

**The National Association of
Academic Advisors for Athletics**

OFFICERS 1986

PRESIDENT

Dr. Lynn Lashbrook
Southern Illinois University
at Edwardsville

PRESIDENT-ELECT

Lee McElroy
University of Houston

PAST-PRESIDENT

Brian Mand
Florida State University

SECRETARY

Patricia Ralls
University of California
at Los Angeles

TREASURER

Alan Zussman
University of Wisconsin

REGION 1 REPRESENTATIVE

Paul Vitek
Rutgers University

REGION 2 REPRESENTATIVE

Dan Cottonham
University of Southwestern
Louisiana

REGION 3 REPRESENTATIVE

Fred Mims
University of Iowa

REGION 4 REPRESENTATIVE

Dale Roark
Oklahoma State University

REGION 5 REPRESENTATIVE

Suzanne Wurzer
California State University
at Long Beach

PARLIAMENTARIAN

Harold White
University of South Carolina

**ACADEMIC-ATHLETIC
JOURNAL**

PUBLISHER

Richard Esquinas
Athletic Guidance Center

EDITOR

Gerald Gurney
Southern Methodist University

ACADEMIC ATHLETIC JOURNAL

The Official Publication of the
National Association of Academic
Advisors for Athletics



ACADEMIC ATHLETIC JOURNAL

1986

SPRING 1986

April 2, 1986

Dear Readers:

Welcome to the new *Academic Athletic Journal*. I have assembled an editorial board which consists of distinguished and knowledgeable representatives within and outside our profession. Their competencies range from practitioners of athletic academic counseling, to professors of higher education and counseling, and athletic administrators. Their contributions have brought you a refereed journal, and the National Association of Academic Advisors for Athletics greatly appreciates their contributions. It is our hope you find the articles stimulating and thoughtful.

Sincerely,

Gerald Gurney

Editor

TABLE OF CONTENTS

Editorial

From Theory to Practice in Programming for Student-Athletes Tanya R. Foster	1
Paths Between The Locker Room and The Library: An Analysis of Role Conflict Among Student Athletes Henry J. Camp and Jim Epps	10
Contingency Management in an Athletic Study Hall Sigrid S. Glenn, Guy Bruce, Janet Ellis, and Linda Rollins	19
The Role of a Code of Ethics in Athletic Academic Counseling Ann M. Mayo	27
The Academic Game Dr. Janice Roberts Wilbur and Dr. Michael Wilbur	31
Advising the Student-Athlete Gerald S. Gurney and Sally P. Johnston	35
NCAA Drug Testing: Finding a Constitutional Balance William J. Judge	39

EDITORIAL

The voting among NCAA member institutions last January reaffirmed a genuine commitment to Bylaw 5-1-j and increased minimum freshman eligibility standards for student-athletes. As practitioners in athletic academic counseling, we are often charged with the responsibility for implementing new academic legislation.

Now that the legislation has taken effect, I am concerned that interpretations have watered it down in several areas. For example, prospective student-athletes may be eligible for competition with having passed less than 11 core units, so long as 11 are attempted with a 2.0 GPA. Further, student-athletes with less than a 2.0 cumulative point average could now qualify for competition and financial aid. Previously, he or she would be a non-qualifier. Has the NCAA truly increased standards for freshmen eligibility or breached the spirit of proposition #48? The academic courses which qualify for core units have also been interpreted with greater flexibility than the original intention of the voting membership. For example, college preparatory high school math courses have been interpreted as courses containing any elements of algebra, trigonometry, geometry, or statistics. I do not believe spending one day covering a principle of algebra constitutes a college preparatory course.

Research indicates better college academic performances among students who attempt greater numbers of college preparatory units while in high school. The legislation of 5-1-j represents a genuine commitment by chief executive officers to increase the admission standards for student-athletes. The core unit section of the legislation should reflect this spirit. Many athletic academic counseling professionals are looking forward to better prepared student-athletes. I hope intercollegiate athletics will maintain a strict commitment to the concept of the amateur scholar-athlete.

From Theory to Practice in Programming for Student-Athletes

Tanya R. Foster
Purdue University

Abstract

This paper contends that program development for student-athletes must begin with a theoretical base if the program is to meet the psychological needs of the student-athletes and earn the respect of administrators and academicians. Theory combined with a program implementation model facilitates both the creation and evaluation of a program. A blueprint for one program developed via this method is provided.

Introduction

Today's student-athlete often finds himself playing the conflicting roles of hero and goat. A big win on Saturday results in hero status, poor performance in the classroom on Monday relegates him to goat. The NCAA expects him to be a full-time student, the demands of practice are more befitting a full-time professional athlete, and there is little time left over for social life and self.

Are student-athletes nothing more than "dumb jocks" or are these young men being wrongly maligned? There are those who have concluded that the athlete does indeed experience less success in the classroom than his non-athlete counterpart (Axthelm, 1980; Gilbert, 1974; Landers, Feltz, Obermeier, & Brouse, 1978; Remer, Tongate, & Watson, 1978; Spady, 1970; Ward, 1961). Others have found that the student who participates in athletics is not necessarily an inferior competitor in the classroom (Cady, 1978; Schafer, Walter, & Armer, 1968; Vaughan, 1968). Finally, there are those who contend that the athlete is not an inherently poor student but that he is systematically socialized into becoming a poor student (Brislin, 1982; Shaw, 1982).

The graduation rate of the student-athlete often serves as the academic equivalent to the won/loss record, the standard against which institutions can supposedly be compared. Nationally about 46% of varsity football players do eventually complete their degrees (Sidelines, 1982). As is often the case with statistics however, the average is not nearly as descriptive as the range. Since information concerning the graduation rate of athletes need not be made public by an institution, it has not been possible to find data from identical time periods for comparison. Nevertheless, figures which are available indicate that considerable range does exist. At one large midwestern

university 67% of the football players and 81% of the basketball players who entered between 1960 and 1977 had completed their degrees (Banker, 1981). Another large public university studied the progress of their athletes over a decade and revealed that only 21% of the football players and 29% of all male athletes had completed their degrees (Wittmer, Bostic, Phillips, & Waters, 1981). One should keep in mind however, that considerable variation exists concerning the sample used to calculate the graduation statistic at different institutions and that the concept of quality of a degree program is not assessed, thus rendering the graduation statistic of minimal value in program evaluation, regardless of its popularity with the media.

The variation among institutions reflects the variation among institutional goals, and probably to an even greater extent, variation in the value that an individual coach places on the academic progress of his athletes. In defense of intercollegiate athletics Louis Alley concluded that "an athletic program under the direction of an intelligent coach who is sensitive to the capacities and needs of youngsters can be a potent educational influence on athletes and spectators alike" (1974, p. 113). Alley, a college professor and former coach, argues that it is not athletics which institutions need fear, rather it is the people who run the programs who may require review. The relationship between athletic advisor and coach will undoubtedly influence the success of any program designed to assist the student-athlete.

Regardless of differences in graduation rates or coach's attitude at various schools, the athletes themselves are all undergoing similar experiences. Most athletes promptly encounter the "dumb jock" stereotype and are treated accordingly by both faculty and fellow students. Spady (1970) contended that this stereotype arose because athletics are "viewed by many students as an alternative, rather than complementary to, the academic mission of the school" (p. 700). Athletics are a major avenue for young people to achieve status. Certainly the rewards which accrue to the successful athlete, the primary one being popularity with one's peers, are of greater value to a young person than those which accrue as the result of academic success. Over time these have come to be viewed as mutually exclusive categories. Spady went on to recommend that educational systems increase the rewards available for academic success, but institutions would first have to change societal values in order to equalize the value of rewards available for each endeavor. The result of this stereotype is that the athlete either learns to play his appropriate role or he spends his college career struggling to disprove it.

Some athletes do enter college with deficit academic skills (Desruisseaux, 1982; Landers, et.al., 1978; Nelson, 1982) but that does not necessarily mean that they are intellectually inferior students. Many athletes come to college without the necessary survival skills because they have not been forced to develop these skills at the elementary and secondary level. According to Bruce Herron, formerly of the Chicago Bears, the pattern has been set long before the athlete goes to college. In an interview for *Newsweek*

he recounted the following:

The cheating started in elementary school. By the time I was a high school sophomore, I was taking a test and the teacher came over to my desk with the answer sheet. He leaned down and said, 'Bruce, are you having a problem?' That was the first time that I noticed that I could get everything for nothing. (Axthelm, 1980, p. 57)

Everything for nothing while in school perhaps, but it is doubtful that the world he entered after sports was so "kind" to the former athlete.

One general consensus has been that athletes often lack the education and sophistication to make the best of the opportunities to which college avails them. In response to this situation the NCAA has set new minimum academic standards for freshman eligibility, some states have instituted "no pass/no play" rules, and university athletic departments are hiring personnel trained in counseling and/or academic support skills in order to enhance the student-athletes' chances for achieving success.

Athletic departments have increasingly assumed responsibility for the academic success of their student-athletes. Programs designed to enhance the athlete's study skills, aid him to better clarify his personal, educational, and career goals, and better prepare him for the transition to life after intercollegiate athletics are becoming more common. Most programs have some sort of academic support component which includes such things as tutoring, study skills workshops, and academic/career counseling. Additional components, such as training in interview skills, job search strategies, and basic financial management techniques may also be included. While the various components described are intuitively logical for inclusion in a program for student-athletes, any formal rationale for their existence is often missing.

The field of athletic advising and/or counseling is slowly gaining respect as a unique specialty within the profession of student personnel services. At the 1986 annual convention of the National Association of Academic Advisors for Athletics members addressed such issues as ethical standards, licensing for professional members, and coordinating with other professional organizations, such as the National Association of Student Personnel Administrators, for their mutual benefit. If the Association and its members are to achieve professional recognition both from within their own institutions and from other nationally recognized professional organizations, then they must conduct their activities in accordance with traditional academic professional standards.

This means conducting needs assessment, a task which Whittemore (1985) concludes is being poorly conducted at many institutions, utilizing the vast body of theory available in the fields of counseling, psychology, and adolescent/college student development when developing programs, as well as engaging in research and program evaluation. While one would hardly advocate a "publish or perish" standard against which to evaluate athletic

advisors/counselors, it does not seem to be asking too much to expect the athletic advisor/counselor to engage in some of the same activities as the faculty and other staff members of the university.

Utilizing Theory in Program Development

Remer et. al. (1978) recommend that professionals starting new programs for student-athletes should proceed slowly and concern themselves with the immediate academic performance related needs of the athletes rather than concerning themselves with larger developmental issues. The athletic advisor/counselor who fails to eventually move his/her program beyond immediate needs fulfillment status however, is destined to be judged as nothing more than an "eligibility counselor." Unfortunately, program development is a time-consuming and demanding task. The counselor/advisor may find himself in a situation where adequate funding and time for needs assessment is not available, yet pressure to produce results is in ample supply. This author contends that theory can substitute for needs assessment and provide the necessary guidelines for initial program design. This was the case at Purdue. A July hire date left little time to adequately prepare before the arrival of students in August. Feeling pushed for time, initial efforts were directed toward the identification of an already successful program which would meet the needs of student-athletes at Purdue. A literature search yielded descriptions of several excellent programs already in existence, but no program package appeared to lend itself ideally to our situation. Visits to other Big 10 schools proved invaluable in terms of gathering ideas and forms but left me no closer to having a cohesive program blueprint. Although I was committed to doing more than just organizing a tutor program, I became convinced that program borrowing was not the answer.

The program at Purdue is still in its infancy, having yet to complete its second year of existence, but it is designed to meet more than immediate academic needs. It is unique in two aspects, (1) the program's creation is the result of cooperation on the part of both Athletic Department officials and members of the academic community, thus insuring greater support initially from both parties, and (2) it is a program whose development was based primarily upon theory and a program implementation model taken from the counseling literature.

A program implementation model facilitates the selection of an appropriate intervention strategy for a given situation. Morrell, Oetting, and Hurst (1974) concluded that a comprehensive intervention model was needed if counselors were to develop meaningful programs to meet the needs of society in the 1970s and beyond. They presented a cubic model whose dimensions included the target of the intervention, the purpose of the intervention, and the selected method of intervention. Table 1 further describes each of these dimensions. Each block within the cube describes a

different mode of counseling, so 36 different service delivery methods are represented. Hurst (1978) later contended that programming in the college student affairs setting could best be accomplished by combining the Morrell et. al. model with Chickering's theory of college student development. Chickering's theory identifies seven vectors or tasks which students should accomplish during this stage of human development. These tasks are outlined in Table 2. In program development the theory provides the guidelines necessary to determine *what* program goals should be, and the model for program intervention suggests *how* to accomplish those goals.

Initial needs assessment is conducted on all entering students, regardless of their pre-admission academic record. Standardized tests such as the Nelson-Denny Reading Test, Brown-Holtzman Survey of Study Habits and Attitudes, and the Bienvenu Interpersonal Communication Inventory are administered. The latter is utilized by the counselor to identify those students who are unlikely to communicate with the counselor should they be experiencing difficulties in academic or social situations. Several career counseling inventories are available for use once the student is ready to address the issues of major choice and career planning. Non-standardized needs assessment consists of showing a half hour videotape of a class lecture and having the athletes take notes as they would if they were in class. Since having good notes from which to study is as important as developing proper study and time management habits, the subjectively identified poor note-takers are screened early and drilled in this area before other skills are presented.

Specific program activities are selected based on the counselor's theoretical orientation. The Purdue program utilizes activities adapted from various editions of *The Annual Handbook for Group Facilitators*, guest presenters selected based upon their expertise in a particular area, and Gestalt-type counseling activities. Gestalt theory was selected for several reasons, the primary one being the counselor's familiarity with, and preference for, Gestalt counseling techniques. Another consideration was the fact that the underlying Gestalt premise that the purpose of counseling is to help people find their own unique way in life and accept responsibility for their statements, decisions and actions is in keeping with the underlying concepts of Chickering's theory of student development. Finally, the action-oriented techniques of Gestalt therapy force all individuals to become involved in the process and keep the student-athlete from falling asleep after a long, hard day of school and practice!

