

**SPORTS & ENTERTAINMENT LAW JOURNAL  
ARIZONA STATE UNIVERSITY**

---

VOLUME 6

SYMPOSIUM

ISSUE 3

---

**Editor's Note:** *Below is a loose transcription of Professor Kenneth Shropshire's Keynote Speech at the 2016 Arizona State University Sports & Entertainment Law Journal Symposium. We were honored to have Professor Shropshire on our campus to give this speech, and we hope it has as great of an effect on you (the reader), as it did on those of us in the audience.*

**KEYNOTE:**

**THE MISEDUCATION OF THE STUDENT ATHLETE: A  
MANIFESTO (IN PROGRESS) FOR CHANGE**

Kenneth L. Shropshire<sup>1</sup>

Thank you. I appreciate this opportunity. I am in the midst of co-authoring a book that is tentatively titled: *The Miseducation of the Student Athlete: A Manifesto for Change*, which searches for a paradigm shift in both what we discuss in college sports problems and what we should strive to achieve. Thus, although I have these well-scripted notes, some of my thoughts are not fully formed, so please indulge me while I share with you the broad concepts.

At this point, my work is more of the *moral* case for the manifesto, with the details of the "how" still a work in progress. As the novelist Paul Beatty writes of the protagonist in his

---

<sup>1</sup> Professor Shropshire is the David W. Hauck Professor at the Wharton School, University of Pennsylvania, Professor of Africana Studies, and Director of the Wharton Sports Business Initiative. The co-author of the forthcoming book is Dr. Collin D. Williams Jr. and some of his ideas find their way into this speech as well. As of July 1, 2017 Professor Shropshire becomes the Adidas Distinguished Professor of Global Sport and CEO of the soon to be developed Global Sport Institute at Arizona State University.

stinging satire of race and class in the United States, *The Sellout* (which won the Man Booker Prize—the first time an American has taken the prestigious fiction award), my conversation today will be “blurring the line between thought and speech.”<sup>2</sup> So, please allow me to deliver these high level general thoughts and don’t hold me to everything. And, please, enrich me with your ideas if you like the path I am taking you on. The path? College degrees for everyone.

My goal is to direct the conversation—a paradigm shift—toward having college sports being a more significant player in educating young people. I do believe that an eventual societal discussion shift to a focus on degree completion, away from pay for play, is possible.

I have been trying to step back to imagine a new way to reflect on a system I’ve studied in some way for almost four decades now. Initially, some of my academic writing was on initial eligibility and rules that had a negative impact on educational opportunities for black athletes. A chapter in my 1996 book, *In Black & White: Race and Sports in America*, titled “Colorblind Propositions” focused on initial eligibility rules ranging from the 1.6 rule<sup>3</sup> in the 1960’s to the more recent Propositions 48<sup>4</sup> and 16<sup>5</sup>. My conclusion in looking at those rules and the issues surrounding them was that we did not want to put in place rules that would foreclose the opportunity for someone to obtain an education. That included student athletes who, at the time of entering college, may have had very little academic acumen and, in some cases, even less interest in academic success. I believed, very strongly, that if rules prevented individuals from even setting foot on a college campus or from remaining on campus for any length of time, the opportunity for a college education was completely lost.

As I reflect on where we are and how to save the student athletes of today, opportunity is what drives me. In those early works, I focused on the opportunity to receive an education, even in instances when the student athlete did not initially care so

---

<sup>2</sup> PAUL BEATTY, *THE SELLOUT* 23–24 (1st ed. 2015).

<sup>3</sup> KENNETH L. SHROPSHIRE, *IN BLACK AND WHITE: RACE AND SPORTS IN AMERICA* 122 (1st ed. 1996).

<sup>4</sup> *Id.*

<sup>5</sup> *Id.*

much about his or her educational outcome. Frankly—and maybe it was oversight on my part—I did not focus consistently and specifically on earning the degree. In this work, the continuum on that thought is that obtaining the degree is an even better, and more clearly defined, goal than simply receiving a partial education that does not end in degree completion. Thus, the opportunity this paradigm shift focuses upon is the opportunity for athlete degree completion.

