure compliance in every case.\textsuperscript{46}

As the 68th Annual Convention got under way at the Hotel St. Francis in San Francisco, many old issues remained paramount among the concerns of the delegates. One of these long-running concerns was academic eligibility, particularly with regard to freshmen. During the roundtable discussion which preceded the business sessions of the Convention, the newly implemented 2.000 rule was subjected to many of the criticisms to which its


\textsuperscript{46}Ibid., p. 112.
predecessor, the 1.600 rule, had been subjected, namely that it interfered with institutional autonomy, that it was confusing and arbitrary, that a number of high schools either refused or were unable to compute grade point average on a four point scale thus rendering recruited student-athletes ineligible for one academic year, and that a 2.000 standard for eligibility was so low as to be embarrassing.47

Yard attacked the problem of getting grade point averages from high schools by pointed out that the problem was a longrunning one that could not be blamed on the 2.000 rule itself. Hill suggested that some relief could be gained by allowing a determination of eligibility based upon the sixth, seventh, or eighth semester grade point average rather than restricting member institutions to using only the average computed upon graduation. Hill also believed that the 2.000 standard would be much more acceptable if it were used in conjunction with a normal progress rule.48

Larsen took a contrary position to Hill’s statement because he thought that the 2.000 rule interfered with the prerogative of institutional autonomy. He

48Ibid., p. 67.
did, however, feel that an academic progress requirement would be acceptable because then an institution would control the review process internally. Further, he explained that 24 semester hours per year certainly conformed to current rules, namely By-Law 4-1-(c) which required a minimum enrollment in twelve hours during the semester of competition, By-Law 4-1-(f) which permitted only three seasons of competition after the freshman year, and Constitution 3-9-(a) which restricted all competition for an individual to a five year period.49

Unfortunately, the issue of institutional autonomy could not be dealt with as cleanly as that, for, as Al Paul of Columbia University pointed out, if an individual received an incomplete grade during the spring semester and it was then determined by the faculty that the make-up examination would be administered the following December, after the completion of the football season, the NCAA would intercede in institutional affairs to the point that they would declare the individual ineligible for NCAA competition for that football season. Larsen admitted that, in the specific case just described, the NCAA would be forced to make the declaration of ineligibility.50

49Ibid., pp. 140-141.
50Ibid., p. 143.
Institutional autonomy aside, Wayne Duke of the Big Ten Conference lamented the fact that after the elimination of the 1.600 rule and the adoption of the 2.000 rule the year before, each conference had rushed into special session and lowered their own conference standards in order that they might not be at a recruiting disadvantage. Duke envisioned a similar spectacle in the event that the 1974 Convention chose to eliminate the 2.000 rule, in which case he would be in favor of "the elimination of the word student from student-athlete, in the handbook."51

After hearing the discussion regarding the 2.000 rule, Marshall presented Proposal 21, a proposal to eliminate the 2.000 rule, to the Convention and recommended its approval. Marshall argued that since many believed that the 2.000 standard was nigh on no standard at all and also many had experienced noteworthy difficulty in exercising the provisions of the 2.000 rule, it seemed only reasonable that many would agree to do away with a worthless yet troublesome bit of legislation. He finished by issuing a warning that, in his estimation, the 2.000 rule was destined to encounter legal difficulties.52

51Ibid., p. 145.
52Ibid., p. 215.
Hill registered a mild objection to the argument that the 2.000 rule was unreasonably difficult to administer. The fact was that the rule had been in effect for just one year, and Hill felt certain that high school administrators could, in a very short time, be educated to the point that they would successfully calculate and satisfactorily record a grade point average.\textsuperscript{53} The proposal was defeated by Division I, 172-38, while Divisions II and III both eliminated the 2.000 standard from their rules.\textsuperscript{54}

Now that only Division I adhered to the 2.000 rule, this Division alone turned to a consideration of Proposal 22. The intent of the amendment was to provide added flexibility in By-Law 4-6-(b) by allowing freshman eligibility to be established on a calculation of accumulative high school grade point average at the end of the sixth, seventh, or eighth semesters. Schmakel queried in disbelief as to the eligibility of an individual who graduated from high school with a 1.800, had a calculated accumulative grade point average of 1.800 at the end of seven semesters, yet had an accumulative grade point of 2.000 at the close of their sixth semester. After receiving an assurance that this individual would

\textsuperscript{53}Ibid.

\textsuperscript{54}Ibid., p. 216.
be eligible under the proposed revision of By-Law 4-6-(b), he declared it bad legislation for the simple reason that it permitted and encouraged the recruitment of more marginal students. Marshall, on behalf of the Council, urged passage of the amendment for the sole reason that it facilitated the determination of initial eligibility.\textsuperscript{55} The proposal did pass.\textsuperscript{56}

As the business session continued, discussion turned to an Official Interpretation of the NCAA Council that had been rendered during the past year. This O.I. ruled that for the purpose of determining eligibility, the calculation and certification of the high school grade point average must be performed by officials of the high school. In the event that the high school authorities were either unable or unwilling to execute this function, the student-athlete would be declared a non-predictor as per By-Law 4-6-(b). Under no circumstances could the calculation be made by the certifying institution.\textsuperscript{57} Ray moved to table the discussion and a majority concurred.\textsuperscript{58}

\textsuperscript{55}Ibid., pp. 216-217.
\textsuperscript{56}Ibid., p. 217.
\textsuperscript{57}Ibid., pp. 217-218.
\textsuperscript{58}Ibid., p. 218.
Despite the large amount of controversy that had attended the 1.600 rule during its lifetime and the collective sigh of relief that had issued forth concomitant to its demise, it had not had its last hearing. Ramer introduced Proposal 25, a proposal to reimplement the old 1.600 standard of initial eligibility along with the Official Interpretations that applied, O.I. 409-415. Ramer admitted that the 1.600 was surely the most controversial piece of legislation in the history of the NCAA, yet there remained an overwhelming consensus in favor of some sort of academic floor on a national level. Essential to any successful and equitable standard was flexibility, flexibility which accounted for regional variations in high school preparation among students and flexibility which accommodated the many differences among universities. Both the College Entrance Examination Board and the American College Testing Program subscribed to the principle that the best means of predicting academic success on the college level was to use a prediction formula combining high school academic record with test scores. Mr. Ramer knew of no real dispute with this means of predicting academic success and so believed that, in order for member institutions to recruit and admit student-athletes in good conscience, they should utilize this combination
method regardless of the difficulties encountered.\textsuperscript{59} Despite Ramer's pleas the Convention rejected Proposal 25, 149-52.\textsuperscript{60}

The time had now arrived to address the issue of satisfactory academic progress for intercollegiate student-athletes. Discussion was not lengthy or detailed for much had already been said about the advisability of the integration of a satisfactory progress rule with the 2.000 rule. George Bisacca of the Eastern College Athletic Conference warned his colleagues of what he recognized as a hidden agenda, namely, regulation of in-season eligibility by the NCAA since Proposal 26 intended on establishing a new O.I. 14 which addressed a Constitutional provision and Constitutional provisions were binding on members at all times. Disparate individuals spoke to the overly restrictive nature of the proposal while advocating more flexibility.\textsuperscript{61}

Proposal 26 was tabled by a vote of 193-165, but it is instructive to review the original recommendation in order to make comparisons with future legislation. The extant O.I. read:

\begin{itemize}
\item \textsuperscript{59} Ibid., pp. 219-220.
\item \textsuperscript{60} Ibid., p. 220.
\item \textsuperscript{61} Ibid., pp. 220-222.
\end{itemize}
0.I. 14. The phrases "good academic standing" and "satisfactory progress" are to be interpreted at each member institution by the academic authorities who determine the meaning of such phrases for all students, subject to the controlling legislation by the conference or similar association of which the institution is a member.

Proposal 26 suggested the addition of three paragraphs:

(a) At a minimum, "satisfactory progress" shall require a student-athlete to complete satisfactorily a minimum of 24 semester of 36 quarter hours of academic credit, or in the case of an institution which awards academic credit on a system other than a semester or quarter basis, complete at least a minimum of 20 per cent of the academic units required for a baccalaureate degree, at the member institution during the two semesters or three quarters immediately preceding the term in which participation occurs.

(b) Credits earned in summer school, night school, correspondence and/or extension courses which are accepted by the member institution in which the student-athlete is enrolled may be counted in fulfillment of the credit hour or unit requirement provided these credits are satisfactorily completed during the 12 calendar months preceding the term in which participation occurs.

(c) For any student transferring from a collegiate institution who attends any term(s) at the member institution less than a full academic year, satisfactory progress shall require the student-athlete to complete satisfactorily a minimum of 12 semester or quarter hours (10 per cent per semester or 5 per cent per quarter of the academic units required for a baccalaureate degree) during each term.\textsuperscript{62}

As the 1974 Convention drew to a close there were several efforts to reopen discussion on Proposal 21, the elimination of the 2,000 rule, but on each occasion a majority rejected these attempts. Legislation was passed which allowed a student-athlete to turn professional in one sport while retaining his eligibility in all others. The only restrictions imposed on this sort of arrangement were no endorsement of commercial products and no representation by a professional sports agent in contract negotiations. The 68th Convention concluded by approving legislation which provided for head-counts of individuals on athletic scholarship in the sports of football and basketball with maximums established as thirty initial grants per year in football and six per year in basketball. The maximum permissible grants that an institution could have in effect in a given year was 105 for football and eighteen for basketball. This action represented an effort to cut costs associated with college athletics.

With respect to eligibility issues, the 1975 Convention was not particularly eventful, despite the fact that at least 35 university presidents chose to

---

63Ibid., pp. 255, 257-259.

64New York Times, 9 January 1974, p. 27.

65New York Times, 10 January 1974, p. 49.
attend. The chief executive officers had other things on their minds, according to Dr. William E. Davis of Idaho State University who listed three primary concerns:

1. To see that coaches, as well as institutions, are properly punished for infractions of NCAA rules.
2. To try to solve the problems of increasing costs.
3. To prevent Title IX of the Congressional Education Amendments of 1972 from becoming a 'threat to entire athletic programs.'

0.1. 409 was added to the Manual. This 0.1. allowed student-athletes for whom no grade point average was on file to practice for two weeks. At that time, in order to continue practicing, the student-athlete must have on file at the member institution a certified high school grade point average of 2.000. In addition, 0.1. 140 was approved by the membership as such:

0.1. If a high school or preparatory school will not provide a student-athlete's grade point average or convert it to the 4.000 scale, a member institution may submit the individual's high school transcript to the NCAA Committee on Academic Testing and Requirements for certification or conversion.

An effort to allow faculty athletic representatives to compute and record the high school grade point averages

---

68 Ibid., pp. 107-109.
of non-recruited walk-ons simply for the sake of convenience was rejected, 109-71.69

Next, the 69th Annual Convention rejected a reorganization of By-Law 4-1 which pertained to individual eligibility. The reorganization would have incorporated the current provisions of By-Law 4-6 on institutional eligibility into the By-Law on individual eligibility. It would have been incumbent upon individual student-athletes to be in compliance with the 2.000 rule just as institutions were required to be.70

Finally, the issue of satisfactory progress was on the agenda in the form of two amendments contained in Proposals 18 and 19. Hallock moved that the Convention first vote on Proposal 19 because it was more inclusive and so would very likely preclude the necessity of a large number of interpretations by the NCAA Council. It was agreed to follow the suggestion of Hallock.71 Proposal 19 contained six paragraphs to be added to the contemporary 0.I. 15:

0.I. 15. The phrases "good academic standing" and "satisfactory progress" are to be interpreted at each member institution by the academic authorities who determine the meaning of such phrases for all students, subject to

69Ibid., p. 109.
71Ibid., p. 101.
the controlling legislation by the conference or similar association of which the institution is a member. 72

The six paragraphs contained in Proposal 19 were:

(a) Each member institution shall require a student-athlete, as a condition of eligibility to compete, to progress toward graduation, subsequent to initial attendance in the member institution, by (1) earning at least 24 semester hours or 36 quarter hours of degree credit work during the immediately preceding 12 calendar months, and (2) accumulating at least an average of 12 units of degree credit work for each academic period of the regular academic year (excluding summer periods) subsequent to initial attendance in the member institution; or, in the case of an institution which awards academic credits on a system other than a semester or quarter basis, the institution shall require the student-athlete to progress by (3) earning at least 80 per cent of the degree credit work of the normal full-time yearly load during the immediately preceding 12 calendar months, and (4) accumulating at least an average of 80 per cent of the degree credit work of the normal full-time load for each academic period of the regular academic year (excluding summer periods) subsequent to initial attendance in the member institution.

(b) The initial calculation shall be made as of the beginning of the autumn academic period next subsequent to initial attendance, and thereafter the calculation shall be made as of the beginning of each subsequent autumn academic period. The calculation shall pro-rate progress as 12 units per academic period of attendance during the initial, regular academic year (excluding summer periods) for students entering at the beginning of the second semester or second or

third quarter; or in an institution not on a semester or quarter basis, prorating shall be on the basis of 80 per cent of the normal full-time load for a student athlete entering otherwise than at the beginning of the normal academic year.

(c) The award of credit after the commencement of the autumn academic period, by reason of removal of an incomplete previously received, may be used to recalculate progress by applying such credit to the academic period of enrollment in the course, or the award of credit may be applied to the academic period in which the academic credit was removed.

(d) Correspondence shall be applied to the academic period in which the credit is entered by the registrar; except if the study was commenced before the beginning of that period, credit may be applied either to that period or as of the beginning of that period.

(e) The annual 24 semester hour, 36 quarter hour or 80 per cent of normal full-time load requirement shall be reduced on a prorata basis when normal progress during the regular academic year is prevented by military service. Academic periods in which normal progress is prevented by military service shall not be used to calculate the accumulated average progress.

