The Power of the NCAA Governance Structure: How the NCAA Governance Structure Impedes on Student-Athletes Rights

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Governance/Policy - Governance (College Sport) virtual asynchronous 20-minute oral presentation (including questions) Session: Student Athletes/Policy Abstract 2020-067

With California passing the Pay to Play Act (PPA), mandating student-athletes the right to receive financial compensation for their name, image, and likeness (NIL), many have proclaimed the era of the NCAA’s power over student-athletes to be in decline (Hollis, 2019). However, the PPA is far from a silver bullet solution to the ills of collegiate athletics. This presentation will discuss how the NCAA governance structure positions student-athletes in small, segmented clusters diminishing their influence on organizational decision making. This conceptual piece will outline how diminishing student-athlete engagement in governance, and policy decisions have empowered organizational actors, including NCAA organizational leaders, member institution leaders, coaches, and other athletic personnel, to impede and limit student-athletes’ rights. A historical overview of the NCAA’s governance structure from the 1940s to the present will demonstrate how student-athletes have lacked organizational power leading to their rights being infringed upon.

The current iteration of the NCAA governance structure is a divisionalized organizational type which suppresses student-athlete power in the decision making process (Mintzberg, 1979). Organizational power here refers to, one’s (or group’s) ability to do something they would not have otherwise done (Weber, 1947). Within collegiate athletics, the NCAA once had a monopoly on decision making power, however more recently, member institutions and conferences have been able to increase their power within the NCAA governance structure (Shannon, 2017). Unfortunately, student-athletes have continued to lack power despite their nonsubstitutability (Hickson, et al., 1971). Specifically, this has been due to the divisionalized organizational design of the NCAA, consolidating decision making power among NCAA executives.

Within Mintzberg’s divisionalized organizational structure typology, the strategic apex oversees multiple organizations with their own organizational structure. Collegiate athletics fits this typology well given the NCAA’s ability to exert power over member institutions such as, the NCAA’s ability to enforce bylaws via sanctions. Most recently, the NCAA fined and sanctioned Mississippi State University because the athletic support program engaged in academic misconduct. However, member institutions possess the greatest organizational power. Member institutions have been able to leverage their control of resources, ability to cope with uncertainty, centralize communications, and become nonsubstitutable to ensure they control policy development and selection within collegiate athletics (Weaver, 2015). This has resulted in the Power 5 conferences creating an autonomous legislative group within the NCAA governance structure (Shannon, 2017). What has not changed is the position and portion of power student-athletes possess, and as a result student-athletes are segmented as a group and have little influence on decision making.

By consolidating decision making and suppressing student-athlete engagement in governance the NCAA structure empowers organizational actors at multiple levels to impinge and limit the rights of student-athletes. This includes (but is not limited to) generating billions of dollars while providing less than minimum wage (Huma & Staurowsy, 2012), academic eligibility practices (rather than academic growth; Ridpath, 2008), and dismissing and encouraging physical (Eichner, 2019), sexual (Mountjoy, 2019), and emotional (Stirling & Kerr, 2009) violence against student-athletes.