

A typology of undisclosed recruiting violations in NCAA, Division I (FBS) athletic programs: Implications for policy development and compliance

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Ethics

May 29, 2009

25 minute oral

Abstract 2009-094

10:45 AM

(Richland B)

Introduction Many ethical failures in the university environment transpire in athletics departments because stakeholders position personal needs above honesty (Kelley & Chang, 2007; Agle & Kelley, 2001; Howe & Moses, 1999). As such, NCAA violations are increasing in frequency (Mahony, 1999; Jordan, Greenwell, Geist, Pastore, & Mahony, 2004) and, in response, the NCAA Committee on Infractions has decided to increase the severity of its sanctions to deter future violations (USA Today, 2008). Despite the potential for increased sanctions, there is financial incentive to violate NCAA legislation due to postseason revenue and ticket sales in men's basketball and football (Humphreys & Ruseski, 2006; Padilla & Baumer, 1994; Fleisher, Shughart, Tollison, & Goff, 1988). Although the NCAA reports findings of major and secondary violations on the Legislative Services Database for the Internet (LSDBi), violations can occur with or without the knowledge of the NCAA (Coakley, 1990; Sack, 1989, 1991). For this reason, this study examines the degree to which colleges and universities might knowingly or unwittingly committing recruiting violations that go undetected by the NCAA. A policy selection framework developed by McDonnell and Elmore (1987) is used to evaluate the long-term potential of the current policy to deter future violations. Background Few studies have broadly examined recruiting violations. Sack (1991) surveyed former student-athletes, playing in the NFL, and found that those who accepted impermissible cash benefits and inducements are most likely to come from a major conference and involve African-American prospects. Since cash inducements encompass only a small portion of the NCAA violations and NFL players are an isolated sample, other studies increased the population sample of reported major recruiting violations involving all NCAA sports.

One such study found that 76.4% of the major NCAA recruiting infractions in Division I (FBS) are committed by Bowl Championship Series (BCS) conference teams and 63% occur in the South and Midwest (Clark & Batista, 2008). While violations seemingly persist, few studies have taken a critical look at the current NCAA policy design regarding recruiting. According to McDonnell and Elmore (1987), mandates as policy types function optimally in circumstances when organizations have full capacity to comply and uniformity of behavior is needed. Yet, as McDonnell and Elmore suggest, mandates can also trigger negative organizational behavior. For instance, some organizations could see greater benefit to evading or avoiding compliance to mandates (e.g., long term financial payoffs for the institution). To assess the potential of the current NCAA policy on recruiting, the researchers rely on McDonnell and Elmore's typology to frame the results and draw out implications for policy design and improvement. Method Exactly 1,600 student-athletes, from each of the 11 Division I (FBS) conferences and over 16 sports, responded to a survey asking a series of questions designed from NCAA Bylaw 13 regarding their recruitment prior to attending college. The responses were analyzed according to the NCAA 2008-2009 Division I Manual to ascertain if the responses constituted a violation of NCAA Bylaw 13 creating seven categorical variables.

Hierarchical loglinear regression utilizes backward elimination of the interactions of variables assessing the appropriate model fit of various categorical variables (Agresti, 2002). The categorical variables were tested for interaction based upon the conference affiliation, racial, and economic findings of Sack (1991), the geographical and gender demographics (Clark & Batista, 2008), and the categories of recruiting violations established by the NCAA Bylaws. Preliminary Results Preliminary hierarchical loglinear regression analyses have shown statistically significant ($P < .001$) three-way interactions between unreported cash inducements in recruiting student-athletes based upon: 1) conference affiliation and sport, 2) race and sport, 3) region of the student-athlete's home and sport, and a nearly statistically significant ($P < .0598$) interaction between cash inducements, by region of the student-athlete's home, and by sex of the student-athlete.

Furthermore, statistically significant ($P < .05$) four-way interactions between various forms of unreported violations that occurred on a prospects' official visit to their campus (e.g. lodging in hotel room suites paid for by the institution, etc.) were found, including 1) conference affiliation, race, and sport, and 2) conference affiliation, sex, and family income. Further analyses will be conducted to include undisclosed NCAA infractions of recruiting bylaws in contacts and evaluations, official visits, National Letter of Intent violations, camps and clinics, and violation of university policies of using sex and drug inducements on recruiting visits. Conclusions The results of this analysis identify patterns of ethical lapses that occur during the recruiting process of many sports, including football, which are not reported or found by the NCAA. Such violations suggest that the current construct of the BCS leads to certain conferences committing more recruiting violations than others. Further analysis of

2009 North American Society for Sport Management Conference (NASSM 2009)

other types of recruiting violations could shed light on the types of prospective student-athletes that are more prone to being involved or committing recruiting violations. Such typologies of recruiting violators may inform practitioners and researchers patterns of malfeasance that occur from specific variable interactions as well as how the current policy might be adjusted to address these specific violations. The results of this study can also provide athletics compliance directors with targeted interactions designed to focus its monitoring efforts and resources in curtailing future NCAA recruiting violations.