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NATIONAL ASSOCIATION OF ACADEMIC ADVISORS FOR ATHLETICS

Code of Ethics

Preamble

The National Association of Academic Advisors for Athletics is an educational, service and professional organization dedicated to support and enhancement of the academic achievement of intercollegiate athletes. Members serve in various roles in this capacity, but are primarily responsible for the counseling and advising of student-athletes. The primary goal of the profession is to provide a support service for student-athletes to ensure that they have as much academic success as their ability can afford. The profession seeks to offset any educational disadvantages incurred as a result of participation in an intercollegiate athletic program.

To this end, the National Association of Academic Advisors for Athletics, as a group, possesses a body of specialized knowledge, skills, and attitudes known and practiced by its members. These are acquired through professional preparation, generally through graduate study, in an appropriate academic discipline at a college or university. Additionally, they are acquired through experience, in-service training and personal development after the completion of formal education.

The development of a professional organization and the increasing numbers of people and institutions involved in this function have given rise to the need for a set of organizing principles, an operational code of ethics. The development of such standards will inevitably create concern and generate discussion among members about appropriate behavior and professional conduct. Ethics is defined as a body of principles of right or good conduct. With the creation of this statement, the standards for members and for all who would aspire to membership, have been established.

Purpose of Code of Ethics

The purpose of the Code of Ethics for the National Association of Academic Advisors for Athletics is to avoid confusion in practice, and minimize dispute by, specifying standards of accountability. While allowing

for individual preferences and style, it should clarify appropriate behaviors, provide basic philosophical and theoretical premises and elucidate the proper role and function of the Academic Advisor in an intercollegiate athletic program. A professional organization exists through the voluntary association of its members. One of its main purposes shall be to examine, evaluate and improve the quality of its professional preparation and the delivery of its services. It is in this spirit that the code of ethics is established. Any person who is a member of the profession, or is aspiring to membership, shall examine these statements and review his or her own philosophy in light of these principles.

Article I

Responsibility to the Profession and its Membership

Section 1: The member shall attempt to promote the development and improvement of the profession as well as continue personal and professional growth throughout his or her career.

Section 2: The member should expect ethical conduct from other members of N4A and act accordingly.

Section 3: The member is obligated to uphold ethical standards when dealing with others within respective institutions and with non-members.

Section 4: The member should not seek self-enhancement through the public critique of other members.

Section 5: The member should not misrepresent personal professional qualifications to exceed those actually possessed and act to correct any mistakes.

Section 6: When the member provides any information to the public, subordinates, co-workers or superiors, there is an obligation to present an accurate and truthful account in accordance with the situation.

Article II

Responsibilities to the Student-Athlete

Section 1: Counseling

- A. In this relationship, the student-athlete retains full freedom of choice and decision and the advisor has no authority or responsibility to approve or disapprove of the choices or decisions of the student-athlete.

- B. The member's main concern is the integrity and welfare of the student-athlete.
- C. The act of counseling and any information that is disclosed by the student-athlete must be kept confidential.

Section 2: Advising

- A. Advising is the area where the member exercises professional judgement and experience to suggest alternatives, strategies and behavior for the student. In this situation, the advisor can be more directive and assist the student-athlete to understand the consequences of their decisions.
- B. The member should always be aware of academic policies, procedures, requirements, programs, course offerings and any other elements of the institution that can impact the student.
- C. The member should always represent program offerings, course offerings and majors in a truthful and appropriate manner, especially when dealing with recruits.
- D. The member should keep the students' interests and aspirations in mind when scheduling, rather than impose personal values.
- E. Advised of eligibility parameters, the student should be allowed to enroll in the program he or she chooses. Students should never be forced into programs not of their choosing, merely to ensure eligibility.
- F. Students should be encouraged to challenge themselves academically, rather than taking the easiest courses available.
- G. The member should realize that academic and athletic interests are not always compatible and may come into conflict. The member should constantly seek to minimize any educational disadvantages incurred through athletic participation.

Section 3: Non-Discrimination

The member should not discriminate against student-athletes in regard to race, creed, color, age, sex or national origin.

Section 4: Objectivity

- A. The member should remain objective and open when working with a student-athlete regardless of previous academic background, test scores or evaluative comments from others.

- B. The member should not let athletic ability or performance or specific team membership influence his or her attitudes or work with a student-athlete.
- C. The member should regard each student-athlete as an individual with unique emotions and needs and act accordingly.

Section 5: Privacy

- A. The member should be aware and honor the students' legal rights to privacy of their academic records, especially grades.
- B. The member should respect student privacy and counselor confidentiality in disclosing information to coaches or faculty.
- C. The member should take precautions to ensure that records, transcripts, reports and correspondence relating to students is secure from public inspection and not shared inappropriately.

Section 6: Professional Conduct

- A. The member should not interact with students in any manner that jeopardizes or compromises their professional relationship; for example any interaction of a sexual nature.
- B. The member should always be cognizant of the importance of serving as a role model and act as an advocate for academic standards and achievement.
- C. The member should not tolerate cheating, plagiarism or any other acts of academic dishonesty.
- D. The member should not participate in any form of sexual harassment, nor tolerate it by subordinates or tutors. Such conduct by faculty or coaches should be addressed in an appropriate manner.
- E. The member should never engage in any attempt to bring pressure to bear on an instructor to assign a grade or change a grade for a student. The member can make instructors aware of certain conditions or situations, but only to clarify the student's position and in the spirit of cooperation to work with the instructor in helping the student succeed.
- F. The member should never be party to the offer of tickets, trips, sideline passes, autographed memorabilia or any other items that would constitute bartering for a grade with an instructor.
- G. The member should act in the best interest of the student, to motivate them, to stimulate the spirit of inquiry, to encourage them to acquire knowledge and understanding, and to develop goals.

Article III

Responsibility to the Institution

Section 1: The member should always attempt to fulfill the mission of the institution they serve and reflect the values and standards for which it stands. The member should be committed to the concepts of teaching, research and service and be aware of how they may fit into the development of programs.

Section 2: The member should encourage the student to take advantage and be part of the total life of the institution. Though providing a service to students, member should continually direct students toward self-reliance, self-discipline and responsibility for their own lives and actions, and discourage dependence on others to take care of them or make their decisions for them.

Section 3: The member should ensure that the Athletic Advising Program is in compliance with academic requirements of the NCAA, NAIA, NJCAA or any other associational governing body, as well as any conference standards or requirements of the particular institution.

Section 4: The member should inform appropriate persons of any violations of academic or athletic rules as soon as they are discovered.

ROLE CONFLICTS EXPERIENCED BY MALE COLLEGE VARSITY FOOTBALL PLAYERS

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INTRODUCTION

In recent years, a great deal of media attention has focused upon various negative aspects of intercollegiate athletics. The sudden death of Len Bias due to cocaine use, the charges brought against three University of Virginia football players accused of conspiring to distribute cocaine, and the implementation of mandatory drug testing programs for college athletes have raised questions about the relationship between athletic participation and the use of drugs (Lamar, 1986).

The possible incompatibility of athletic participation and education also have received considerable attention. The low percentage of male athletes in revenue producing sports who fail to complete academic degrees as well as the number declared ineligible for competition due to their inability to meet the academic standards set by the NCAA's proposition 48 have been widely publicized (Lamar, 1986). As a result of proposition 48, which requires that a freshman athlete have an overall high school grade point average of 2.00 on a 4.00 scale in 11 academic courses, including three

english, two mathematics, two social science, and two natural or physical science courses, with an additional combined score of 700 on the Scholastic Aptitude Test (SAT) or a 15 on the American College Test (ACT), over 400 freshman athletes have been declared ineligible to compete in collegiate athletics (Farrell, 1986).