Some of the techniques used to promote group identity or to address the topic/task of the week have proven to be particularly useful. Examples include Career Cards Night and Crayon Therapy. The career cards activity consists of passing out cards with brief descriptions of various careers including the type of activities performed, salary range, potential for promotion and other information as appropriate. The students are randomly

assigned a card or "career" and discuss how it feels to be trapped in a lifestyle as the result of having had no choice in determining one's own future. Time is allotted for trading careers among each other, or with remaining unassigned career cards, during which the bargaining can become quite creative. Group process following the exercise attempts to explore the feelings of frustration that result when one relinquishes control over one's life decisions and lets others, or fate, rule one's life.

Crayon Therapy consists of providing the students with blank paper and crayons while instructing them to conceptualize Purdue as a large body of water. They are to draw themselves and the people/things which surround them. Artistic criticism is not allowed. Usually the drawings picture creatures that dwell in the depths under great pressure or those surrounded by other ominous sea creatures. In two years there has been but one student-athlete who portrayed himself as a carefree porpoise playing near the surface of the water. That young man was well-prepared for the rigors of college life and has truly enjoyed his college experience. In this example, group process concentrates on exploring the pressures which are represented in the drawings. Initially the tone is one of nervous resistance but patience and encouragement have yielded excellent results. This particular exercise is usually scheduled before mid-term examinations, after a big loss, or before a big game (in other words, a week when stress levels are likely to be higher than normal). For freshmen it is often their first opportunity to verbalize the feelings of stress which they have been experiencing and to hear that everyone else is also suffering from the same frustrations. The sessions preceeding Crayon Therapy are usually lecture/guest speaker/orientation activities and this particular exercise serves to solidify group cohesion so true group counseling can begin.

While certain tools have proven useful in one program this should not be construed as a blanket endorsement of specific techniques. As Corey (1981) emphasized "techniques need to be tailored to the individuals within the group interaction. Applied mechanically, or inappropriately, the techniques become mere gimmicks that can result in increased defensiveness by the members" (p. 248). These tools have proven useful in counseling student-athletes at Purdue University but other programs might better benefit from different techniques.

Table 3 is an example of the program blueprint. Selected activities have been listed for illustrative purposes only, since program description is not my intent. The tabular format provides a visual overview as to the areas which are being adequately covered and those where programming may be lacking. For example, a perusal of the complete blueprint of the Purdue program reveals that there is only one activity, tutor training, which is directed at an associational group. The blueprint also facilitates the task of selecting specific activities for inclusion in the program by forcing the counselor to plan for a variety of presentation formats and providing a visual aid for detecting

balance or imbalance of activities in a particular area.

Conclusion

Joseph C. Mihalich, a philosophy of sports professor and former NCAA faculty delegate at LaSalle College, emphasized that colleges "need to recognize in a reasonable way the unique physical and psychological pressures and time and energy demands on student-athletes" (1984, p. 81). He went on to recommend the hiring of athletic academic advisors professionally trained in guidance and counseling who would attend to those psychological needs and serve as a link between the world of athletics and of academics. A program designed to meet psychological needs must be based in psychological theory if it is to earn the respect of academicians.

For the counselor to serve successfully as a liaison he/she must be able to "speak the lingo" of both worlds. The counselor must establish a coherent game plan with logical play selection if he/she is to earn the respect and cooperation of the athletes and coaches, and be able to defend the rationale behind the program's existence in academic circles utilizing traditional academic arguments. The combination of theory, a program implementation model, and stamina on the part of the counselor, can indeed result in the acceptance, respect, and support of both worlds.

Table 1

Morrell, Oetting, and Hurst Model for Program-Intervention

Component	Example
Target of Intervention	
Individual	The student-athlete
Primary Group	Freshmen, football team members
Associational Group	Tutors, coaches
Institution or Community	Faculty affairs committee, administration
Purpose of Intervention	
Remediation	Study skills, tutoring
Prevention	Stress management, assertiveness training
Development	Values clarification, career development
Method of Intervention	
Direct Service	Counseling, individual tutoring
Consultation and training	Tutor training
Media	Films, videotapes

Table 2

Chickering's Seven Vectors of College Student Development

1. Developing competence
 - intellectual, physical, social
2. Managing emotions
 - particular problem areas include aggression and sex
 - task is to become aware of impulses and be able to manage them
3. Developing autonomy
 - establishing emotional autonomy while recognizing one's interdependence
4. Establishing identity
 - some growth along the first 3 vectors is first required
 - interwoven with all over vectors
 - increased ability to integrate the many facets of one's experience into a stable, positive self-image
5. Freeing interpersonal relationship
 - developing increased tolerance and acceptance of differences between individuals
 - increasing capacity for mature intimate relationships
6. Developing purpose
 - assessment and clarification of interests, educational and career options and lifestyle preference
7. Developing integrity
 - humanizing values and seeking congruence between beliefs and behavior

Table 3

Program Blueprint

Activity	Target				Purpose			Method			Vector						
	1	2	3	4	1	2	3	1	2	3	1	2	3	4	5	6	7
Orientation	X				X			X			X						
Tutor Training			X			X		X			X						
Tutoring	X				X			X			X						
Career cards	X					X		X							X		
Values clarification	X					X		X									X
Stress mgmt.	X				X			X				X					
Crayon Therapy	X				X			X				X					
Financial mgmt.	X				X			X			X						
Assertiveness trng.	X					X		X					X				
Planned Parenthood	X				X			X							X		

REFERENCES:

- Alley, Louis E. Athletics in Education: The Double-Edged Sword. *Phi Delta Kappan*, 1974, 56, 102-105-113.
- Axthelm, Pete. The Shame of College Sports. *Newsweek*, September 22, 1980, pp. 54-59.
- Banker, Gilbert S. Report of the Purdue Athletic Affairs Committee. Unpublished report to the Board of Trustees, Purdue University, 1981.
- Brislin, Joann (1982). On Becoming a College Football Player. In Ingham, A. & Broom, E. (Eds). *Career Patterns and Career Contingencies In Sport: Proceedings of the International Committee for the Sociology of Sport* (pp. 334-368). Vancouver, British Columbia, Canada: University of British Columbia.
- Cady, Edwin. *The Big Game*. Knoxville: The University of Tennessee Press, 1978.
- Corey, Gerald. *Theory and Practice of Group Counseling*. Monterey, CA: Brooks Cole Publishing Company, 1981.
- Desruisseaux, Paul. Colleges Accused of Exploiting Student Athletes. *The Chronicle of Higher Education*, April 14, 1982, p. 1.
- Gilbert, Bill. What Counselors Need to Know About College and Pro Sports. *Phi Delta Kappan*, 1974, 56, 121-124.
- Hurst, James C. (1978). Chickering's Vectors of Development and Student Affairs Programming. In Clyde A. Parker (Ed.), *Encouraging Development in College Students* (pp. 113-126). Minneapolis: University of Minnesota Press.
- Landers, D., Feltz, D., Obermeier, G. & Brouse, T. Socialization Via Interscholastic Athletics: Its Effects on Educational Attainment. *Research Quarterly*, 1978, 49, 475-483.
- Mihalich, Joseph (1984). College Sports: Decisions for Survival. In A. Shriberg & F.R. Brodzinski (Eds). *Rethinking Services for College Athletes* (pp. 71-83). San Francisco: Jossey-Bass, Inc.
- Morrell, W., Oetting, E., & Hurst, J. Dimension of Counselor Functioning. *Personnel and Guidance Journal*, 1974, 52, 355-359.
- Nelson, Eileen. The Effects of Career Counseling on Freshman College Athletes. *Journal of Sport Psychology*, 1982, 4, 32-40.
- Remer, R., Tongate, F., & Watson, J. Athletes: Counseling the Overprivileged Minority. *Personnel and Guidance Journal*, 1978, 49, 626-629.
- Schafer, W. & Armer, J. Athletes Are Not Inferior Students. *Trans-Action*, 1968, 6, 21-26, 61-62.
- Shaw, Bill. Dumb Jocks Are Made, Not Born. *Sports and Athletes*, October, 1982, pp. 32, 34, 36, 39, 40.
- Sidelines. *The Chronicle of Higher Education*, October 27, 1982, p. 17.
- Spady, William. Lament for the Letterman: Effects of Peer Status and Extracurricular Activities on Goals and Achievement. *American Journal of Sociology*, 1970, 75, 680-702.
- Vaughan, Richard P. Involvement in Extra-Curricular Activities and Drop-Out. *Journal of College Student Personnel*, 1968, 9, 60-61.
- Ward, Douglas. A Proposal to Put Interscholastic Athletics in Their Proper Place. *Phi Delta Kappan*, 1961, 42, 276-278.
- Whittemore, Wendy. The College Student-Athlete: Special Needs and Development Interventions—A Survey of the Literature. *The National Advisor*, Fall, 1985, pp. 22-23.
- Wittmer, J., Bostic, D., Phillips, T., & Waters, W. The Personal, Academic, and Career Problems of College Student Athletes: Some Possible Answers. *Personnel and Guidance Journal*, 1981, 52, 52-55.

Paths Between The Locker Room and The Library: An Analysis of Role Conflict Among Student Athletes

Henry J. Camp

Associate Professor of Sociology

Dept. of Sociology, Anthropology and Social Work
and

Jim Epps

Dept. of Intercollegiate Athletics

Kansas State University

Manhattan, Kansas 66506

Introduction

Student-athletes in a university setting are frequently identified as examples for illustrations of the concept of role conflict. The likelihood of such conflict is seen more probable among athletes participating in "big-time" athletic programs (Coakley, 1982; Persell, 1984; and Edwards, 1973). The basic argument is that persons occupying these two roles encounter conflicting demands on their time, physical and mental energy, and have other commitments which make it difficult to effectively and efficiently perform both roles. Yet as Nordlie (1984) notes, very little research has been conducted on student-athlete role conflict. This paper examines the background concerning the interest in student-athlete role conflict and then raises a number of issues focusing on the analysis of role conflict. Suggestions are then offered as examples of ways to further research role conflict.

Background Themes

Interest in the concept of role conflict emerges from several contexts. One is a common sense perspective. Most observers of intercollegiate sport are aware of the popularity and interest in big-time commercial intercollegiate athletics. Recently we were inundated with sport stories and media hype about the "Road to Dallas" and the final four in the 1986 NCAA national basketball tournament. While this event does provide entertainment for millions of people throughout the world, one is reminded that the performers are, in fact, college students. During the 1985 NCAA tournament, CBS broadcasters frequently commented on the success of one coach in graduating a reportedly high percentage of athletes who "stayed with him" throughout their undergraduate careers. What seemed implicit in their comments, was the suggestion that this was an unusually high graduation rate. The common sense view speculates that student-athletes in a big-time

program face such enormous demands on their time and effort that they have difficulties concentrating on their academic work. Based on this view, it would appear that student-athletes find it difficult to carry out their student role and indeed do encounter substantial role conflict. Mihalich (1982) and Brede and Camp (1982) each note the dual worlds of student-athletes and the corresponding demands faced by student-athletes from each of these worlds.

Another perspective addresses the theme of role conflict from a research perspective which focuses on the academic performances of student-athletes. There are two traditions within this perspective: the muckraking approach and the scholarly approach. Each has a lengthy history of examining the academic performances of student-athletes.

The muckrakers have highlighted incidences of weak academic performances (as well as other abuses) of student-athletes. Included in the muckraking tradition are the essays by Needham (1905), who discussed Yale University's tramp athlete, James D. Hogan, of the early 1900s; Meggysey (1971), who wrote of his student-athlete career; and Underwood (1980), who wrote of the general academic sham found in contemporary intercollegiate athletics. Additionally, numerous sports editors, ranging from local campus student newspaper sport editors to sport editors of major daily newspapers, have commented on the difficulties of being an athlete and a student in a big-time sports program.

The scholarly research approach examines the educational attainment record of student-athletes in a somewhat different manner. Scholars generally have attempted to systematically collect data across a sample of universities (NCAA, 1981) or across all athletes of a particular university (Larsen, 1973) to learn of the educational record of student-athletes. This tradition also has a rich history ranging from the literature review of Davis and Cooper (1934), who summarized the published research on the academic performances of student-athletes completed prior to 1934, to the more recent work of Purdy *et. al.* (1982), who examined the educational record of student-athletes at Colorado State University during a ten-year time span.

What is notable about the results of the work in each tradition is that it is difficult to provide a conclusive answer to the question of whether or not educational processes and educational outcomes are hindered as a result of athletic participation. Brede and Camp (1984) noted that:

Those who have read and reviewed athletic-academic achievement studies in the scholarly tradition have about as much reason to conclude that athletes do less well academically than other students as they do to conclude that athletes do somewhat better academically or, for that matter, to conclude that there appears to be no appreciable differences in academic achievement between athletes and other students.

This suggests that role conflict between the student and athlete roles may or may not exist. Rather than assuming that it exists, as is stated by certain authors, additional research is necessary to better understand the interaction between the roles of student and athlete. What follows is one attempt toward a clearer understanding of the concept of role conflict as it applies to male basketball and football players in NCAA Division I intercollegiate athletic programs.

Status, Role, and Role Conflict

An analysis of role conflict involves an understanding of what is meant by the concepts of status and role. Each are basic concepts in the sociological analysis of the links between the individual and society (Gerth and Mills, 1953). What follows is a definition of key role analysis concepts and a theoretical overview of role conflict as it applies to the situation of student-athletes.

One place to begin this discussion is with the concepts of status and role. Typically, sociologists define status as "a socially defined position in a society" (Robertson, 1981:80). Roles are defined as "the set of prescriptions defining what the behavior of a position member should be" (Biddle and Thomas, 1966:29). As Ralph Linton suggested a number of years ago, a person occupies a status and plays a role associated with that status (Linton, 1936). Any one person can occupy numerous statuses and, correspondingly, play a number of roles. Some sociologists label this a person's role repertoire (McGee, 1977:138). As a result of occupying a number of statuses, a person may encounter or experience role conflict in that an individual may face "conflicting sets of legitimized role expectations such that complete fulfillment of both is realistically impossible" (Parsons, 1966:275). In such situations, the individual may have to develop strategies for resolving the conflicting expectations. For student-athletes, the typical example used to illustrate this point is the dilemma encountered by student-athletes who have to play an away game on the day an examination is scheduled by his/her professor. The usual way this is resolved is for the athlete to take the exam before leaving on the road trip (or more likely, upon returning), thereby eliminating the conflict. Such an example, while typical, and a common source of conflict for student-athletes, only touches the most superficial aspects of role conflict. To go beyond this level of analysis of role conflict, other components of role theory must be introduced.