(f) A student-athlete who, after initial attendance at a member institution, does not meet the requirements of the progress rules by reason of absence from school (either the member or other collegiate institution) during the regular academic year, may be nonetheless eligible for competition if adequate progress is shown by calculation made as of the beginning of the academic period of renewed attendance in the member institution, excluding the academic period of absence, and the following conditions have been met:
(1) the absence from school was caused by verifiable personal reasons and
not motivated by intention to circumvent the purposes of the progress rules;

(2) During the absence from school, the student-athlete did not engage in such outside competition as would have caused ineligibility during enrollment;

(3) The student-athlete was eligible for enrollment during the absence from school;

(4) The student-athlete has otherwise satisfied the progress requirements in the last two semesters or three quarters of enrollment during regular academic years, and:

(5) A petition for eligibility is approved by the conference of which the institution is a member, or, in the case of independent institutions, by a committee designated by the NCAA Council.73

Cross explained that the satisfactory progress standards contained in Proposal 19 had evolved over a number of years within the Pacific - 8 Conference. Furthermore, Proposal 19 handled the problem of mid-year transfers and freshmen who started at mid-year quite nicely, while Proposal 18 failed to do so. For these reasons he felt that the Proposal was workable. In addition, the 80 per cent requirement for unconventional academic calendars was equivalent to the 12 hour requirement which was 80 per cent of the normal load of 15 hours. Plus, the

Proposal accounted for incomplete grades, correspondence courses, hardship cases, and exceptions to continuous eligibility. But the fact remained that the Proposal did pressure student-athletes to complete an average of 12 hours per term, thus improving their chances of graduating.\textsuperscript{74}

Although the opposition was not able to form a monolithic front, they clung tenaciously to the prerogative of institutional autonomy. Of course other issues weighed into the balance, but one is left with the impression that, more than anything else, Proposal 19 went down to defeat because of a lack of partisan supporters.\textsuperscript{75}

The Chairman of the Committee on Academic Testing and Requirements, Yard reported that all Committee work conducted during 1975 had been done over the telephone. Other than the many requests for determination of a grade point average as per O.I. 140, Yard had only three items of business to report:

(a) The Committee had been directed by the Council to offer a feasible alternative to the satisfactory progress rule which was defeated at the 69th Convention. The Committee concluded that any type of satisfactory rule would be difficult to adopt.

\textsuperscript{74}Ibid., pp. 101-102.

\textsuperscript{75}Ibid., pp. 102-105.
The Council voted to sponsor a modified version of Proposal No. 18 from the 69th Convention for consideration at the 70th Convention only if a proposal to establish a satisfactory progress rule is received from another sponsor.

(b) The Council voted to sponsor legislation to amend By-Law 4-1-(c) as recommended by the Committee, to include a provision whereby institutions which have unusual academic calendars may submit to the Eligibility Committee or other appropriate body the requirements of their program showing that progress is made which is equivalent to the requirements of By-Law 4-1-(c).

(c) The Committee considered the current interpretation (case No. 237) of the use of college preparatory school to comply with the provisions of By-Law 4-6-(b)-(1), as directed by the Council. The Committee recommended that the interpretation be retained.76

Case No. 237 simply allowed the certifying institution to use either the high school grade point average or the preparatory school grade point average to meet the 2.000 standard.

The 1976 Convention witnessed three attempts to eliminate or alter the 2.000 rule. Each in turn failed to generate significant support and so failed to gain approval. Proposal 243 suggested the complete

elimination of the 2.000 rule; Proposal 244 recommended that member institutions have a choice between adhering to the 2.000 rule or complying with a satisfactory progress rule; finally, Proposal 245 would have removed responsibility for calculating the 2.000 from the high school and given it to the university registrar, and it directed the NCAA Council to establish guidelines for this calculation.

After having revised By-Law 4-1 at the 1975 Convention, it seemed an appropriate simplification to delete the present By-Law 4-6-(b) and substitute this abbreviation:

(b) A Division I member institution shall not be eligible to enter a team or individual competitors in an NCAA-sponsored meet or tournament unless the institution limits its scholarship or grant-in-aid awards (for which the recipient's athletic ability is considered in any degree) and eligibility for participation in athletics or in organized athletic practice sessions to those student-athletes who meet the requirements of By-Laws 4-1-(j)-(1), (2) and (3), except that the provisions of By-Law 4-1-(j)-(3)-a-1 and By-Law 4-1-(j) (3)-b-1 shall not be applicable and the eligibility of the student-athletes described therein shall be determined by the

---


78 Ibid., p. 217.

transfer and eligibility rules of the institution and its athletic conference.

This action was approved by Division I, effective immediately.80

In the ongoing effort to cut costs, the delegates banned scouting in all sports except basketball, where one on-site scouting visit was permitted.81 The Division I representatives narrowly rejected athletic scholarships based on need. Again a record number of presidents chose to attend the gathering, but even with their votes, almost 100 of them, the measure failed to gain a majority.82 The 70th Annual Convention at St. Louis, Missouri ended on this note.

As the delegates to the 1977 convention gathered in Miami Beach, Florida, the warm southern weather aided in the rejuvenation of their psyches. Not surprisingly, another rejuvenation began in the hotel in Miami Beach but, like the temporary relief of warm winter weather, this second rejuvenation, too, was to be temporary. Specifically, the old 1.600 rule was resurrected, justified, and sent to the Committee on Academic Testing and Requirements for remodeling and refurbishing.

Williams of the University of Virginia argued that, while the 1.600 system had its difficulties, it had accomplished its intended objectives and had done so in legal fashion. Just as many university faculties had made adjustments in their curricula during the 1960's and early 1970's which now appeared to be misguided, so, too, did it now seem that the elimination of the 1.600 rule and the substitution of the 2.000 rule in its stead had been mistaken. Williams explained that the 2.000 rule was not really a standard admissions guideline, as its proponents asserted, and it now seemed that many high schools had taken the decision to educate their students at the 2.000 level. Thus, a revised and upgraded 1.600 rule would represent a "major improvement in terms of our own working relationships within our universities" because it would make manifest the intention on the part of athletic leaders to "achieve academic standards, academic excellence and greater academic retention."

Williams presented a totally new tack when he claimed that re-implementing the 1.600 standard would also aid in the retention of coaches. One is left to wonder if he was referring to all coaches or only those at the University of Virginia. Economics, too, seemed to warrant a return to the 1.600 rule for, as John Mahlstede of Iowa State University asserted, if the academic and
financial interests of the university were held paramount then the extraordinary attrition rates attendant to the 2.000 rule were surely intolerable.83

Division I agreed to refer the proposed return to the 1.600 prediction formula to the Committee on Academic Testing and Requirements for further study in order that an acceptable amendment to the By-Laws could be developed.84

Finally, there was an effort to amend By-Law 4-l-(j) so as to transfer the responsibility for certifying the final high school grade point average from the high school official to the several university registrars. One need not possess a fertile imagination to conjure up frightening scenarios. Larsen cited three reasons for rejecting this proposal. First, there would be as many methods of calculating a grade point average as there were institutions. Second, it would necessitate the development of a national conversion table, a task of impossible proportions, and third, the present system was working tolerably well and, in those cases that had proved troublesome, the Committee on Academic Testing and Requirements had thus far been

84 Ibid.
able to render acceptable decisions. The proposal was defeated.

On June 7, 1977, the Committee on Academic Testing and Requirements met to consider the proposal on the 1.600 rule that had been referred to the committee at the 1977 Convention. A proposal was formulated and presented to the Council for their review. The additional actions of the Council with respect to Committee business demonstrate the growing propensity to study before, and, in some cases, in lieu of, acting:

(a) The Committee recommended a survey of member institutions to obtain information regarding the graduation rate of student-athletes compared to the student body in general to assist the committee in determining the need for a satisfactory progress rule. The committee proposed that the National Association of Academic Athletic Advisors implement the study.

(b) Council members noted that the Association has a graduation-rate study under way, conducted by the American College Testing Service, and that while the survey recommended by the committee might be more comprehensive, it is not likely that any agency will have any greater success in obtaining responses than the NCAA-ACT study.

(c) It was observed that some institutions (Tennessee and Auburn were offered as examples) already conduct their own studies along these lines. Mr. Hallock was asked to determine from the Collegiate

85Ibid., p. 169.

86Ibid.
Commissioners Association the availability of such institutional studies. It was the sense of the meeting that no action be taken on the committee's recommendation for any additional study.87

The underlining is not found in the original document. It is curious that action is now defined as conducting an additional study as opposed to offering a proposal to the membership for their consideration.

Although the numerous attempts to establish a satisfactory progress rule had thus far been unsuccessful, at the January, 1978 Convention the advocates of some sort of satisfactory progress standard finally realized some success when they gained approval of a recommended policy to be applied to Constitution 3-3-(c)-. The new Policy 14 was not binding legislation, but it did represent a moral victory for its proponents.88 The policy appeared as:

Member conferences and independent member institutions should establish and publish specific requirements for student-athletes to meet in order to maintain satisfactory progress toward a degree in accordance with the NCAA Constitution.89

---

871976-77 Annual Reports of the National Collegiate Athletic Association (Kansas City, Missouri: National Collegiate Athletic Association, 1977), p. 158.


89Ibid., p. A-52.
The delegates then directed their attention to Proposal 88 on the agenda. This proposal was sponsored by the NCAA Council on the recommendation of the Committee on Academic Testing and Requirements. Essentially the proposal required a student-athlete to present either a 2.250 accumulative grade point average at the conclusion of the sixth, seventh, or eighth semesters, or a minimum composite ACT score of 17, or a minimum combined SAT score of 750 to be declared a predictor. Once declared a predictor, or qualifier, the individual was eligible for practice and competition. The proposal would have removed any reference to athletically-related financial aid from By-Law 4-1-(j).

Larsen, Chairman of the Committee on Academic Testing and Requirements represented Proposal 88 to the membership as a "triple option." Larsen felt that the revisions in By-Law 4-1-(j) would accomplish two objectives. First, it would provide for more flexibility for the individual to become a qualifier, while at the same time it would raise the minimum grade point average in the event that the individual chose that option. This proposal represented the results of Committee deliberations undertaken at the instruction of the 1977 Convention.90

90Ibid., p. 156.
On behalf of the College Football Association and as Chairman of the Faculty Section of that Association, Williams spoke in support of Proposal 88. Since the 2.000 standard had come about as a solution to the exigency created by the elimination of the 1.600 rule during a time of significant curricular changes at many colleges and universities, it now seemed appropriate to adopt a well-considered alternative. In fact, the 2.000 rule had, in quite unintended fashion, come to represent the national standard for admission for athletes, thus creating a very serious, exploitative situation in which a large number of student-athletes were recruited and permitted to compete on the athletic field while little or no consideration was given to their adaption to college academic life, an adaptive process made more difficult by their marginal academic situation. The primary reason that the University of Virginia joined the College Football Association was that it seemed to be an organization that could and would do something about academic standards. The academic situation in college athletics had become "a real tragedy, maybe even a disgrace in academic circles," according to Williams. Finally, the new proposal provided for those unique students who did not meet one of the three standards and yet seemed to warrant an opportunity.
Williams readily admitted that there were many cases of individuals who had failed to meet either the 1.600 or 2.000 standard and yet had enrolled and succeeded in college. This proposal would allow the institutions, at their own discretion, to recruit, admit, and provide with athletically-related financial aid those individuals who fell into this category. These non-qualifiers would, however, be prohibited from practicing or competing for one year.  

The Reverend John O'Malley of Loyola University, Illinois, expressed serious misgivings about what was, in effect, an endorsement of the SAT, especially as its validity had recently come under serious attack. C.D. Henry of the Big Ten Conference seconded the concerns of O'Malley, with regard to the black athlete. Because a majority of black athletes would very likely fail to earn an ACT 17 or SAT 750, in reality they were not being presented a triple option, while their third option was being raised to a 2.250.  

While he agreed that bias did exist in the SAT, Lionel Newsome of Central State University added that for some reason the large number of highly visible black athletes who appeared each week on college football

---

91Ibid., pp. 156-157.
92Ibid., pp. 157-158.
fields and basketball courts failed to manifest themselves at graduation ceremonies. A test did exist which attempted to account for cultural bias, the Black Intelligence Test of Cultural Homogeneity (BITCH) but this examination was accepted at few universities. Still, black people would be required to meet the same societal standards as white people, and so the sooner they began to live up to the standards, the sooner they would start becoming lawyers, doctors, and teachers as well as All-Americans. Proposal 88 went down to defeat.

The afternoon session began with a motion from Henry to accept Proposal 89. The intent of this proposal was to abolish the 2.000 rule and to replace it with the old 1.600 rule. The proposal was sponsored by the Big Ten Conference and the Advisory Commission of that conference. One black member from each conference school comprised the Advisory Commission, which listed as members: Buddy Young, Illinois; George Talifero, Indiana; Deacon Davis, Iowa; Tom Dawes, Michigan; Horace Walker, Michigan State; Leo Travert, Minnesota; Don Jackson, Northwestern; Robert Dorsey, Ohio State; Willie Jones, Purdue; and Charles Thomas, Wisconsin.

93Ibid., p. 158.

