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### Foul: A Critique of Collegiate Athletics, Recruitment, and Admissions

Pempho Moyo , '21

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Foul: A Critique of Collegiate Athletics, Recruitment, and Admissions

Pempho Moyo

Spring 2021

Swarthmore College

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### **Introduction**

The college admissions process is nothing short of complicated. There are repetitive forms to fill out, standardized test scores to send out, letters of recommendation to ask for, financial aid to apply for, and dozens of essays to write all in the hope of being accepted to at least one of the various colleges applied to. When the acceptance letters finally roll around in early spring amid the pollen and cheers of joy there reminds one question that remains unanswered: how exactly did you get into the college or university that you attend? While you can argue that your application was a perfect fit for the institution given a variety of reasons (i.e. GPA, standardized test scores, or extracurricular activities) the answer may still be unclear. Others may argue that affirmative action played a role in an individual's admittance into a college especially if the individual is not white. Yet there still remains another group of people that may argue that upper-middle-class white students had more advantages when applying to college due to the variety of resources they had access to when initially applying. However, if you were recruited to play a sport at a college or university the answer to the posed question becomes significantly easier to answer in spite of the complexity of the admissions process.

Recruited student-athletes are provided with a significant unfair advantage in the admissions process. While the previous statement is a bold one to make, the lengths that both students and parents are willing to go to ensure the opportunity to attend college is not to be underestimated. Operation Varsity Blues demonstrated the importance that college admissions had on these parents. However, the scandal in all of its glory does not tell the entire story of athletic recruitment and its impact on college admissions. It is only by examining the history of college athletics, how athletic recruitment functions, and how collegiate athletic recruitment influences the admissions process that a better understanding can be reached on how the scandal

was able to occur. This background also allows for the legitimacy of athletic recruitment in present-day college admissions to be questioned.

The purpose of this thesis is best explained in three parts. First, this thesis explores collegiate athletics and recruitment both in their history and current-day iterations. The second factor of this thesis is an examination of how athletics and recruitment interact with college admissions. The final component of this is an explanation as to how the interaction between collegiate recruitment and admissions often results in an unfair advantage during the admissions process in Division I institutions. In order to explore these topics, the federal case known as Operation Varsity Blues will be used as an example to show how the interaction between collegiate athletics, recruitment, and college admissions can take place in its most extreme form. After examining an extreme example of this interaction, a brief history of collegiate athletics will be examined. It is entirely unrealistic to believe that the interaction between collegiate athletics, recruitment and admissions spontaneously appeared. By obtaining an understanding of the origin of the interaction as well as how that interaction has evolved throughout decades a better understanding of how that interaction can become manipulated to the extent that it was throughout Operation Varsity Blues.

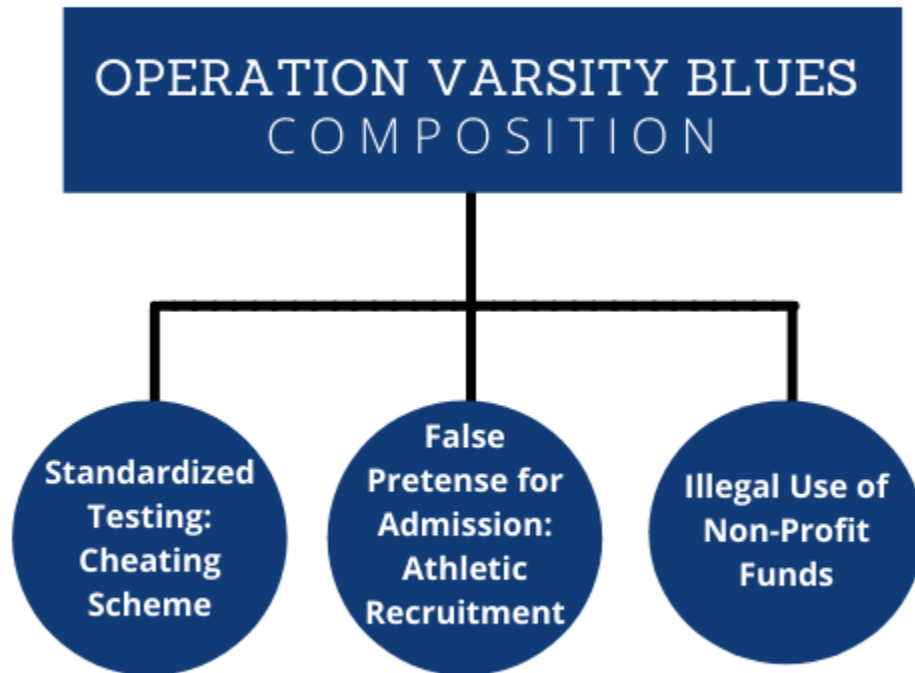
The next section of the thesis is focused on athletic recruitment. This section provides an understanding of what athletic recruitment is, how it functions, and factors that influence how the process takes place. Following this section, is a section dedicated to the admissions process of Division I undergraduate institutions. While the overall process of admissions is riddled with caveats, this section provides a streamlined understanding of how the admissions process functions for both recruited athletes and non-recruited athletes. And it is in this process where the advantage granted to recruited athletes occurs which was exploited in Operation Varsity Blues.

