

Faculty Governance and Oversight of Texas A&M Athletics Department

Agenda

Faculty Athletics Representative

Student Athlete Demographics

Canvas Observer Role

Update on College Athletics

- Name, Image & Likeness (NIL)
- *House v. NCAA*



Faculty Athletics Representative

NCAA mandates every institution to have a Faculty Athletics Representative.

Appointed by, reports to, and serves at the pleasure of the A&M President.

The essential responsibility of FAR as set forth in NCAA Bylaws:

“Play a leading role in the areas of academic integrity, governance and commitment to rules compliance, and commitment to equity, which includes student-athlete welfare.”

Although the FAR has numerous specific duties, they can be summarized as 4 primary areas of responsibility:

- **Monitor and certify institutional control and rules compliance according to the Bylaws of the SEC & NCAA**
- **Provide faculty oversight of the Athletic Department as an integral part of the educational mission of Texas A&M**
- **Acting as the liaison between A&M and the SEC and NCAA**
- **Enhance student-athlete welfare in both academic and athletic environments**

Serves on the Faculty Athletics Council (FAC)

2023 - 2024 Student Athlete Demographics

<u>Demographics:</u>	Student – Athletes	601
	Undergraduate Students	559
	Graduate Students	42
	6-year Graduate Success Rate	87%
	Overall GPA for all SAs	3.057

96 Different Majors:

- 102 Mays Business School (5 departments)**
- 84 Agriculture Leadership and Development**
- 60 Sport Management**
- 28 Kinesiology**
- 18 Psychology**
- 14 Hospitality, Hotel Management and Tourism (formerly RPTS)**
- 14 Communications**
- 13 Engineering, Animal Science**



2023 Fall Academic Achievements

- 3.047** GPA for all SAs – Highest Fall Term GPA Ever
- 71** SAs with 4.0 GPA
- 3.470** Women's Highest Team GPA – Soccer
- 3.218** Men's Highest Team GPA – Golf
- 11/19** Teams with 3.0+ GPA
- 19** Dean's Honor Roll – 15 hours & 3.75+ GPA
- 6** Distinguished Students – 15 hours & 3.50+ GPA
- 355** Athletic Department Honor Roll – 3.0+ GPA – Highest Ever

2024 Spring Academic Achievements

3.146 GPA for all SAs – 2nd Highest Spring Term GPA Ever

84 SAs with 4.0 GPA

3.602 Women's Highest Team GPA – Soccer

3.289 Men's Highest Team GPA – Golf

11/19 Teams with 3.0+ GPA

39 Dean's Honor Roll – 15 hours & 3.75+ GPA

25 Distinguished Students – 15 hours & 3.50+ GPA

355 Athletic Department Honor Roll – 3.0+ GPA – Highest Ever

Football team had GPA 2.80 & overall 2.79 – Highest Ever

Student-Athlete Support Services

Learning Center Summer / Fall 2023 & Spring 2024 Combined:

Number of Student-Athletes Assisted 807

Total Learning Center Appointments 30,777

Tutoring:

Number of Student-Athletes Tutored 432

Tutor Appointments 6,616

Selfless Service:

Community Service Hours (reported) 2,462

Food Collected by the Student

Athlete Advisory Committee (SAAC) 50,000+ meals

SEC Brad Davis Community Service Award

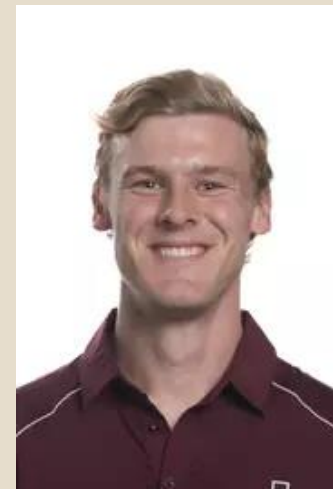
Among all male SAs in the SEC, Aggie tennis player Kenner Taylor was chosen as the SEC Brad Davis Community Service Award.

From his nomination packet:

“My greatest service during college has been with Pathways for Little Feet, a nonprofit started by my parents after adopting my sister Christina from Moscow, Russia. Seeing a boy, Andrew, as they left the orphanage, look at my parents with “what about me” eyes; they knew they had to help others like Andrew find loving families. Pathways provides non-interest bearing loans to families looking to adopt, and we’ve been able to help over 650 children find loving families. I am heavily involved in our summer fundraiser at our farm, where we invite donors to help harvest our Lenoir vineyard and learn more about Pathways for Little Feet.”

He donates his Alston money to this charity.

He will graduate with a Masters in Real Estate in December.



Canvas Observer Role

There has been a significant number of faculty who misunderstand the Observer Role in Canvas.

Purpose:

Allows scholastic supervisors to understand and support a student-athlete's responsibilities for their course work.

It also allows the academic support staff to monitor the student's performance in the class.

The default is "off."

It is strictly "opt-in" by the professor.

This has proven to be very valuable to the academic support staff, so they encourage faculty to "opt-in."

Continually setting new GPA records can be tied to this function.