94Ibid., p. 159.
Henry reiterated the standard rationale for the 1.600 rule. His points included: successfully predicting graduation, recruiting student-athletes who were truly representative of their respective student bodies, and providing member institutions with the option of using institutional, conference, or national tables. In addition, Henry argued that the adoption of the 1.600 rule would reduce the number of athletes who would require five years to graduate.95 The commissioner of the Big Ten Conference, Wayne Duke, encouraged the conferees to read a contemporary Sports Illustrated article by John Underwood which cited a lack of academic standards as one of the chief problems confronting college athletics. Underwood had implied that the 2.000 rule was central to this problem.96

Opposition to Proposal 89 was based on the cultural and social bias of both the SAT and the ACT, the high incidence of foul play with regard to ACT and SAT scores, and the fact that many who failed to predict under the 1.800 formula went on to graduate.97

---

95 Ibid., pp. 161-162.
96 Ibid., pp. 162-163.
97 Ibid., p. 162.
The proposal did not achieve the required majority.\textsuperscript{98} Two items of importance with which the 1978 Convention finished its work were Division IA classification and freshmen redshirting. Division I was subdivided into A and AA for purposes of football competition. The initial proposal aimed to create a single division for the major football powers composed of about eighty members. That effort was thwarted by the Ivy institutions and the final criteria were:

1. An average of more than 17,000 paid attendance at home football games for at least one of the last four years, or
2. A 30,000-seat stadium with more than 17,000 paid attendance at home football games for at least one of the last four years, or
3. Conduct 12 varsity intercollegiate sports, including football and basketball.\textsuperscript{99}

The third standard was added at the urging of the Ivies.

All 257 Division I members agreed to allow the redshirting of freshmen. The original rule had allowed only sophomores, juniors, and seniors to sit out a year.\textsuperscript{100} With that, the 72nd Annual Convention drew to a close.

\textsuperscript{98}Ibid., p. 163.


The year was 1979; the site was San Francisco; the 1979 Convention began in ominous fashion when the Subcommittee on Oversight and Investigations of the U.S. House of Representatives issued a 60-page report which challenged the NCAA to "reform or be reformed." This remark was made with particular reference to the process that the NCAA used in investigating allegations of rules violations.\textsuperscript{101} The NCAA responded to the Congressional charge by granting Executive Director Byers the power to initiate an investigation of improprieties.\textsuperscript{102}

On the subject of the 2,000 rule, no substantive changes were to take place but much discussion occurred nonetheless. Academic standards in college athletics were a topic for much talk in the nation's press, as Red Smith editorialized on the topic:

\begin{quote}
The Special Events Committee of the National Collegiate Athletic Association has struck a mighty blow for higher education by recommending a post-post season series of football games to determine a National Collegiate champion.

It would be patterned after the championship playoffs in the National Football League except that the series wouldn't begin in December as it does in professional ranks. Scholars who
\end{quote}

\begin{itemize}
\item \textsuperscript{101}\textit{New York Times}, 9 January 1979, Section C, p. 15.
\item \textsuperscript{102}\textit{New York Times}, 10 January 1979, Section A, p. 21.
\end{itemize}
are valid contenders for a national title need December to study for the Rose Bowl, Sugar Bowl, Orange Bowl, Cotton Bowl, Peach Bowl, Tangerine Bowl, Gator Bowl, Sun Bowl, Fiesta Bowl, Liberty Bowl, Garden State Bowl and other post season exercises. Thus the post-post-season couldn't start until after New Year's Day. As conceived by the Special events Committee it would employ only four colleges and occupy only two weeks of January, but if the educational advantages were as great as proponents predict, more teams could be included and the eliminations could run on into February. In any event, the series would narrow the cultural gap between January 1 and the start of spring practice.

In order to become part of the curriculum, a post-postseason playoff would have to be approved by a majority of the 139 colleges in the NCAA's Division I-A, which is the big league for bio-chemistry majors who stand 6 feet 4, weight 235 pounds and can run 40 yards in 4.4 seconds. Such approval can't be voted before the NCAA convention of January, 1980, so the educators have a year to study the cultural benefits of the plan.

Some won't need all that time. For example, Penn State and Alabama took something like $1 million apiece out of the Sugar Bowl this year. Michigan and Southern California split more than $4 million from the Rose Bowl. Although Alabama, Michigan and Southern Cal have to share their loot with other members of their conferences, Penn State is an independent and can keep the whole bundle. A game for the national championship, so designated and so recognized, could produce even more educational figures than these.

Some builders of character, molders of minds and architects of manhood have agitated for a championship playoff for years, but this is the first time the idea has received the Good Housekeeping seal of approval. Evidently the Special Events Committee was influenced by the schism that threatened the very fabric of
higher education in this land after this year's bowl games.\textsuperscript{103}

Despite the biting sarcasm, the athletic leaders of America were still not prodded into action.

At the 1977 Convention the delegates had directed the Committee on Academic Testing and Requirements to formulate a proposal to replace the 2.000 rule. The result of this directive was the so-called "triple-option" proposal that was offered for consideration at the 1978 Convention. This proposal would have required an incoming freshman student-athlete to present a 2.250 high school grade point average, or a 750 SAT or 17 ACT in order to be eligible for practice or competition during their first year in residence. Eligibility for financial-aid was not linked to qualification under this proposal. The 1978 Convention had refused to approve this legislation.

Again in 1979, the "triple-option" was placed on the agenda as Proposal 104. It was first amended so that it would apply to the administration of financial aid as well as practice and competition. Discussion then proceeded along the same path that it had followed the preceding year. The old arguments were reiterated with some notable additions. Larsen urged delegates to

consider the grade inflation that had occurred in the high schools over the past ten or fifteen years. He believed that the contemporary 2.000 was probably equal to a 1.5 of a decade ago. This fact indicated a need to abandon the 2.000 standard in favor of the 2.250 standard. Richard P. Adinaro of Seton Hall University countered with the argument that the adoption of the 2.250 standard would not solve the problem of grade inflation but would only encourage it as the high schools would adjust their grading accordingly.104

Further support for Proposal 104 came from James A. Castaneda of Rice University. He felt that this legislation provided the "NCAA an opportunity to exert its image, its reputation and its standards as an encouragement to the higher academic community at the high school level." Castaneda expressed his belief that athletes were by nature competitors and would rise to the level of academic expectation as well. Any sharp separation of the academic from the athletic was inappropriate and would very likely prove counterproductive.105

104Proceedings of the Seventy-third Annual Convention of the National Collegiate Athletic Association (San Francisco: January 8-10, 1979), pp. 154-159.  
105Ibid., p. 158.
The issue of using minimum test scores to qualify individuals was obfuscated by Jack Jessel of Indiana State University when he claimed that a 17 of the ACT or a 750 on the SAT was equivalent to the 13th percentile while a 2.000 was average. Raising the grade point average requirement to 2.250 did not effectively accomplish the goal of upgrading academic standards, for the two options of ACT or SAT were still available. The effect of the legislation, according to Jessel, would be to postpone enrollment in an NCAA institution and encourage enrollment in a junior college. This in no way represented an improvement in academic standards. Larsen expressed the opinion that the Committee on Academic Testing and Requirements had chosen the specific scores of 17 and 750 because they were the median.106

Discussion of Proposal 104 concluded with a plea from Albert E. Smith of North Carolina A & T State University to defeat this proposal because it discriminated against the disadvantaged, particularly those from the inner city. By eliminating these individuals from the educational setting the NCAA was wasting a tremendous human resource even while they were condemning a great number of talented young people to the

106Ibid., p. 159.
ghetto. The mission of higher education, as Smith saw it, was "to help the people of this country improve their positions in life," a mission that would be hindered by the "triple option." 107

Proposal 104 was defeated. The two remaining proposals dealing with the 2.000 rule, Numbers 105 and 106, were referred to the Committee on Academic Testing and Requirements for reconsideration and editing. 108

The result of the process of reconsideration and editing by the Committee on Academic Testing and Requirements was Proposal 84 at the 1980 Convention. Robert F. Steidel, Jr. of the University of California, Berkeley, presented the proposed revision of By-Law 4-1-(j) to the delegates:

(j) He must conform to the following eligibility provisions for all championships and in Division I for regular season competition, practice and athletically related financial aid as indicated.
(Note: A qualifier as used herein is defined as one who is a high school graduate and at the time of his graduation from high school presented an accumulative six, seven or eight semesters' minimum grade-point average of 2.200 (based on a maximum of 4.000) or, subsequent to graduation from high school, presented a minimum grade-point average of 2.200 after at least one academic year of attendance at and graduation from a preparatory school, as certified on the high school transcript or

107 Ibid., p. 160.
by official correspondence. In addition a high school graduate with an accumulative six, seven, or eight semesters' minimum grade-point average of at least 2.000 but less than 2.200 (on a 4.000 scale) may be considered a qualifier for purposes of this legislation if he has achieved a minimum ACT score of 17 or a minimum SAT score of 750 on a national testing date.109

The changes or additions recommended by the Committee are underlined.

The previous year, a number of NCAA athletic programs had been racked with academic scandals of enormous magnitude. In fact, the revelations uncovered by the F.B.I. included transfer of fraudulent credits, mail and wire fraud, bribery, and conspiracy. It seems that two universities, Ottawa University in Kansas and Rocky Mountain College in Montana, had set up extension programs in California. A number of student-athletes had enrolled in these courses, often with the assistance of their coaches, and received college credits, often without attending or taking examinations. As the story broke wide open, many major-college head coaches argued that activity of this sort was prevalent in big-time college athletics and that it was due to the extraordinary pressure to win. Educators were shocked.

for, as William B. Boyd, President of the University of Oregon, said, "Something far more fundamental than athletic conference rules are being violated. The very integrity of our academic process has been undermined." Yet, a course of action had yet to be determined.

John D. Bridgers of the University of New Mexico reminded the Convention of the serious scandal that had recently engulfed his institution. According to Bridgers, "the bulk of our problems centered around individual student-athletes who were marginally qualified or unqualified for admission." By reducing the number of academically marginal student-athletes one would also reduce the temptation and pressure of unethical conduct on the part of those charged with the conduct of the athletic programs. The effect of adopting the 2.200 standard, in the view of Bridgers, would be to reduce the number of those in the marginal category. Additional support for Proposal 84 was expressed by Castaneda who argued that the NCAA had an obligation to consider the impact of its legislative actions beyond athletics themselves. This was a case where action on the part of


111 Proceedings of the Seventy-fourth Annual Convention, pp. 138-139.
the Association would send a signal to high school athletes, coaches, and administrators to the effect that academic expectations had now been raised and student-athletes had better measure up.112

The opposition was once again led by Henry of the Big Ten Conference and Jessell. Henry claimed that numerous studies were now extant which demonstrated that many minority, particularly black, students who had earned significantly less than 750 or 17 went on to graduate. Thus the principle of providing these individuals with an academic opportunity seemed justified. Furthermore, Big Ten institutions were, in some cases, graduating athletes at better than a 90 percent rate even while adhering to the 2.000 minimum.113 Jessell called for empirical data which might demonstrate the superior predictive power of a 2.200 versus the 2.000. None were forthcoming.114 Proposal 84 failed to attract a majority.115

Once again, satisfactory progress received major consideration at an NCAA Convention; in this case, it was in 1981. The Big Ten Conference had

112 Ibid., pp. 140-141.
113 Ibid., pp. 139-140.
114 Ibid., p. 140.
115 Ibid., p. 141.
implemented a satisfactory progress rule within the Conference in 1976. For some reason, Henry had made no mention of this fact at the 1980 Convention when he argued that the 2.000 standard for qualification had, in some cases, resulted in graduation rates as high as 90 per cent. Nevertheless, as Ray moved the adoption of Proposal 30, he admitted that, while the studies that had been conducted were only preliminary, all indications were that the satisfactory progress rule was having a salutary effect on graduation rates and also was proving workable. Proposal 30, in essence, represented the legislation that the Big Ten had adopted in 1976 and would have amended By-Law 4-1-(d):

(d) He must enroll and progress in a program of studies through which the student can qualify for a baccalaureate degree within no more than five years of residence after he initially attends a collegiate institution.

(1) He must have earned at least the following number of scholastic credits toward a degree with the following accumulative minimum grade-point average to be eligible for:

(i) A first season of competition after the freshman year in any sport: 24 semester hours or 36 quarter hours with an accumulative minimum grade-point average of 1.850.

(ii) A second season of competition after the freshman year in any sport: 48 semester hours or 72 quarter hours with an accumu­lative minimum grade-point average of 2.000.

(iii) A third season of competition after the freshman year in any sport: 72 semester hours or 108 quarter hours with an accumu­lative minimum grade-point average of 2.000.

(2) In the case of a student who changes from one curriculum to another within the institution, the quantitative requirements stated above shall be determined during the student's first academic year after the change of curriculum and based upon all of the student's college work recognized by the institution. In the case of a transfer student, the quantita­tive requirements stated above shall be determined during the student's first academic year after transfer based upon all the student's college work accepted at transfer by the certifying institution.

(3) A student who changes from another curriculum or college within the institution, or transfers from another collegiate institution, must meet the requirements set forth in subparagraph (1) above no later than one year after the student's enrollment in the student's present curriculum, college or institution.

(4) The NCAA Eligibility Committee shall grant appropriate relief upon a showing of hardship. The committee shall adopt and publish criteria for determining hardship and may delegate responsibility to an allied conference for applying the criteria in cases arising within the conference.117

This legislation was sponsored by all ten members of the Big Ten Conference and contained provisions for both quantitative and qualitative progress as well as a waiver process. The impetus for implementation of such legislation within the conference had come from the faculties, alumni, and "past athletes who expressed a deep concern that the time had come for us to put some teeth into the requirements."\footnote{Ibid., p. 101.}

Harold Shechter of Ohio State University supported the proposal for the above reasons and because it clearly stated expectations for student-athletes, coaches, advisors, administrators, and faculty. Additionally, it marked an effort on the part of the Association to end what the public viewed as the "athletic-academic hoax."\footnote{Ibid.} Thomas J. Anton of the University of Michigan and Gwendolyn Norrell of Michigan State University also spoke on behalf of the proposal.\footnote{Ibid., p. 102.}

Despite the fact that only John W. Harbaugh of Stanford University spoke against Proposal 30, and this on the basis of the incompatibility of Stanford's
unconventional grading system with the provisions of the legislation, the amendment was defeated.\textsuperscript{121}

The membership now turned to Proposal 31 on satisfactory progress as presented by Joseph R. Geraud of the University of Wyoming. The amendment suggested the elimination of By-Law 4-1-(j)-(4) and the renumbering of subparagraphs (5) and (6) as (4) and (5). A new subparagraph (6) would then be added as such:

(6) Any student-athlete who has completed at least one academic year in residence at the certifying institution shall be required to satisfy the following minimum academic progress requirements for continuing eligibility.