The conclusion of this thesis not only provides a summation of the previous chapters but also advocates for a solution to this undeserved advantage given to recruited athletes in the admissions process.

### **Operation Varsity Blues**

In order to obtain an understanding between the link and history between collegiate athletics, recruitment, and admissions, examining an extreme version of this interaction can shed light on how detrimental the interaction can become.

March 12, 2019 was a day that held both the world of academia and the world outside of academia at a standstill. That morning the United States Department of Justice (DOJ) announced in a press conference the largest college cheating scandal to date. The DOJ had charged fifty people in this case for a myriad of charges (i.e. mail fraud). In this case, the fifty individuals fall into three distinct groups: conspirators, university personnel, and parents. The conspirators are seven individuals (William Singer, Mark Riddel, Steven Masera, Mikaela Sanford, Igor Dvorskiy, Martin Fox, and Niki Williams). Of these seven individuals, the individual at the center of this scandal was William Singer (Affidavit, 1-6). Singer owned a college counseling and college-preparatory business called the Edge College & Career Network but it is better known as “The Key”. Along with being a business owner, Singer served as the Chief Executive Officer of a non-profit organization named the Key Worldwide Foundation. Singer was able to gain access to various college administrators and parents through The Key (Affidavit, 1-6). While many of Singer’s clients did not participate in the Operation Varsity Blues scandal, a significant number of his clients did choose to participate in the cheating operation.

*Operation Varsity Blues: The Foundations*

**Figure 1.** The flowchart shows the three components of the Operation Varsity Blues scandal: (1) the standardized testing cheating scheme, (2) the pretenses that were established for the children to be seen as athletic recruits, and (3) the illegal way that non-profit funds were used.

Operation Varsity Blues can be broken down into three separate but critical components (see Figure 1). Each component on its own carries serious consequences but when taken together they highlight the sheer number of risks parents were willing to take to cheat the admissions process and guarantee admission to an institution for their children. The first component was how standardized testing was compromised. In this component, Singer and his associates facilitated a standardized test (either the ACT or the SAT) such that after the student submitted

their completed test to the proctor their answers were changed to ensure a higher score by the proctor of the test (Affidavit, 3-4). While it is difficult to determine whether or not the students were aware of this, manipulating the standardized test still provided them with a critical advantage in the admissions process.

The second component of the scandal was how the recruitment process was manipulated to the advantage of students who were not recruited college athletes (Affidavit, 3-4). Essentially, this portion of the scandal relied heavily on how the admission process functioned differently for recruited athletes than non-recruited athletes. Given the institutions involved in the scandal, it is difficult to imagine that the sports programs entangled in this scandal were desperate for funds. The fake college athletic recruit scheme is best represented in a flowchart (see Figure 2).

The third component was how the funds for The Key were used illegally. Specifically, the funds were used as payments to coaches and athletic personnel who went along with the athletic recruitment scheme as well as being used to pay the proctors who doctored students' answers on standardized exams (Affidavit,4). Given that The Key was a non-profit organization, it was illegal for the organization to conduct services in exchange for explicit benefits (such as money).





**Figure 2.** This image is a flow chart that briefly details how the athletic recruitment portion of the scandal operated. While not every client participated in this portion of the scandal, it was the most expensive component of the scandal.

The flow chart provides a summary of the order of events. Each step will be broken down below to provide more clarity about how the scheme operated and lasted for nearly a decade.

### ***Step 1: Contact***

Singer initiated contact with the parents by introducing them to the operation he was running. Because the parents were already Singer's clients, they did not have to rely on alternative methods of contact, such as a reference, to communicate with him. It is unknown how Singer would determine which parents to introduce the scheme or how many parents were aware of this scheme that did not choose to participate in the scheme. Regardless, once the parents indicated they were interested in the scheme Singer would incorporate them and their

child into the scheme (Affidavit, 54-57).