Roles can be examined from the actor's viewpoint (in this case, the student-athlete's) and from the viewpoint of the other (the societally defined prescriptions). What this suggests, is that for the statuses of student and athlete, there are sets of expectations others hold for any incumbent of these statuses, (role expectations) and a set of expectations perceived by the incumbents of these statuses (role perceptions). These viewpoints may or may not coincide. That is, agreement may exist between role expectations

and role perceptions or there may be disagreements between the two. Interpretations are also made on role performances; that is, judgements are made on how well or how poorly incumbents carry out role expectations. Again, the incumbent and the other's judgement on the credibility of actual role performances may vary. Here, it is interesting to note, various levels of administrative control stipulate mandated minimal levels of academic performances for all student-athletes. For example, the NCAA stipulates minimal academic performance standards for athlete eligibility.

Finally, some sociologists have introduced the concept of master status as an important dimension of role analysis. A master status is that status (out of the several occupied by a person) which largely determines a person's social identity (Light and Keller, 1985:89). As noted by Light and Keller:

This may be an occupation that takes up most of a person's time and uses most of his or her energy (such as the presidency) or it may be a position of particular symbolic significance. ...For adults, occupation is usually most significant (Light and Keller, 1985:89).

A key point in the analysis of student-athlete role conflict is whether or not student-athletes have a master status, and if they do, is it the status of a student or is it the status of athlete. It is argued in this paper, that for role conflict to exist beyond the superficial level, student-athletes must view both roles as part of their master status. From the viewpoint of the other, what ought to be the master status is clear. Administrative bodies of intercollegiate athletics, university officials, coaches and others, proclaim that student-athletes are students first and athletes second. However, it is not clear that all student-athletes share this interpretation in the expected ordering of these two statuses. Additionally, it is not clear that the others (in particular, coaches) act in accordance within the publicly stated positions on their own ordering of these two statuses.

Drawing on the above discussion, it seems that from the viewpoint of the other, student-athletes are students first and athletes second; that there are clear minimal standards of expected outcomes for the student role; and, the recognition that there are times when the role of student and the role of athlete are in conflict. From the viewpoint of student-athletes however, there may be variations among role incumbents concerning their master status identity; that they may interpret the role expectations (perceptions) and their own performances in each role differently from the ones imposed upon them by these others. Aside from obvious time conflicts, role conflict may or may not exist. To be sure, considerable debate and discussion has centered on the academic performances of student-athletes and of the fit between these two statuses. However, there appears to be little research on how these two roles are perceived by student-athletes. What follows is an example of approaching questions of role conflict from the point of view of student-athletes.

Role Conflict: Athlete Viewpoints

A pilot study was undertaken to examine whether or not role conflict existed among different types of student-athletes. Data were gathered on student-athletes attending a NCAA Division I university.

The analysis begins with an examination of the educational performance of student-athletes. As noted, previous research on the education of student-athletes, whether focusing on GPAs or graduation rates, has not yielded clear-cut results. In part, this may be due to the manner in which the research question has been posed. Typically, student-athletes' educational performances are compared with those of student-non-athletes and/or the educational performances across different types of student-athletes (for example, football as opposed to golf, track or baseball players). Occasionally, as Purdy *et. al.* (1982) have done, scholarship versus non-scholarship athletes are compared to one another. As a rule, all athletes are lumped together in any of these classifications. Brede and Camp (1984) have argued that different types of student-athletes undergo different educational experiences. To obtain these different types, each student-athlete that was certified to compete in football and men's basketball for the 1982-83 academic year was rated on his athletic ability by a member of the coaching staff and on his academic ability by the athletic department's academic counselor. Each of these variables was trichotomized, yielding nine conceptual categories. The educational experiences of these different types were then examined for one academic year. Data from this research indicated that some student-athletes do well academically (3.000 or better on a 4.0 scale), while others struggle (less than a 2.00). The data in Table 1 is used to illustrate this point.

Table 1

Academic Performances of Men's Basketball and Football Student-Athletes By Type of Student and By Type of Athlete

TYPES		SEMESTER							
		Fall '82				Spring '83			
Academic*	Athletic	Hours Attempted	Hours Passed	GPA	(N)	Hours Attempted	Hours Passed	GPA	(N)
Good	Good	13.3	13.0	3.430	(7)	15.3	15.3	3.222	(7)
Good	Average	14.5	14.4	3.143	(21)	14.4	14.2	3.192	(21)
Good	Weak	13.3	12.3	3.013	(3)	15.0	15.0	3.077	(3)

* of the 167 athletes on the teams at the beginning of the year, 31 (19%) were viewed by the academic counselor as "good" students.

TYPES

SEMESTER

		Fall '82				Spring '83			
		Hours Attempted	Hours Passed	GPA	(N)	Hours Attempted	Hours Passed	GPA	(N)
Athletic*	Academic								
Good	Good	13.3	13.0	3.430	(7)	15.2	14.3	3.222	(7)
Good	Average	13.5	10.8	2.133	(27)	13.0	12.5	2.137	(22)
Good	Weak	13.6	7.1	1.791	(16)	13.6	10.9	2.104	(15)

* of the 167 athletes on the teams at the beginning of the year, 50 (30%) were viewed by the coaching staff as "good" college athletes.

Examining student-athletes who are judged as "good" students across the three categories of athletic ability, the data indicates consistent solid academic achievement in hours passed and GPA (3.00 or better). However, for student-athletes judged as "good" athletes, there is significant variation across the categories of academic ability in both GPAs and hours passed. Good athletes, rated average in academics, have GPAs just above 2.00 (C) and do not complete the required 24 hours of credit in two semesters. The academic performances of academically weak, but good athletes, indicates continuing eligibility problems. This type of student-athlete encounters semester after semester deficiencies in GPAs and hours passed.

What does this mean from a role conflict perspective concerning the meshing of these two roles? Based on externally imposed role expectations, in particular those of the NCAA, the conference and the local university, some athletes perform both roles beyond minimal expectations and others do not. While all student-athletes encounter time and energy conflicts between the two roles, some have developed strategies for resolving these conflicts and others have not. The students having academic difficulties are facing the most serious continuing conflicts. (It is interesting to note that more attention is directed toward athletes struggling with their academic roles rather than with "good" students struggling with their athletic careers.) Some argue that the way to resolve this problem is to raise the academic requirements in terms of initial and continuing eligibility. In other words, eliminate the academically weak student-athlete. To repeat however, this type of analysis views the situation from the viewpoint of the other and not from that of the student-athlete.

Student-athletes may hold a different interpretation or definition of the situation, based in part on how they define their own master status. The athletically talented but academically weak or even academically average student-athletes may in fact, define them as athletes and as students only in the sense that a 1.60 or 1.80 GPA and 24 hours in an academic year are necessary for continuing their athletic careers. If this is the case, then this type of athlete is not likely to experience role conflict between the role of student and athlete, since only one role, athlete, is salient. To be sure, a problem exists, but what is needed are hours or a higher GPA, which will be sought by

the most expeditious means available rather than concerns about getting a college degree. What is necessary to sort out these possibilities is research on how different types of student-athletes define themselves in relation to these two roles. While a transcript analysis provides certain information about student-athletes, it does not allow interpretations on how athletes define their world.

Several techniques can be used to learn how athletes perceive the roles of student and athlete. One is by the participant observation of student-athletes by persons working in each of the "two worlds" of intercollegiate athletics. One such person is the athletic academic advisor. Advisors have numerous occasions to chat with and observe student-athletes throughout their career and can frequently learn about what happened to "x" after he/she left the university. Concerning definitions of self, the academic athletic advisor at one university reported that the good athlete but weak student frequently discussed hopes and aspirations for a professional sport career. Often such athletes followed up on this by attending "rookie" tryout camps, however, rarely making the professional team. This category of athlete, after obtaining their final year of eligibility, frequently did not attend a single day in the classroom; rather, time was spent working out and pursuing the athletic role. This type generally left school immediately after the season ended. This is hardly a situation of role conflict. Counselors also interact with other types of student-athletes. The good student-good athlete type, for example was less likely to direct his energies toward a professional career, unless of course, he is a "world class" athlete. Rather, their self-definition was one of "I'm a student first and an athlete second," and they acted accordingly. That is, this type of student-athlete, while perhaps enjoying their intercollegiate sport career, envisioned an end to the athletic role and planned to further develop their career interests along the lines of their undergraduate major. Again, in this case, not much likelihood of role conflict in terms of identifying one's master status. The good athlete but average student type might be one type of student-athlete experiencing ongoing role conflicts. Another type might be student-athletes who are in the process of changing their master status, particularly athletes moving from a weak student to an average student situation. What is suggested, is that the academic counselor is well located within the university to gain insight into which type of athlete is experiencing role conflict in terms of the athlete's self-definition of who they are, what they want, where they are going and the likelihood of getting there.

For outsiders, such as sport sociologists, considerably fewer opportunities occur for such detailed observations into the daily worlds of student-athletes. Rather, a variety of research techniques need to be developed to learn how student-athletes define themselves and what accounts for these definitions. One technique is the use of the 20 question "Who am I" inventory. In our project, student-athletes were asked to provide 20 responses to the question "who am I" and to put the most important

responses first. Data drawn from the 20-statement inventory indicate that the weak student, good athlete type tended to focus on his athletic ability (I'm a football player, a hard hitter, a fast runner) and rarely on their status of student (I'm a business major or an undergraduate student). Other types of student-athletes, particularly the "good" student type, gave more visibility and a higher ranking to the student status and characteristics associated with this status (I'm an accounting major).

The use of autobiographies written by student-athletes is another technique that sheds light on the development of student and athletic statuses and the relative importance of each. Again, what is suggested, is that a variety of techniques can be utilized to learn what the two statuses mean and how they relate to one another from the perspective of student-athletes.

Conclusion

What this paper concludes is that for some student-athletes there are clear, direct paths between the campus library and the athletic locker room. For other athletes, the paths bypass one another. Further, it has been suggested that weak academic performances by student-athletes do create problems of eligibility, but do not necessarily indicate a situation of role conflict, at least as viewed by the student-athlete.

This paper also suggests that research needs to address the interplay of athletics and academics from the athlete's viewpoint and outlined ways of doing this. These are important issues in light of the continuing debate on the questionable academic record of some student-athletes and of the questionable practices of some universities in their recruitment and retention efforts on behalf of athletically talented, but academically weak students. To date, much of this debate has focused on what Ryan (1976) has labelled a "victim blaming" ideology. That is, the victims of a situation (in this case the student-athletes and/or the university) are blamed for questionable performance and practices; while the situation itself is not well understood.

BIBLIOGRAPHY

- Biddle, Bruce J. and Edwin J. Thomas
1966 Role Theory: Concept and Research. New York: John Wiley and Sons, Inc.
- Brede, Richard and Henry J. Camp
1982 The two worlds of student-athletes. National Advisor, Winter: 7-19.
- Brede, Richard M. and Henry J. Camp
1984 The education of student-athletes. Paper presented at the Midwest Sociological Society, Chicago, Illinois (April).
- Coakley, Jay J.
1982 Sport in Society: Issues and Controversies. (2ed.) St. Louis: The C.V. Mosby Company.
- Davis, Elwood C. and John A. Cooper
1934 Athletic ability and scholarship: a resume of studies comparing scholarship abilities of athletes and non-athletes. Research Quarterly 5(4): 68-78.
- Edwards, Harry
1973 Sociology of Sport. Homewood: The Dorsey Press.

- Gerth, Hans and C. Wright Mills
1953 Character and Social Structure. New York: Harcourt, Brace and World, Inc.
- Larsen, Suzanne W.
1973 A study of the academic achievement of athletes at the University of Tennessee, Knoxville, Vol XIV, no. 5, September 21.
- Light, Donald Jr. and Suzanne Keller
1985 Sociology. New York: Alfred A. Knopf.
- Linton, Ralph
1936 The Study of Man. New York: Appleton-Century-Crafts.
- McGee, Reece, et. al.,
1977 Sociology: An Introduction. Hinsdale, Illinois: The Dryden Press.
- Meggsey, David
1970 Out of Their League. Berkeley, California: Ramparts.
- Mihalich, John C.
1982 Sports and Athletic Philosophy In Action. Totowa, New Jersey: Rowman and Littlefield.
- 1981 National collegiate athletic association survey of graduation rates after five years for males first entering college in fall 1975. Institutional Services Department, Research and Development Division, American College Testing Programs, Iowa City, Iowa.
- Needham, Henry Beech
1905 The College Athlete. McClure's Magazine, XXV(2): 115-128.
- Nordlie, David A.
1984 Student-Athlete Role Conflict. Paper presented at the annual meetings of the American Popular Culture Association, Toronto, Canada, 1984.
- Persell, Caroline Hodges
1984 Understanding Society: an Introduction to Sociology. New York: Harper and Row.
- Purdy, Dean A., D. Stanley Eitzen and Rich Hufnagel
1982 Are athletes also students? The educational attainment of college athletes. Social Problems 29(4): 439-448.
- William, Ryan
1976 Blaming the Victim. New York: Random House.

Contingency Management in an Athletic Study Hall

Sigrid S. Glenn, Guy Bruce and Janet Ellis
Center for Behavioral Studies
North Texas State University

Linda Rollins
Athletic Department
North Texas State University

Abstract

A contingency management system, cooperatively developed in NTSU's School of Community Service and the Athletic Department was implemented to increase the amount of time student athletes (with GPAs below 2.0) spent studying. Repeated reversals were used to demonstrate effectiveness of the contingencies used—i.e., students' on-task study behavior (looking at books, underlining or making notes, memorizing with book open) resulted in early release from study hall. Data takers observed individual students every 7 seconds and those meeting a 90% on-task criterion left study hall 30 minutes early. Data are included that demonstrate the effectiveness of this early-release contingency on proportion of time spent studying. Increasing numbers of students were released on-task over time. Additionally, data were collected on numbers choosing to remain in study hall after given permission to leave.