(i) Eligibility for financial aid and practice during each academic year following his initial year in residence shall be based upon the rules of the institution and the conference of which the institution is a member.

(ii) Eligibility for regular season competition subsequent to the student-athlete's first academic year in residence shall be based upon: (1) satisfactory completion prior to each term in which a season for competition begins of an accumulative total of semester or quarter hours of the academic credit required for a baccalaureate degree in a designated program of studies at the institution which is equivalent to the completion of an average of at least 12 semester or quarter hours during each of the previous academic terms in which the student-athlete had been enrolled, or (2) satisfactory completion of 24 semester or 36 quarter hours of acceptable degree credit.

\textsuperscript{121}Ibid., pp. 101-102.
since the beginning of the student athlete's last season of competition.

(iii) The calculation of credit hours under the provisions of subparagraph (ii) shall be based upon hours earned or accepted for degree credit at the certifying institution. Hours earned in the period following the regular academic year at the institution (e.g., hours earned in summer school) may be utilized to satisfy academic credit requirements of this regulation.

(iv) A graduate student who is otherwise eligible for regular season competition shall be exempt from the provisions of this regulation.

(v) The NCAA Committee on Academic Testing and Requirements shall establish appropriate criteria for additional exceptions to this legislation, which shall be administered by the allied conferences of the Association and, in the case of an independent institution, by the NCAA Eligibility Committee.

(vi) An institution which determines registration other than on a traditional semester- or quarter-hour basis shall submit a statement describing the continuing eligibility requirements applicable to its student-athletes for approval by the NCAA Committee on Academic Testing and Requirements.122

This proposal was sponsored by the NCAA Council and by the Division I Steering Committee for the same reasons that the proponents of Proposal 30 had offered. The notable difference was that Proposal 30 had demanded a term-by-term certification of eligibility while Proposal 31 mandated a year-by-year eligibility check. Williams, 122

who had assisted in the writing of the upcoming Proposals 32 and 33, both of which dealt with the issue of satisfactory progress, urged the delegates to vote for proposal 31 as a superior piece of legislation. He presented two reasons for his position. First, it was necessary to assure that student-athletes were making academic progress at a rate that paralleled their athletic progress and second, it seemed essential to implement such requirements on a nationwide basis.123 Proposal 31 gained approval and thus, made proposals 32 and 33 moot.124

The academic scandals that had rocked the world of college athletics during recent years were manifested in Proposal 34. The purpose of this amendment was to prohibit the use of courses taken through extension or credit-by-examination in the determination of eligibility without the approval of the Committee on Academic Testing and Requirements. Stephen Horn of California State University, Long Beach, expressed his belief that, since many of the academic scandals were more than institutional, in fact were regional, in their scope and since the new interpretation did allow for the Committee on Academic Testing and Requirements

123Ibid., pp. 102-103.
124Ibid., p. 103.
to grant exceptions that were deemed appropriate, this legislation met a serious current need.\textsuperscript{125}

Both John J. Coyle of Pennsylvania State University and Ray objected on the grounds that there were many reputable extension programs in operation around the country. The trend of the 1980's seemed to be moving in the direction of more programs of this type, thus the NCAA was moving in a direction counter to the national trend. Furthermore, they felt that the legislation, as written, would cause confusion among members while actually solving very few problems.\textsuperscript{126} Nevertheless, Proposal 34 gained the two-thirds majority (371-131) required for a constitutional adjustment.\textsuperscript{127}

In quick succession, three amendments gained the requisite majorities, Proposals 35, 36, and 37. These amendments did not represent substantive changes in the philosophy or By-Laws of the Association but still are worthy of mention. Number 35 required student-athletes who chose to attend summer school at an institution other than the certifying institution to gain approval from the appropriate academic official prior to registration. Failure to gain such approval

\textsuperscript{125}Ibid., p. 105.
\textsuperscript{126}Ibid., pp. 104-105.
\textsuperscript{127}Ibid., p. 105.
would force the certifying institution to disregard such courses in determining academic eligibility for intercollegiate athletics.\textsuperscript{128} Number 36 created a new obligation of membership in the NCAA, to wit:

By-Law 4-2-(d) To publish the requirements which student-athletes must meet in order to maintain satisfactory progress toward a degree in accordance with NCAA Constitution 3-3-(c).\textsuperscript{129}

Finally, Proposal 37 formalized as Constitution 3-3-(b) what had been an Official Interpretation:

(b) A student-athlete shall not be eligible to participate in organized practice sessions in his sport unless he is enrolled in a minimum full-time program of studies as determined by the regulations of the certifying institution.

(1) A student-athlete who is enrolled in less than a minimum full-time program of studies and has athletic eligibility remaining may participate in practice sessions if he is enrolled in his final semester or quarter of his baccalaureate program and his institution certifies that he is carrying for credit the courses necessary to complete his degree requirements as determined by the faculty of his institution.

(2) A student-athlete who has received his baccalaureate or equivalent degree and who is enrolled in the graduate or professional school of the institution he attended as an undergraduate, or who is enrolled and seeking a second baccalaureate or equivalent degree at the same institution may participate in practice

\textsuperscript{128}\textsuperscript{128}Ibid., pp. 105-107.

\textsuperscript{129}\textsuperscript{129}Ibid., pp. A-25.
sessions provided he has athletic eligibility remaining and such participation occurs within five years after initial enrollment in a collegiate institution. 130

Steidel objected to the characterization of this legislation as mere formalization of existing legislation, for he believed that throughout the By-Laws a distinction could be recognized between competition and practice. The Official Interpretation had been explicit in that it had never applied to eligibility for practice. Steidel felt that it was unfair to deny part-time students the opportunity to practice when they were not barred "from using the library. . . from using the dormitories, . . . from using the cafeteria, . . . from using the medical or clinical services." Finally, he argued that it was sometimes in the best interest of a student to drop a course, a line of action that would now be denied to student-athletes. His plea did not sway a majority. 131

The Convention now turned to the issue of freshman eligibility. It should be recalled that freshmen had been eligible for varsity competition in all sports since August 1, 1972. The issue had not been particularly controversial in the ensuing nine years


131Ibid., pp. 107-108.
but had come up periodically. Earlier, Andy Geiger, the athletic director at Stanford University, had written that:

financial problems and competitive inequities will prevent a return to freshmen teams or freshmen ineligibility. The expenses of intercollegiate athletics are rising at an alarming rate, and an increase in grants-in-aid, staff and supplies for freshmen teams would be prohibitive.

The competitive issue is germaine to the academic standards problem. The traditional pecking order in athletics is very difficult to change: success begets success; failure endures. Those schools that are in the have-not category are not willing to postpone the infusion of new talent for a year of freshmen ineligibility.132

Since it appeared as though freshmen would continue to compete on the varsity level and because of the failure to upgrade the 2.000 rule even after numerous attempts, Steidel, on behalf of the Pacific-10 Conference, offered an amendment to By-Law 4-1-(j) in the form of Proposal 86:

(1) An entering freshman with no previous college attendance who matriculated as a 2.000 qualifier in a Division I institution shall be eligible for financial aid and practice based only upon institutional and conference regulations.

(2) An entering freshman with no previous college attendance who matriculated with a

cumulative grade point average of 2.750 is eligible for varsity competition in all sports.

(3) An entering freshman with no previous college attendance who matriculated with a cumulative grade-point average less than 2.750 shall not be eligible for varsity competition during the first academic year in residence.¹³³

This proposal, while not based upon any wide-ranging studies, did seem reasonable in light of a study that Stiedel himself had conducted on the Berkeley campus. He had surveyed a population of 2,448 student-athletes who had attended Berkeley during the past ten years. The graduation rate of these student-athletes was almost identical to a matched sample of 38,000 students who had attended. Steidel had drawn out the special admits, those with a high school grade point average of less than 3.25, and determined their probability of graduating based upon their high school grade point average. Those in the 3.25-3.00 category had a 1.60 to 1.00 chance of graduation, while those in the 3.00-2.75 had a 1.15 to 1.00 chance. Continuing down the scale, those in the range of 2.75-2.50 had a 1.27 to 1.00 chance of not graduating, those in the 2.50-2.25 group had a 1.60 to 1.00 probability of not graduating and 2.25-2.20 had a 3.00 to 1.00 chance of

failure. Not one student-athlete with a 2.100 or lower had graduated from Berkeley. Finally, the breakeven point, that is the grade point average at which an entering freshman had a 1 to 1 chance of graduating was discovered to be 2.807. Of course none of these conclusions could be extended to other universities, but Steidel felt that the results of his study gave validity to the 2.75 requirements in Proposal 86.134

Objection was raised by Joseph V. Paterno of Pennsylvania State University who argued that grade point averages from one high school to another had widely different meanings. Because of this, the 2.75 standard was grossly unfair. While Paterno applauded the effort to prohibit the participation of academically unqualified freshman, he believed Proposal 86 to be unworkable.135 George Schubert of the University of North Dakota mentioned the wide variation in terms of difficulty that could be found between curriculums even at the same high school. Even as they attacked Proposal 86 many individuals spoke out against the concept of

134Ibid., pp. 184-186.
135Ibid., pp. 186-187.
freshman eligibility in general.\textsuperscript{136} The proposal was defeated.\textsuperscript{137}

Finally, a last attempt was made to alter the 2.000 qualifying standard by raising it to 2.200. The proposal was characterized as "capricious" and "arbitrary" by Jessell because there was no statistical evidence that a 2.200 rule would yield a higher rate of graduation.\textsuperscript{138} Castaneda countered with the argument that, despite the paucity of supporting data, the Association was obligated to do its best to improve its public image and to encourage better academic performance by student-athletes. For these reasons, adopting the 2.200 standard would represent a positive step.\textsuperscript{139}

Positive step or not, G. B. Wyness of the West Coast Athletic Conference indicated his conviction that with the wide range of variability from one high school to another the difference between a 2.000 and a 2.200 was practically meaningless, thus this proposal was little

\textsuperscript{136}Ibid., p. 187.
\textsuperscript{137}Ibid.
\textsuperscript{138}Ibid., pp. 187-188.
\textsuperscript{139}Ibid., p. 188.
more than window dressing. The proposal was voted down, 147-90.

At the 1982 Convention, held in Houston, Texas, there were three satisfactory progress proposals on the agenda. One was passed; one was defeated; and one was withdrawn. The first to be addressed was Proposal 42. This amendment made several editorial changes in By-Law 5-1-(j)-(6)-(i) and (ii). First, a student-athlete was required to meet the satisfactory progress requirement after "utilizing one season of eligibility" as well as after "one academic year in residence." This was intended to guarantee that a student-athlete remained a full-time student throughout the year. Second, the new provisions required a student-athlete to take courses "acceptable toward a baccalaureate degree" rather than "required for a baccalaureate degree." William M. Sangster of the Georgia Institute of Technology charged that this last change "essentially emasculated the whole satisfactory-progress concept."

---

140Ibid., p. 189.

141Ibid.


143Ibid., p. 85.
Geraud assured the delegates that it was the view of the NCAA Council that the Committee on Academic Testing and Requirements would have the power to grant exceptions due to extraordinary circumstances such as injury or serious illness all opposition seemed to evaporate.\textsuperscript{144} The membership voted in favor of Proposal 42.\textsuperscript{145}

Next, the delegates turned to Proposal 43, an effort to establish qualitative standards in conjunction with the quantitative standards of the satisfactory progress rule. This legislation was sponsored by six members of the Big Eight Conference, the exceptions being the University of Missouri and the University of Oklahoma, and was presented to the Convention by Keith Broman of the University of Nebraska.\textsuperscript{146} The proposal would have required that student-athletes demonstrate:

satisfactory completion of 24 semester or 36 quarter hours of acceptable degree credit during the student-athlete's immediate past two semesters or three quarters of attendance: (1) with a minimum grade point average of 1.600 (based upon a 4.000 scale) if the student-athlete has accumulated 60 or fewer semester or 90 or fewer quarter hours, or (2) with a minimum grade-point average of 1.800 if the student-athlete has accumulated more than 60 semester or 90 quarter hours; further, a student-athlete with an accumulative minimum grade-point average of 2.000 for all work

\textsuperscript{144}Ibid., p. 86.

\textsuperscript{145}Ibid.

