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Recent reforms in college athletics: Proposition 48 & Proposition 42

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Recent reforms in college athletics: Proposition 48 & Proposition 42

Abstract

In recent years, the integrity of intercollegiate athletics has been seriously questioned by academicians and by society at large. In the 1980s, a reform movement in college athletics was launched which promises to continue throughout the 1990s. In 1986, the National Collegiate Athletic Association (NCAA) passed an important piece of landmark legislation known as Proposition 48 (P48), which greatly impacted the reform movement in college athletics. The passage of Proposition 42 (P42) followed in 1989, but it was repealed in 1990. This study will include discussions of (1) the chronology of events which immediately preceded Proposition 48, (2) the enactment of Proposition 48 and the issues surrounding this action, (3) the enactment of Proposition 42 and the resulting controversy, and (4) implications of the repeal of Proposition 42 for the reform movement as a whole.

**RECENT REFORMS
IN COLLEGE ATHLETICS:
PROPOSITION 48 & PROPOSITION 42**

A Research Paper

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Daniel Jay Schofield

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In recent years, the integrity of intercollegiate athletics has been seriously questioned by academicians and by society at large. In the 1980s, a reform movement in college athletics was launched which promises to continue throughout the 1990s.

In 1986, the National Collegiate Athletic Association (NCAA) passed an important piece of landmark legislation known as Proposition 48 (P48), which greatly impacted the reform movement in college athletics. The passage of Proposition 42 (P42) followed in 1989, but it was repealed in 1990. This study will include discussions of (1) the chronology of events which immediately preceded Proposition 48, (2) the enactment of Proposition 48 and the issues surrounding this action, (3) the enactment of Proposition 42 and the resulting controversy, and (4) implications of the repeal of Proposition 42 for the reform movement as a whole.

EVENTS PRECEDING PROPOSITION 48

The early 1980s was a period when college athletics continued to rise to national prominence on the American entertainment scene. The American public was so captivated with college sports that a win-at-any-cost attitude often prevailed over the more recreational and extracurricular attitude traditionally associated with college sports. Athletic departments were the recipients of large amounts of money, primarily from lucrative television contracts, but also from contributions from alumni who demanded winning teams. For many coaches, the pressure to win had become so great that violations in

recruitment were occurring, boosters were providing cash and other enticements to student-athletes, and more and more student-athletes were being admitted to colleges and universities primarily on the basis of athletic skills rather than on academic records.

Increasing numbers of faculty and persons outside of higher education began to speak out against these unethical practices taking place in college athletic departments across the country. The issue came to a head when one faculty member's criticisms in particular resulted in a court case that produced a set of minimum academic competencies as a standard for athletic eligibility.

Kemp v. the University of Georgia

The 1981 state court case of Kemp v. the University of Georgia was considered one of the most significant early steps in the move to reform college athletics. Jan Kemp was the head of the remedial English sequence in the University of Georgia's developmental studies office. Board policy in Georgia mandated that, because of the intended purpose of the division of developmental studies, students would have one year to acquire the skills necessary to enter a regular undergraduate degree program, or they would be subject to dismissal from the university.

In 1981, Dr. Kemp led a faculty protest against the transfer to regular undergraduate study of nine football players who had repeatedly failed part of the remedial program. She was fired because of "insubordination" and "disruptiveness" in August, 1982, after first being demoted for protesting an alleged order to change the fall quarter

grades of five athletes. Dr. Kemp won a \$2.3 million lawsuit against the vice president of academic affairs and the director of developmental studies; the court ruled that Kemp's freedom of speech had been abridged. An audit of all remedial studies programs was ordered by the chancellor. As a result, numerous changes occurred, both in personnel and in accountability, at the University of Georgia, and some unprecedented national repercussions followed (Schutt, 1988).

The Presidents' Commission

The most notable national repercussion of the Kemp trial was the establishment of the Presidents' Commission of the NCAA in 1982 which brought about a tremendous increase in staffing, policing, records, and reporting requirements. One of the main reasons that the Presidents' Commission was created was to involve formally college and university presidents within the policy-making body of the NCAA. Numerous concerns had been expressed that the power and influence of some athletic departments was superseding the authority and leadership of university presidents. The Kemp case alerted the NCAA to what some believed to be a lack of sufficient oversight of athletic departments by some presidents.

From its inception, the Presidents' Commission was granted not only a significant voice by the NCAA, but a leading role in decision-making. The formation of the Presidents' Commission was a manifestation of the NCAA's position that positive change in intercollegiate athletics can occur only if supported and encouraged by top administration.