Contingency Management in an Athletic Study Hall

Recent nationwide publicity (e.g., Bowen, 1985; Bogan, 1986) has spotlighted the plight of student athletes who are "used" by universities and turned out after 4 or 5 years with only a few credits toward a degree. One solution to this problem is to raise requirements for eligibility (NCAA, 1983). The effect of this is to limit university athletics to educationally advantaged students, and to restrict opportunities for minority athletes (Advanced Technology, 1984). Social ramifications of such policies suggest alternative solutions should be sought.

One alternative is to provide the educational environment that enables the disadvantaged student to successfully participate in college-level academics. A recent example of such a program at the University of Michigan was reported by Walter (1985).

At North Texas State University, the Athletics Department and the School

of Community Service have cooperated in developing a multifaceted approach to aid educationally disadvantaged students to achieve academically.

Like most universities, NTSU has long provided a study hall for student athletes, where (as in most study halls) very little studying has taken place. In the fall of 1984, when the Center for Behavioral Studies began working with the Athletic Department, a contingency management system was implemented to increase the amount of time the athletes spent studying. Repeated reversals were used to demonstrate the effectiveness of the contingencies implemented.

Method

Participants

Study hall participants were scholarship athletes required to attend study hall from 7:30 to 9:30 p.m., four days a week (Monday through Thursday). These athletes were primarily upperclass students whose grade point average (GPA) had fallen below 2.0. The number of athletes attending ranged from 15 to 40 nightly. At any given time during sessions, several students were with tutors in other rooms. The students attending were mostly but not exclusively male.

Setting and Apparatus

The athletes sat at classroom desks arranged in rows. Data takers sat on either end of a table against the front wall. Data takers used a pre-prepared data sheet marked off in squares. Each row of squares represented observations of a specific individual, the first row representing the first student in the first row; the second row representing the second student in the first row, etc.

A tape recorder was placed midway between the data takers on days that reliability data were gathered and next to the data taker on other days. A low-volume tone sounded at an average of every 7 seconds, signaling data takers to observe the behavior of the next individual present.

Data Collection and Reliability

Direct observations were conducted on study behavior of student athletes. Students were defined as studying on-task when they were looking at school books or papers, underlining or making notes or (as occasionally happened) looking blankly out while moving lips (apparently memorizing) with book open. Eyes closed, out of seat, wearing earphones, blank stares, doodling, talking to anyone were all observed as off-task. Students who left the room with a tutor were counted on-task; those who left for any other reason, off-task.

The data takers observed each athlete in turn when the tone sounded, proceeding with observations until the student in the last seat was observed. Then they began again and repeated observations. Each student was observed a minimum of 20 times and up to 50 times.

The data takers each semester were given instructions and practice trials before data collection began. Reliability was never below 90% and usually above 95%. During the first semester, reliability data were obtained almost continuously. During the second semester, reliability data were collected for about half of the total sessions. During the third semester, reliability data were collected only at the beginning of the semester and on two other occasions during intervention.

Experimental Design

Over a period of three semesters a classical reversal design (Baer, Wolf, & Risley, 1968) was used repeatedly to assess the effects of an early release contingency on the student athletes' study behavior.

Baseline: Under baseline or "no contingency" conditions, the students attended study hall for 2 hours per session. A study hall monitor collected data on attendance, assigned tutors, and requested quiet when necessary. Data takers collected data for the first 1-1/2 hours every evening and occasionally during the last half hour. Data points were always calculated on the first 1-1/2 hours of data.

Intervention: During intervention or "contingency" phases of the study, students' on-task study behavior was consequted by early release from study hall. Each student who arrived on time and met on-task criterion for the first 1-1/2 hours of study hall was told individually he/she was free to leave. Attempts were always made to release first those who had arrived first. All were released within 5 minutes of 9:00, the end of the 1-1/2 hour period. The on-task criterion was considered met when 90% or more observations of a student yielded on-task data.

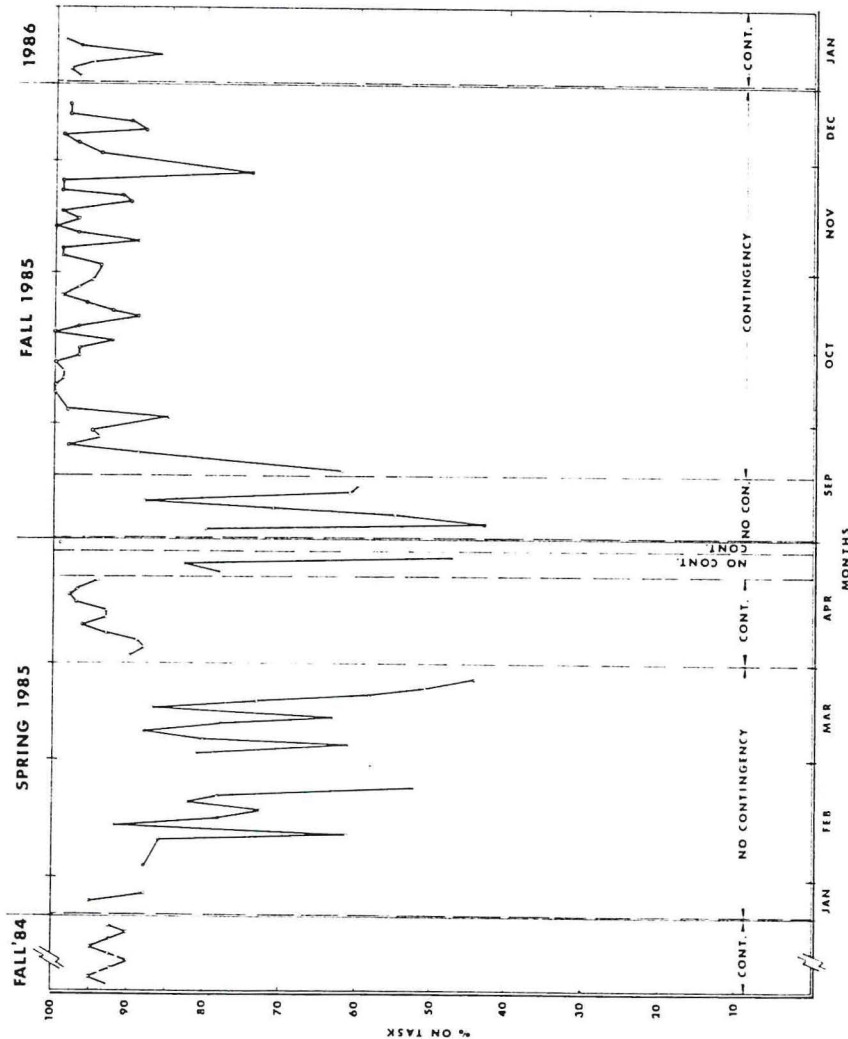
Results

The contingency was repeatedly demonstrated to be effective (Figure 1). Specific data points for Fall '84, first semester, are currently unavailable but the semester summary reports on-task behavior ranging from 93% to 100% during intervention. Baseline on-task figures rarely were above 70%. Because this was the first semester the program was implemented and because a reversal took place at the beginning of the spring semester, the data from the previous contingency phase are roughed in Figure 1. Considerable time was required for on-task behavior to deteriorate when the contingency was withdrawn in Spring, 1985. Finally getting down to 56% on-task during the eighth week ($X = 74\%$). Return to contingency phase ($X_{OT} = 94\%$) was followed by another reversal ($X_{OT} = 69\%$) and finally by return to contingency for one day at the end of the semester ($OT = 99\%$).

During Fall, 1985, baseline conditions obtained for the first 7 days yielded on-task $X = 64.4\%$. Contingency phase yielded an on-task mean of 94.7%. Informal observation by numerous visitors resulted in reports of easily discriminable differences in the tone and in the activities occurring during

study hall in the different phases. In fact, it was difficult to persuade various officials that returning to baseline conditions was necessary.

Figure 1.
On-task studying—athletic study hall.



Additional Data Suggesting Changes in Behavior and Attitude

During Fall, 1985, additional data were collected on various aspects of student behavior. One item of interest was what percentage of athletes actually met the criterion each night, and whether there was a change in that

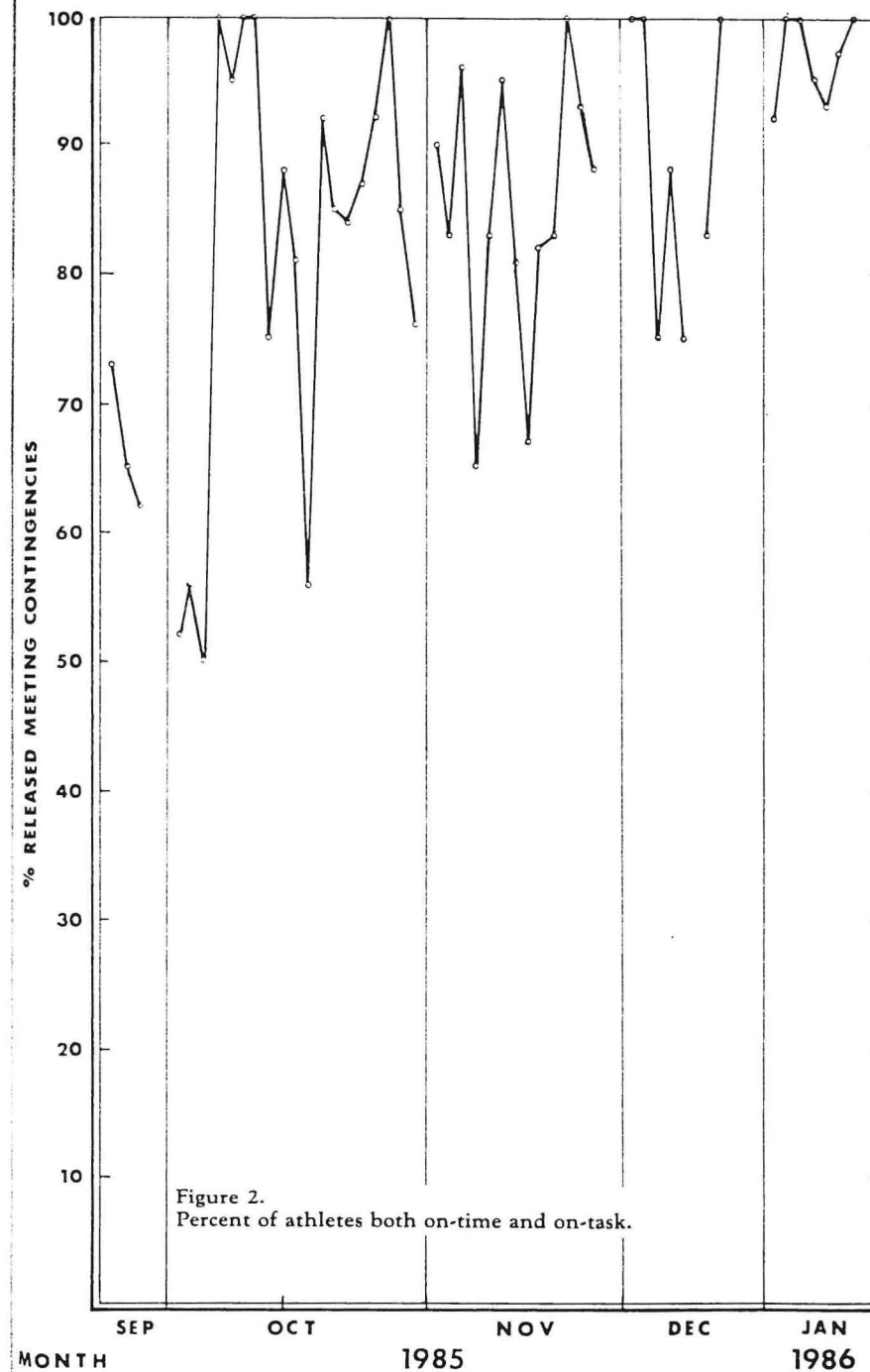


Figure 2.
Percent of athletes both on-time and on-task.