These large numbers support the assumptions of some that many of the nation's top athletes may be categorized as high-risk students or those who generally cope poorly in traditional educational settings (Chickering, 1974; Cross, 1971). It appears at the college level that the notion that involvement in sport enhances academic performance has been replaced with the view that trying to succeed in the classroom and on athletic fields may be an impossible task for many student athletes (Thomas, 1968). The prevalence of stories about academically unsuccessful athletes in newspapers, magazines and trade publications suggests that student athletes may have difficulty coping with the varying pressures associated with competing in sport and academic roles (Edwards, 1985; Stein & Hoffman, 1978; Rhatigan, 1984). It appears that the type of pressure athletes face may vary with level of competition, type of sport, and academic eligibility classification. Sack & Thiel, in a study of college basketball players found that basketball players in NCAA Division I programs faced more difficulty than athletes that competed in NCAA Division II programs.

Harry Edwards, professor and sport sociologist at the University of California at Berkeley, believes that race is an important issue in the role conflict of athletes. He believes that black athletes may face more adversity than their white counterparts. From the outset, he notes, black student athletes must deal with three different issues. First, they must cope with the traditional "dumb jock" image faced by all student athletes. Second, the black student athlete must cope with the racist belief held by some that blacks are athletically superior. Third, there is the stereotype of the "dumb negro" (Edwards, 1984).

Beyond college basketball, no similar data based research exist on other sport teams. It seemed appropriate, therefore, to explore the extent and source of experienced role conflict of college football players. Does role conflict which is defined as a person's inability to fulfill competing expectations of differing roles over an extended period of time (Thomas, 1968), vary by race and eligibility classification (freshman, sophomore, junior, senior) of student athletes at a large (22,000) midwestern NCAA Division I university?

Sample

Seventy-two male football players participated in this study. The sub-

jects ranged in age from 18 to 24 years with an average age of 21. All of the student-athletes were American citizens. Thirty-seven percent of the subjects were black and 62% were white. Thirty-three percent (N = 24) of the subjects were from the state of Iowa, while 76 percent (N = 48) were from a variety of other states (Table 1). Athletes were enrolled as students in various colleges within the university curriculum. The college of business had the greater number of students enrolled (22%) and general studies (4%) and agriculture (4%) the least (Table 2). Data collected regarding sport characteristics showed that a majority (76%) were on full scholarship, while 24 percent received no scholarships. The data showed that none of the athletes received partial scholarships. Closer analysis of sport characteristics showed that approximately 80 percent of the respondents had received some type of high school athletic honor. As might be expected, as the level of the honor increased, the percentage of athletes receiving a particular honor decreased (Table 3).

Instrumentation

The instrument employed in this study was designed by the researcher and based upon interviews with student athletes, a review of literature, and personal experiences in sport (Sack & Thiel, 1985; Rhatigan, 1984; Eduwards, 1984). The questionnaire contained 67 items designed to measure male student athletes experienced role conflict in sport. The questions reflected such things as missing class and exams to compete, the

Table 1
Football player's state of origin

Home State	N	%
Iowa	24	33
Illinois	11	15
Michigan	4	5.6
Nebraska	6	8.3
California	6	8.3
Florida	4	5.6
Minnesota	3	4.2
Kansas	3	4.2
Wisconsin	2	2.8
Missouri	3	4.2
New Jersey	2	2.8
Ohio	2	2.8

Indiana	1	1.4
Pennsylvania	1	1.4
Total	72	100

Table 2
Football player's academic majors

Academic college	N	%
Business	16	22
Science and Humanities	12	17
Education	10	14
Engineering	11	15
Home Economics	6	8
Art and Design	4	6
Agriculture	3	4
General Studies	3	4
Undeclared	3	4
Total	68	94%

Table 3
Football player's high school honors

Honor	N	%
All Conference	56	78
All State	43	59
Played in state all star game	23	32
All American	12	17

limited amount of time to study or socialize with the general student population, coping with the high visibility associated with being an athlete, and coping with negative stereotypes of athletes.

In addition, 32 items that collected demographic information such as age, race, academic classification, eligibility classification, college major, athletic and academic honors etc., were included. The students responded to the items designed to measure experienced role conflict by recording a value from 1 to 6 (1 = no problem at all, 6 = very much of a problem) indicating the extent to which the various statements reflected conflict experienced by the student athletes. The athletes responded to the demographic items by circling the answer that best reflected their answer to the questions asked.

Procedure

At the conclusion of the 1986 football season a special meeting for the football players at a large midwestern university was called, and the instrument used for the collecting of the data was administered. The athletes were told that the purpose of the study was to examine the extent to which male college varsity football players experienced role conflict. They were assured that their participation was voluntary and that the responses would be kept strictly confidential. Athletes willingness to participate in the study was assumed by their completion of the questionnaire. The testing lasted approximately 45 minutes. Those athletes not at the meeting were contacted individually and their questionnaires returned to the researcher via campus mail.

Analysis

Initially, means and standard deviations were computed on all items of the questionnaire. Next, the 67 role conflict items were treated by computing a factor analysis using principal factoring with iteration method and varimax rotation. This was done to assess the underlying interrelationships that might exist between the items. Having reviewed the factor analysis, factor labels were determined and assigned on the basis of the predominant items within each group or common characteristics shared by each item within a group (Table 4).

Analysis of the items composing the role conflict scale resulted in the identification of seven major factors accounting for 57 percent of the variance (Table 4). Factor 1 was labeled *Race*, since it was composed of eight items which pertained to race factors associated with sport involvement that loaded heavily with that factor. Factor 2 was labeled *Demand/expectation pressure* and contained a group of eleven items that related to

Table 4
Varimax rotated factor matrix of role conflict variables

Factor Variables	Factor	1	2	3	4	5	6	7
Race								
Limited number of minority students	.87*	.15	.19	.16	.12	.05	.10	
Limited number of minority coaches	.85*	.07	.11	.20	.03	.00	.14	
Limited number of black faculty	.84*	.07	.17	.15	.06	.09	.22	
Living in a predominantly white city/community	.81*	.19	.01	.19	.20	.00	.01	
Living in a predominantly white University environment	.74*	.26	.07	.24	.21	.03	.15	
Limited number of black academic advisors	.71*	.18	.03	.22	.15	.04	.10	
Lack of women of same race to date	.64*	.13	.21	.08	.02	.33	.11	
Dating women of different race	.47*	.03	.10	.01	.25	.14	.01	
Demand/Expectation Pressure								
Meeting expectations of head coach	.12	.71*	.14	.37	.12	.19	.03	
Dealing with philosophy of position coach	.37	.69*	.16	.07	.00	.19	.06	
Meeting demands of position coach	.05	.69*	.24	.12	.05	.31	.11	
Meeting demands of head coach	.22	.68*	.25	.23	.06	.20	.19	
Meeting expectations of friends	.01	.63*	.06	.17	.26	.36	.00	
Meeting expectations of position coach	.12	.57*	.19	.01	.01	.53	.04	
Dealing with philosophy of head coach	.31	.57*	.22	.21	.06	.11	.15	
Copying with major injuries	.10	.52*	.40	.07	.12	.07	.29	
Living in the dormitory	.17	.50*	.17	.17	.03	.06	.03	
Not enough money to meet financial needs	.22	.49*	.51	.09	.12	.17	.01	
Missing classes for practice	.08	.45*	.38	.08	.43	.05	.14	
Time								
Attending classes when tired from practice	.13	.14	.70*	.03	.02	.18	.04	
Obtaining satisfactory grades	.05	.24	.67*	.27	.18	.00	.03	
Studying when tired from practice	.19	.16	.65*	.25	.12	.00	.03	
Copying with minor injuries	.01	.39	.54*	.10	.30	.21	.02	
Not enough time at study table	.24	.01	.54*	.05	.24	.25	.03	
Too much time for onfield practice	.11	.24	.52*	.31	.12	.17	.01	
Limited opportunity for dating	.03	.10	.51*	.10	.21	.43	.16	

*Variables loading on that factor.