Let me lead by giving you a bit of the data, although discussing graduation rates is a bit of a Pandora's box in and of itself. Let me just say from the outset: there is no debate that graduation rates for student athletes are not 100%. The only debate that exists is on how to properly measure the correct percentage of success.<sup>6</sup>

Without question, many measures show graduation in college sport to be on the rise.<sup>7</sup> A popular statistic is the increase in the graduation rate of African American Division 1 basketball players to 77%, up from previously dismal numbers.<sup>8</sup> However, by contrast, Professor Shaun Harper's work analyzes graduation rates by race and by athletic participation to determine which college student athletes are not fully benefitting from their educational opportunities.<sup>9</sup> That work presents a less positive picture.

The 2016 edition of Harper's study provides some perspective on the level of participation of African American

<sup>6</sup> Much of the debate over the proper measure comes because of student mobility, transferring, voluntary departures, etc. How should those be calculated into education success rates?

<sup>7</sup> See *Graduation Success Rate*, NCAA, <http://www.ncaa.org/about/resources/research/graduation-success-rate> (last visited Apr. 21, 2017).

<sup>8</sup> See Michelle Brutlag Hosick, *African-American Men's Basketball Players Succeeding In the Classroom At Highest Rates Ever*, NCAA (Nov. 15, 2016, 1:00 PM), <http://www.ncaa.org/about/resources/media-center/news/african-american-men-s-basketball-players-succeeding-classroom-highest-rates-ever>.

<sup>9</sup> See Shaun Harper, *Black Male Student-Athletes and Racial Inequities in NCAA Division I College Sports*, Ctr. for the Study of Race & EQUITY IN EDUC. (2016), [http://www.gse.upenn.edu/equity/sites/gse.upenn.edu/equity/files/publications/Harper\\_Sports\\_2016.pdf](http://www.gse.upenn.edu/equity/sites/gse.upenn.edu/equity/files/publications/Harper_Sports_2016.pdf).

men as student athletes relative to other races. His work calculates that black male students represent only 2.5% of the undergraduates in the Power 5 conferences.<sup>10</sup> However, 56.3% of college football players and 60.8% of the men's basketball players are black.<sup>11</sup> While 68.5% of student athletes graduate within six years, only 53.6% of black male student athletes graduated within six years.<sup>12</sup> This compares to 58.5% of black undergraduates overall and 75.4% of undergraduate students overall.<sup>13</sup>

Thus, whatever measure we use, we know that there is room for graduation rate improvement for *all* student athletes. We also know that student athletes are often making an extraordinary contribution to their institutions, and with increased revenues, there is a focus on the return they are receiving for their efforts. It strikes me that as the knowledge of the NCAA's huge revenues began to spread, so did the conversation about paying student athletes.

Let me give you a little framework for why I think this positive change of focusing on degree completion can happen and who (many *whos*) can lead the way. First, let me give you a few words on the academic capabilities of student athletes, and second, on the catalyst that is needed to bring about this degree-obtaining refocus.

First: Athletes and academic acumen. I regularly sit in on lectures and read popular business's books. In doing so, I came across Professor Angela Duckworth's book, *Grit: The Power of Passion and Perseverance*, which convinces us that effort is more of a determinant of success in endeavors than any God-given skill.<sup>14</sup> Grit goes beyond sport, but can be found as the catalyst for other achievements as well, even by intellectuals. IQs of successful people are all across the map.<sup>15</sup>

---

<sup>10</sup> *Id.* at 1.

<sup>11</sup> *Id.*

<sup>12</sup> *Id.*

<sup>13</sup> *Id.*

<sup>14</sup> See ANGELA DUCKWORTH, *GRIT: THE POWER OF PASSION AND PERSEVERANCE* 35–52 (1st ed. 2016).

<sup>15</sup> DUCKWORTH, *supra* note 6, at 14.