\textsuperscript{146}Ibid., pp. 86-87.
completed at the certifying institution shall be eligible in any event provided that the student passed 24 semester hours the two preceding semesters or 36 quarter hours the three preceding quarters. 147

Proposal 43 was rejected without discussion at which time Proposal 44 was withdrawn. 148

When the time arrived to discuss Proposal 55, the so-called 2.750 rule, a proposal that had been on the agenda of the 1981 Convention as Proposal 86, Steidel, moved that Proposal 55 be amended in order that it might become a 2.500 rule. This, he suggested was a political compromise. 149 Unfortunately, the majority of the delegates was not swayed by Steidel's seemingly generous offer and so the amendment to Proposal 55 was defeated. 150

As the Convention turned to the original Proposal 55, the 2.750 rule, Jack Friedenthal of Stanford University began the exchange. He argued that the NCAA should recognize that they had obligations that extended past "finances and money," obligations that included seeing to it that students and student-athletes received a quality education. The fact was that it often took a year of a

148 Ibid., p. 87.
149 Ibid., pp. 96-97.
150 Ibid., p. 97.
adjustment before a student could really settle in and become a capable student and a competent athlete. Proposal 55 would allow those student-athletes who most needed the period of adjustment to refrain from competition yet receive athletic grant-in-aid during their freshman year. Surely, the 2.750 rule would enhance a student-athlete's opportunity to reach sophomore status and maybe even graduate, but further than this, it was essential to guard the "quality of the educational process." To do this, it was imperative to ensure that students not just "scrape by" throughout their career. In order to avoid just scraping by it was necessary to develop a solid base during the freshman year. 151 Finally, Edward M. Bennett of Washington State University claimed that one of the testing services had conducted a study on a national level which indicated that 2.750 was the break-even point, the point at which, statistically, students had a fifty per cent chance of graduating from college. 152 The standard objections were repeated in abbreviated form and Proposal 55 was defeated. 153

---

151 Ibid.
152 Ibid., p. 98.
153 Ibid., pp. 97-98.
Before the 1982 Convention drew to a close, an effort to raise the 2.000 qualifying standard to 2.200 was defeated without discussion and the opportunity for a non-qualifier to go to one year of preparatory school and qualify based upon a minimum grade point average at the preparatory school of 2.000 was eliminated.\textsuperscript{154}

Despite the paucity of substantive legislation added to the NCAA Manual between 1973 and 1983, sentiment had been growing for an upgrading of academic eligibility standards. The scandals of the late 1970's and early 1980's merely served to accelerate a trend of at least twenty years. By 1983, many nationally-known coaches were carefully advocating change, in spite of the fact that they had, in many cases, built their reputations and careers on academically marginal athletes. A case in point was Jackie Sherrill, formerly of the University of Pittsburgh, presently athletic director and head football coach of Texas A & M University, who discussed the problems associated with the academic-athletic misfit and who, unwittingly, demonstrated his own crude prescience even while revealing a startling grammatical deficiency:

\begin{center}
I think that university executives need to shoulder more of the responsibilities for their athletic programs in dealing with academics. They should also admit that running an institution of higher learning or an athletic program is
\end{center}

\textsuperscript{154}\textit{Ibid.}, pp. 98-99.
a business where competition for the academic student is as intense as it is for the student athlete.

University X, for example, is probably better known for the exploits of its football team and Heisman Trophy winner or long list of All-Americans and NCAA basketball champions than it is for its academic pursuits. This is not to take anything away from the university's academics, but is merely a reflection of our sports-conscious society. Coaches, athletic directors, chancellors and presidents are expected to fill huge stadiums, get television coverage for their teams, and fill athletic coffers with money. And now, as if this wasn't enough pressure on all these administrators, the academic proposals being put forth could possibly dilute the quality of the product and deny deserving individuals the opportunity not only to excel on the athletic field but to get an education.

The way things are now, there is a certain amount of parity with the 30-scholarship rule in college football. If we rapidly accelerate the academic standards just to quiet public criticism, then we run the risk of creating more and more competition for the outstanding student who can also excel on the athletic field.

Those institutions that get the individuals who can meet these academic qualifications will be the ones who rule the top 10, who have television appeal, who go to bowl games consistently, and bring that college administrator that million-dollar check.

We are not going to change America's views of sports. However, we certainly can help reshape the attitudes toward athletics and academics. One way we can modify things and improve the system is by taking the admissions process of the student-athlete out of the hands of football, basketball and other coaches, and putting that process into the hands of a committee
made up of faculty members who admit each athlete on his academic merits. Evidently Sherrill has, in the past, been responsible for his own admissions decisions and, while willing to bask in the glory of a top ten berth with marginal students, seems a bit hesitant about doing so with "individuals who can meet ... academic qualifications."

The 1983 Convention continued the recent tradition of attempting adjustments of the 2.000 rule. The NCAA Council had publicly expressed their support for upgrading academic standards in Division I and, in fact, submitted five proposals, 48-52, for consideration by the Convention. In addition to these proposals, the Pacific-10 Conference again placed on the agenda an amendment to By-Law 5-1-(j) that advocated a 2.500 minimum high school grade point average for freshman participation. This amendment was an exact replica of the amended Proposal 55 from the 1982 Convention.

Proposal 47, the 2.500 rule, had received the endorsement of the Committee on Academic Testing and Requirements, as had Proposals 48-52. Steidel presented Number 47 to the delegates and explained the rationale

which supported his action. He reminded the delegates that studies had been conducted which indicated that 2.750 was the watershed point at which fifty per cent of those who matriculated could be expected to graduate. In an effort to accommodate those who felt the need for greater flexibility in the standard for qualification, the Pacific-10 Conference had agreed upon the 2.500 level. While this compromise must surely result in reduced graduation rates it also represented significant improvement over the 2.000 rule. Steidel reminded the delegates that a 2.000 still qualified an individual for financial aid and practice but not for competition. This was an important point because the next five amendments affected eligibility for financial aid and practice as well as competition. The current 2.000 rule was represented as a two-tiered arrangement that dichotomized all students into qualifiers and non-qualifiers, with qualifiers being eligible for competition, financial aid, and practice while non-qualifiers were prohibited from receiving any of these benefits. The proposed three-tiered mechanism would create three categories: those above 2.500 would be eligible for all benefits; those under 2.500 but above 2.000 would be eligible for financial aid and practice; and those under 2.000 would be denied all
athletically-related benefits. This three-tiered system would, according to Steidel, relieve a great deal of pressure on high schools to award a 2.000 to academically marginal student-athletes.156

The only dissension that was expressed on the floor of the Convention came from E. J. McDonald of Duke University, who argued that removing a student-athlete from two or three hours of competition on Saturday did little to enhance their academic performance if they were still required to participate in fifteen to twenty hours of practice during the week.157 Steidel commented that Proposal 47 did relieve the very real pressure associated with competition.158 The delegates refused to endorse Number 47.159

As the membership prepared to continue with the agenda, Donald Shields, the President of Southern Methodist University and a member of the American Council on Education's President's Ad Hoc Committee


157Ibid., p. 102.
158Ibid., p. 103.
159Ibid.
on Intercollegiate Athletics stood and advocated the adoption of Proposal 48, an amendment to By-Law 5-1-(j):

(Note: A qualifier as used herein is defined as one who is a high school graduate and at the time of graduation from high school presented an accumulative minimum grade point average of 2.000 (based on a maximum of 4.000) in a core curriculum of at least 11 academic courses including at least three in English, two in mathematics, two in social science and two in natural or physical science (including at least one laboratory class, if offered by the high school) as certified on the high school transcript or by official correspondence, as well as a 700 combined score on the SAT verbal and math sections or a 15 composite score on the ACT.)

He continued by stating his belief that an upgrading of academic standards was necessary in order to maintain the "organizational integrity of the NCAA as well as the institutional integrity of our member institutions." The level of academic performance required in Proposal 48 was modest, well-balanced, and reasonable. Furthermore, because the amendment would not become effective until August 1, 1986, the NCAA was providing explicit advance notice to high school student-athletes and their parents and advisors about minimum academic expectations. The legislation

---

160Ibid.

had heightened validity because it required both a minimum score on a standardized national examination and completion of a college preparatory core curriculum. Shields concluded with a challenge to the chief executive officers present to live up to their obligations as stewards of higher education in order to better preserve the integrity of their universities. 162

The representative of the Southwestern Athletic Conference and the National Association of Equal Opportunity in Higher Education, Joseph B. Johnson of Grambling State University, staged an immediate rebuttal. The position of the Ad Hoc Committee of the American Council on Education was suspect because none of the 114 historically black colleges and universities had been represented. Without this representation it was impossible to display the necessary "sensitivity to and knowledge of" the black role in higher education. Furthermore this proposal interfered with the traditional prerogative of "college and university presidents, . . .boards of trustees, regents and school systems" resulting in an inappropriate academic distinction between athletes and non-athletes. Traditionally black

162Ibid., p. 103.
institutions could offer as proof of their commitment to academic pursuits the fact that a majority of their student-athletes graduated. Finally, no one had studied the effects that this rule would have on minority student-athletes. The Ad Hoc Committee had arbitrarily chosen cut-off test scores based on "conjecture rather than empirical data." As a consequence, the victim would be forced to bear the brunt of the legislation due to a lack of a "moral commitment on the part of the institution to higher-risk students" when, in fact, the real need was for better developed and integrated academic support mechanisms. Johnson concluded in histrionic fashion, "They came after the Jews and I said nothing; they came after the Catholics and I said nothing; they came after the blacks and I said nothing. Then they came after me and there was no one there to say anything."163

This presentation elicited a response from a member of the Ad Hoc President's Committee James H. Wharton of Louisiana State University. He revealed that the Committee had concluded that when a coach offered a high school prospect an athletic grant-in-aid there were two implied commitments, one athletic and one academic. It seemed apparent that many

163Ibid., pp. 103-105.
grants-in-aid had been offered to individuals who lacked the skills to benefit from the academic portion of the agreement. The Committee had also discerned what they perceived to be a pattern of padding grade point averages during the last semester in high school in order to aid marginal students in their effort to qualify. In fact, the President's Committee had considered relevant data and had discovered that there was a significant difference between the academic potential of these marginal students and the minimum requirements for success. Wharton saw only two alternatives; ignore the problem or do a better job of preparing students. The choice was obvious, so the core curriculum had been devised on the basis that these courses enhanced an individual's opportunity for academic success. The purpose of the test score requirement was to validate the high school academic experience, just as the Graduate Records Examination validated the undergraduate experience prior to the start of graduate work. Now as to the accusation that up to a third of all student-athletes might be disqualified under the provisions of Proposal 48, Wharton explained that this was why the legislation would not go into effect for three years. This time lag between approval and implementation had been deemed
sufficient for high school officials and students to effect a change in their educational strategies. With all the publicity which must surely attend to passage of such legislation, a salutary influence on the high schools could be expected. Implementation of Proposal 48 should reduce the number of academic scandals in college athletics, scandals which reflected on every institution regardless of their involvement. This issue transcended the world of intercollegiate sports, for it also would have an impact on the entire university and the society. This issue spoke to the preparation of the leaders of the future. Despite the imperfections in this amendment, real or imagined, it was an attempt to remedy the problem, "to vote against it is to vote not to even try."\textsuperscript{164}

The issue of discrimination, in particular the discriminatory impact of Proposal 48 on minorities, elicited a response from Castaneda who reasoned that defending the interests of minorities in the short run was not necessarily the same as protecting their interests in the long run. In fact, a successful effort to block an increase in academic standards could very well accrue to the long-term disadvantage of those very individuals in whose putative interest the effort

\textsuperscript{164}\textit{Ibid.}, pp. 105-106.
had been launched. Castaneda reminded those present of the voluntary nature of their membership in the Association and quoted a portion of Article 2 of the NCAA Constitution, "To promote and develop educational leadership and to encourage our members to adopt eligibility rules to comply with satisfactory standards of scholarship." Because of the great importance of the leadership role of the NCAA, it seemed doubly important to reverse the decade-long trend of repeated failure to improve academic standards. "The impression that we are interested in guaranteeing athletic participation without regard for truly adequate academic standards" should be dispelled by a definitive move to address the long-range interests of student-athletes. This objective could be accomplished by raising the academic level of expectation for student-athletes, an act that would demonstrate the willingness of the NCAA to wield its tremendous influence in a salutary fashion.165

Use of the athletic grant-in-aid as a vehicle for earning a college degree had come to represent a time-honored and acceptable means of financing a college education. Yet the claim of James H. Zumberge of the University of Southern California and also a

165Ibid., p. 106.
member of the Ad Hoc President's Committee was that this vehicle was now being abused by individuals who possessed no "interest in academic achievement" or who were "ill-prepared for academic success." The honest intent of the President's Committee in formulating Proposal 48 was to redefine the term student-athlete in order that demonstration might be made of the "pre-eminence of academics over athletics." It was hoped that this action would reestablish the integrity of the institutional admissions process while possibly enhancing the validity of a high school diploma.\textsuperscript{166} Bruce R. Poulton of North Carolina State University echoed the sentiments of Zumberge on the question of academic preparation and added that the real issue was that of exploitation. The new rule was an effort to guarantee that those who were at academic risk might be withheld from athletic competition until such time as they had adequately demonstrated their ability to successfully manage the rigors of college academic life.\textsuperscript{167}

Opposition to Proposal 48 was voiced by Jesse N. Stone, Jr. of Southern University, who claimed to speak for the group of black, athletically-talented

\textsuperscript{166}Ibid., pp. 106-107.

\textsuperscript{167}Ibid., p. 107.
individuals who, although of marginal academic ability, 
deserved an opportunity to gain a higher education. 
Stone also affirmed his belief in "excellence in 
education" and "excellence in competition." His 
quarrel with Proposal 48 was based on the fact that any 
member institution in the NCAA which felt the need to 
raise admissions or academic standards for athletes or 
for the general student body was free to do so. 
Because of this, it was unnecessary, or worse, inconsiderate, to raise standards on the national level. 
This action would deny educational opportunity to deserving individuals and, while the mission of higher 
education did not include a guarantee of success it did 
include a guarantee of opportunity.168

This well-reasoned plea was followed by an impassioned diatribe worthy of the unforgettable Mrs. Malaprop. The thrust of the following polemic was identical to that of Stone; the level of thoughtfulness was not. Edward B. Fort of North Carolina A & T State University admitted that his "opposition is with particularized reference" to the use of the SAT. Using the SAT to determine eligibility was "a moral issue, not one couched in the exclusivity of academic standards." The issue was a question of the

168Ibid., pp. 107-108.
willingness of the NCAA to "allow elitism and the ethos of meritocracy to transcend all that is just in terms of ethnic bias, rural isolation bias, concern for a humaneness and equity." Fort had witnessed both black and white youths "desecrated [sic] by the revelation . . ." of "... a questionable SAT score."

More and more he saw Proposal 48 as a black and white issue, a question of the color of the majority of athletes in the "final four." Fort saw this legislation as potentially self-destructive and cited a 1980 report by Ralph Nader and his associates as supporting evidence. The report indicated that SAT scores predicted grades only "eight to 15 per cent better than random prediction" and, in fact, the SAT discriminated between rich and poor and between the upper class and the remaining classes. For these reasons, the SAT seemed a most inappropriate standard for use by the NCAA as a method of qualifying.\textsuperscript{169}

\textsuperscript{169}Ibid., pp. 108-109.