Table 4 (Continued)

Factor Variables	Factor	1	2	3	4	5	6	7
Too much time at study table		.25	.05	.48*	.22	.15	.07	.02
Meeting satisfactory progress requirements		.10	.29	.44*	.26	.36	.05	.11
Psychological Pressure								
Copying with negative attitudes of instructors/professors		.22	.09	.08	.76*	.03	.06	.07
Dealing with assumptions that most athletes use drugs		.24	.17	.01	.72*	.11	.08	.06
Coping with negative stereotypes		.20	.09	.06	.65*	.10	.30	.11
Choosing between studying and sport related activities		.01	.08	.34	.64*	.15	.03	.14
Coping with the "dumb jock" image		.27	.17	.21	.60*	.12	.08	.12
Attending class after road trip		.13	.22	.26	.58*	.17	.04	.26
Coping with high visibility of athletes		.07	.26	.14	.54*	.41	.11	.26
Meeting expectations of fans		.08	.29	.15	.52*	.29	.12	.05
No time to meet other students		.16	.39	.27	.48*	.07	.03	.09
Short Improvement Needs								
Not enough time for onfield practice		.20	.10	.04	.01	.79*	.01	.06
Not enough time in position technique meetings		.24	.03	.16	.01	.77*	.20	.01
Not enough time reviewing films		.09	.11	.10	.20	.59*	.19	.20
Not enough time spent traveling with team		.05	.03	.10	.10	.56*	.17	.20
Too much conditioning w/ training		.39	.00	.24	.09	.43*	.27	.05
Family								
Meeting expectation of parents		.09	.30	.10	.00	.24	.66*	.23
Meeting expectations of home boosters		.08	.10	.07	.22	.06	.65*	.26
Meeting expectations of Univ. academic advisor		.33	.22	.22	.12	.29	.53*	.05
Meeting demands of parents		.04	.46	.11	.03	.38	.47*	.00
Competition								
Missing classes for travel		.17	.04	.07	.09	.18	.04	.66*
Negative feelings after a loss		.09	.03	.06	.29	.10	.38	.60*
Missing exams due to competition		.24	.04	.14	.45	.05	.06	.52*
Attending college in home state		.38	.03	.07	.23	.18	.12	.44*

Trying to find classes that don't interfere with practice times	.03	.34	.34	.24	.01	.01	.43*
Playing with pain	.10	.16	.07	.15	.14	.26	.40*
Percent of Variance	29.8	16.7	5.7	5.0	4.3	3.6	3.2
Total Variance	57.3%						

pressures that student athletes might feel as a result of expectancies from others. Factor 3, *Time*, contained a cluster of nine items associated with difficulty student athletes face due to time constraints. Factor 4, *Psychological Pressure*, was loaded heavily with nine items that might handicap student athletes psychologically. Factor 5, *Sport Improvement Needs*, consisted of five items that enhanced sport success. Factor 6, *Family*, consisted of four items which pertained to pressures that student athletes may feel as the result of expectancies from various family members, friends or acquaintances of the athlete. Factor 7, *Competition*, contained a cluster of six items that deal with problems that athletes may face as a result of competing in sports.

Data were analyzed using the statistical package of the social sciences (SPSSX, 1985). The demographic information was described on the basis of simple frequencies, means, standard deviations and percentages. In order to examine the relationship between the two independent variables (race and eligibility classification) and the seven interpretable conflict factors a multivariate analysis of variance (MANOVA) was conducted.

Results

The intent of this study was to examine the nature and extent of male student athlete experienced role conflict associated with participation in varsity football. In addition, the possible interrelationship between race, eligibility classification, and experienced conflict as measured by the seven interpretable conflict variables (competition, psychological pressure, time, demand pressure, family, race and sport improvement needs) also was studied.

Initially, means and standard deviations for the total sample on the seven identified factors was computed. This analysis showed by inspection of the mean scores, that athletes experienced the greatest amount of conflict with *psychological pressure*, *competition*, and *time*. Athletes were the least bothered by the variables *race* and *sport improvement needs* (Table 5).

MANOVA Analyses

In order to determine whether a relationship existed between experienced role conflict, race and eligibility classification, a MANOVA was con-

ducted. The MANOVA yielded significant main effect differences on the Hotelling-Lawley trace in terms of race ($F(7,46)=10.24, p<.01$) and eligibility classification ($F(21,134)=2.43, p<.01$). No significant interaction effects were found.

Table 5
Means and standard deviations for conflict variables

Variable	M	SD
Competition	3.13	1.05
Psychological Pressure	3.05	1.13
Time	3.04	1.10
Demand Pressure	2.79	1.19
Family	2.18	1.15
Racial	2.09	1.37
Sport Improvement Needs	1.95	.94

Race

To determine on which of the factors the groups differed significantly, univariate analyses of variance were conducted separately for each dependent variable. The univariate analysis by race showed that black athletes differed significantly from white athletes on all of the factors (demand pressure, time, psychological pressure, competition) except *sport improvement needs* and *family* (Table 6). Black student athletes assigned higher scores than white athletes to all of the factors.

Eligibility classification

The univariate analysis of role conflict by eligibility classification showed that the athletes differed significantly on the factors time and *competition*. No significant differences for eligibility classification were found on the factors *race*, *demand pressure*, *psychological pressure*, *sport improvement needs* or *family* (Table 7).

A one-way analysis of variance was run on eligibility classification to determine how football players in various eligibility classifications differed on each factor. The Follow-up test showed that sophomores recorded significantly higher scores than seniors on the factor time. In general, freshmen and sophomores tended to score time higher as an area that caused conflict than did juniors and seniors (Table 7).

Analysis of the factor competition showed that seniors differed significantly from freshmen, scoring items associated with competition significantly higher than freshmen. Sophomores, juniors, and seniors were somewhat similar in their response patterns. Interestingly, the values assigned the factor competition seemed to increase as the class rank of the football players increased (Table 7).

Discussion

In general for this sample it appeared that football players did not experience a great deal of role conflict. Analysis of the mean scores for individual items on the role conflict scale showed that only a few fell above the average value of three. It is theorized that this may be due in part to the fact that student athletes who participated in football at this university were provided with many support services. These services may help mediate such things as time, academic, and psychological pressures. In addition, the football program at this university does not have a strong historical tradition of winning. This lack of a winning tradition may serve to reduce the pressure for participants. The literature has suggested that players who compete in programs that are labeled "football powerhouses" appear to suffer conflict associated with trying to meet the expectations of coaches, fans and media to a greater extent than athletes who participate in programs that lack such a tradition (Snyder & Spreitzer, 1983; Sack & Thiel, 1985; Ervin, Saunders, & Gillis, 1984).

An analysis of the data showed that factors related to competition, psychological pressure and time produced the greatest amount of conflict for football players. Having to cope with problems that are a result of competing in sports, such as missing classes and exams, the psychological rigors surrounding sport participants such as the "dumb jock" image, as well as the time constraints placed upon these athletes due to sport related activities, seemed to be the source of more conflict for football players than any of the other identified areas.

The finding that psychological pressure was the second most problematic area was not surprising. This factor was composed of items that may handicap student athletes psychologically, such as coping with negative attitudes of instructors/professors, dealing with assumptions that most athletes use drugs, coping with the "dumb jock" image, and the high visibility associated with being an athlete. These findings suggest that there is a strong need for coaches, professors, athletic and university administrators to take a closer look at the psychological pressures faced by student athletes. The amount of money and popularity brought to institutions by revenue-producing sports through gate receipts, television

Table 6
Football player's F tests for conflict factors by race

Variable	Black	White	F	P
	M	M		
Racial	3.61	2.36	56.79	.01**
Demand Pressure	3.42	2.79	8.71	.01**
Time	3.52	2.99	8.52	.01**
Psychological Pressure	3.62	2.91	5.48	.02*
Sport Improvement Needs	2.20	2.03	.02	.90
Family	2.35	2.22	.26	.61
Competition	3.84	3.30	4.25	.04*

*Significant at .05 level.