Studies show success is more likely to be dictated by effort or grit than baseline IQ.<sup>16</sup> To me, the presence of what Duckworth defines as grit in athletes is an issue that needs little discussion. I think most of us just did not have the label for that trait that successful individuals possess. I believe the most determined class of people on a college campus is often the athletes. The lifetime investment they have made to achieve their outcomes is not something that everyone can do. Athletic ability alone is rarely a determining factor for success on the field of play. That extra element of separation is what Duckworth teaches us is “grit.” The point being, if these grit-possessing athletes are focused on a task, such as degree completion, there is an increased likelihood of success. It is the case however, as many find, that success is all a function of where that gritty energy is focused. How do we better energize and elevate the effort toward achieving this goal of degree completion? That is precisely the second framework point.

So, the second framework point answers the question, how do we get the paradigm, the focus, to shift from salary to degrees? This is not so much an “NCAA” focus shift question, but a popular discourse question. For this change to occur, college sport needs what I am calling the “Constructive Disrupter.” In recent years, the public discourse on college sport and revenues has focused on paying student athletes or converting power conferences into pro leagues. What we need is disruption that provides the focus, inspiration, and path for as many student athletes to get their degrees as possible.

With my baseline of opportunity and my optimism that grit can focus a person for success – how can we disrupt college sports? I am suggesting here that we take a new approach at thinking about how to fix a scandal-filled institution. And I’m not just pointing to the NCAA, but college sports overall and all of us who simply follow college sports. One good place to look for guidance is a sport that has had its share of scandal – global football. FIFA and global football aren’t concerned with student athletes and degrees but they are seeking a paradigm shift to remove long-existing negative problems.

---

<sup>16</sup> *Id.*

FIFA is attempting a reboot, primarily focused on integrity, which they outline in *FIFA 2.0: The Vision for the Future*.<sup>17</sup> In that document, FIFA says that it wants to “grow the game, enhance the football experience and build a stronger institution.”<sup>18</sup> This document could really be called *How Do We Restore Integrity in Our Game After the Scandals of Sepp Blatter?*

The success of FIFA’s efforts to reframe global football required the organization to both solidify its foundation and to make significant reforms to its structure. The effort is focusing on three pillars, which happen to be transferrable to this college sports scenario: investment, innovation, and “greater responsibility for governance.”<sup>19</sup>

The investment part is clear. The reason we are in this moment where change can be contemplated is the influx of new revenues into the college sports arena. With college sport seeing an increase in revenues, decisions are being made on how to spend such money. Leadership decisions could look to prioritize degree completion rather than spending on facilities, coaches’ salaries, and the like.

Innovation is the most difficult, but let’s for now just say the leaders of college sports, led by college presidents, must invest innovatively in the education of these athletes. In doing so, there must be aggressive contemplation and resetting of the educational space beyond four years and beyond the geographic confines of the university. There must also be a new level of counseling and responsibility on the part of leadership to make this happen. Guiding principles for FIFA in their new phase are: transparency, accountability, inclusivity, and cooperation.<sup>20</sup> These are good principles for college sports to follow.

Greater responsibility for governance could be altered to disrupt leadership. It is leadership that will need to disrupt and make the student athlete degree issue a priority.

---

<sup>17</sup> See *FIFA 2.0: The Vision for the Future*, FIFA.COM (2016), [http://resources.fifa.com/mm/document/affederation/generic/02/84/35/01/fifa\\_2.0\\_vision\\_low\\_neu.17102016\\_neutral.pdf](http://resources.fifa.com/mm/document/affederation/generic/02/84/35/01/fifa_2.0_vision_low_neu.17102016_neutral.pdf).

<sup>18</sup> *Id.* at 17–24.

<sup>19</sup> *Id.* at 25–26.

<sup>20</sup> *Id.* at 27–28.

What should college sports be? Clearly, some see no problems with college sports as it is: great games, Saturday camaraderie, and school spirit. For others, there is a harkening back to days past. For me, I've come to understand that I'm envisioning a brighter future – a day that may be as fanciful as the idea that millions would be watching gamers play on handheld devices. My dream does not hamper current athletic success, but it does mandate a layer to innovatively infuse greater educational opportunity.