### ***Step 2: Overview***

Singer explained to the parents exactly how he was able to facilitate their child's admittance into the college or university of either the student's or parents' choice (Affidavit,200). In order to do this, Singer would employ the use of what he dubbed " a side door." This side door was admitting the child as an athletic recruit regardless of the child's athletic ability or lack thereof (Affidavit, 12). The side door acted in opposition to both the traditional door and the back door. The traditional door is the way of applying to a college or university that most people are familiar with. On the other hand, the back door consists of bribing the admissions department with millions of dollars in donations without the guarantee that the child will be accepted into that specific institution (Affidavit, 12). Because the traditional door had more competition than the side door, and the back door required copious sums of money, and neither door guaranteed admittance- Singer was able to market his side door method successfully. This was primarily due to the fact that the side door cost less than the back door, had less competition than the front door, and had never failed and thus guaranteed the student being accepted into the institution of their choosing (Affidavit, 13).

### ***Step 3: Agreement***

Once the parents agreed to participate in the scheme, they would disclose to Singer the college(s) or university(ies) that either the child wanted to attend or the parents wanted their child to attend. Some of the children were aware of this scheme and were active participants in the scheme. For the children that were unaware of this scheme, their parents would pressure

them to pick from a shortlist of institutions they had provided for them. Once the child had chosen the institution, the parents would report that back to Singer. Singer would turn down running the scheme at certain institutions if he felt like it would be obvious that the child would stick out academically (Affidavit, 138-139). If the child and the institution were an academic match, the scheme would proceed. However, if the student and the institution were not an academic match Singer would recommend another institution he thought would be a better academic fit and then proceed with the scheme.

In order to use the side door, parents were first required to "donate" to KWF. Singer would use that donation as a bribe to pay coaches or athletic directors of the athletic program at the institution that the child wanted to attend (Affidavit, 12). In exchange for the generous donation, these coaches and athletic directors would facilitate the admissions of children of these wealthy parents as if they were athletic recruits. When parents indicated any hesitations, Singer would reassure them with his past record of success and his expansive network of elite colleges and universities (Affidavit, 12-13).

#### ***Step 4: Falsified Information***

After making a generous "donation" the parents were required to create an athletic profile. In that profile, the parents would compile information about their child, their athletic history, pictures of the child participating in the sport, and any accomplishments the child had earned (Affidavit, 84). However, nearly all of the information within the athletic profile was falsified as the majority of students either did not play the sport or were not as gifted in the sport as their athletic profile claimed them to be. Regardless of these glaring errors, Singer and his associates would review the profiles to ensure that they were believable before passing

them onto either the coach or athletic personnel involved in the scheme.

***Step 5: Admissions Committee Hearing***

After being sent the illegitimate athletic profile, the coach or athletic personnel would present that profile at a meeting between them and an admissions committee. In that meeting, the coach or athletic personnel would nominate the student to be admitted into the institution as an athlete. Oftentimes, the coach or athletic personnel would argue that the student would make a valuable admission to both the team as well as the institution ignoring the fact that the student most likely did not play the sport in their athletic profile (Affidavit, 100). The admissions committee would then agree to admit the student into the institution. The coach or athletic personnel would then report this information back to Singer and his associates.

***Step 6: Admitted Into University***

When the parents submitted their child's athletic profile, Singer informed them that they would find out the admissions decision within a few weeks (Affidavit, 106). Singer would inform the parents of the admissions decision through email. These admissions decisions were announced to the parents a few weeks prior to Early Decision admissions announcements and months prior to Regular Decisions admissions announcements.

***Step 7: Payment***

Shortly after the parents were informed that their child had been admitted into the selected institution, they would receive an email from Singer that would suggest that they “donate” to KWF (Affidavit, 106). Depending on the service Singer had performed for the parents, the parents would “donate” a specific amount to the charity. If the parents only

participated in the athletic recruitment scheme they would pay within a range of \$100,000 to \$250,000. If the parents had participated in both the standardized testing scheme and the athletic recruitment scheme they would make a donation that was no less than \$250,000.

***Step 8: Bribes Paid***

With the money donated to KWF, Singer would then pay the individuals that helped facilitate the admission of an illegitimate athletic recruit (Affidavit, 107-111). The amount for each bribe differed for each facilitation but the payment ranged between \$100,000 to \$400,000.