**Significant at .01 level.

Table 7
Football player's F tests for conflict factors by eligibility classification

Variable	Classification				F	P
	Fresh	Soph	Junio	Senior		
	M	M	M	M		
Racial	3.01	2.75	2.16	2.69	.46	.70
Demand Pressure	2.79	3.68	2.58	2.68	2.29	.09
Time	3.30	3.50	2.80	2.73	2.87	.05*
Psychological Pressure	3.01	3.26	2.49	3.47	.86	.47
Sport Improvement Needs	2.26	2.25	1.96	1.72	1.25	.30
Family	2.36	2.59	2.06	1.88	1.33	.28
Competition	3.07	3.52	3.64	4.08	5.04	.01**

*Significant at .05 level.

**Significant at .01 level.

revenues, and media coverage appear to be increasing each year, thus increasing the importance of student athletes role to the university. The results of this study suggest that as the role of the college athlete increases in

importance, psychological problems faced by these individuals may also rise. It appears important to identify and provide support mechanisms to aid student athletes in dealing with such difficulties.

It was not surprising that time related variables ranked in the top three factors associated with experienced role conflict. Time constraints have been identified in earlier research as one of the main variables that may cause conflict for athletes (Edwards, 1985; Underwood, 1980; Sack & Thiel, 1985). The football players who participated in this study spent an estimated six to eight hours per day in sport-related activities during their season of competition. These activities included such things as the studying of game film, attending position technique meetings, weight training/conditioning, onfield practice, as well as the treatment and care of injuries. Coupled with these demands, the athletes were expected by coaches, parents, peers and professors/instructors to attend classes regularly, and be successful in academics as well.

Race

The finding that role conflict varied significantly by race was expected and supports the findings of previous researchers (Coakley, 1982; Zeiglar, 1972; Spivey & Jones, 1975; Edwards, 1983). The data showed that black football players experienced a significantly greater amount of conflict than white athletes on five of the seven identified factors (race, demand pressure, time, competition, psychological pressure). Although the differences were not significant, black football players also were found to experience more conflict than their white counterparts on the factors family and sport improvement needs.

These findings suggest that black student athletes who attend predominantly white institutions may have a much more difficult time coping with the demands of sports and academics than white athletes. The high scores assigned by black athletes to the factor race suggests that blacks may have a series of race-specific problems that should be addressed.

If institutions are going to continue to recruit and in some instances virtually depend upon the sport skills of black athletes for the success of their programs, the specific needs of black athletes need to be analyzed. Increasing the number of black support staff personnel would seem logical. The results of this study imply that an increase in black coaches, university, and athletic staff personnel might assist in remediating the amount of conflict felt by black student athletes.

Eligibility Classification

When role conflict was examined as a function of eligibility classification (freshman, sophomore, junior, senior), it was found that athletes dif-

ferred significantly only in terms of the factors time and competition. It was found that freshmen and sophomores (underclassmen) experienced more conflict in relation to time variables than juniors and seniors (upperclassmen). These differences may be due to experience. That is, it might be expected that the longer an athlete participates in a program, the more accustomed he/she becomes to coping with the pressure and the more skilled at time management. Another justification for this difference may be that as a class of athletes progress, those individuals who cannot adjust to the demands of sport competition may discontinue their sport careers. This theory finds support in the data which contained a higher percentage of freshmen and sophomore athletes (63%) than junior and senior athletes (38%). Student athletes who can't make the necessary adjustments to be successful in sports and academics due to competition or psychological pressure as well as time constraints may have a tendency to give up participation.

The significant difference between freshmen and seniors on the factor competition suggest that upperclassmen feel more athlete role conflict related to competition demands than underclassmen. For underclassmen, particularly freshmen, athlete role conflict may not be as great because they don't feel as much pressure to perform well and live up to the expectations of others (fans, teammates, media, coaches, etc.) In addition, only a limited number of freshmen actually get the opportunity to travel and compete at the varsity level. As a result, they may not feel as bad about the loss of a game or a poor team performance in part because they are not as integral a part of the process as upperclassmen. This lack of experienced pressure may be important to consider with proposed recommendations for extracting eligibility from freshman athletes. In addition underclassmen don't experience as many injuries from games, and may not set as high a value on competitive factors thereby also reducing experienced pressure associated with competition.

The consistent rise in role conflict related to competition in terms of eligibility classification suggests that the longer an individual competes in varsity football, the greater the amount of difficulty factors associated with competition to develop. As student athletes progress in terms of eligibility, there may be a shift in the area that produces the greatest amount of role conflict. Upperclassmen were found to experience more conflict than underclassmen in terms of competition while underclassmen appeared to experience more conflict associated with time variables than upperclassmen.

The results of this study imply the need to examine more directly, specific areas of student-athlete role conflict. Apparently, missing classes due to sport related activities, meeting the demands and expectations of

coaches, parents, professors, and dealing with time demands associated with sport participation may lead to psychological stress and conflict. If the NCAA in general, and individual institutions in particular, are to meet their objectives of providing clear strong and practical policies for athletic teams, as well as clean, well run, programs that uphold the integrity and credibility of institutions, they can ill afford to ignore the nature and extent of the pressure, stress, and strain that today's college athlete face.

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WELLNESS PROGRAMMING IN COLLEGIATE ATHLETICS: A MOVEMENT TOWARD BALANCE

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INTRODUCTION

College and university campuses across America are showing an increased recognition of the importance and value of uniting all aspects of campus life in the total development of the student. But one group of students on the campuses which is often limited in, if not deprived of, its opportunity to experience the normal growth and development which occurs during this four-year period are the athletes, men and women, who represent the universities in athletic competition. Is the price they pay worth the experience they have?

REVIEW OF THE LITERATURE

Athletic personnel have historically extolled the virtues of their programs and the positive contributions made not only to the curricula of their institutions, but also to the participants. Palmieri (1973) believed that athletic participation made significant positive contributions to athletes socially, emotionally, mentally, and psychologically. Among these benefits were the development of appropriate coping skills for adversity in life and the formulation of positive approach to life.

In recent years the role of athletic participation as a positive force in the lives of athletes has been under a considerable amount of scrutiny. The legitimacy of the values mentioned above as well as others which have traditionally been placed on athletic participation is being questioned in several arenas and, indeed, by society in general. Problems with drug use, recruiting violations, and the abuse of academic standards have caused national organizations and local universities to reevaluate their programs and to begin looking at creative ways to address many of these concerns. In

addressing the issues voiced by those who would support change in the current structure of sport, Snyder and Spreitzer (1983) offered the following perspective:

Sport tends to be a reflection of a materialistic society; it thus legitimates the existing system. It induces a false consciousness and is an opiate that encourages satisfactions with the status quo. . . play and informal sport are potentially liberating, but formal sport teaches values that are exploitative, inhumane, and pathological because of the inordinate stress on competition. Problems among athletes are seen as the result of alienation from an inhumane, exploitative, and elitist system . . .

Orlick (1974) also recognized the darker side of sports participation when he said:

For every positive psychological or social outcome in sports, there are possible negative outcomes. For example, sports can offer a child group membership or group exclusion, acceptance or rejection, positive feedback or negative feedback, a sense of accomplishment or a sense of failure, evidence of self-worth or a lack of evidence of self-worth. Likewise, sports can develop cooperation and a concern for others, but they can also develop intense rivalry and a complete lack of concern for others.

Snyder and Spreitzer (1983) further state: "The big collegiate sports establishments are not primarily concerned with building character. Rather, they are highly bureaucratized business organizations that sometimes resort to unethical practices to achieve the goals of winning and the resultant gate receipts." Scafer (cited in Snyder and Spreitzer, 1983) expressed concern for the way in which sport particularly 'scripts' young men to be successful, strong, objective, and unemotional. He believed that the pressure to take charge, to come out on top, and not to show pain could lead to dysfunctional behavior such as difficulty in expressing sentiments as well as the inability to be in touch with feelings and to transmit affection and feeling-level communication.