Are today's student athletes capable of being my dream student athlete? I look to Duckworth again who wrote, "Our potential is one thing. What we do with it is quite another."<sup>21</sup> How important is the degree? Consider the fact that less than two percent of college athletes become professional athletes.<sup>22</sup> Grit needs to be channeled to achieve degree success while the opportunity exists. But there also needs to be a broadening of the degree completion opportunity.

What is the value of a college degree? Why is this so important? National reports analyzing the value of a college education have revealed a myriad of benefits for both individuals and society.<sup>23</sup>

Not only are college graduates more likely to be employed than high school graduates, they are more likely to find better jobs, earn more money, and have health insurance and pension benefits provided by their employers.<sup>24</sup> They also commit fewer crimes, live longer healthier lives, and contribute to society as productive and civically engaged citizens.<sup>25</sup> On

<sup>21</sup> DUCKWORTH, *supra* note 6, at 14.

<sup>22</sup> Harper, *supra* note 7, at 19.

<sup>23</sup> Sandy Baum, Jennifer Ma & Kathleen Payea, *Education Pays: The Benefits of Higher Education for Individuals and Society*, COLLEGEBOARD (2013), <https://trends.collegeboard.org/sites/default/files/education-pays-2013-full-report.pdf>.

<sup>24</sup> Sandy Baum, Jennifer Ma & Kathleen Payea, *Education Pays: The Benefits of Higher Education for Individuals and Society*, COLLEGEBOARD 5 (2013), <https://trends.collegeboard.org/sites/default/files/education-pays-2013-full-report.pdf>.

<sup>25</sup> *Why College?* EDVISORS, <https://www.edvisors.com/plan-for-college/benefits-of-college/why-college/> (last visited Apr. 10, 2017).

virtually every measure of economic and career success, college graduates are outperforming their less educated peers.<sup>26</sup> In sum, a college education is very valuable. Additionally, college graduates are significantly more likely than high school graduates to report being “very happy.”<sup>27</sup>

Greater earning potential is one of the most salient benefits. In 2014, young adults with bachelor’s degrees earned on average \$49,900 annually, whereas young adults with high school diplomas earned just \$30,000.<sup>28</sup> Over a forty-year working life, college graduates earn sixty-six percent, or \$1 million more than high school graduates.<sup>29</sup> Even those who begin without completing earn more than those who never start.<sup>30</sup>

College educated individuals are much more likely to have a job at all.<sup>31</sup> The unemployment rate for the college educated is about half of that for high school graduates.<sup>32</sup> For some populations—Black, Latino, and White adults—increases in educational attainment correlate with stark decreases in unemployment rates.<sup>33</sup> Additionally, those who possess a bachelor’s degree are three times less likely to live in poverty than those who only possess a diploma.<sup>34</sup>

Economics aside, substantial evidence indicates that college completion, not just individual characteristics, is strongly associated with healthier lifestyles, active citizenship, and increased educational activities and opportunities for the graduates’ children.<sup>35</sup> Since information about smoking risks has become public, college graduates have smoked at rates

---

<sup>26</sup> *The Rising Cost of Not Going to College*, PEW RESEARCH CENTER (Feb. 11, 2014), <http://www.pewsocialtrends.org/2014/02/11/the-rising-cost-of-not-going-to-college>.

<sup>27</sup> Baum, *supra* note 21 at 21.

<sup>28</sup> Grace Kena et al., *The Condition of Education 2016*, NATIONAL CENTER FOR EDUCATION STATISTICS 48 (2016), <https://nces.ed.gov/pubs2016/2016144.pdf>.

<sup>29</sup> *See id.* at xxxii.

<sup>30</sup> *See* Baum, *supra* note 21, at 41.

<sup>31</sup> *Id.* at 5.

<sup>32</sup> *Id.* at 19.

<sup>33</sup> *Id.* at 20.

<sup>34</sup> *Id.* at 25.