The concerns of minority students, in particular those who did not meet regular admissions criteria but who otherwise offered evidence that they possessed the ability and the drive to succeed in college academic work once provided the opportunity,
were important concerns to the President's Ad Hoc Committee, but, according to Joab Thomas of the University of Alabama, this did not argue conclusively against Proposal 48. In fact, just the opposite. Many universities conducted educational opportunity programs. These programs were supplied with students via special admission procedures and were usually restricted in size to a small percentage of the total student body. Thomas believed that in all too many cases athletic departments had come to control the bulk of these special admission slots, thus denying opportunity to more deserving minority candidates, candidates with a greater likelihood of academic success. As a result, the interests of the athletic department had come to frustrate the objectives of educational opportunity programs. Proposal 48 was constructed to restore credibility in these programs.170

Luna I. Mishoe of Delaware State College, a mathematician by trade, revealed the results of a study he had recently conducted. Essentially, the SAT discriminated on the basis of socioeconomic background. This discriminatory effect was evident for both minorities and non-minorities. The only valid predictors of college academic success that Mishoe had discovered

were English and mathematics, and, in the case of these subjects, the relationship was statistically significant.\textsuperscript{171} Additional criticism of Proposal 48 was voiced by Frederick S. Humphries of Tennessee State University on two lines of reasoning. First, the issue of academic excellence and athletics was evidently not a topic of universal concern, for Divisions II and III were not addressing Proposal 48. Elementary extrapolation would indicate that not all members of Division I felt an urgent need to address the issue, so why not leave action on the subject to those who felt impelled to act. Second, this legislation was not the result of detailed and exhaustive research but rather was the brainchild of impulse. Not one of the institutional presidents who had composed the proposal would operate their own institutions in like fashion and yet they suggested that the NCAA do so.\textsuperscript{172}

At this time a compromise was suggested by the President of the University of Connecticut, John A. DiBiaggio. While he supported the legislation personally and for his institution, he recognized that the test score requirement might work a hardship for a number of historically black institutions and possibly

\textsuperscript{171}\textit{Ibid.}, p. 110.

\textsuperscript{172}\textit{Ibid.}, pp. 110-112.
for others. This hardship could be alleviated by introducing some flexibility into the proposal on this score. The appropriate adjustments could be addressed at the 1984 Convention, certainly an ample period of time before the August 1, 1986 implementation date.173

Appropriate as this compromise might be, Paterno admitted that he possessed little or no knowledge of the problems encountered at predominantly black institutions. He did, however, have 33 years of experience at predominantly white universities and with both white and black student-athletes. The basic philosophy to which Paterno claimed to adhere had been expressed in eloquent fashion by Knute Rockne years earlier, "I will find out who my best team is when I find out how many doctors, lawyers and good husbands and good citizens have come off every one of those teams." Paterno felt that the black educators who were so opposed to Proposal 48 were underestimating the ability of young blacks. His experience had indicated that ill-prepared student-athletes quickly discovered their inability to compete in the classroom and responded by skipping class and frequently failing. However, once they began to develop the skills which made them competitive in the classroom they began

173Ibid., p. 114.
to take great pride in their performance. With this in mind, it seemed unfair to place ill-prepared students in a classroom where they were most likely doomed to failure, certainly enormous frustration. Motivation was primarily a function of success, and so it was essential to ensure that recruited student-athletes were capable of initial success. The fact was, predominantly white Division I institutions had "raped a generation and a half of young black athletes." Certainly Paterno did not want to eliminate blacks from his squad, for they were, in large part, responsible for his success as a coach. The mission of college athletics was broader than simply fielding winning teams; college athletics must prepare athletes for the day when they would become ex-athletes in order that they might be competitive in society and achieve some success, thus reducing their level of frustration. Proposal 48 might not be the best answer, but it represented a challenge which, Paterno felt confident, black as well as white athletes could meet.174

A novel criticism of Proposal 48 was leveled by Geraud. He queried the delegates about who would determine what was a math course and what was not. While the concept of a core curriculum was laudable,

174 Ibid., pp. 114-117.
the process of requesting, receiving, and evaluating transcripts promised to be a nightmare. What one school refused to accept as a math course, another school surely would. For years the NCAA had upheld a tradition of restraint on issues of academic importance but then adopted the 1.600 rule. Under the 1.600 rule, institutions had developed their own prediction tables in order to gain an advantage and yet be in compliance, so eventually the rule had become impossible to administer. The 2.000 qualifying standard had reestablished a common ground among schools since they all received the same calculated grade point average. Now Proposal 48 seemed to promise new controversy. For this reason Geraud moved to table Proposal 48. 175 This motion was ruled out of order by President James Frank and so was followed by a motion to refer Proposal 48 to the Select Committee on Athletic Problems and Concerns in Higher Education. This motion was defeated after minimal discussion. 176

Before a vote was taken on Proposal 48, the Reverend Edmund P. Joyce of the University of Notre Dame reminded all that because the legislation did not

175Ibid., pp. 117-118.
176Ibid.
become effective until August 1, 1986 there remained three opportunities, three national conventions during which appropriate changes could be made. For this reason, today's action was not really final. Applicable research could bring about a reconsideration.177

Finally, the Reverend J. Donald Monan of Boston College lamented the fact that the debate over Proposal 48 had seemed to develop into a black-white issue. The fact that none of the historically black institutions had been represented on the President's Ad Hoc Committee which drew up the proposal was an unfortunate oversight.178 The delegates voted to pass Proposal 48.179

This action made moot any discussion of Proposal 49-A, but Proposal 49-B still represented a change in the rules and was now particularly apt after the approval of Proposal 48.180 Proposal 49-B stated that:

An entering freshman with no previous college attendance who matriculated as a nonqualifier in a Division I institution and whose matriculation was solicited per O.I. 100 shall not be eligible for financial aid, regular-season competition and practice during the first academic year in residence, except that a high

177Ibid., pp. 121-122.
178Ibid., pp. 122-123.
179Ibid., p. 124.
180Ibid., p. 123.
school graduate who presents an overall accumulative minimum grade point average of 2.000 but who fails to present the required grade point average in the core curriculum and achieve the required test score may receive financial aid based upon institutional and conference regulations and, if the individual receives financial aid shall be charged with the loss of one of the four seasons of eligibility permitted under By-Law 5-1-(d). 181

This proposal ensured that an institution could still award athletic financial aid to those who they felt were deserving and who had a minimum accumulative grade point average of 2.000 but these individuals would not be permitted to practice during their first year and they would be forced to forfeit one of their four years of eligibility. 182 This amendment was approved. 183

The remaining proposals relative to initial eligibility were now moot. Proposals 50-52 had contained core curriculum and grade point average requirements but no test score requirement. Proposal 53 was a resolution directing the Committee on Academic Testing and Requirements to resurrect the old 1.600 rule, make the appropriate modifications, and place it on the agenda of the 1984 Convention. This resolution was withdrawn by its sponsors, the Atlantic Coast

182 Ibid., pp. 124-125.
183 Ibid., p. 125.
Conference.184 Proposal 54 suggested that non-qualifiers be permitted to attend a preparatory school for one year and qualify provided that they achieved at least a 2.000. This proposal was defeated chiefly because it contained no curriculum requirement and so seemed to weaken the just adopted Proposal 48.185

The issue of satisfactory progress remained to be addressed, and this Convention made some changes in the legislation on this topic. Proposal 56 required that student-athletes earn degree credit "in a specific baccalaureate degree program for the student-athlete." The effective date of this legislation was to be August 1, 1984. The concept of a "specific baccalaureate degree" program was supported by the American Council on Education and the College Football Association as well as the NCAA Council. Edward T. Foote of the University of Miami explained that this amendment completed the triad which defined a college student, namely: full-time status, good academic standing, and now, enrollment in a regular, baccalaureate degree program.186 Proposal 56 was approved.187

184Ibid.
185Ibid., pp. 125-128.
186Ibid., pp. 128-130.
187Ibid., p. 131.
The next proposal, Number 57, attempted to define, more specifically, the second leg of our triad, the concept of good academic standing. The amendment was sponsored by the Big Ten Conference and appeared as:

By-Law 5-1-(j)-(6)-(iv) The student-athlete must have earned the following accumulative minimum grade point average (based on a maximum 4.000) to be eligible for: (1) a first season of competition after freshman year in any sport: 1.850; (2) a second season of competition after the freshman year in any sport: 2.000; (3) a third season of competition after the freshman year in any sport: 2.000.

Objections were raised by Francis W. Bonner of Furman University and Williams because of the wide variety of grading systems across the country and the impossibility of accommodating some of them to this regulation. Bonner also accused the Big Ten Conference of trying to impose their grade point requirements on the NCAA. By a vote of 158-133, the delegates rejected Proposal 57.

Finally, Proposal 58 was referred back to the Committee on Academic Testing and Requirements. This

---

188Ibid., pp. 131-132.
190Ibid., p. 132.
191Ibid., p. 133.
amendment would have permitted individual conferences to grant exceptions to the satisfactory progress regulations in situations caused by circumstances beyond the student's control. As pointed out by Norrell the 35 or forty conferences in the United States would most likely arrive at 35 or forty definitions of "circumstances beyond the student's control."192

Over the next year, a number of well-reasoned discussions of the implications of Proposal 48 took place. Individuals far removed from college athletic departments gave thought to the issue. One of these commentators, Fred A. Hargadon, observed with dismay that the use of test scores as a cut-off mechanism was, in this case, inappropriate, for there existed wide variability among American colleges and universities. While a student scoring a 700 may be essentially doomed to academic failure at one school, he may be very close to the mean at another. Absolute standards of admission were unacceptable for this reason. Even more lamentable, in the view of Hargadon, was the complete lack of controversy surrounding the 2.0 grade point average cut-off. This standard seemed to condone a minimalist policy and worse, "grades for eligibility

192 Ibid.
are rather more easily delivered on demand than the required scores on tests."193

At the 1984 Convention, the Big Ten Conference again made an attempt to more carefully define the concept of good academic standing. The Proposal had been modified some during the intervening year so that sophomores were expected to carry at least a 1.700, juniors at least a 1.850, and seniors at least a 2.000.194 Wharton objected to the establishment of an absolute standard simply because the definition of good academic standing was known to vary from one university to another. Surely this definition should be left to the respective faculties.195 Peter Likins of Lehigh University pointed out that mean grade point averages varied widely among universities and so, too, did the value attached to a 2.000. John Moore of Old Dominion University countered by defining the proposed standards as minimal. He felt that the Association needed to reaffirm their support for academic standards by


195Ibid., p. 83.
supporting this legislation.\textsuperscript{196} The amendment failed to attract a majority.\textsuperscript{197}

Without making any significant changes, the delegates chose to delay implementation of By-Law 5-1-(j)-(6)-(ii) on satisfactory progress by one year to August 1, 1985.\textsuperscript{198} There also appeared on the Convention agenda a resolution about freshman eligibility, but it was withdrawn due to a lack of supporting data.\textsuperscript{199} The most controversial issue at the 1984 Convention was Proposal 35, another piece of legislation that had originated in the American Council of Education, as had Proposal 48 the year before. Proposal 35 recommended the creation of a Board of Presidents consisting of 44 members with the power to:

1. Propose new bylaws, interpretations or resolutions and amendments to the existing constitution, bylaws, interpretations or resolutions.
2. Suspend the implementation of any new bylaw, resolution or constitutional provision enacted by the association's delegates at any convention and suspend any council or administrative committee interpretation of the bylaws or constitution.
3. Approve the appointment of any new executive director and evaluate the performance of

\textsuperscript{196Ibid., p. 84.}
\textsuperscript{197Ibid.}
\textsuperscript{198Ibid., p. 86.}
\textsuperscript{199Ibid., p. 90.}
the executive director and the administrative staff of the association.200

Clearly the success of Proposal 48 in 1983 had been due to presidential involvement, but the revolutionary provisions for initial eligibility had been the result of a long-growing groundswell of sentiment and had been enacted without "the existence of any specific presidential structure within the NCAA."201 Proposal 35 needed a two-thirds majority in order to become a part of the NCAA Constitution but failed to get even a simple majority. This concluded activity, relevant to our discussion, at the 1984 Convention.

As the 1985 Convention began its regular business, the future of By-Law 5-1-(j), Proposal 48 of the 1983 Convention, was in limbo. A major research effort was underway, directed by the NCAA Vice-President for Division I, Norrell. The results of this study were not final, so little was to be done except talk, but talk they did.

The issue of increasing centralization of authority and control came to the fore when Hoke Smith

---


of Towson State University offered Proposal 23 to the delegates for their consideration. The proposal read:

By-Law 5-1-(j)-(6)-(iv). The NCAA national office staff shall assist member institutions in helping student-athletes to meet the satisfactory academic progress requirements. In providing this assistance, the NCAA national office staff shall be empowered to review academic records of student-athletes on a spot check basis. Institutions shall make the academic records of student-athletes available to the NCAA for purposes of compliance with this regulation.

No one spoke against this legislation, and only John Semanik of Drexel University questioned the propriety of allowing outsiders to peruse university academic records without students' permission. Despite the complete lack of vocal opposition to the proposal, the latent vestiges of resistance to national interference in institutional matters were manifested in the final tally. Proposal 23 was rejected, 162-135.