THE PROBLEM

These subtleties, present in the structure of many athletic programs, give rise to problems for student athletes and manifest themselves in negative behaviors. For example, some students who, having not made the team or having missed a season because of an injury, seem to give up on themselves as persons and on life in general. Many of them drop out of

school. Others become involved with negative persons and/or activities which lead them in unhealthy directions. Their grades suffer, and they allow themselves to physically deteriorate. These behaviors result from a profound loss of purpose and self-worth which is tied to their membership on that team. Many athletes become so depressed after the season that they withdraw into themselves from a lack of a social support system outside of the team. Numerous athletes' lifestyles are so limited that they eat, sleep, and live only for the sport. Academics take second place on their list of priorities, because it is seen as a means to their athletic goals. Often no third, fourth, or fifth places exist.

In addition some athletes get by academically by cheating and manipulating teachers for grades instead of applying themselves and studying. Some coaches and athletic academic advisors have been guilty of devaluing the academic experience by placing athletes in courses that have no bearing on their majors or are reputed to be "easy" for athletes. Many athletes approach college with the idea that the next four years will be a training camp for the pros. Unfortunately, this attitude is often perpetuated by their coaches and other athletic personnel. It is easy to see why some athletes develop lifestyle problems associated with a low self-esteem/self-concept, the lack of a sense of worthwhileness and purpose, the absence of a healthy socialization process, insufficient academic achievement, and the development of a value system based entirely on winning.

These observations prompt one to ask: Is there really life after the season? Or better yet, is there really life as an athlete?

THE SOLUTION

Obviously, there are no easy solutions for the current situation in athletics. Athletes and coaches find it difficult to lead a healthy lifestyle and continue to be competitive. Practice, game preparation, and travel are necessary to meet the performance expectations athletes have for themselves and that spectators demand. These require time. In addition, the societal emphasis on winning and the tendency to associate successful programs with winning programs causes a shift in priorities and value systems and does, in fact, act as a deterrent to the development of positive lifestyles. A more broad-based definition of success and a lifestyle stressing quality in all areas is needed by coaches, as well as a willingness to foster these ideals in their athletes.

The key for this type of existence lies in the ability of the participant (athlete, coach, athletic director, etc.) to perceive a concept of life being balanced in six dimensions: physical, mental, emotional, social, spiritual, and occupational (Hettler, 1980). The payoff for this effort results in an in-

creased ability of the individual to become all that he/she can become, to reach his/her highest potential. Abraham Maslow (1968) defined this stage of human development as self-actualization. It requires a daily commitment to reach out and explore the limits of one's potential and to move toward developing that potential. These concepts of balance and maximizing individual potential are synonymous with the wellness trust being felt across the country. Their inclusion in athletic programs is not only possible but is also highly desirable. A brief explanation of each dimension and its importance follows.

Physical wellness contributes to increased levels of health-related fitness through exercise, proper nutrition, medical self-care, and avoidance of abusive substances.

Mental wellness encourages the continued acquisition of knowledge through creative and stimulating learning experiences to enhance mental potential and ability.

Social wellness develops a sense of concern for environmental issues and the development of a personal environment which enables the pursuit of harmony within the family and the community.

Spiritual wellness provides peace and contentment with the personal interpretation of life's purposes and meanings through a relationship with a higher being or perhaps a life force.

Emotional wellness increases awareness and acceptance of one's feelings and self-image with improved self-express, self-control, self-evaluation, and enthusiasm for life.

Occupational wellness promotes preparation for an appropriate career which will provide positive enrichment and an enjoyable experience on the job.

For a wellness lifestyle to provide all of the benefits of which it is capable, it must demonstrate balanced interrelationships within each dimension and among all six of the dimensions. Characteristically, a person may be in excellent physical condition and may have sound nutritional habits; but if alcohol, drugs, or tobacco is abused, that person is not well-balanced within the physical dimension. On the other hand, he/she may have a very well-balanced physical dimension but have a low self-concept and find maintaining relationships to be difficult. In this case an imbalance exists among the physical, social, and emotional dimensions. A unique relationship exists among the six dimensions in that anything that causes an imbalance in one dimension will also affect the other five dimensions. The strength of the individual's lifestyle is determined by the balance within and

among the dimensions—the more balance, the more strength and vice versa.

Surely, then, having wellness-oriented athletes and being wellness-oriented as coaches and athletic directors would seem to be desirable goals. In fact, it would seem that initially athletics was designed to accomplish this objective. However, the reality of competition in today's society is that athletics does very little to promote balance in its participants.

What then can be done to enable athletes and other personnel to become more wellness-oriented, more balanced in their perspective of life? An organized approach to the problem is required. Within the framework of team meetings and activities, a place must be made to devote time to critical issues involving lifestyles decisions. The help of professionals with expertise in particular areas could be enlisted to lead team, small group, or individual discussion sessions. In addition the identification and utilization of special courses within the academic curricula could help the athlete in making a smooth transition academically and socially from high school to college.

Topics which would be appropriate for team meetings and discussion are: (a) self-image concepts that develop a value for the athlete as a person as well as a performer; (b) time management concepts that emphasize positive, healthy ways to deal with stress and control of life; (c) maintaining individuality in the face of peer pressure; (d) developing a faith in a higher being, in one self, and in others, which leads to a positive attitude toward life and living; (e) stress management; (f) building and maintaining relationships, communication and assertiveness skills; (g) academic counseling and tutoring in special areas, study skill courses, and vocational counseling, and (h) fitness, nutrition, and other health-related topics.

The campus wellness coordinator or a staff person in psychological services could be consulted on the development and structure of a program of this nature. Either of these persons would also be excellent resources for additional campus and community professionals who could be utilized in program delivery. A dean or vice-president for student life could suggest ways athletes could become more socially integrated as college students and could educate athletes about social opportunities/activities on the campus. The director of academic counseling could help with specific problems and scheduling needs unique to athletes as well as with career planning and vocational counseling.

Additional campus personnel who could provide valuable insight and expertise would be health education professionals, sport psychologists and/or sociologists, professional education faculty who teach study skills and reading improvement courses, campus chaplains, and the university medical staff. Finally, faculty and other colleagues could serve as mentors

for athletes, to provide a source of support and a listening ear with concerns and problems which need to be verbalized.

Having well-balanced coaches and athletic personnel has to be a priority if a program of this nature is to succeed. These persons provide the proper role modeling which is needed. They also have a well-developed sensitivity to individuals and are able to recognize the symptoms of potential problems early enough to instigate preventive measures before the problems are enlarged.

SUMMARY

The question to be considered is this. Does participation in athletics contribute to the positive development of the athlete? There is enough evidence to suggest not necessarily. But, if a rationale for participation is this positive individual development, then athletic personnel must take the initiative to ensure that this result occurs. Incorporating wellness concepts into the structure of the athletic experience is one way to begin to move toward this objective. Wellness concepts are valid for athletes and athletic programs. They provide an organized, methodical way to enable persons to begin to live their lives to the fullest and to recognize their personal and athletic potential. They provide a way for athletes to experience greater integration in their total collegiate experience and begin to develop skills to transfer this integration beyond the college experience. They provide a way for practitioners to bridge the gap between the reality of what the athletic experience is and the myth of what it is perceived to be.