Institutional Accountability

Another repercussion of the Kemp case was that more accountability was demanded throughout higher education. Registrars and admissions offices in particular were affected by new reporting requirements that were established by the Presidents' Commission on behalf of the NCAA. Admissions offices were held responsible for proper documentation of initial eligibility requirements for freshman student-athletes. Registrars offices were held accountable for verifying the "satisfactory progress" of enrolled student-athletes. Satisfactory progress requires student-athletes to earn at least 24 semester hours each year and to meet re-enrollment requirements set by each individual institution. Student-athletes must also progress toward a degree, i.e. they must be enrolled in general education, major, or minor coursework. Standardized forms were developed by the NCAA to ensure uniform reporting by institutions across the country.

PROPOSITION 48

In addition to initiating the development of the Presidents' Commission and effecting important changes in accountability for college athletics, the Kemp case became the catalyst for the adoption of P48 by focussing national attention on the need for minimum academic standards for freshman student-athletes.

Proposition 48 first went into effect in 1986 and was modified in 1988. The intent of P48 was to ensure that incoming freshmen meet minimal academic requirements in order to participate in college sports.

Under the requirements of P48, student-athletes must earn a minimum grade point average of 2.00 in eleven academic courses in high school. The eleven academic courses must include at least three years of English, and two years each of mathematics, social science, natural science, and additional academic courses. Secondly, they must also achieve a composite score of at least an 18 on the American College Test or a 700 on the Scholastic Aptitude Test (Renfro, 1989).

Proposition 48 and Student Development

Most universities that support athletic reform--including proponents of P48--embrace the term "student-athlete." Student-athletes are, first and foremost, students in higher education. If the universities do not make it their primary concern to provide educational opportunities first and athletic opportunities second, they will be failing, as Joe Paterno, head football coach at Penn State University stated, "to prevent the exploitation of another generation of student-athletes" (Ervin, 1985, p. 121).

This exploitation has occurred in the past, according to Ervin, because of two divergent philosophies for admitting students. The typical student is admitted on the basis of his or her potential to benefit from academic programs, whereas the student-athlete is often admitted to provide benefits to the institution. In addition to helping to assure college preparedness for the student-athlete, P48 partially bridges the gap between the two divergent admission philosophies by supporting

the student development approach. The second philosophy of admitting students is incompatible with student development.

While P48 set some important minimum standards for academic preparation, supporters of P48 felt that the rule still did not adequately address what appears to be a double standard for admitting athletes and non-athletes. Athletes receive special treatment in the admissions process, creating the double standard. These supporters argue that a disproportionate percentage of athletes must take remedial coursework compared to the overall student population. Some feel that athletics is an excuse for abusing the system of higher education.

In order to create an optimal environment for student development in higher education, it is up to the universities, from upper administration on down, to uphold the standards of academic integrity and apply admission standards consistently among all student populations. Dr. Jack Wilkinson, professor of mathematics and NCAA faculty representative at the University of Northern Iowa, in summing up the 1989 NCAA convention stated, "It becomes clearer and clearer that academic integrity in sport cannot be legislated at the national level. Careful conference monitoring and, more importantly, strict institutional self-policing is [sic] required" (Wilkinson, 1989). Most people agree, however, that national standards are needed because "the politics of the industry are such. . . that it is almost impossible for schools to enforce their own academic standards" (Lederman, 1990).

Standardized Test Scores

The enactment of Proposition 48 was the first step in ameliorating academic abuses of the kind revealed in the Kemp case in Georgia. While controversy surrounding P48 has diminished, the standardized test score requirement is still criticized.

Research undertaken by Yekovich and Walker (1989) sought to make the NCAA community pay attention to what the Scholastic Aptitude Test (SAT) scores actually mean. "Simply using SAT minimums without regard for defining precisely what those scores indicate may not be the solution to a difficult academic problem" (Yekovich and Walker, 1989, p. 5). In order to ascertain the meaning of SAT scores, this question was posed: "Why are athletes able to perform the complex reasoning that is part of the sport but so often are unable to perform the complex reasoning that is part of reading, writing and mathematics?" Their work focused on how aptitude and degree of expertise contribute to successful performance. Aptitude was defined by performance on standardized tests such as the Scholastic Aptitude Test. Degree of expertise was defined by scores on a paper-and-pencil test of a sport such as football or basketball.

Yekovich and Walker concluded from their research that students, who supposedly did not know how to read very well, could successfully read and comprehend material with which they had some familiarity. They further concluded that reading ability is related to how much the reader knows about the topic. Consequently, tests that measure

reading ability, such as the SAT, may underestimate that ability under some conditions.

This research indicated that students from educationally disadvantaged backgrounds are indeed discriminated against to some degree on standardized tests, due primarily to their unfamiliarity with a substantial portion of the material in the test. Overwhelmingly, the largest number of students who do not meet P48 requirements do meet the course requirements but fail to meet the standardized test score requirement. Furthermore, most who do not meet the standardized test requirement are minorities. An Associated Press survey of all NCAA Division I institutions showed that 105 recruits were ineligible under Proposition 48 guidelines during the 1988-89 school year. Ninety-six (91.4%) of them were black (Blum, 1989).