Proposal 24 continued the process of chipping away at resistance to central control but clearly

---


204 Ibid., p. 90.

205 Ibid.
demonstrated that this traditional resistance could be mitigated by a firm assurance that fellow member institutions were subscribing faithfully to the very same restraints. William E. Baughn of the University of Colorado moved the adoption of the following three paragraphs to be added to By-Law 5-6-(d): 206

(i) It has published its regular entrance requirements, including any special-admission opportunities;
(ii) It has published its requirements for satisfactory progress toward a degree, in accordance with Constitution 4-2-(d), and
(iii) Each student-athlete who represents the institution in intercollegiate athletics competition during the academic year, shall have been certified to be in good academic standing and maintaining satisfactory progress toward a degree as required by Constitution 3-3-(a) and By-Law 5-1-(j)-(6). 207

This amendment was approved without discussion. 208

The issue of central versus institutional control was then confused by the refusal of the delegates to approve a proposal for regular, internal, institutional audits. 209 Proposal 33 appeared as:

By-Law 5-6-(g). A Division I member institution shall not be eligible to enter a team or individual in competition in an NCAA-sponsored

206 Ibid.
208 Ibid., p. 91.
209 Ibid., pp. 93-95.
meet or tournament unless its chief executive officer certifies annually, prior to September 15, that the institution's internal auditors have examined the appropriate institutional academic and financial aid records to assure the institution in writing that, to the best of their knowledge and belief, the institution is in conformance with the following standards:

1. That each student-athlete who competed during the previous year met the requirements of By-Law 5-1-(j)-(6) prior to participation.
2. That each student-athlete who competed during the previous year met the requirements of Constitution 3-3.
3. That financial aid awarded to student-athletes the previous year conforms to the standards contained in Constitution 3-4 and By-Law 6.
4. That there has been no NCAA or institutional irregularity involving an institutional staff person in the student-athlete's academic certification or financial aid award process during the previous academic year.

Clearly there are a number of issues involved here, but one must wonder about what such audits might uncover.

Two additional bits of action by the membership elicited little discussion. They approved a resolution recommending that all proposed modifications of By-Law 5-1-(j) be presented to the membership not later than October 15, 1985, and they added a provision to the satisfactory progress rule requiring all student-athletes to declare a major by the beginning of their academic year.

fifth semester or seventh quarter.\textsuperscript{211} This action concluded eighty years of intercollegiate athletic history relative to academic eligibility.

\textbf{Conclusion}

In spite of the fact that the 1983 Convention had adopted Proposal 48 by a comfortable margin, there were indications at both the 1984 and 1985 Conventions that considerable dissatisfaction lurked among members of the NCAA over this issue. The major research effort that had been launched in 1984 by the NCAA in an attempt to study the effects of the legislation on student-athletes was yet to be concluded, but speculation indicated that few, if any, startling revelations would be forthcoming.

True, the legislation would likely have a disproportionate effect on black athletes, and also true, many former athletes, both black and white, who would have been disqualified under the new standard had earned college degrees. But the question which seemed most significant, and one not being asked in the research paradigm, was what percentage of those individuals who actually completed the required core curriculum in high school could be expected to score at

\textsuperscript{211}Ibid., p. 91.
an acceptable level on the standardized examinations. This relationship between high school curriculum and test scores was fundamental to the argument in support of Proposal 48. In fact, many felt strongly that deficiencies in high school curriculum were at the heart of the nationwide decline in test scores, and, while few advocated a minimum cut-off test score, many universities were developing or raising minimum high school curriculum standards for admission.

Still, minority advocates argued that standardized exams were discriminatory and cited a great deal of evidence in support of this position. This fact, when coupled with the immense variability among American colleges and universities, represented the most irresistible argument against Proposal 48. A 700 on the SAT or a 15 on the ACT represented many different things, depending on the individual presenting the score and on the institution to which the score was presented. The absolute nature of the qualifying standard represented its greatest weakness.

Critics further claimed that college athletic scholarships had come to represent an important means of financing a college education for many economically-disadvantaged youth. This claim was a bit harder to accept, for the fact remained that less than one-tenth
of a percent of all graduating high school seniors were provided with a Division I grant-in-aid either with or without Proposal 48. Certainly the total number of grants awarded in a given year would not be altered by the new standard, but only the composition of this group of awardees would be affected. Then, too, no one had presented this opportunity argument in 1974 when the total number of grants allowed in football and basketball had been limited to 105 and 18 respectively. Evidently, athletic decision-makers had felt financial arguments to be more compelling than educational arguments.

Since such a very small percentage of the college age group were awarded athletic grants-in-aid, it stood to reason that obligations existed that were larger than just athletic. These grant-in-aid athletes stood as role models to the youth of America and as public representatives of their respective universities. They were frequently the fortunate recipients of campus honors and glory, privileges for which a price ought to be exacted.

Remarkably, no one seemed to remember that these grants-in-aid were awarded to a select few solely on the basis of merit. Few, if any, college coaches could lay claim to any altruistic motives when making
award of athletic scholarships to their carefully chosen elite. Now the definition of merit had been redefined and expanded to include minimal academic qualifications, an action not altogether unreasonable when applied to "student-athletes." In the April 10, 1985 issue of "The Chronicle of Higher Education," Jesse N. Stone, president of Southern University and a critic of By-Law 5-1-(j), demonstrated that he understood the importance of standards when he said, "A youngster knows that one way to move from the ghetto, if he's good enough, is to participate in college athletics and hopefully go on to the pros." Of course, Mr. Stone was referring to athletic ability when he said that a youngster had to be "good enough." The NCAA legislation simply insisted that a youngster had to be good enough in the classroom as well as on the playing field.

While it is difficult to ignore or forgive the insidious deception in Mr. Stone's reference to professional career opportunities, let us observe the larger implications of his statement. Clearly, Mr. Stone understood the very strong, yet subtle, link between expectations and performance. He openly accepted this link when it was applied to athletic success. Evidently black youth also understood and
accepted that the standard for success in athletics would be very high, and still, many were willing to devote themselves to achieving such a goal. Proposal 48 simply made explicit this link between expectations and performance by openly stating academic standards.

The NCAA had come to this policy position just ten years after they had unceremoniously dumped the 1.600 rule. The regressive move in 1973 had been the result of extraordinary pressures to win. Peripheral arguments about institutional autonomy, and confusion and difficulty relative to implementation and enforcement were also forwarded. In 1983, the pressure to win was, if anything, greater than that of 1973. Institutional autonomy was not invoked during the debate and the complexities of administering Proposal 48 were not examined, even superficially, although upon reflection they could be expected to approximate those of the 1.600 era. The reasons for the reversal in form had to be compelling. In 1979 and 1980, a shocking series of scandalous revelations regarding academic improprieties in college athletics had grabbed the headlines and the attention of college educators. At the same time, the dominant currents in American education policy were toward increasing rigor in the classroom, toward raising enrollment in "basic" courses, and toward
higher expectations of student performance. As a result of these factors, an A.C.E. committee of university presidents determined to recognize such trends and apply corresponding standards to the embarrassing state of affairs in athletics. As was so often the case throughout NCAA history, a noteworthy policy change was the direct result of external threats and pressure.

Strangely, the most frightening external force of the 1970's did not have a salutary effect on college athletics. Title IX held the potential, in 1972, to serve as a leavening agent in the evolution of the NCAA. This did not occur, for the female coaches and administrators quickly sank to the ethical level of the male coaches of whom they had been so critical. The sum effect of Title IX was probably negative, as athletic department budgets were stretched to the breaking point and greater pressure was exerted on those sports capable of generating revenue. While many female athletes enjoyed the opportunity to participate in intercollegiate athletics, the financial exigencies of the period forced many athletic departments to drop sports, both male and female, thus narrowing the variety of competitive opportunities. Finally, as
women's squads moved under the umbrella of NCAA rules and regulations, women's coaches unquestioningly accepted the minimal academic regulations as standard operating guidelines and began to recruit many academic risks without the attendant pressure to win.

The issue of distribution of football television revenue combined with a feeling on the part of a majority of the football powers of the nation that their best interests were underrepresented in the NCAA forum served, in an instrumental fashion, to aid in the founding of the College Football Association in 1976. Not only did this association lobby for greater control and retention of television revenue by the Division I, later Division I-A, members but, paradoxically, the organization also served as a strong external advocate of higher academic standards for college athletes. The predominantly black institutions which were most opposed to Proposal 48 remained, for the most part, outside the framework of the C.F.A. Eventually, the NCAA lost one of its most powerful enforcement levers, the football television package, due to the persistent legal efforts of two C.F.A. members. Only the prestige and wealth associated with post-season bowl games and the NCAA championship basketball tournament, coupled with the forces of historical continuity allowed the
NCAA to continue to operate as an effective enforcement agency.

By 1983, with the approval of Proposal 48, the NCAA had moved to regulate the academic lives of student-athletes for at least three years during high school and for four years of college athletic eligibility. The four years of eligibility often extended over five years, so the NCAA, effectively, controlled eight years of the academic lives of Division I student-athletes. It would be difficult to estimate the number of individuals who aspired to be recruited by a big-time athletic program and so complied with the qualification standards, but surely this number was far larger than the number who were finally offered a grant. This fact, too, accrued to the credit of Proposal 48. Only longitudinal research would describe the merits and demerits of the legislation.

A comparison of Proposal 48 and the 1.600 rule reveals that both were, in large part, products of prevailing trends in higher education. Yet in neither case was the legislation as well researched or as complete as one might hope. The 1.600 rule was an administrative nightmare, not because the rule itself was so extraordinarily complex, but because the level of commitment to the philosophy of the rule was, in
many cases, lacking. The rule did recognize the enormous variability across American higher education by allowing individual conferences and institutions to develop prediction tables based upon the distinctive characteristics of particular student bodies. It also recognized the superior predictive power of test scores combined with high school academic record. The 1.600 rule did not attempt to improve predictability by dictating high school curriculum and very likely would have encountered strong opposition if it had. Ultimately, the 1.600 rule failed because it ran counter to the trend toward open admissions in higher education. The final blow was delivered in 1972 when the traditional freshman rule was eliminated from the rulebook.

On the other hand, Proposal 48 addressed the issue of high school academic preparation, and, when coupled with Proposal 56 of the 1983 Convention relative to satisfactory academic progress, expanded the concept of academic eligibility for college athletics to its greatest extent. While many believed that the provisions for initial and continuing eligibility were far too low, the fact was that the definition of marginal academic ability was and is context dependent. Proposal 48 failed to account for the very
significant variance between NCAA Division I member institutions. This Achilles' heel is likely to work against the success of the legislation in two ways.

First, and probably most regrettably, the absolute cut-off score will eliminate a number of individuals, particularly blacks, from consideration for athletic scholarships. These individuals could comfortably fit the academic profile of many Division I institutions and so could be expected to succeed at acceptable rates. Second, and equally insidious, the minimum standard will become an acceptable level of academic performance for recruitment and admission of athletes at selective institutions, thus bringing inadequately prepared students into environments where they were unlikely to succeed.

These deficiencies, while significant, should be weighed against the fact that Proposal 48 was written and supported by chief executive officers. As the implementation date draws near, the active involvement and commitment of these officials will prove to be critical.
Chapter VII

Conclusion and Analysis: The Continuous and Intermittent Qualities of Intercollegiate Athletics

An aggregate view of the history of the NCAA reveals several stages. It is illustrative to recount these stages in order to better recognize and understand what happened.

In Chapter III we view the founding of the NCAA for the expressed purpose of controlling intercollegiate athletics in order to best work within the framework of higher education. Binding eligibility rules were rejected because of the wide variability which prevailed among institutions. For this reason, determination of eligibility standards was left to the individual faculties of member institutions, thus guaranteeing the prerogative of institutional autonomy in these matters. Another NCAA tradition which began at this time came to be known as the freshman rule. This rule was not original NCAA policy but like many NCAA rules was co-opted from the most prominent conference policies of the era. The rule prohibited the participation of freshmen in varsity competition.
As early as the Third Annual Convention, the belief was stated that eligibility rules would be effective only if observance of them was made mandatory for NCAA members. Throughout the era of voluntary compliance there were a number of institutions which failed to adhere to the tenets of the freshman rule as well as other NCAA rules and regulations. The ostensible reason for this modus operandi was to gain a competitive advantage. Without large amounts of revenue at risk, few members were willing to address this violation of principle. Seemingly the controversy would have been more trouble than the principle was worth at this time. World War I also lessened adherence to recommended NCAA policy, especially the freshman rule, as war-time manpower demands created a shortage of able bodied college athletes. After the war, the NCAA made a concerted effort to reestablish its pre-war policies by recommending that member institutions restrict their competitive activities to only those institutions who conformed to these policies. Still, the Association lacked both the will and the way to enforce its policy.

At the 1920 Convention a Committee of Nine was formed. This committee was charged with hearing complaints against members, especially on the subjects
of recruiting and eligibility. Although this Committee of Nine was termed a court of last resort, it was, in fact, a toothless tiger, for no provision was made for enforcing penalties of any sort.

Despite the harmless nature of NCAA policy, there appeared a growing consensus across the country that freshman should not compete on the varsity level, that varsity competition should be limited to three years, that this three years of varsity competition should occur within a four-year period, and further, that this four year period should be concluded before five years had elapsed since first enrollment in college. These fundamental principles remained in observance in rough fashion throughout the 1920's and into the 1930's.

It was also during this era, more specifically during the 1920's, that college athletic leaders began to recognize an obligation to the high schools to serve as effective role-models. College athletic eligibility rules and, in particular, freshman admission standards for athletes could serve as an effective vehicle for propelling students toward higher academic achievement.

The decade of the 1930's witnessed some retrenchment in the application of recommended NCAA policies as financial concerns took precedence over
abstract principles. With the relaxation in academic standards came two growing problems, recruiting and subsidization. While it is clear that these phenomena were contemporary, it is only arguable that they were causally related. Many individuals did, however, argue that there was a relationship, and they argued their viewpoint in convincing fashion. The result of this debate was a fundamental change in NCAA philosophy. In 1939, specific provision was made for the termination of membership of any institution which did not adhere to "acceptable scholastic or athletic standards." Although these standards were not defined, a process was developed for expulsion.