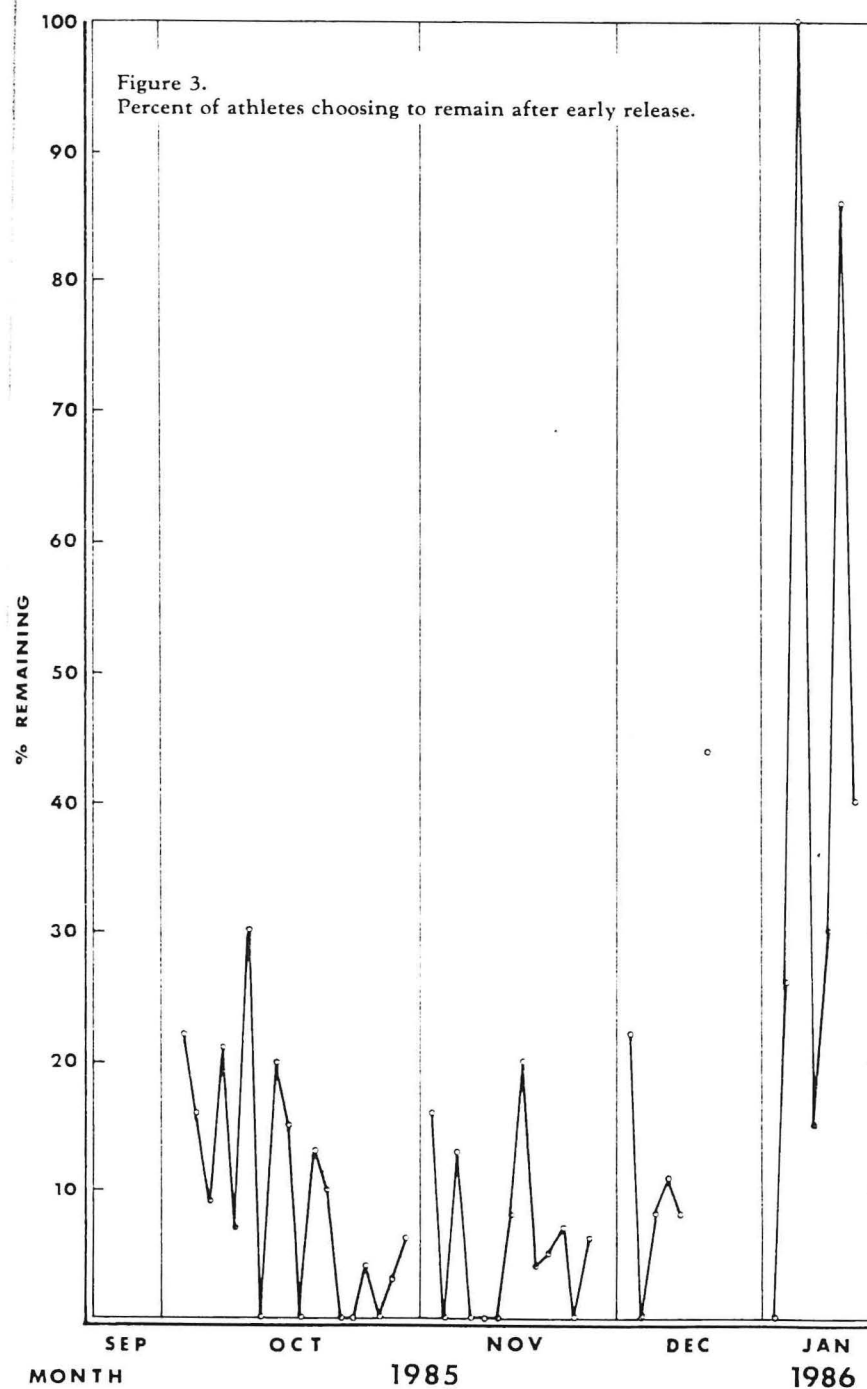
percentage during the course of the semester. These data are displayed in Figure 2. Considerable variability is evident in the data, but, in general, an increasing number of students were released on-task as the semester progressed. This suggests that individuals may have responded differently to the contingency, some countercontrolling despite the cost of failing to obtain what was likely to be a desirable commodity—free time. This interpretation of the change is buttressed by anecdotal observation of some students' expression of mistrust and resentment at the beginning of the semester. Repeated assurances from study hall staff that each student had the option every evening to study or not, and that nothing but the free time was contingent on their behavior, may have affected the change in overall behavior of some individuals.

A sign that what went on in study hall was gaining some reinforcing characteristics is the data on the number of students who chose to remain in study hall after they were given permission to leave. In Figure 3, data are displayed showing the percentage of students given permission to leave who continued working after release. It should be noted that the extremely high data points represent very small numbers of students who came to study hall on evenings when all students were given permission to attend basketball games. Having come voluntarily, they all tended to stay as long as help was available, sometimes until well after the 9:30 closing time.

Discussion

A simple contingency management system resulted in changing a circus-like study hall into a quiet room in which almost all students spent most of their time studying; those who were not studying sat quietly, not interfering with the studying of others. Two hours of resented incarceration was converted into 1-1/2 hours of academic behavior followed by a regained half hour of personal time for students.

Important to note is that the contingency management system did not deal with the *effectiveness* of the study behavior. It simply worked to increase the proportion of time students spent in studying. Unless the students spent time studying, however, it was difficult to discriminate between those who needed tutorial help and those who simply needed to do what they were able to do. Effectiveness of study behavior is now being addressed and specific tutorial strategies developed.



REFERENCES

- Advanced Technology (1984, August 15). Study of freshman eligibility standards: Executive summary submitted to the National Collegiate Athletic Association.
- Baer, D. M., Wolf, M. M., & Risley, T. R. (1968). Some current dimensions of applied behavior analysis. *Journal of Applied Behavior Analysis*, 1, 91-97.
- Bogan, C. (1986, January 26). NFL lineup weak in graduates: 60% of professional football players failed to get degrees. *Dallas Times Herald*.
- Bowen, E. (1985, September). Out of bounds. *Newsweek on Campus*.
- National Collegiate Athletic Association Legislation (1983). Bylaw 5-1-(J) Note and 5-1-(J)-2.
- Walter, T. (1985, April). Special report: An inside look at academic-athletic success. *Athletic Director & Coach*, Letter 244.

Biographical Sketches about the Authors

Sigrid S. Glenn, Assistant Professor and Director of the Center for Behavioral Studies, is developing a generic curriculum in Applied Behavior Analysis for the Center. As liaison between the School of Community Service and the Athletic Academic Program, she designed the contingency management system described in this paper. Students from her courses in Applied Behavior Analysis participate as tutors and data managers in the study hall.

Guy Bruce implemented the contingency management system as one part of his duties as supervisor of the study hall during the '84-'85 academic year. Pursuing his interest in Behavior Analysis, he now is working on his doctorate in Educational Psychology at West Virginia University. Instructional technology is his specialty.

Janet Ellis, whose Ph.D. is in Counseling Psychology, is currently managing the study hall and supervising the activities of the behavior analysis students in running the system. She is also developing for the Center for Behavioral Studies a remedial writing lab for students at risk for academic failure. She and Dr. Glenn have co-authored several papers.

Linda Rollins is Athletic Academic Coordinator, liaison between the Athletic Department and the academic community. She has her M.Ed. in Public School Administration and taught 4 years in public schools. She has served as Academic Coordinator for NTSU's Upward Bound and Youth Opportunities Unlimited programs.

The Role of a Code of Ethics in Athletic Academic Counseling

Ann M. Mayo
Athletic Academic Consultant
Men's Basketball Program
University of Nevada, Las Vegas

Abstract

The following article offers an argument for the development of a code of ethics for the profession of athletic academic counseling. The effects of recent scandals in athletics and the need for the establishment of athletic academic advising as a profession, call for an examination of the development of a code of ethics. The role of a code of ethics, as well as the possible dysfunctions of such a code are examined.

Reports of scandals and exploitation in intercollegiate athletics in recent years have opened a Pandora's box of inquiry into the problems of college athletics. Questions of how and why decisions are made in intercollegiate athletics are addressed daily in some part of the media; and athletic academic advising is certainly not immune from such attention. Everyone, it seems, is an expert on the ethics of advising student-athletes. For these reasons, we as professionals, must immediately address the problems that we encounter in our daily decision making through a code of professional ethics.

A code of professional ethics requires that we operate basically from a sense of "fairness" and that we practice without distortion to fit the needs of any one person's point of view, be it the coach, the student-athlete, or ourselves. There is a basic truth reflected here: "Ethical restraints are especially necessary where one's self-interest, passions, commitments, and prejudices are involved. While it is sometimes difficult to fool others, it is simple to fool oneself" (Seigal, p.171). Without some general ethical principles, we are unable to make reasonable decisions in those situations in which we are in doubt. The purpose of a code of ethical behavior is to avoid confusion and minimize dispute by specifying standards of accountability.

While public outcry has called our attention to the problems and the need for more awareness of our behaviors, there are also very serious dangers in addressing ethics for athletic academic advisors. These dangers can be classified under the same five headings Dr. Franz Ingelfinger, the editor of the *New England Journal of Medicine*, used in describing the dangers inherent in approaching medical ethics: "First is the righteousness with which people in

the current climate of ethical opinion point the finger at the horrors of the past. This action is no more justified than it would be to accuse a current Southern landowner of being responsible for previous Southern landowners thinking it ethical to have slaves. Ethical principles change and there is a great deal of righteousness in the horror stories that are getting so much attention about" athletics (Davis, p.167). "Second, this reaction is amplified by the desire of the media for sensationalism. Third, a more basic problem is how to balance concern over individual rights with concern over society's needs." The fourth danger that Dr. Ingelfinger mentions is bureaucratization. The fifth is trivialization. This has begun to happen in athletics with enormously detailed rules and a dilution of real issues with many trivial issues. "If we continue in this direction highly motivated people may be driven away from the field, since more energy, time, and money will go into filling out forms than into actions that are of benefit to" student-athletes. We have all begun to feel this frustration.

As academic advisors for athletes, we are in a unique position. We serve as advisors, counselors, teachers, and researchers. And, thus, I would suggest, there are three areas in which we as academic advisors for athletes need to be concerned with ethical behavior. The first is the area of advising and counseling. We need to be concerned with some of the ethical concerns of counseling: confidentiality, consultation, record keeping, referral. We need to remain dispassionate and objective, and free from practices and ideas which are value laden. The second area of concern is that of teaching. We must be concerned with questions of academic freedom, objectivity versus indoctrination, knowledge versus opinion. The third area of concern is research. We must be concerned for our student-athletes as subjects of research, and yet realize the value of such study. We must weigh the benefits versus the risks. We must be concerned about the violation of privacy of our student-athletes. And, we must deal with issues that are very specific to the world of athletes.

Some specific examples of alleged ethical misconduct in academic advising might include:

1. Blatant disregard for the established rules of the NCAA, the conference, or the institution.
2. Sexual relations between counselor and student-athlete (hetero- or homosexual).
3. "Bartering" for grades with favors such as season tickets, etc.
4. Neglect of responsibility—excessive absence, inadequate preparation, careless advising.
5. Racial and/or sexual prejudice.
6. Advising which disregards a student's interests and ultimate goals for a better chance of eligibility.

Note that this list is only partial, random, ill-assorted, and does not assess the seriousness of each example. It merely gives us an idea of the myriad types of

misconduct about which we need to be concerned as academic advisors for athletes, and as professionals.

"One of the beliefs of every professional organization is that its members must perform their professional duties according to an established code of professional ethics. Without an established code, a group of people with similar interests cannot actually be considered a professional organization." (Allen, p.293.) This view was also held by Donald Super, who established the first Ethical Practices Committee of the American Personnel and Guidance Association (APGA) in 1953. The role of a code of professional ethics is to serve as a basis for articulating the professional responsibilities of a member of a profession.

Medicine has again served as the "focus of contemporary debate regarding what the content of an ethical code should be, who should decide that content, and what role the code should have in the profession and in society" (Mabe and Rollin, p.294). There are certain basic items necessary to a code of ethics. These include: "(a) the specific duties or rights that differ from ordinary ethical requirements, (b) the specific duties or rights that may simply be the application of general ethical principles in a particular professional area, (c) a reiteration of certain ordinary ethical requirements that need emphasis for some reason, (d) aims or general goals that the profession should aspire to realize, (e) requirements that relate to coordinating or protecting the interest of members of the profession, and (f) a statement of responsibility of members of the profession for reporting code violations or other violations" (Mabe and Rollin, p.294). Of the above items, it would seem necessary to stress (a), (c), and (f) in establishing a code of ethics for the profession of academic advising for athletes. The requirements of (a) would stress those areas which are different in our profession; (c) would stress those areas which create the most difficulty and need emphasis; and (f) would allow for a system of reporting violations and hopefully avoid some of the scandals of the past.

While the purpose of codes is to avoid confusion and minimize dispute by specifying standards of accountability, problems may occur in the process of attempting to eliminate all vagueness. First, disputes will tend to reappear over the precise meaning of certain standards. Second, "badly drafted or merely overdrafted codes do not necessarily reduce disputes." And, third, "codes may waste (in the quest for completeness) innumerable hours of faculty, student, and administrative time trying to anticipate an almost infinite number of 'what if' situations" (VanAlstyne, p.83). The problem in the creation of codes is sometimes knowing where to stop.

There are other problems and limitations in the use of a code of ethics; and it would be wise to consider these as they have been demonstrated in other professions, before further pursuing a code for athletic academic advising. Mabe and Rollin point out six limitations in their examination of a code of ethics for counselors. These include: "(1) There are some issues that cannot

be handled in the context of a code. (2) There are some difficulties with enforcing the code, or at least the public may believe that enforcement committees are not tough enough on their peers. (3) There is often no way to systematically bring the interests of the client, patient, or research participant into the code construction process. (4) There are parallel forums in which the issues in the code may be addressed with the results sometimes at odds with the findings of the code (e.g., in the courts). (5) There are possible conflicts associated with codes: between two codes, between the practitioner's values and code requirements, between the code and ordinary morality, between the code and institutional practice, and between requirements within a single code. (6) There is a limited range of topics covered in the code, and because a code approach is usually reactive to issues already developed elsewhere, the requirements of consensus prevents the code from addressing new issues and problems at the 'cutting edge' " (Mabe and Rollin, p.295). An awareness of these limitations is a first step in the development of an adequate representation of what we do as a profession.

However, while a professional code is necessary to the development of any group as a profession, it is not sufficient. A code of ethics establishes "a framework for professional behavior and responsibility, and also serves as a vehicle for professional identity and a mark of the maturity of the profession" (Mabe and Rollin, p.294). As academic advisors for athletes, we must look to various sources for guidance. We must look within ourselves and within the codes of other professional counseling organizations. We must realize that a code is only a part of the basis for explicating the responsibilities of the members of our profession.

REFERENCES

- Allen, Virginia B. "A Historical Perspective of the AACD Ethics Committee," in *Journal of Counseling and Development*, V.64, No. 5, January 1986.
- Davis, Bernard. "The Scientific Versus the Adversary Approach in Bio-Medical Research," in *The Ethics of Teaching and Scientific Research*, Sidney Hook (ed.), (New York: Prometheus Books, 1977).
- Ethical Principles in the Conduct of Research with Human Participants. American Psychological Association, Inc. (Washington, D.C.: APA, 1973).
- Hook, Sidney. "Academic Freedom and Professional Responsibilities," in *The Ethics of Teaching and Scientific Research*, Sidney Hook (ed.), (New York: Prometheus Books, 1977).
- Mabe, Alan R. and Stephen A. Rollin. "The Role of a Code of Ethical Standards in Counseling," in *Journal of Counseling and Development*, V.64, No. 5, January 1986.
- Seigal, Seymour. "An Ethical Approach to Bio-Medical Research," in *The Ethics of Teaching and Scientific Research*, Sidney Hook (ed.), (New York: Prometheus Books, 1977).
- VanAlstyne, William. "Faculty Codes and Professional Responsibility," in *The Ethics of Teaching and Scientific Research*, Sidney Hook (ed.), (New York: Prometheus Books, 1977).