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PROPOSITION 48 AND A DIVISION II INSTITUTION

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Proposition 48 and a Division II Institution

For many years it has been debated whether or not freshman student-athletes should be able to participate in sport at the intercollegiate level. At the 1983 national convention, the National Collegiate Athletic Association (NCAA) passed legislation stating that prospective freshman student-athletes must score at least 700 on the SAT or 15 on the ACT and have at least a 2.0 grade point average in a certain core curriculum in order to participate in intercollegiate athletics. The core curriculum consisted of 11 college preparatory courses selected from the four major subject areas (three English, two each in math, natural/physical sciences, social sciences, and additional courses). This legislation became Bylaw 5-1-(j) or more commonly known as Proposition 48. As stated by Petr (1987):

Several people who spoke in favor of this legislation indicated that if athletes were going to be participating in varsity athletics as freshmen, then the high schools needed to do a better job of preparing these student-athletes, and it was felt that this legislation might lead to better training for athletes in the secondary schools. (p. 5)

Bylaws 5-1-(j) has only been in effect in Division I institutions since its adoption in 1983. However, as of August 1, 1988, Bylaw 5-1-(j), which was adopted at the 1987 NCAA Convention, affects student-athletes enrolling in Division II member institutions for the 1988-89 academic year. For the fall of 1988, Proposition 48 will include a floating scale in Division II. The scale states that freshman student-athletes who will be entering Division II institutions in the fall of 1988 must have at least a 720 on the SAT (16 on the ACT) and a core curriculum grade-point average of 1.900 to 1.999 (on a 4.0

scale), a 700 on the SAT (15 on the ACT) and a 2.00 to 2.099 core curriculum grade-point average, or a 680 on the SAT (14 on the ACT) and a core curriculum grade-point average of 2.100 or higher to compete in intercollegiate athletics. Beginning in the fall of 1989, the floating scale will be dropped and freshman student-athletes will be required to have at least a 700 on the SAT (15 on the ACT) and a 2.000 or higher core curriculum grade-point average to be eligible for athletic competition.

Recently, the NCAA Research Committee sent out a survey to Division I institutions asking them to report the number of 5-1-(j) partial qualifiers and nonqualifiers who enrolled as freshman student-athletes during the fall of 1987. The results indicated "at 202 schools responding to the survey, 437 (4.5 percent) of 10,197 enrolled freshmen were partial qualifiers under Bylaws 5-1-(j) while 143 (1.4 percent) were nonqualifiers" ("Results of Survey," 1988, p. 1). This study indicated that of the total number of students enrolling in Division I institutions, a very small percentage were partial qualifiers or nonqualifiers.

Partial qualifiers are defined as prospective student-athletes who have earned at least a 2.000 overall grade-point average in high school and graduated but did not meet the test score or core curriculum requirement of Bylaw 5-1-(j). Prospective student-athletes who did not earn at least a 2.000 grade-point average in high school and did not meet the test score or core curriculum requirement are classified as nonqualifiers.

Methods

With Bylaw 5-1-(j) taking effect in Division II member institutions in the fall of 1988, this study was conducted to see how Bylaw 5-1-(j) may have an impact on one small New England private Division II institution. This particular institution may be considered unusual because it does not award athletic scholarships. This study examined the high school transcripts and test scores of student-athletes participating in football and men's basketball at a Division II institution during the 1986-87 and 1987-88 seasons. Bylaw 5-1-(j) was used as a guideline in determining the core curriculum grade-point averages and tests scores.

The records of 96 football players and 12 men's basketball players were examined from a total of 122 and 19 football and men's basketball players, respectively, who competed during the 1986-87 and 1987-88 seasons. Student-athletes who had graduated, withdrawn, or had not registered for classes during the spring 1988 semester when the study was conducted were not included in the study. Transfer students were also not included in the study. Core curriculum grade-point averages based on Bylaw 5-1-(j) were computed and the highest test score was reported for each student-athlete.

Each student-athlete was then classified as a qualifier, partial qualifier, or nonqualifier.

Results

The results indicated that for both men's basketball and football there were 90 qualifiers (83.3%), 15 partial qualifiers (13.9%), and 3 nonqualifiers (2.8%) under the rules of Bylaw 5-1-(j). These data are summarized in Table 1. Of the 12 men's basketball players, there were 10 qualifiers (83.3%), 1 partial qualifier (8.3%), and 1 nonqualifier (8.3%). The results of the football players indicated 80 qualifiers (83.3%), 14 partial qualifiers (15.5%), and 2 nonqualifiers (2.1%).

Of the 15 student-athlete partial qualifiers, 9 failed only to meet the core curriculum grade-point average and 6 failed only to meet the test score requirement. Non of the partial qualifiers failed to meet both the core curriculum grade-point average and test score requirement. The breakdown of partial qualifiers is shown in Table 2.

Discussion

According to Mayo (1986), "students who are extremely weak academically are often invited into college to pursue the improbable dream: to become one of the less than two percent of college players who make it into the NFL or NBA" (p. 26). Hopefully, after many years of research, the institution of Proposition 48 will prove to prevent the recruitment of athletes who are not academically qualified.

This study examined the academic records of student-athletes participating in men's basketball and football at one Division II institution. The results indicated a fairly low percentage of men's basketball and football partial qualifiers and nonqualifiers compared to the results of a survey compiled by the NCAA Research Committee. Their results indicated that 60 men's basketball (13%) and 156 football players (34%) were partial qualifiers out of 10,197 freshmen who enrolled in 202 Division I institutions in the fall of 1987 ("Results of Survey," 1988). The results of this study seem to indicate that this particular Division II institution may not be affected by Bylaw 5-1-(j). Although this study only included men's basketball and football, these two sports are usually subject to major criticism.

More research needs to be conducted in order to see the long term effects of Bylaw 5-1-(j). This study only indicates how Bylaw 5-1-(j) has affected one Division II institution since it was instituted on August 1, 1988.

Table 1. Number and Percentage of Qualifiers, Partial Qualifiers, and Nonqualifiers

	Total Qualifiers (%)		Partial Qualifiers (%)		Nonqualifiers (%)	
Men's Basketball	12	10 (82.3)	1	(8.3)	1	(8.3)
Football	96	80 (83.3)	14	(17.5)	2	(2.1)
Total	108	90 (83.3)	15	(13.9)	3	(2.8)

Table 2. Partial Qualifiers

	Core GPA	Not Meeting Test Score	Both
Men's Basketball	0	1	0
Football	9	5	0
Total	9	6	0

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THE STUDENT-ATHLETE: PROCEDURAL DUE PROCESS AND PROPERTY RIGHT

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THE STUDENT-ATHLETE: PROCEDURAL DUE PROCESS AND PROPERTY RIGHT

At the inception of a collegiate athletic career, the student-athlete has no constitutional right to participate in or receive grant-in-aid for collegiate athletics. However, as factors are introduced into the student-athlete's career, this may change. Questions have arisen concerning the right to participate in athletics, the right to athletic scholarships, the right to public view as an athlete, and numerous other rights. Student-athlete's have consistently maintained, and courts have agreed, that there is a right to procedural due process once the student-athlete has begun participation in collegiate athletics or has received a grant-in-aid.

Procedural due process limitations on federal activity are found in the Fifth Amendment to the United States Constitution. It is stated that, "No person shall . . . be deprived of life, liberty, or property without due process of law . . ." Procedural due process limitations on state activity are found in the Fourteenth Amendment to the United States Constitution. This amendment provides that no state shall "deprive any person of life, liberty, or property, without due process of law. Procedural due process limitations

on state activity are also found in state constitutions. One must examine, therefore, the individual state law as well as the Fourteenth Amendment.

Procedural safeguards are not present in *all* regulatory activities, and when they are present they are not always of equal intensity. First, one must determine if a procedural right is involved in a case. Second, one must determine the nature and extent of the protection available to the aggrieved party where a procedural right is involved.

The elements necessary in order to establish procedural safeguards are: 1) involvement of state or federal action in withholding the due process; 2) actual personage as the aggrieved party; and 3) threat to or infringement upon an interest in life, liberty, or property.

State and Federal Action

The Fifth and Fourteenth Amendments to the United States Constitution, as well as state laws, apply only to governmental action, not to private action. *Cases and Materials on Constitutional Law*, Gunther, 1980. An action by a student-athlete or a coach against an athletic association would generally be inappropriate. However, conduct that appears to be private may be so interconnected with governmental policy or governmental character as to constitute government action in the eyes of the Court. In the past, this has repeatedly been held so with collegiate athletic associations. Athletic associations have taken upon themselves the role of coordinator and overseer of collegiate athletics in the interest of its associated institutions, many of which are public institutions and therefore support by state funding. In this way, athletic associations have generally been declared to be performing traditional government functions.