Unfortunately, the outbreak of the Second World War delayed the consistent application of "acceptable scholastic or athletic standards." Just as World War I had created havoc with the freshman rule so did World War II. Following the war, the Association struggled to reimpose pre-war policies, but instances of non-compliance persisted. The Eligibility Committee diligently reviewed all reported cases of abuse but was essentially powerless to impose penalties. Not until the 1952 Convention did the membership provide the Association with a Constitutional mechanism to legislate effective actions.
This mechanism came in the form of Article 2-9 which allowed the creation of By-Laws to the Constitution by a simple majority as opposed to a two-thirds majority. The article continued by permitting a Convention to adopt resolutions, as well as By-Laws, that applied to any subject of "general concern to the members." During the 1950's a complex slate of By-Laws grew out of Article 2-9.

One additional factor in higher education began to have an effect on intercollegiate athletics, namely the increasingly widespread use of the SAT and, to a lesser extent, the ACT. As a number of athletic conferences began to investigate the possibility of establishing minimum academic qualifications for an athletic grant-in-aid, it was only natural that test scores should play an important role. The Big Ten was the first major conference to legislate specific standards, and it was these Big Ten Conference standards upon which the NCAA fashioned its 1.600 rule, By-Law 4-6-(b). This rule, adopted in 1965, represented not only the first universal standard for initial eligibility but also the first universal standard for continuing eligibility.

The intent of the 1.600 rule was to insure that student-athletes were truly representative of the
student bodies of which they were a part, thus the willingness to allow individual institutions to develop and use their own prediction tables and to guarantee that student-athletes could claim at least a fifty percent opportunity to graduate, thus the selection of the 1.600 as the minimum acceptable level of prediction. In order to maximize the predictive capabilities of the regression tables, both test scores and high school academic performance were incorporated. With experience, the Association learned that high school class rank was a superior predictor to high school grade point average. Eventually questions of integrity and security caused the NCAA to restrict members to using only SAT and ACT scores and only those test results earned at a national test site.

Still, a considerable amount of innuendo attended the prediction process, while concerns regarding the alleged socio-economic and cultural bias of the standardized examinations became pronounced. The 1.600 rule spanned an era which corresponded roughly with the prime years of the civil rights movement and the concomitant creation of affirmative action policies. With this in mind, one must wonder about the relationship between the demise of the 1.600 rule and the developments mentioned above. Potential
relationships aside, probably the primary causes of the elimination of By-Law 4-6-(b) were the complexity of the enforcement and administration procedures associated with the By-Law and a decline in the relative commitment of athletic leaders to academic concerns. By relative commitment one should understand that what is meant here is commitment to academic concerns relative to financial and other concerns. Two factors go a long way toward explaining the situation. First, one must recognize that during this time there was a tremendous growth in revenue from college football and basketball. With this growth in revenue came increased pressure to win and fill stadiums. In order to accomplish this, coaches pleaded that it was essential that freshman be allowed to compete on the varsity level. When the freshman rule was abolished in 1972, the pressure to also abolish the 1.600 rule became so great that just one year later, in 1973, it too was eliminated.

The original need for the 1.600 rule, as its supporters had presented it, remained as a constant reminder to athletic leaders throughout the decade of the 1970's. The 2.000 qualifying standard had been adopted as a stop-gap measure but, without linkage to a minimum test score or core curriculum, was ineffective.
in ensuring that recruited student-athletes possessed the minimal skills essential for success in a college curriculum. Low graduation rates, poor reading skills, and scandals involving altered transcripts and phony courses merely confirmed the worst fears of those who had defended the 1.600 rule.

Satisfactory progress developed as a concept which might remedy the problem of unacceptable graduation rates. Eligibility to participate was linked to satisfactory completion of a certain number of courses each year, and yet satisfactory progress rules alone were unable to address the issue of poorly prepared or completely unqualified students. The need for some sort of entrance standard became apparent to a majority at the 1983 Convention, when legislation was approved which required a minimum performance on a standardized examination, completion of a prescribed core curriculum and a minimum acceptable level of performance in the core curriculum in order to participate as a freshman.

As we survey the 1970's, another milestone in NCAA rules and regulations occurred in 1972 when the Convention approved Proposal 66 which specified, for the first time, that NCAA legislation applied to eligibility for practice, in-season participation, and athletically-related financial aid as well as
NCAA-sponsored events. This proposal extended the influence of the NCAA into all aspects of the life of a student-athlete. Finally, in 1975 the NCAA made it incumbent upon student-athletes to be individually responsible for their eligibility. In the past it had been entirely the responsibility of the institutions to refrain from using ineligible student-athletes.

After reviewing the first eighty years of NCAA history, one is left with an overwhelming feeling of growing complexity. The fundamental philosophy of the NCAA is relatively unchanged and yet is now covered with layer upon layer of Constitution Articles, By-Laws, Official Interpretations, and representative cases. Of course one could argue that our society, too, has grown increasingly complex during the four score and five years of NCAA life. Clearly, the state of the NCAA has been, throughout its existence, profoundly affected by external matters, by World Wars, by educational policies, by the development of standardized examinations, by affirmative action and Title IX, and by financial opportunities and importunities. For the future, we can only know that intercollegiate athletics will continue to float in the social soup that is our society. For this reason, athletics
leaders would be well advised to remain cognizant of the society at large.

As one reviews a chronicle of NCAA actions and deliberations, it is easy to get bogged down in details and trivia. Even when studying only a portion of NCAA activity, such as academic eligibility for athletes, the volume of information can be disheartening. Instead of becoming dismayed with the legislative cacophony, one would be best served by stepping back so as to develop a perspective that is at once illuminating and comprehensive.

First, one needs to recall that historical events, at their very essence, are both continuous and intermittent. While these qualities are on many levels conflicting and contradictory, it is nevertheless true that they are present, hand in hand, throughout the history of human events. It is this interplay, this delicate and excitable balance, this tension which ebbs and flows which provides us with the historical phenomenon known as change.

As we peruse the history of American sports, and in particular the ambitious child of American sport, college athletics, the continuous variable that weighs most heavily in any estimation is the desire to win. This quality is fundamental to all competitive
sports but, in the case of college athletics, has been intensified over the years by a number of factors. Among these factors are the growth of the sports pages, the discovery of revenue producing capability in football and men's basketball, weekly press polls, postseason bowl games and tournaments, and finally, television. Each of these factors was originally in the intermittent realm of our historical paradigm but, with time and success, has moved inexorably into the continuous category. As these additions to the sum total of continuous variables accrued, the centripetal forces associated with college athletics grew apace for these variables are, at bottom, cohesive and integrative in their net effect. Concomitant to the intense desire to win developed a parallel need to guarantee a minimum equality of opportunity to compete, for competitive inequalities are centrifugal and disintegrative in their net effect. This need for competitive equality of opportunity demanded that NCAA discussions and legislation address the variety of activities upon which a winning athletic program is built, and, indeed, the need to address these issues prompted the founding of the NCAA. Included in these factors are recruiting, financial aid, size and quality of coaching staffs, number of grants-in-aid,
and standards for academic eligibility. Throughout the lifetime of the NCAA, each of these factors has been subjected to scrutiny, controversy, and finally, legislation.

When originally subjected to such treatment, each of these factors was, as a rule, a centrifugal force in athletic affairs. In all cases, the original legislation can be viewed as primarily intermittent in quality. As these legislated practices became recognized as conventional, as norms, they became continuous in essence and centripetal in force. Thus, it was this very elaboration and bureaucratization of athletic practices and procedures that increased, in dramatic fashion, the centripetal momentum vector and, consequently, the degree of centralization of authority, power, and decision-making in the NCAA organization.

This trend toward centralization in NCAA matters ran parallel to larger trends of a similar nature in higher education and society. These parallel developments encouraged, supported, and enhanced the acceptance and the impact of continuous elements in athletic affairs. Issues and factors such as the G.I. Bill, widespread use of test scores in admissions to higher education, and especially federal affirmative action and Title IX legislation were introduced as
intermittent and centrifugal variables. With success and acceptance, these variables became continuous and centripetal. Federal involvement in higher education served to standardize the college experience while reducing the organic objections to outside interference with traditional institutional autonomy and prerogative. Standard methods of measuring student academic performance, such as credit hours and grade point averages, became almost universally applied.

With age the NCAA matured into a strong central authority able to withstand explosive and divisive controversies of enormous proportions. After 1952, the television package for football had served as a powerful centripetal force with only occasional disruptions or temporary reversals. By 1980, many of the major football powers had united in the CFA and in 1984 the NCAA football television package was declared unconstitutional. Despite the loss of one of the strongest centripetal forces to be found in the NCAA arsenal, the Association managed to remain cohesive. Clearly, the centralizing forces were of a nature and possessed the strength to ensure this cohesion. In fact, one of the strongest forces which drove events in a central direction was, simply, NCAA tradition. The very existence of the NCAA had become a continuous
historical variable with centripetal, cohesive, and centralizing effects.

A major part of this NCAA tradition in 1984 was academic eligibility for varsity athletes. While centripetal in their net effects, eligibility issues were often centrifugal at particular times or on particular occasions. New pieces of legislation, for instance the 1.600 rule and Proposal 48, contained explosive elements, and, as an example, the 1.600 rule had slowly come apart at the seams. Just two years after its inception, the continuing eligibility provision of the 1.600 rule had become so divisive that advocates of the original bylaw were compelled to sacrifice this portion of the legislation in order to salvage the initial eligibility elements. Eventually, the entire 1.600 rule was eliminated, but a precedent had been set. Certainly there had been a cost associated with setting this precedent, but, as those in college athletics were to discover in the 1970's, this cost cut two ways, for once the cost had been paid there was an additional surcharge connected with a reversal in philosophy. This surcharge became exorbitant in 1979 and 1980 as scandals shook the worlds of college athletics and higher education.
By 1983, a number of factors such as greater homogeneity throughout American higher education, a drive which advocated "back to basics" and more rigorous intellectual standards across all of American education, outrageous revelations of academic misconduct in many major athletic programs, the suspicion that this misconduct was more widespread than it appeared on the surface, and a nebulous belief that the 1.600 rule had not been so bad after all combined to drive athletic affairs toward tougher academic standards and stronger, more active central control of academic eligibility for athletes. This legislation stood on the shoulders of many bits of unsuccessful legislation, on numerous failed proposals at NCAA conventions, and on much conference legislation, particularly that of the Big Ten and the Pacific-10. In 1983, the unique confluence of circumstances added up to a centripetal force that propelled Proposal 48 through a sharp discussion and on to victory.

Coupled closely to the initial eligibility legislation (Proposal 48) were new satisfactory progress regulations (Proposal 56). The momentum toward the center was such that proponents were able to carry the day in this regard as well. At the conclusion of the 1983 Convention, the state of athletic
affairs had, after eighteen years of ebb and flow, passed by the position which had held sway in 1965. While many centrifugal forces remained active, it appeared that Proposal 48 could claim the support and succor of many continuous historical variables unavailable to the 1.600 rule. Further, the intermittent qualities associated with Proposal 48 were less startling, less disintegrative in impact due to the precedent of the 1.600. The tide of history was reclaiming lost ground, and some new besides.

As one studies the evolution of academic eligibility for athletes, one is struck by the apparent lack of planning, that is, planning in the sense of an attempt to control, to some degree, the forces and consequences of historical change. Almost invariably, legislation regarding academic eligibility has represented a response to a perceived problem and, in all too many cases, seems to have been a peripheral portion of the solution, even an afterthought. This haphazard and poorly considered approach is certainly less than optimal and, on occasion, has been counterproductive.

Most fundamentally, academic issues, including eligibility, are not central to the purpose of the NCAA, to the mission of college athletic departments,
nor to the job evaluations of coaches and athletic administrators; these issues, while often important, remain peripheral. Consequently, the NCAA has historically acted on academic issues only in response to public crises or significant external pressure, frequently both. Coaches, while certainly willing to publicize favorable graduation rates and other data, are dependent primarily on eligibility for their career success. The fact is ineligible athletes do not win games, nor, for that matter, do college graduates.

In light of these truths, it is not surprising that college coaches view eligibility rules as a mixed blessing. It is, of course, reassuring to them to know that the competition is adhering to at least minimal academic rules, but, on the other hand, individuals in a highly competitive, pressure-packed profession rarely desire added hurdles and frustrations in their drive to career success. Intrinsic commitment to educational ideals, if present, rarely fares well in head-to-head competition with the desire to win and the need to remain employed. It is unlikely that this reality will change dramatically in the future.

After August, 1986, the NCAA moves into a new era of academic eligibility, the era of the core curriculum and minimum cut-off test scores.
Educational philosophy, the public image of college athletics, in short, the best interests of student-athletes indicate that there will be many strong centripetal forces serving as reinforcement to Proposal 48. Each of these elements will be critical to the success of the legislation, for many powerful centrifugal forces also exist. Problems with the implementation and administration of the regulations, questions about the advisability of using absolute cut-off scores, and the differential effects that the Bylaw will have on widely divergent institutions appear to be potentially divisive problems that could grow to unmanageable proportions. One unresolved issue, the televising of college football, when linked with the strong desire to field an entertaining and marketable product, could develop into an irresistible disintegrative force. Division I athletic programs will feel obligated to continue to generate large amounts of revenue and will squirm uncomfortably if conspicuous numbers of talented athletes begin to enroll in Division II or III institutions or in the junior colleges. If this transfer of athletic talent should begin to occur to a significant degree, this factor, when added to the other centrifugal factors,
could quite possibly provide the momentum required to override the advocates of Proposal 48.
Bibliography

A. Books


Harrington, Michael. The Other America: Poverty in the


Sowell, Thomas. Civil Rights: Rhetoric or Reality?


B. Articles


C. Reports


D. Newspapers


E. Dissertations