The Academic Game

Dr. Janice Roberts Wilbur
Assistant Professor

&

Athletic Counselor
Temple University

Dr. Michael Wilbur
Associate Professor
Temple University

The transition from high school to college is a difficult one for most students. This transition appears to be even more difficult for college athletes, since they have to make the change both athletically and academically. While the athletic transition may be difficult, athletes seem particularly unprepared for the academic transition. Many athletes mistakenly assume that college will be a continuation of their high school experience. They typically think that if they behave the way they did in high school they will be successful academically, or at least eligible to play. Much has been written about the poor academic performance of athletes, and various reasons such as low high school GPAs, the time commitment and requirements of their sport, and their lack of motivation are commonly cited. While we do not disagree with the commonly discussed reasons, we will discuss two additional reasons for athletes' poor academic performance.

We think that lack of information or ignorance regarding the role of the college student (how to act or behave like a college student) and how the academic demands of college are different from those in high school also are contributing factors. Because of their ignorance about college, not because of their intellect, many athletes act inappropriately in the classroom and hold on to erroneous assumptions and/or expectations about college work. Thus, they often behave in ways that are not only self-defeating to their individual academic success, but reinforce the "dumb jock" stereotype. In other words, because of their special star status in high school, many athletes never learn the student role and often have a distorted notion of what it means to be a college student.

We continue to be amazed by many athletes' lack of preparation for the academic demands of college. We are not referring to deficits in the basic skills, but to their lack of information concerning the amount of time and effort they will have to put into studying and their lack of the necessary study skills. Many athletes are amazed to find out that they will have to go to class, take notes, read assigned materials, etc. in order to do well in their classes. Consequently, unless they are provided with the necessary information about role expectations, or "the academic game," they will not only perform

poorly in their courses, but many will unfortunately assume that they are not doing well academically because they are not as smart as regular students.

Numerous student-athletes have indicated to us that they believe classes are easy for regular students and that they even look forward to and enjoy studying. We explain to them that we have never known anyone who enjoyed studying (including ourselves) and that even Einstein couldn't do well in a class if he never attended it and didn't complete any of the assignments. "What is the difference between reading and studying?" "I don't underline because I want to keep book nice," "They need me on the team, so I don't have to worry about studying," "I can pass the test because I have good common sense," "I don't have to read the book because the professor doesn't talk about it in class," "I know I can withdraw from the course because the professor knows that I am not doing well in the class," etc. are other examples of the sorts of comments student-athletes have made to us that indicate their ignorance about college.

We have also come to realize that student-athletes don't know how to act or behave like regular students. Regular students know how to convince the professor they are listening when they aren't, how to impress the professor with their intellect, how to "brown nose" the professor, how to convince the professor that the material presented is important (even if they don't think that it is), etc. Regular students know that grades are partially subjective and that how they behave in the classroom and relate to the professor will affect the grade they receive. In short, they know how to act or behave the way professors expect students to act.

Student-athletes, unlike regular students, often continue to act like athletes in the classroom and consequently behave inappropriately. It is not uncommon for student-athletes to arrive for class late, sleep during class, turn in assignments late, talk while the professor is talking, etc. We previously thought that student-athletes knew how to act appropriately and were choosing to behave in self-defeating ways for a variety of reasons; but, we are convinced that many have never learned the student role and therefore do not know how to behave appropriately. We have found that when student-athletes don't know how to behave appropriately that they tend to model the in-class and out-of-class behavior of other athletes (often self-defeating behaviors), rather than the behavior of regular students.

Checklist of Self-Defeating Behaviors and Assumptions

We have thus come to the conclusion that many athletes need to be taught the rules of the academic game, which includes the role of student and how college differs from high school. The Checklist of Self-Defeating Behaviors and Assumptions (See Table 1) is a simple device designed to provide athletes with information that may increase their awareness of self-defeating behaviors. This awareness may enable them to eliminate some of the self-defeating behaviors, and raise their credibility in the classroom as well as

Table 1

CHECK LIST OF SELF-DEFEATING BEHAVIORS AND ASSUMPTIONS. Check the items that are descriptive of what you do or think. Be honest, and check the item even if you don't do it all of the time.

- | | |
|---|--|
| — 1. Don't go to class. | — 21. Don't make out your own schedule. |
| — 2. Go to class late. | — 22. Make excuses for not turning in an assignment. |
| — 3. Sleep during class. | — 23. Say to a professor that you need a particular grade. |
| — 4. Sit in back of classroom. | — 24. Stop going to class when you aren't doing well rather than talking with the professor and/or withdrawing from the class. |
| — 5. Look bored or disinterested in class. | — 25. Party during the week. |
| — 6. Show up for class without materials. | — 26. Don't keep materials organized, lose syllabus, don't write down assignments and/or test dates. |
| — 7. Turn in assignments late. | — 27. Sit in class with a group of student-athletes. |
| — 8. Don't complete reading assignments. | — 28. Don't make up a schedule for studying. |
| — 9. Wait too late before you ask for help. | — 29. Start getting ready to leave the classroom before the class is over. |
| — 10. Try to complete assignments at the last minute. | — 30. Expect to be treated special because you are an athlete. |
| — 11. Complain about the amount of work assigned. | — 31. Let others think you are doing OK in your classes when you are in trouble. |
| — 12. Try to study in your room. | — 32. Still adding and/or dropping classes the 2nd-4th week of the semester. |
| — 13. Get up 10-15 minutes before class. | — 33. Cheat. |
| — 14. Talk in class while the professor is talking. | |
| — 15. Don't tell the professor ahead of time that you will miss class because of a road trip. | |
| — 16. Don't take notes in class. | |
| — 17. Don't get to know the professor. | |
| — 18. Act disrespectful towards the professor. | |
| — 19. Study about the same way in college as you did in high school. | |
| — 20. Don't underline. | |

their academic performance. The checklist consists of 33 items related to behavior during class, behavior outside of class, and student-athletes' expectations of what college is like and how they will be treated. We developed the Checklist after teaching a class (College Students and Their Culture) to first semester freshman football and basketball players, and football and basketball players on academic probation. It is based on our observations and discussions with student-athletes and their responses to a take-home final which included questions related to the self-defeating behavior and academic performance of student-athletes.

The Checklist is not intended to be inclusive and the specific items can be modified to better meet the needs of a particular group of athletes, however it does include what we have found to be some of their common self-defeating behaviors and assumptions. It can be easily and efficiently administered to individual athletes or utilized in a group context. Athletes complete the Checklist by indicating which of the items are descriptive of how they behave or what they assume (think).

It is assumed that most student-athletes, like regular students, engage in some self-defeating behaviors and therefore athletes should be encouraged to respond honestly to the Checklist rather than trying to appear less self-defeating than they are.

Following the completion of the Checklist, students are requested to select a specified number (usually 2-5 items) of self-defeating behaviors that they will work on eliminating. While the ideal would be to eliminate all self-defeating behaviors, it is unrealistic to expect anyone to modify or eliminate several self-defeating behaviors in a short period of time. It is therefore important to encourage the student-athletes to be realistic about how many and which behaviors they will attempt to change. Also, some of the behaviors on the Checklist, such as sitting in the back of the room, are easier to change when others, such as putting things off until the last minute, require more time and effort. The Checklist is not scored in any systematic manner, although you would assume that the number of items checked is related to the need for information and assistance (on occasion we have had student-athletes check all of the items). The follow-up will vary depending on whether you are working with an individual athlete or in a group or classroom setting.

Concluding Comments

The Checklist is one way to get some quick information about whether or not an athlete understands the difference between high school and college, and their knowledge and/or utilization of study skills. It helps student-athletes realize that poor academic performance is related to study skills as much as it is to intelligence. This is particularly important since student-athletes often feel inadequate intellectually because they too believe the "dumb jock" stereotype. It is also effective in helping student-athletes identify self-defeating things they do in the classroom and in so doing provides them with information about expected or appropriate classroom behaviors. In this way it can be used as the first step in the process of teaching athletes the student role and how to behave like students.

While all student-athletes will not choose to eliminate their self-defeating behaviors, it seems to be especially helpful in getting them to begin to take responsibility for their academic performance and in providing them with some structure or direction in reference to what they need to do to play "the academic game." Without this sort of information many student-athletes will continue to struggle academically with very little awareness of what they are doing wrong or how their behavior is in any way related to their academic performance.

Advising the Student-Athlete

Gerald S. Gurney

Assistant Athletic Director for Academic Affairs
and

Sally P. Johnston

Athletic Academic Counselor

Southern Methodist University

January 15, 1986

Reprinted with permission from the *NACADA Journal*

The National Collegiate Athletic Association (NCAA) passed landmark legislation in 1983 to increase minimum eligibility and satisfactory progress standards. Since that time, the collegiate student-athlete has been the subject of extensive media and institutional review. The media's attention to the topic has often appeared sensational, charging universities with the exploitation of illiterate athletes who only aspire to careers in professional athletics. This has created a misleading perception of student-athletes by the general public and members of the campus community. The purpose of this essay is to review recent institutional studies which describe the academic preparation and subsequent performance of student-athletes and to discuss their implication for the advising process.

Recent data suggest that the stereotype of the student-athlete as a "dumb jock" who selects a university to major in eligibility is inaccurate. As a group, varsity student-athletes were found to be more interested in the academic characteristics of the university than the athletic aspects of the athletic program.¹ With respect to high school preparation, several studies have shown college student-athletes exhibited weaker academic preparation than non student-athlete populations.² While deficiencies exist, many studies of academic performance have shown no difference between student-athletes and non student-athletes.³⁻⁷ Snyder⁸ found student-athletes' college grade point averages exceeded predicted scores from their standardized test scores and high school ranks. Stuart⁹ found students playing football and matched non athletes did not differ in academic performance during their first two years of college. An ETS/ACT study found similar measures of persistence. Student-athletes consistently had higher success rates than matched groups of non student-athletes. Differences, however, do exist in subpopulations of student-athletes. Several studies have found male, black revenue-producing student-athletes exhibit weaker academic performance.¹⁰⁻¹¹⁻¹²⁻¹³

Many institutions of higher education which value the prestige and notoriety of a successful athletic program have assumed the ethical responsibility for creating positive academic support interventions designed to assist high-risk students. These programs have been found to be successful in improving the persistence rates and grade point averages of student-athletes.¹⁴ Ill-equipped students left to fend for themselves in an academically competitive institution are often embarrassed, publicly humiliated in the classroom and media, discouraged, cast as failures, or resort to academic dishonesty as a survival technique.

Prior to the new student-athlete's arrival on campus, his/her only contact with the institution has typically been through a coach or alumni. Once on campus, academic advisors are vital to the orientation process. Their attitude toward the student-athlete should portray confidence in the ability of this particular student to be academically successful at the institution.

Student-athlete practice and competition demands, coupled with academic responsibilities, differ from the experience of normal students and place them in the position of academic risk. Less prepared freshman student-athletes, in particular, may have naive perceptions of the academic routine and rigor of courses and majors. Their high school athletic and academic experiences are often dissimilar from the reality of the college classroom and sports competition. Nothing should be taken for granted during the first meeting with the academic adviser; therefore, the adviser should be prepared to spend the necessary time with the student-athlete. Sensitivity to their new roles and demands must complement course and major selection. The ability of the individual student-athlete to undertake recommended production line curricular timetables should be evaluated carefully. Whenever possible, it is important to inform the student-athlete of course content and description, teaching methods and evaluation procedures. Any course considered high risk would well be avoided during the freshman year in order to provide a positive start. Many institutions with competitive athletic programs offer a fifth-year grant program for scholarship student-athletes who need to complete their degree requirements. These programs provide an additional year without the pressure of athletic competition or practice. Academic advisers should inquire about the availability of fifth-year programs and advise the student-athletes accordingly.

Aside from institutional academic standards, advisers must be aware of NCAA and athletic conference requirements for continuing eligibility and satisfactory academic progress. Representatives of the athletic department should be utilized as resource people for rule interpretations and background information about individual advisees. The academic support offices within athletic departments often provide an array of academic support programs for student-athletes such as testing and assessment, new-student orientation, learning skill development, reading skill development, writing skill development, tutorial assistance, career counseling, and general counseling.

These services often rely upon and interact with campus professionals and institutional resources. The cooperation among the academic adviser, athletic department support services, and institutional support agencies should create a network of support for this target group of students.

Advising student-athletes offers an opportunity for the professional or academician to develop expertise with special and atypical students. Student-athletes offer diversity to the campus which allows other students a more complete educational experience. The same respect and unconditional positive regard for general students should also be afforded to student-athletes. Too often, the advising relationship is one of stereotyping the student-athlete into a "dumb jock" category, and thus the advising session becomes one of directing university policies and orchestrating course schedules. As with all students, advisers should establish a working relationship with student-athletes by acknowledging that the university welcomes them and stands ready to assist them. Advisers must be assertive at the appropriate time and in the appropriate manner in pointing out individual weaknesses and referring the student-athlete to available institutional resources. Poor academic performance is often a symptom of personal or athletic-related problems. Advisers should explore the possibilities of these underlying stressors with the student-athlete.

The advising process is essential for the academic success of the student-athlete, for it is this process which creates the necessary climate of encouragement and support. The same commitment and discipline student-athletes direct toward sport can be transferred toward academic endeavors. Advisers are agents for the level of commitment institutions choose to demonstrate for the often misunderstood, misrepresented, and maligned student-athlete.

FOOTNOTES

¹Sharon Mathes and Gerald Gurney, "Factors in Student-Athletes' Choices of Colleges," *Journal of College Student Personnel*, 26 (July 1985), 327-333.

²Dean Purdy et al., "Are Athletes Also Students? The Educational Attainment of College Athletes," *Social Problems*, 29 (1982), 439-448.

³Lynn J. Snyder, "Academic Performance of Male College Athletes and Non-athletes: A Comparative Study," unpublished dissertation, the University of Illinois at Urbana-Champaign, 1978.