However, in three 1982 cases, *Blum v. Yaretsky*, *Lugar v. Edmondson Oil Co.*, and *Rendell-Baker v. Kohn*, the Court indicated its intention to more closely examine assertions of government involvement in a challenged activity. In all three cases conduct of a private party or organization were examined. The court has drawn a picture of the private party or organization as a private contractor who performs government construction contracts, wherein even though the state provides all of the revenue, the contractor's acts cannot be attributed to the government for purposes of finding government involvement. *Blum*, 457 U.S. 991 (1982); *Lugar*, 457 U.S. 922 (1982); *Rendell-Baker*, 457 U.S. 830 (1982). In other words, while the government is the "employer", the athletic association is "private" and its intentional acts cannot be attributed to the government.

In *Rendell-Baker* the Court examined the issue of whether the private organization performed a public function. If so, it would require a finding

of government action. The main inquiry is whether the function performed has traditionally been the exclusive prerogative of the state. The Court has gone so far as to state that even the education of certain individuals does not fall into a traditional state function. *Rendell-Baker*. It is therefore doubtful that providing an athletic organization for these individual and others would do so.

With these three decisions in mind, it is probable that a court may find that government action is not present under any circumstances, particularly given the courts' propensity to defer to the decisions of amateur athletic organizations and institutions the area of athletics.

Such was the case in *Arlosoroff v. National Collegiate Athletic Association* (NCAA), 746 F.2d 1019 (1984), wherein a college tennis player brought action seeking to enjoin enforcement of a NCAA eligibility rule which precluded him from further competition in intercollegiate tennis. Because the student-athlete had participated in three years of organized tennis before his matriculation at the institution but after his twentieth birthday, the NCAA ruled that his freshman year was his last year of eligibility. The court emphasized, "there is no precise formula to determine whether otherwise private conduct constitutes 'state action.'" *Arlosoroff*, at 1021. The court referred to *Burton v. Wilmington Parking Authority*, 365 U.S. 715 (1961), in stating that the question in each case is whether the conduct is fairly attributable to the state. The court further pointed out that, since the triad of 1982 cases, mere indirect involvement of state governments no longer converted what otherwise would be considered private conduct into state action.

The court also rejected the idea that the NCAA performs a function "traditionally exclusively reserved to the state." *Arlosoroff*; *Jackson v. Metropolitan Edison Co.*, 419 U.S. 345 (1975). The fact that the NCAA's regulatory function may be of some public service lends no support to the finding of state action. The courts have stated that, while the education of the student-athlete is traditionally reserved to the state, the function of governing intercollegiate athletics is not.

Additionally, in *Arlosoroff* the court reiterated that an institution's being highly regulated and subsidized by a state is not enough to invoke due process protections. If the state in its regulatory or subsidizing function does not order or cause the action complained of, and the specific function challenged is not one traditionally reserved to the state, there is no state action. However, if the state or officers of the state are active participants in creating or enforcing the rules of the organization, state action will likely be found. *Chief Flagg Brothers, Inc. v. Brooks*, 436 U.S. 149 (1978).

However, in 1983 the court repeated that the actions of the NCAA con-

stitute "state action" for constitutional and jurisdictional purposes. Justice v. NCAA, 577 F.Supp. 356 (1983). The court followed the rule set forth in Shelton v. NCAA, 539 F.2d 1197, (1976) and Associated Students, Inc. v. NCAA, 493 F.2d 1251 (1974) and held that the due process clause of the Fourteenth Amendment applied fully to the actions of the NCAA.

Personage

Both the Fifth and Fourteenth Amendments are expressly intended to protect "persons." It has historically been held that corporations are persons for the purpose of the Fourteenth Amendment and in other instances as well. Therefore, it is very unlikely that an academic institution would not be afforded due process protection simply because it is not a "person."

Liberty Interest

The liberty interest has been liberally construed by the courts. However, the stigma which is suffered must be, as a general rule, accompanied by the threat of or actual loss of some property interest before a claim will be successful; similar to the traditional tort rule that emotional distress must be accompanied by physical injury.

Most courts have held that the right to participate in athletics does not constitute a liberty interest. Karmanos v. Baker, 617 F.Supp. 809 (1985). Quoting Mitchell v. Louisiana High School Athletic Association, 430 F.2d 1155 (1970), the court stated "(The privilege of participating in intercollegiate athletics must be deemed to fall in the latter category (protected by the states) and outside the protection of due process (of the Fourteenth Amendment)." Karmanos at 815; Mitchell at 1158. Athletic participation is deemed a privilege to be granted rather than a right to be protected.

However, given the rise in popularity and importance of sporting activities as a form of expression, the increase of financing through athletic scholarships for educational purposes, and the use of collegiate athletics as a means to enter professional athletics, it is not unlikely that courts will begin to recognize the right to participate in athletics as a liberty interest for due process purposes.

Courts are more inclined to find a liberty interest where some tangible interest, such as the opportunity for an education or a better livelihood, exists. Goss v. Lopez, 419 U.S. 565 (1975). Courts have gone only so far as to suggest that intangible interests like stigmatization might suffice to create a liberty interest when there are no tangible losses, such as a loss of education. Cleveland Board of Education v. Loudermill, 105 S.Ct. 1487 (1985).

Property Interest

Clearly, any true property interest will trigger due process protection. Property interests are created by existing rules or understandings stemming from an independent source, such as state law, and their dimensions are defined similarly. Karmanos. Usually, property interests are based upon state statutes or regulations which expressly create a property right or entitlement. They also are granted by contract. Until such property interest is specifically granted, it does not exist and due process protections are not invoked. Goss. However, once such interest is granted, it may not be deprived of recipients of that interest without first affording them due process. J. Nowak, R. Rotunda and J. Young, Constitutional Law 497 (2d ed. 1983).

In Justice the Court emphasized that one must have more than a unilateral expectation of a property interest in a benefit. The individual must have a present legitimate claim of entitlement to it. The Court determined that promises made concerning participation are the "mere suggestion of the potential opportunity" and as such do not create a property right.

Scholarships: Courts have found property interests in the rules and regulations of athletic associations. Lower courts have noted that NCAA regulations and documentation regarding student athletic scholarships give rise to a property interest on the part of the student-athlete. Boyd v. Board of Directors of McGehee School District, 612 F.Supp. 86 (1985). While courts do recognize a property interest on the part of the student-athlete, they are limiting the amount of process that is due. This allows courts to recognize that a property interest is involved while simultaneously enabling them to give ample deference to the athletic association, which the courts generally do.

Participation: Generally, courts do not grant a property interest in the right to participate in collegiate athletics. However, if the student-athlete can show a direct link between the participation and a tangible property interest, it is conceivable that a court would find that a property interest is present. Courts have not yet recognized the link between participation, which allows the athlete to be viewed by professional teams, and receiving a professional sports contract.

In Gulf South Conference (GSC) v. Boyd, 369 So. 2d 553 (1979), the court held that the right to be eligible to participate in college athletics is a property right of present economic value. The court stated that, because some college athletes receive scholarships of value to engage in collegiate athletics there is a property right of present economic value even in the situation where the scholarship does not exist. The distinguishing factor in this case, the court noted, is that this situation specifically involved col-

legiate athletics. Participation in high school athletics where scholarships generally do not exist, or any other situation where scholarships are not granted, does not contain a right to participate. GSC.

In McGehee it was held that the privilege of participating in interscholastic athletics does constitute a property interest and invoke protection by the due process clause of the Fourteenth Amendment where such participation is vital and indispensable to a college scholarship and, in essence, a college education.

It must be noted at this point that the above cases are contradictory to the historical line of cases. Most courts do not grant that mere participation in athletics is enough to trigger a property interest. Colorado Seminary v. NCAA, 570 F.2d 320 (1978).