Partial Qualifier

Although some controversy surrounded the passage of Proposition 48 in 1986, particularly the standardized test score requirement, it is now commonly accepted that minimum academic requirements for student-athletes are necessary. Opposition to the standardized test score requirement subsided when the "partial qualifier" category was created.

A partial qualifier is a student-athlete who meets only one of the two eligibility requirements as defined by Proposition 48--a grade point average of at least 2.00 in eleven academic courses or a minimum score of 18 or above on the ACT or 700 on the SAT. A non-qualifier does not

meet either standard. The partial qualifier category, in effect, created a loophole in P48 which allowed institutions to grant athletic scholarships to athletes who meet only one of the two requirements of P48. However, partial qualifiers would be required to give up one year of athletic eligibility.

PROPOSITION 42

Following the Kemp case, the University of Georgia adopted a policy that partial qualifiers and non-qualifiers under Proposition 48 would no longer be admitted to the university. At Georgia's urging, the Southeastern Conference voted 9 to 1 to adopt this admission standard. Apparently, the University of Georgia and other Southeastern Conference schools felt that eliminating athletic scholarships for partial qualifiers would cause other NCAA member institutions to recruit fewer partial qualifiers. These institutions realized that standing alone on the issue would put them at a serious competitive disadvantage. Therefore, the Southeastern Conference introduced Proposition 42, which required the elimination of athletic grants for partial qualifiers. The passage of P42 at the 1989 NCAA convention began a year-long debate which culminated in the repeal of the rule at the 1990 convention.

Debate Over Proposition 42

One of the biggest arguments in favor of Proposition 42 was that it toughened P48, which requires student-athletes to improve their performance in high school. The intent of P42 was to provide additional

assurance that students take their high school studies seriously. Many proponents of P42 felt that they were thereby supporting higher academic standards. The standards in Proposition 48 are not that high to begin with, they claimed.

Indiana basketball coach Bob Knight, a defender of Proposition 42, pointed out that the business of universities, after all, is education. "The thing they (opponents of P42) need to understand is that college isn't for everybody" (Reed, 1989, p.19). If students do not have minimal academic preparation, higher education is greatly hampered in its ability to fulfill its obligation to student development. Higher education will instead find itself expending its resources on remediation, which by definition is not higher education. If education is to take priority over athletics, students who are not well prepared academically should enter postsecondary education at the community college level where resources are available to assist those who are not ready to enter the university. Remediation services should still be available to students at the university level. However, the purpose of remediation in higher education should be to address specific skills deficits for otherwise qualified students. Remediation at four year colleges and universities should not be used to compensate for overall inadequate preparation in high school.

When P42 was passed at the 1989 convention, it stirred anew some old emotions concerning the standardized test score requirement. Because P42 closed the partial qualifier loophole, it was perceived that

standardized test scores could be used as a basis for disqualifying student-athletes from receiving scholarships. Again, the old assertion surfaced that the standardized test score requirement discriminated against blacks and other minorities. Racism became the key issue for opponents of P42.

Gary Roberts, a Tulane University law professor who heads the university's athletic committee, challenged the view that Proposition 42 was racist in nature. He believes just the opposite, that the racist message is the one that suggests that blacks are less capable of testing well. He feels that all the furor over Proposition 42 was "a disservice to all black kids who are being subtly but directly told that they're not as good" (Lederman, 1990).

Opposition by Black Coaches

Two of the most outspoken opponents of Proposition 42 were John Chaney, head basketball coach at Temple University, and John Thompson, head basketball coach at Georgetown University. Stated Chaney about the NCAA: "They are not above a civil rights violation with both Prop 48 and Prop 42. You're talking about predominantly blacks. You're not talking about anyone else" (Blum, 1989, p. 17). Thompson walked off the basketball court at the beginning of one of Georgetown University's games in protest of Proposition 42.

Both Chaney and Thompson have indicated that they agree with the intent of P48--to make athletes study harder in high school. However, they adamantly opposed Proposition 42 and the elimination of

scholarships for partial qualifiers. Thompson, though, was careful not to describe Proposition 42 in racial terms. "It's not solely a black-and-white issue," he said. "I'm making a statement for low-income athletes" (Reed, 1989, p. 18).

While requiring athletes to study harder is a worthy intent, many athletes--and non-athletes as well--in economically deprived communities do not receive proper guidance in their course selection. They are victims, in many cases, of their backgrounds. Chaney feels that instead of passing rules such as Propositions 48 and 42, the NCAA should work with high schools to ensure that students receive proper guidance in their studies. The problem stems from a culture and a system that fails the athletes--many of them black--from the early grades on.