<sup>35</sup> *See id.* at 5–6.



significantly lower than those of other adults.<sup>36</sup> College graduates are also more likely to exercise and less likely to be obese.<sup>37</sup> This also holds true for their children, who are more likely to be breast fed, and less likely to be low-birth-weight babies.<sup>38</sup> The college educated display active citizenship by their propensity to donate, volunteer, and vote more.<sup>39</sup> Finally, these individuals engage in more educational activities and are generally better prepared for school.<sup>40</sup>

Thus, college degrees are important. If one of the best statistics has twenty percent or so of athletes not receiving degrees, that is a significant number of individuals not receiving the benefits recited above. In short, athlete degree completion is of greater value than whatever salary could be paid during a college athletic career. This is not to say that payments and degrees would not be a feasible futuristic outcome. This is to say that the receipt of degrees should be prioritized.

This is important for everyone. There is a disproportionate impact on the African American community due to the disproportionate participation of African American men. This is both due to the numbers and, again subject to debate, the role modeling that takes place by this popular segment of the community. I highlight to you too, the problems of this country. College sport is a small sector of the economy but elevating the priority of degree completion can still make a big impact.

The key elements of the forthcoming manifesto will explore:

---

<sup>36</sup> *Id.* at 27.

<sup>37</sup> *Id.* at 29.

<sup>38</sup> See *Breastfeeding Rates By Duration and Education Level*, COLLEGEBOARD, <https://trends.collegeboard.org/education-pays/figures-tables/breastfeeding-rates-duration-and-education-level> (last visited Apr. 10, 2017); *Low-Birth-Weight Rates By Race/Ethnicity and Mother's Education Level 2006*, COLLEGEBOARD, <https://trends.collegeboard.org/education-pays/figures-tables/low-birth-weight-rates-race-ethnicity-and-mothers-education-level-2006> (last visited Apr. 10, 2017).

<sup>39</sup> Baum, *supra* note 21 at 31–32.

<sup>40</sup> See *id.* at 7.

- 1) Prioritizing obtaining a degree;<sup>41</sup>
- 2) Making sure these are quality degrees. For years there were jokes regarding athletes taking basket weaving. The key here is to avoid any similar descriptors of the degrees athletes are obtaining;
- 3) Placing strict limits on the number of hours college athletes can participate in team activities, with strict enforcement of such hour limits;
- 4) Maximizing the use of summers for educational purposes, even at the expense internships;
- 5) Broadening the right to return. This includes one and done;
- 6) Expanding the opportunity to get credits for degrees from institutions offering online opportunities. If need be, the NCAA could make schools with powerful online platforms, like ASU and Penn State, be certified hubs for this activity (the key concern here is preventing cheating in the isolation of one's living room);
- 7) Reducing constraints on tutoring support; and
- 8) Eliminating athlete-only or athlete-dominant courses. Monitor those that are. The NCAA is focused on this already, to a degree.

Who will be the leader that takes college sports in this direction? Who will be that “Constructive Disruptor”? Any of you could be the one to lead the way. It would take courage. John F. Kennedy said, “[t]o be courageous is an opportunity that sooner or later is presented to all of us.”<sup>42</sup>

Effort is the key to success in this sports business, the “Grit” as Professor Duckworth describes it, and the sustained effort. My hope is that some of you, those venturing into this space, will accept the challenge set forth in my Manifesto in progress: to revisit college sports; to make it what it has never

---

<sup>41</sup> To be inspired that this is true, Google and watch David Shaw's Ted Talk, “Can Football Change the World?” Essentially, the answer is “with hard work.” Tedx Talks, *Can Football Change the World? David Shaw at Tedx Stanford*, YOUTUBE (June 20, 2013), <https://www.youtube.com/watch?v=WBCkec9csdo>.

<sup>42</sup> JOHN F. KENNEDY, PROFILES IN COURAGE 225 (Harpers Collins Pub., 2003).

been, but what it has potential to be, which will have a grander impact on society.

Thank you.

\*\*\*