⁴D. L. Stuart, "Academic Preparation and Subsequent Performance of Intercollegiate Football Players," *Journal of College Student Personnel*, 26 (March 1985), 124-129.

⁵Snyder.

⁶Stuart.

⁷Educational Testing Service and American College Testing Program, "Athletics and Academics in the Freshman Year: A Study of the Academic Effects of Freshman Participation in Varsity Athletics" (December 1984).

⁸Snyder.

⁹Stuart.

¹⁰I. Brigham, "Selected Academic and Non-academic Variables as Predictors of Male Student-Athletes at Southern Illinois University at Carbondale" (doctoral dissertation, Southern Illinois

University at Carbondale), *Dissertation Abstracts International*, 42 (1981), 4417A.

¹¹D. Spivey and T. A. Jones, "Intercollegiate Athletic Servitude: A Case of Black Illini Student-Athletes, 1931-1967," *Social Science Quarterly*, 55 (1975), 939-947.

¹²Purdy et al.

¹³Snyder.

¹⁴ETS/ACT.

NCAA Drug Testing: Finding a Constitutional Balance*

By William J. Judge

©1986 All rights reserved

*The author is grateful to his colleague, James B. Ford, whose article, "Drugs, Athletes and the NCAA: A Proposed Rule for Mandatory Drug Testing in College Athletics," 18 *John Marshall Law Review* 205 (Fall 1984), served as the initial introduction to the issues presented. The author also acknowledges Mr. Ford for bringing to the author's attention the case of *Odenheim v. Carlstadt-East Rutherford School District*, No. C-4305-85E (Chancery Division, Bergen County, New Jersey).

Reprinted, with permission, from the Spring 1986 issue of the *Sports Lawyers Newsletter*.

Recent revelations of increased drug use by professional and college athletes¹ have led to expanded attempts at all levels of sport to curb the abuses.² At the college level, the NCAA, at its January 1986 convention, authorized imposition of drug testing beginning during the 1986-87 playoff season.³ Serious constitutional questions will be raised by any method employed to curb the abuses.⁴ Recent decisions make it clear that a balance must be established between school officials' need to maintain control in their institutions and individuals' right to privacy.⁵ As advisors to school officials and student athletes, we may be called upon to assist in answering complex questions in reaching an acceptable balance.

Questions recently addressed by the courts include: Has the crisis facing public school and legislative bodies, such as the NCAA, reached such a high level that strict adherence to constitutional protections afforded individuals may be relaxed? Does society's need for effective methods to deal with the present crisis in drug abuse outweigh students' legitimate expectations of privacy and personal security? Is it appropriate to utilize balancing tests to determine society's priorities, as opposed to strict compliance with established standards attendant to searches by government officials?⁶

These are only a few of the many complex questions facing the administrators, courts and legislative bodies which must design procedures to successfully meet the challenge of today's drug crisis. If the NCAA Executive Committee is to meet with any level of success in curbing drug abuse by student athletes, it must develop procedures which will survive constitutional challenge. Against this backdrop, this writing will focus on the present task of the NCAA's Executive Committee as it sets about developing procedures for the impending drug testing program. The two recent cases

discussed below may help to guide the development of those procedures.⁷

During the NCAA's recent convention, delegates approved Proposal No. 30. That proposal amends the NCAA Constitution and By-Laws to authorize drug testing of student athletes by member institutions. The amendments take effect August 1, 1986, with implementation of post-season drug testing to begin during the 1986-87 season. The stated intent of Proposal No. 30 is, in part, to authorize the Executive Committee to establish a drug testing program for NCAA championship and certified post-season football contests and to provide recommended guidelines for regular season drug testing by member institutions. Proposal No. 30 requires a student athlete, in conjunction with the annual signing of the "student athlete's statement," to consent to testing for drug use. The proposal further establishes the loss of post-season eligibility as a consequence of banned drug use by a student athlete. Amendments to Article 3, Sections 6 and 9-(i) of the NCAA Constitution, as well as amendments to By-Law Article 2 Section 2-(f) and Article 5 Section 2, implement the intent of Proposal No. 30. Executive Regulation 1-7-(b) provides an extensive list of "banned drugs," including both performance enhancement drugs and street drugs. The category of "street drugs" includes amphetamines, cocaine, heroin and marijuana.

As of this writing, the NCAA Executive Committee has yet to complete its work in developing the procedures for drug testing. It is also not yet known what form the "consent statement" will take. The statement must be signed annually. Failure to sign such a statement will result in ineligibility. To be eligible for competition, each student athlete must "agree" to be tested for the use of prohibited drugs.

Although drug testing procedures have not been finalized by the Executive Committee, a recent article in *The NCAA News*, which is set forth in question-and-answer format, provides additional insight into the NCAA's position.⁸ According to the article, a national drug testing program is made necessary, in part, because a 1984 survey revealed that fewer than 90 of 518 responding institutions conducted drug testing of their student athletes. Further, the high cost, the lack of adequate testing facilities available to individual institutions, and "the need for uniformity to ensure fairness in competition" make national testing by the NCAA practical.⁹

The NCAA's position with respect to the positive test level of certain drugs and the reason for inclusion of other drugs on the banned list is not yet clearly defined. For instance, a question in the article regarding caffeine levels was followed by a response that the positive test level "is relatively high and would not reach that level from drinking a cola or a cup of coffee." Positive levels could only be reached through the ingestion of large doses of caffeine prior to competitions. Such action is assumed to be "a deliberate effort to enhance performance."¹⁰

Student athletes using prohibited drugs for legitimate medical purposes must be able to provide "adequate medical documentation" demonstrating a

medical condition that requires regular use of the banned substance. Assuming such documentation is produced, the student athlete would be granted an exception by the Executive Committee. The student athlete with a medical condition requiring the use of a banned drug would declare the use when signing his requisite annual statement.

Inadvertent use of banned substances would be prevented through a major effort to educate student athletes, physicians treating student athletes, athletic trainers and coaches. Moreover, it is believed that drug levels in urine specimens resulting from inadvertent or "normal therapeutic" use would be relatively low, and automatic positive tests would not result. Additionally, suitable alternatives to banned drugs are believed to be available for normal therapeutic use.¹¹

Any student athlete who "tests positive" in accordance with drug testing methods authorized by the Executive Committee will be declared ineligible and remain ineligible for post-season competition for a minimum of 90 days after the test date. If the student athlete tests positive after being restored to eligibility, "he or she shall be charged with the loss of one season of post-season eligibility in all sports and shall remain ineligible for post-season competition at least through the succeeding academic year."¹²

Drug testing (estimated first year cost: \$310,000) will be conducted at most, if not at all, NCAA national championship and "certified" post-season football contests. The Special Committee on National Drug Testing Policy recommended to the NCAA Executive Committee the imposition of a pattern for testing place finishers, as well as other participants, on a random basis at the conclusion of the individual/team championships; the team sport student athletes would be selected at random or on the basis of playing time and position prior to or during the championship.¹³

Although the NCAA has taken the position that drug testing will be limited to post-season events only, Proposal No. 30 authorizes the NCAA to provide guidelines for drug testing by member institutions during the regular season. Student athletes testing positive will be declared ineligible for post-season participation pursuant to the NCAA's regular eligibility procedures. This procedure further requires that the member institution rather than the NCAA declare the student-athlete ineligible.¹⁴

Because championship events and post-season competitions are "closed," the NCAA does not believe championship and post-season drug testing, or any resulting determinations of ineligibility for that matter, will interfere with constitutionally protected individual rights.¹⁵ This position, however, may lack authoritative support.¹⁶ The Supreme Court's decision in *New Jersey v. T.L.O.* and the recent trial court decision in *Odenheim v. Carlstadt-East Rutherford Regional School District*, if upheld and followed, may undermine the NCAA's position.

The Fourth Amendment to the United States Constitution protects the security of the people "in their persons, houses, papers and effects" against

"unreasonable searches and seizures."¹⁷ The Fourth Amendment is made applicable to the state through the Fourteenth Amendment.¹⁸ As applied to the states, the Fourteenth Amendment protects citizens from the state and all of its creatures—boards of education not excepted. State creatures such as boards of education "have important, delicate and highly discretionary functions, but none that they may not perform within the limits of the Bill of Rights."¹⁹ Although in 1942²⁰ the Supreme Court recognized that state action "must be tempered by respect for students' fundamental Constitutional rights,"²¹ only recently have students' rights truly been recognized and protected.²² Since the Supreme Court's landmark decision in *Tinker v. Des Moines Independent Community School District*,²³ courts have struggled to determine the scope of recognition and protection to be afforded student rights.²⁴ Most recently, the Supreme Court in *New Jersey v. T.L.O.* limited the extent of Fourth Amendment protection in the school setting.

On January 15, 1985, the Supreme Court reached its decision in *T.L.O.* and found the Fourth Amendment applicable to actions of public school officials. However, the Court determined that, "in balance," strict compliance with Fourth Amendment warrant and probable cause requirements was not mandated.²⁵

Citing *Goss v. Lopez*,²⁶ the court concluded that maintaining security and order in schools "requires a certain degree of flexibility in disciplinary procedures."²⁷ This flexibility, however, must be balanced with students' constitutionally protected rights. The Court explained: "On one side of the balance are arrayed the individual's legitimate expectations of privacy and personal security; on the other, the government's need to effective methods to deal with breaches of public order."²⁸

T.L.O., a female student, was taken to the high school principal's office after allegedly violating the school rule prohibiting smoking in the bathroom. *T.L.O.* denied the infraction. The vice-principal conducted a search of *T.L.O.*'s purse for cigarettes. During the search, the vice-principal found a small amount of marijuana, a pipe, a number of empty plastic bags, a substantial quantity of money and two letters implicating *T.L.O.* in drug dealing. Delinquency charges were brought in Juvenile Court. *T.L.O.*'s motion to suppress was denied. The state court found that the Fourth Amendment applied to searches by school officials but determined the search to be reasonable. *T.L.O.* was adjudged delinquent. The Appellate Division affirmed the trial court's finding, but the New Jersey Supreme Court reversed, ordered the suppression of the evidence found in *T.L.O.*'s purse and holding that the search was unreasonable. *Certiorari* was granted the the New Jersey Supreme Court's decision was reversed.²⁹

The Supreme Court rejected the state's argument that Fourth Amendment protections apply only to police action. The Court explained that the basic purpose of the Amendment "is to safeguard the privacy and security of individuals against arbitrary invasions by governmental officials."³⁰ It

further found that the Amendment applies equally in civil and criminal cases.³¹ School officials, in carrying out searches and other disciplinary functions, act as representatives of the state, not merely as surrogate parents. School officials cannot, therefore claim parental immunity from the strictures of the Fourth Amendment.

The Supreme Court concluded that the school setting required some modification of the level of suspicion of illicit activity needed to justify a search. Therefore, the Court found no need for strict adherence by school officials to the Fourth Amendment warrant and probably cause requirements. The legality of a search in the school setting "depends simply on the reasonableness, under all circumstances of the search."³² Reasonableness depends on whether the intrusive act was justified at its inception and whether the search as conducted was reasonably related in scope to circumstances justifying the initial interference. To prove that the intrusive act was justified at its inception, it must be shown that reasonable grounds existed for suspecting that a search would reveal evidence indicating that the student had violated or was violating either the law or the rules of the school."³³

The Supreme Court concluded that the vice-principal's suspicion that *T.L.O.* possessed cigarettes in her purse "was not an inchoate and unparticularized suspicion or hunch."³⁴ Explaining that sufficient probability rather than absolute certainty was the touchstone of reasonableness under the Fourth Amendment, the Court found the search to be reasonable.³⁵

Since *T.L.O.* was decided, the need to balance the interests of students and school officials has once again been presented to a court. On December 9, 1985, in *Odenheim v. Carlstadt East-Rutherford School District*, a New Jersey chancellor relied upon *T.L.O.* when finding unconstitutional the Board of Education's new drug testing rule. The Board had adopted Policy No. 5141.3 in its Policy Manual. The new policy, entitled "Comprehensive Medical Examinations," required annual physicals of all students enrolled or to be enrolled in the district. The physical examination was designed to identify the extent of any physical defects, illness or communicable disease and to determine fitness for school-sponsored health safety, sport and/or physical education courses required by law. The policy's stated purpose further provided that the examination "will help to identify any drug and alcohol use by the pupils." This detection would enable the Board to enter the student into appropriate rehabilitation programs. Failure of a student to submit to or complete the test would result in exclusion from class.

A group of students and parents brought suit to preclude the Board from testing any urine samples for the presence of drugs or alcohol. On August 13, 1985, a temporary restraining order was entered restricting testing, as urged by students and parents. On September 3, 1985, the court converted the temporary restraining order into a preliminary injunction. The matter was

set for trial.

At trial the Board argued that no intrusive deprivation of privacy occurred, since the test was conducted for legitimate, traditional medical reasons. The Board considered drug use and/or alcohol use as illnesses. The Board further argued that the policy was beyond the parameters of the Fourth Amendment because (1) state policy required physical examinations to ensure fitness; (2) student files would be maintained as confidential; and (3) the exclusion sanction was distinguished from suspension or expulsion under state law.

On December 9, 1985, the chancellor issued his written finding. Citing the Supreme Court's *T.L.O.* reasonableness standards, the chancellor found that the Board's drug testing policy was not reasonably related in scope to the circumstances which initially justified the interference with students' privacy expectations. The evidence³⁶ did not establish a reasonable justification for the Board's initial interference with students' rights. The court further found unacceptable the Board's attempt to distinguish the "exclusion" sanction from suspension or expulsion. The court stated, "[The Board's] policy is an attempt to control student discipline under the guise of a medical procedure, thereby circumventing strict due process requirements." Such a position, the court concluded, failed to pass constitutional muster.

A notice of appeal has been filed by the Board in Odenheim. Review is pending. If the chancellor's determination is upheld, successful challenges to similar drug testing procedures may follow.