Chaney further stated that the NCAA should not exercise any influence on college admissions. "Admissions is the business of the schools. . . I believe that academic integrity ultimately rests with the colleges, not the NCAA. Get the NCAA out of the academic arena, which should be the domain of the universities. And let's give economically disadvantaged athletes a chance" (Chaney, 1989, p. 19).

Although Proposition 42 would have eliminated athletic scholarships for partial qualifiers, the economically disadvantaged athlete would probably have received the maximum amounts of state and federal aid available. This means that Proposition 42 would have hurt private schools more than public schools, considering the difference in cost.

One of the most valid criticisms when Proposition 42 first passed in 1989 was that the convention should not have toughened P48 without first having had a chance to scrutinize fully its effects. Since Proposition 48 first went into effect in 1986, there has not been ample time to determine whether or not students study harder, attain higher GPA's in college, and what problems it creates for the black athlete. This was the rationale for the Big East Conference proposal on how to deal with P42 at the 1990 convention; namely, delay implementation of P42 until there was sufficient time to study the effects of P48.

Three Proposals to Deal with Proposition 42

As the NCAA's January, 1990 convention approached, uncertainty existed as to the disposition of P42 by Division I institutions. The three proposals that were on the table were: (1) delay the implementation of P42 until the effects of P48 could be completely studied, (2) repeal P42 completely, or (3) do away with Bylaw 14.3 and allow need-based institutional, non-athletic aid to partial qualifiers. (Bylaw 14.3 was a separate NCAA rule that prevented athletes, including partial qualifiers, from receiving institutional financial aid). The Big East Conference sponsored the first two proposals, and the Southwestern Athletic Conference co-sponsored the second proposal. The Presidents' Commission sponsored the third proposal. After a lengthy debate, Proposition 42 was repealed at the 1990 NCAA convention.

IMPLICATIONS OF PROPOSITION 42'S DEFEAT

Although the defeat of Proposition 42 may seem like a setback to reform on the surface, its defeat may actually facilitate more far reaching reforms such as banning freshmen from athletic competition.

Eldon Miller, head basketball coach at the University of Northern Iowa, believes that Proposition 42 did not address the real issue.

The issue is how can we help the educationally disadvantaged youngster. They (educationally disadvantaged students) are having to play catch-up, and Proposition 42 does not benefit the youngster or society. What would help the youngster is to make him or her sit out the first year and concentrate on grades, but still allow them [sic] four years of eligibility. This would address the issue of helping the student to catch up and it would also motivate the student to complete his education (Miller, 1990).

If athletes were banned from eligibility during their first year, the entire debate over P42 would become academic. In fact, proponents of P42 are continuing the reform movement by concentrating their efforts on the freshman eligibility issue. If successful, this step would be one of the biggest yet in the effort to reform college athletics.

The recent proposal to ban freshmen from eligibility was first introduced publicly by Hunter Rawlings III, President of the University of Iowa, in 1989. His proposal came after testimony by two former

University of Iowa football players in the federal fraud and racketeering trial of two sports agents. Assertions in the trial that the university did not expect all of its athletes to work toward a degree evoked a sharp reaction by University of Iowa officials. "No one is admitted to this school with the expectation that he or she will not graduate here, and that includes athletes," said David Vernon, acting vice president for academic affairs at the university (Witosky and Carlson, 1989).

President Rawlings' proposal is a stand in favor of admitting students based on the student development philosophy of institutional responsibility for educating the student. It makes clear that the university will not adhere to the philosophy of admitting student-athletes only for the benefits that they can provide to the institution, as was implied at the trial.

Rawlings and others believe that Proposition 42 was nothing more than a "Band-Aid" approach to toughening requirements. Its failure taught an important lesson: equality of opportunity in education must be one of the major factors in reform. Society must find ways to embrace the concept of student development at the elementary, junior high, and high school levels. Only if we find ways to reshape values at these levels will we succeed in accomplishing positive changes at the college level. Then, "if individual institutions will have enough courage not to depend on national legislation and stand up for what they were founded for, that's all we have to do" (Thompson, 1990, p. A33).

CONCLUSION

The enactment of Proposition 48 in 1986 was the start of the reform movement in college athletics. It was individuals like Dr. Jan Kemp--individuals with courage and integrity--who made the American public take notice of improprieties in college athletics. While a new emphasis was being placed on setting higher academic standards for student-athletes, the complexities of implementing legislation such as P48 and P42 in a diverse society became apparent. Higher education will continue to be challenged to proceed with reforms that are equitable to all groups in society and at the same time uphold integrity in education.

The reform movement in college athletics will proceed because enough people believe in its urgency. Even many who opposed P42 recognize that further reforms in college athletics must continue--significant reforms that will bring, in the words of John Thompson, "a solution to this chaos that we have in education and in society" (Lederman, 1990, p. A33).

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