“The Times They are A-changin’”

Dennis Dodd, CBS Sports on April 3, 2014:

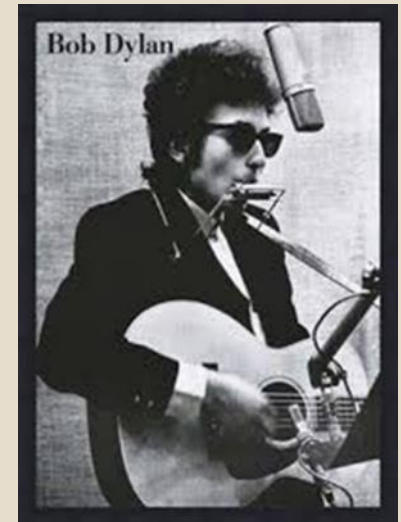
“At some point in recent years college athletics became a Bob Dylan protest song. Minus the folk guitar and harmonica, suddenly the system wasn't totally about the games or the coaches or the standings or the championships. It was an awakening, a realization, a REVOLUTION...Perhaps even the NCAA itself will be nonexistent.” (emphasis added)

Dennis Dodd, *CBS Sport*

“Come gather ‘round people wherever you roam,
And admit that the waters around you have grown, (NCAA)
And accept it that soon you’ll be drenched to the bone, (NCAA)
If your time to you is worth savin’,
Then you better start swimmin’ or you’ll sink like a stone, (NCAA)
For the times they are a-changin’.”

“Come writers and critics who prophesize with your pen, (Dodd)
And keep your eyes wide, the chance won’t come again, (NCAA)
And don’t speak too soon for the wheel’s still in spin,
And there’s no tellin’ who that it’s naming’... (NCAA)
For the times they are a-changin’.”

“The line it is drawn, the curse it is cast, (NCAA v. Alston)
The slow one now will later be last... (NCAA)
The order is rapidly fadin’, (House case)
And the first one now will later be last, (NCAA)
For the times they are a-changin’.”



Bob Dylan (1963)

Name, Image and Likeness (NIL)

33 states have passed NIL statutes.

Many of the states' statutes contain different provisions.

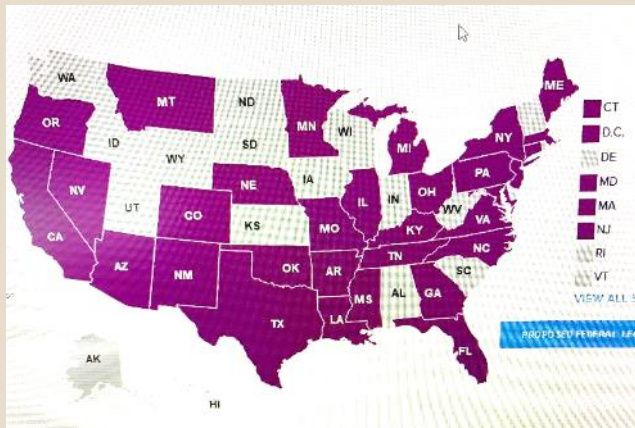
The latest changes allow high school athletes to earn NIL.

There is no federal law, although there are at least 11 bills pending in Congress.

The NCAA has given waivers for athletes in states that do not have NIL laws to allow student-athletes to benefit from their NIL.

The Truth: NIL has become “pay for play.”

Perhaps the House case will resolve this issue.



House v. NCAA

The cases against NCAA and schools like Texas A&M are brought under the Sherman Antitrust Act of 1890.

Basically it seeks to hold monopolies liable for harming interstate commerce.

The Huffines Institute asked me to do a podcast to explain what the Plaintiffs are claiming and why they are being successful.

To view: Go to HuffinesInstitute.org, click on Resources, then Podcasts.

Title: Navigating the Past, Present and Future of Name, Image and Likeness.

It's about 21 minutes but discusses the Sherman Act, how it applies, and other current issues in college athletics.



House v. NCAA

SAs seeking to recover lost NIL opportunities from previous years, and a percentage of broadcast revenue (claiming NIL rights)

Lead Plaintiff: Grant House, swimmer at Arizona St. in 2020 and others representing 14,000 FB and MBB/WBB players

Sherman Act Challenged Restraint: All remaining NCAA NIL compensation rules

Plaintiffs seeking:

Damages from inability to receive payment for NIL

Percentage of media rights fees for use of SAs NILs during live games

“Free agency”

On Nov. 3, 2023, Judge Wilken “certified the class”

Potential Damages: \$1.4 billion, trebled if successful = **\$4.2 Billion**

Case scheduled for trial on January 27, 2025.

The case has apparently been settled but all details have not yet been agreed.

There are several other pending cases against the NCAA.



Concerns and Unintended Consequences

Things that I think about when considering all these issues in college athletics:

Lack of academic progress / graduation

Pay for Play

Athletes as employees

Unionization

Collective bargaining rights, including the right to “strike”

Title IX

Gambling

Good news: SAs making more from NIL, delaying entry into professional sports

Unanswered Questions

Has the NCAA been eviscerated by the Alston case?

Does the NCAA have any remaining leverage?

Do all NCAA financial rules violate the Sherman Act?

Will the intercollegiate athletic system change to a completely “free market?”

Will Olympic and non-revenue sports be eliminated on some campuses?

If athletes are considered employees, would Title IX apply continue to apply?

Would scholarships and employer benefits be subject to income tax?

If collective bargaining reaches impasse, what are the effects of a strike?

Will Congress pass a national NIL statute?

Will Congress grant a partial or limited antitrust exemption in exchange for significant NCAA reforms? Is it too late?

Is this the beginning of a complete schism between the “haves” and “have nots?”

Will the NCAA go away completely, and will college athletics become a “professional” enterprise?

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