What lessons may be drawn from *T.L.O.* and Odenheim which will assist the NCAA Executive Committee in developing procedures which will "pass constitutional muster?" Clearly many unanswered questions must be addressed. Some of the questions to be answered include: What expectation of privacy is reasonable for college students and student athletes to rely upon? Does the more intrusive nature of drug testing shift the balance established in *T.L.O.*? Are the present NCAA eligibility procedures sufficient to meet constitutional tests? By signing the annual student statement, will student athletes effectively waive their Fourth Amendment rights?

College students clearly enjoy the security of the same constitutional protection afforded the general public.³⁷ The fact that individuals are not compelled by state law to attend college does not diminish the constitutional protection available to such individuals. In the concurring opinion in *T.L.O.*, however, Justice Powell agreed with the court's conclusion that individuals compelled to attend school have a lesser expectation of privacy than members of the population generally.³⁸ Justice Powell asserted that the relationship between students and school authorities does not compare with the adversarial relationship which exists between police officers and criminal suspects. It is questionable whether the same could be said of the relationship between collegiate student athletes and the Enforcement Committee of the NCAA. It cannot be denied that in the latter situation, an adversarial

relationship exists.

Can individuals who voluntarily participate³⁹ in intercollegiate athletics expect the same degree of privacy as high school students whose attendance is compelled? Has that individual assumed the risk of lesser constitutional security by his voluntary participation?⁴⁰ Are the consent and assumption of risk "voluntary?"⁴¹ The answers to these questions must be drawn from an analysis of the facts of each case. The well-established two-step test to determine one's expectation of privacy must be met.⁴² The first test is subjective: Has the individual by his or her conduct exhibited an actual expectation of privacy? The second test is objective: Is the expectation recognized as reasonable by society?⁴³

It cannot be denied that nothing is more intrusive than searches by state officials which are accomplished by the withdrawal of bodily fluids. In such instances, both the subjective and objective tests of *Katz* are met. Close scrutiny of that action is therefore warranted. A clearly compelling state interest must be shown to justify the search.

Can the NCAA show a compelling interest in testing for drug use? What reasonable justification exists to support the initial intrusion of a drug test?⁴⁴ Is there a distinction to be made between testing for the use of "performance enhancement" drugs and the use of "street drugs?" One commentator asserts that the NCAA is justified, as is the International Olympic Committee, in precluding the use of "performance enhancement" drugs.⁴⁵ Testing student athletes for the use of "street drugs," however, may be much more difficult, if not impossible, for the NCAA to justify.⁴⁶

Assuming the NCAA drug testing policy is found to be constitutional, the procedures implementing that policy must also be constitutional.⁴⁷ The NCAA has indicated that its drug testing program is governed by the regular NCAA eligibility procedures.⁴⁸ The NCAA's enforcement procedures have been criticized as lacking fundamental procedural due process safeguards.⁴⁹ Chief among the criticisms has been the lack of any effective student contribution to the rule-making process and the lack of effective means for a student athlete to rebut charges of rules violations. Minimum due process requirements entitle an individual to notice and a hearing.⁵⁰ It is assumed by the NCAA, without justification, that where rules violations are suspected and investigated, the NCAA member institution will safeguard the student athlete's interests. However, practical experience has shown this assumption to be baseless.⁵¹ The absence of effective means for student athletes to confront accusers and rebut evidence *after* being declared ineligible may be the most serious criticism directed against present NCAA procedures. As the Executive Committee prepares procedures for drug testing, meeting this criticism should be a priority.⁵²

The NCAA will likely defend any constitutional challenge to the drug testing program by asserting a participant's consent to testing. Although a complete analysis of the issue is beyond the scope of this article⁵³ it is

questionable whether the participant's consent can generally be deemed to be knowing and voluntary.⁵⁴

The NCAA Executive Committee is presently faced with a difficult task. Despite the requirements of the procedural safeguards enacted by the NCAA, a constitutional challenge to the drug testing program is inevitable. To successfully defend the challenge and meet its goal of combating drug use, the NCAA must revise its attitude toward student athletes' rights. A representative voice which protects the interests of participants is needed. Several alternatives are available to meet this need. Oversight panels could be created by member institutions with the authorization of the NCAA. These panels would advise student athletes and protect their interests. A precedent for these panels may be found in the NCAA career counseling panels now in place at many member institutions.⁵⁵

If the panels prove unworkable, the NCAA could utilize and expand upon its new Rule 3-1(h)(4), which permits member institutions to employ outside professionals. Moreover, the NCAA could authorize member institutions to solicit the participation of local bar associations. Regardless of the choice made, the NCAA Executive Committee's attention to effective protection of student athletes' constitutional rights is clearly warranted.

The Executive Committee and its advisors must look to recent cases, such as *T.L.O.* and *Odenheim* for guidance as drug testing programs and procedures for implementing those programs are developed. Even though these cases appear to raise more questions than they answer, it is imperative that their reasonableness standards be met. If the NCAA drug testing program itself is reasonably related to a legitimate purpose of the organization and if the procedures adopted are designed to safeguard a targeted individual's constitutional rights, then the objective of curbing drug abuse in collegiate sports may be met.

FOOTNOTES

1. The authors of "Public School Searches and the Fourth Amendment," 11 *Journal of Law & Education* 41 (1982), point out that revelations of increased drug abuse are, unfortunately, not a recent problem, but recurring.

2. On the professional level, see *Sports Industry News*, February 5, 1986, at 42, regarding professional baseball drug plan and the voluntary testing plan worked out between the Baltimore Orioles and agent, Ron Shapiro; see also, "Baseball Belts Drug Abuse: Ueberroth Suspends 11—But Gives Them a Way Out," *Chicago Tribune*, March 1, 1986; at the collegiate level, regarding enactment of the 1984 NCAA drug testing program, see Ford, at 205-207, n.7; on the high school level, see "Drug Testing Policy Adopted by Carlstadt-East Rutherford Regional Board of Education Policy No. 5141.3," discussed in *Odenheim*.

3. For a history of the NCAA drug testing rule, see Ford, above; *Odenheim*.

4. See, generally, Goldberger, "Consent Expectations of Privacy and the Meaning of Searches in the Fourth Amendment," 75 *Journal of Criminal Law and Criminology*, 319 (1984); Note, "From Private Places to Personal Privacy: A Post-Katz Study of Fourth Amendment Protections," 43 *N.Y.U. Law Review* 1968

5. *New Jersey v. T.L.O.*, ___ U.S. ___, 105 S. Ct. 733 (1985); *Odenheim*.

6. *T.L.O.*; *Odenheim*.

7. *T.L.O.*; *Odenheim*.

8. "Questions and Answers Concerning Association's Drug-Testing Proposal," *The NCAA News*, January 8, 1986 (hereinafter cited as "Article").

9. Article, at p.1.

10. Article, at p.3.

11. Article, at p.3.

12. Article, at p.16. Emphasis added.

13. Article, at p.16.

14. This procedure has been criticized. See, Weistart, "Legal Accountability in the NCAA," 10 *Journal of College and University Law* 167. There appears, at this time, to be an inconsistency between the appeals process, as set forth in the text of Proposal No. 30 and as explained in *The NCAA News* article. Proposal No. 30 allows the certifying institution to appeal to the Eligibility Committee if the institution concludes that circumstances warrant restoration of eligibility. However, the article indicates that, once declared ineligible, the student athlete will be provided the opportunity for a hearing before the NCAA Eligibility Committee, which will review each appeal on a case-by-case basis.

15. Article, at p.3.

16. *T.L.O.*; *Odenheim*.

17. "The right of the people to be secure in their persons, houses, papers and effects against unreasonable searches and seizures shall not be violated; and no warrants shall issue, but upon probable cause, supported by oath or after affirmation, and particularly describing the place to be searched, and the person or things to be seized." U.S. Constitution, Amend. IV. For a detailed historical analysis of the Fourth Amendment, see Goldberger, "Consent, Expectations of Privacy and the Meaning of Searches and the Fourth Amendment," 75 *Journal of Criminal Law and Criminology* 319 (1984).

18. U.S. Constitution, Amend. XIV.

19. Comment: "Public Universities and Due Process of Law: Student's Protection Against Unreasonable Search and Seizure," 17 *U. Kansas Law Review* 512, quoting *W. Va. State Board of Education v. Barnette*, 319 U.S. 624, 637 (1943). It has long been established, although criticized, that the NCAA is a "state creature." See, Ford, at 213-217.

20. *W. Va. State Board of Education v. Barnette*, 319 U.S. 624 (1942).

21. Bible, "The College Dormitory Student and the Fourth Amendment—A Sham or A Safeguard?" 4 *U. of San Fran. Law Review* 49, 51.

22. Bible, at 51, citing *Tinker v. Des Moines Independent Community School District*, 89 Supreme Court 733 (1969).

23. 89 Supreme Court 733 (1969).

24. Bible, at n.9; Buss, "The Fourth Amendment and Searches of Students at Public Schools," 59 *Iowa Law Review* 739.

25. *T.L.O.*, at 743.

26. 419 U.S. 565, 95 S. Ct. 729, 42 Law Ed. 2d 725 (1975).

27. *T.L.O.*, at 743.

28. *T.L.O.*, at 741. Relevant questions which are beyond the scope of this writing include the age at which constitutional rights of an individual attach and whether the legitimate interests of school officials is truly equal to the privacy interests of the individual. Some authors suggest that the balance depends upon the level of intrusion. See Trosch, "Public School Searches and the Fourth Amendment," 11 *Journal of Law and Education* 41.

29. *T.L.O.*, at 736-38.

30. *T.L.O.*, at 740.

31. *T.L.O.*, at 740.

32. *T.L.O.*, at 743-44.

33. *T.L.O.*, at 744; *Terry v. Ohio*, 392 U.S. 1, 88 S.Ct. 1868, 20 Law Ed.2d 889 (1968). An issue not decided by the court and beyond the scope of this writing was whether individualized suspicion was an essential element to the reasonableness standard adopted for searches by school authorities. See, *T.L.O.*, at n.8.

34. *T.L.O.*, at 746.

35.

36. At trial, the party stipulated that the student population of defendant high school was 520 between September 1984 and June 1985; of the 520 students, 28 either made inquiry or were referred to assistant counselors. Five hundred sixteen students were enrolled for the current year, of which 11, to date (December 9, 1985), were referred to assistant counselors.

37. *Dixon v. Alabama State Board of Ed.*, 294 F.2d 150 (5th Cir. 1961), cert. denied, 368 U.S. 930 (1961). See, generally, Bible, "The College Dormitory Student and The Fourth Amendment—A Sham or Safeguard?" 4 U. of San Fran. Law Review 49 (1969).

38. T.L.O., at 747.

39. The question must be asked: Are scholarship students volunteers?

40. See, generally, Greenberger, "Consent and Expectations of Privacy and the Meaning of 'Searches' in the Fourth Amendment," 75 *Journal of Criminal Law and Criminology* 319 (1984). One commentator has suggested that application of contract law theory to the relationship between NCAA, member institutions and athletes may be appropriate.

41. Bible, "The College Dormitory Student and The Fourth Amendment—A Sham or Safeguard?" 4 U. of San Fran. Law Review 49 (1969).

42. *Katz v. United States*, 386 U.S. 347 (1967) (J. Harlan concurring).

43. *Alinovi v. Worcester*, Student Committee, 766 F.2d 660, 667 (1985). Justice Harlan's concurrence was adopted by the court in *Smith v. Maryland*, 442 U.S. 735 (1979).

44. See Weistart, "Legal Accountability in the NCAA," 10 *Journal of College and University Law* 167 (1983-84).

45. See Ford, at n.3, above.

46. Certainly a compelling argument could be made that a showing of individualized suspicion is required. In T.L.O., although not decided, the court implied that such a showing would be necessary when it stated that under ordinary circumstances, a search will be justified at its inception when there are reasonable grounds for suspecting that the search will turn up evidence that the student has violated or is violating either the law or school rule. (T.L.O., at 744.)

47. T.L.O., at 744.

48. Article, at 3.

49. See Weistart; Remington, "NCAA Enforcement Procedures, Including the Role of the Committee on Infractions," 10 *Journal of College and University Law* 1981 (1983-84); Gaona, "The National Collegiate Athletic Association: Fundamental Fairness and The Enforcement Program," 23 *Ariz. L. Rev.* 1065 (1981); "House Committee on Oversight and Investigations By the NCAA," 95th Congress, 2d. Session (1978).

50. See *Dixon*; see, also, *Camara v. Municipal Court*, 387 U.S. 523, 87 S. Ct. 1727, 18 Law.Ed.2d 930 (1976).

51. See Remington; see, also, Weistart. Marquette University, prior to its participation in the NCAA basketball tournament, was directed to declare ineligible one of its student athletes for failure to sign the annual statement indicating compliance with the rule precluding contact with professional agents; Marquette refused to do so. The NCAA declared Marquette's entire athletic program ineligible. Ironically, the next day the student athlete signed the statement.

52. One suggestion of the Congressional Committee of the 95th Congress (n.49. above) was the formation of an oversight committee empowered to safeguard student athletes' rights. This suggestion is meritorious.

53. See Goldberger.

54. See Goldberger; see also Bible. Among other issues which could be raised, one could argue that the annual statement is unenforceable under a contract of adhesion theory.

55. The career counseling panels authorized by the NCAA and established at many member institutions permits institution employees outside of the athletic department to provide counseling and advice to student athletes, in anticipation of professional careers.

EDITORIAL BOARD OF THE ACADEMIC ATHLETIC JOURNAL

Dr. Gerald S. Gurney, Chairman
Assistant Athletic Director for Academic Affairs,
Southern Methodist University

Dr. Richard R. McGuire
Director of Academic Advising for Intercollegiate Athletics,
University of Virginia

Dr. Andrew R. Nixon
Academic Advisor for Intercollegiate Athletics,
University of Nevada, Las Vegas

Dr. Ursula R. Walsh
NCAA's Director of Research

Dr. Daniel C. Robinson
Assistant to the Vice President for Student Affairs,
Iowa State University

Dr. Prentice Gautt
Associate Commissioner, Big Eight Conference

Gregory W. Kirstein, Esq.
Editor of *The Athletic Advisor Newsletter*, and Attorney in Columbus, Ohio,
with the firm of Vorys, Sater, Seymour and Pease.