At present, courts have viewed the liberty interest and the property interest separately. However, it is conceivable that, if a student-athlete can demonstrate that both interests are involved, the court would base a finding of due process protection based upon the sum of the two interests.

Amount of Due Process

When a person is deprived of life, liberty, or property by state or federal action, some amount of due process must be extended. The extent of process due in a given case varies substantially. Normally, due process requires notice of the proceedings and a fair hearing. The nature, extent, and timing of the notice and hearing, are dependent on the court's determination of how much process is due in a given case.

Courts determine the requisite process due by applying a balancing test. Application of this test necessitates that the court weigh three factors in determining the amount of process due. First, the court weighs the nature and amount of private interest that will be affected by the official action. Second, the court determines the amount of risk of an erroneous deprivation of such interest through the procedures used and the probable value of additional or substitute procedural safeguards. Third, the court examines the government's interest, including the function involved and the fiscal and administrative burdens that the additional or substitute procedural requisites would entail. Mathews v. Eldridge, 424 U.S. 319 (1976).

McGehee the court applied the balancing test and determined that where there was no clear urgency for acting prior to taking the challenged action the amount of due process required would be increased.

Historically, courts have given broad deference to the governing agen-

cies of collegiate athletics. However, in 1979 the court emphasized that the athlete himself is not a member of the athletic association. The athlete has no choice as to whether he will participate on a team which is a member since nearly all collegiate institutions are members of one association or another. The institutions themselves have little choice as to whether they will be a member of an association since membership in a practical sense is an economic necessity. Additionally, the athlete has no voice or bargaining power concerning the rules and regulations adopted by the athletic associations. Therefore, the basic freedom of association principle behind the non-interference rule is not present. GSC, at 557.

GSC is, however, the exception. Again in 1985 the court reiterated its hesitancy to involve itself in conflicts which develop in the day-to-day operation of a school system, including the governing athletics. McGehee.

As the courts have increased their review of these cases, precedents have been established. However, while the courts are analogizing the specific cases being reviewed with prior decisions, there are very few actual precedents in the specific area of collegiate athletics already existing. Therefore, courts necessarily must balance the three factors set forth above to determine how the factors apply in a particular case. Only after a true line of precedent is established in any area will a student-athlete or an administrator know with any certainty what amount of process is due.

In balancing the above factors the courts have deferred to the expertise of school administrators and rule-making bodies of athletic associations. These two entities, in order to safeguard their own interests, are likely to restrict the nature and extent of the due process accorded a student-athlete. Therefore, it is logical to assume that the notice and hearing due to an athlete will be limited.

Notice: A balancing test must be used to determine the type of notice that must be given in an individual instance. The court must balance the student-athlete's interests and the extent to which additional notice would reduce the possibility of an error by the decision-maker against the added administrative and fiscal burden on the school or athletic association of giving such notice. Often, a mere oral recitation informing an athlete of the action being taken and a basic enumeration of the reasons for or charges supporting the action may suffice as proper notice.

Hearing: The same factors considered in determining the notice requirement of procedural due process must also be balanced to ascertain the kind or form of hearing that must be afforded. When a party is being subjected to extreme privation or hardship similar to a criminal penalty, formal hearing procedures much like those used in a criminal trial may be required. In other less severe cases where the administrative burden is significant and

the interest involved is limited, the required hearing procedure may be quite informal and still meet due process standards.

Some form of hearing is almost always required. In McGehee the court stated that since there were no urgent circumstances confronting the coach, the educational process or the other students, the student-athlete must be given a hearing to determine the action to be taken.

In Goss, which involved only a minimal penalty, the Court noted that a hearing in which the student could present his side of the story constituted the minimum hearing requirement. In other cases the courts have required much more, such as formal testimony and discovery.

In order to invoke protection based upon lack of due process in the hearing, it must be the actual hearing itself which is unfair or in violation of the athlete's rights. In Karmanos the court stressed that the actual hearing or investigation involved in the action must be unfair. It is not enough that the eligibility rule be unfair. Neither is it enough that a legislative or executive hearing or investigation is unfair. Karmanos.

Conclusion

Athletes have been afforded due process rights when a liberty or property interest is implicated in a termination or related decision by a coach, department, institution, or association. To establish the right to due process, however, the athlete or employee must establish each of the elements of due process. There must be government action; the party challenging the action must be a "person"; and there must be a presence of a life, liberty or property interest. Yet even when each of these elements is present, courts are inclined to defer to the educational and athletic decision-makers and limit the type of notice and hearing that must be afforded.

AN ANALYSIS OF SUPPORT SERVICES FOR STUDENT ATHLETES ATTENDING DIVISION I INSTITUTIONS OF HIGHER EDUCATION — A SUMMARY

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The purpose of this study was to identify and analyze the significant variables related to the effectiveness of support services for student athletes attending NCAA Division One institutions. For comparative purposes, the investigator sent questionnaires to all (285) Division One public and private institutions. Many of the 134 responding individuals supervised or directed support service programs for student athletes.

The following general conclusions may be gleaned from the study:

- (1) There is no significant difference in the types of support service for student athletes at public and private institutions.
 - 1.1 Over 50% of the programs provide the same services.
 - 1.2 Academic advising, counseling and tutorial assistance is offered by more than 90% of the programs.
 - 1.3 The findings correspond with previous research which suggests that these services are standard procedures.
- (2) There is significant difference in the educational training and experience with regards to supervisors who coordinate support services for student athletes:
 - 2.1 Nearly two-thirds of the supervisors for support services have only a master's degree.
 - 2.2 Seven percent have baccalaureate degrees.
- (3) There is no significant difference in support services for student athletes with regards to public and private institutions:
 - 3.1 No differences in service to males and females.
 - 3.2 No differences in service to freshmen or sophomores.

- (4) There is no significant differences in the functions and responsibilities of academic advisors and counselors with regards to support services:
 - 4.1 Securing tutorial assistance for student athletes is the number one priority.
 - 4.2 Facilitation of study skill programs is a close second.
 - 4.3 Require student athletes to attend special programs, i.e. study hall, math and writing centers.
- (5) There is no significant difference in support service supervisor's perceptions of effectiveness with regards to student athletes:
 - 5.1 Most of the responding institutions feel they are effective.
 - 5.2 Many supervisors feel some of their student athletes are either academically underprepared or learning disabled, the former is more likely.
- (6) There is no difference in support service supervisor's perceptions of success (graduation) with regards to student athletes:
 - 6.1 Public and private institutions agree in some form (98%) that their success with student athletes is based on the size of their staff, close monitoring and designed programs of study.
 - 6.2 The size of staff is a central issue throughout the literature.
- (7) There is significant difference in the financial assistance for support service programs with regards to public and private institutions:
 - 7.1 Public institutions receive nearly 33% more funds for salaries than private institutions.
 - 7.2 Public institutions feel they need more money while private institutions have a different position.
 - 7.3 Supplies, equipment and special program funds are the same.

The final question did not relate to the seven research questions. It was one of personal inquiry. From those responses, nine specific must-do functions were developed for those who counsel or academically advise student athletes:

- (1) Communications must be maintained with all involved individuals.
- (2) Must establish program credibility and integrity.
- (3) Must monitor student athletes' academic endeavors constantly, perhaps as often as once per week.
- (4) Program must be on neutral grounds.
- (5) Must not accept financial assistance from athletic departments or friends of athletics.
- (6) Counselor/student athlete ratio must not exceed 100/1.
- (7) Counselor/academic advisor must be able to levy sanctions.

- (8) Counselor must maintain confidentiality.
- (9) Counselor must allow student athletes to mature, accept responsibility and be held accountable for their actions.

This study revealed information that will enhance the efforts of those who counsel or academically advise student athletes. The results of this study confirms most of the literature and assisted in the development of the nine must-do functions for individuals that academically advise or counsel student athletes.