***Step 9: The Process Begins Again***

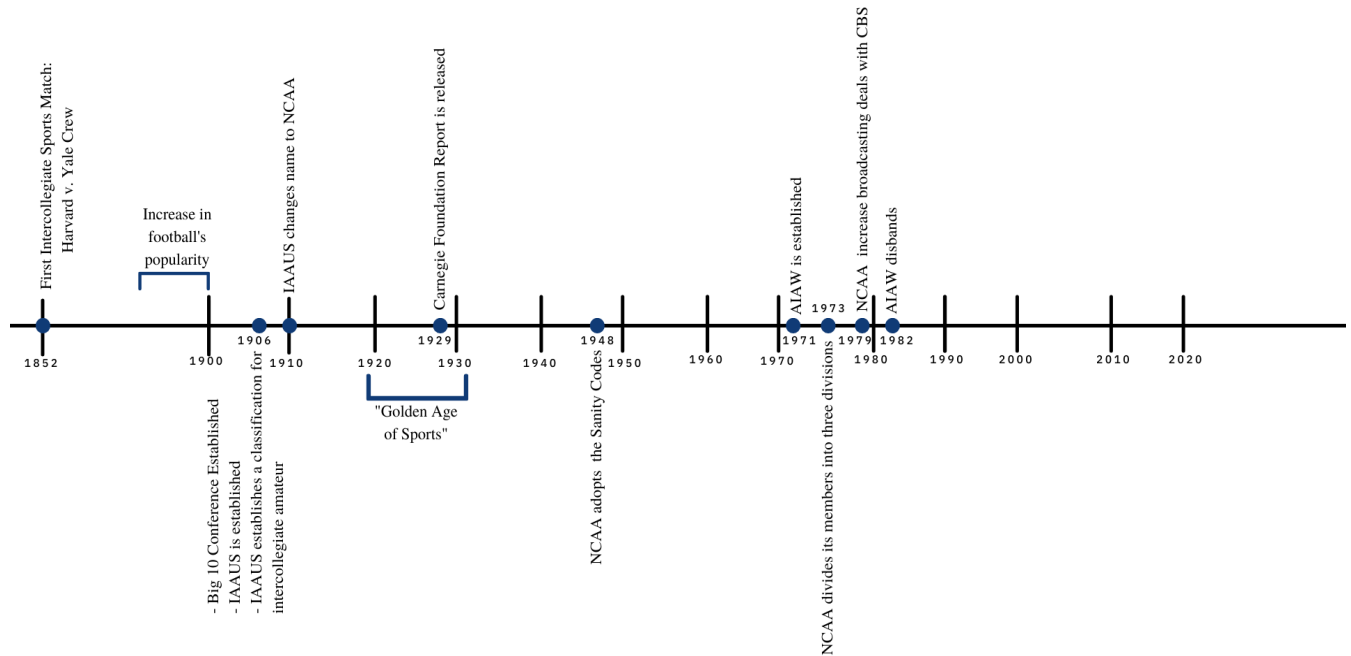
Once the individuals had aided in facilitating an illegitimate admission, the process began again either with another child within the same family or with a different family entirely.

Operation Varsity Blues lasted from 2011 to 2018. Within those seven years, parents paid Singer approximately \$25 million to bribe coaches and athletic personnel to admit their children into institutions under false pretenses. While the monetary amount is more than enough to raise a few eyebrows, the real crime is that for seven years a significant number of students who had trained hard to play at the collegiate level had their spot given to a student that did not play the sport at the same level at best or did not even play the sport at worst. While it can be stated that Operation Varsity Blues highlights the lengths that wealthy parents will go to have their child receive a degree from an elite college, the scandal also illuminates a more pressing issue. The scandal was able to exist and thrive for as long as it did was due to how fundamentally flawed the admissions process is around athletic recruitment. The athletic

recruitment process was manipulated in this scandal to the nth degree. However, the same athletic recruitment process regularly provides an admissions advantage to legitimate athletic recruits that is not offered to non-athletic recruits.

Operation Varsity Blues does little to provide an understanding of where collegiate sports came from and how they have changed over time. In order to obtain an understanding of how athletic recruitment and collegiate athletics could and were manipulated, an understanding of the history of collegiate athletics is necessary.

### History of Collegiate Sports



**Figure 3.** The above image is a timeline of the brief history of collegiate sports summarized in this section.

### *Origins of Collegiate Sports*

College sports have dominated both pop culture and media for decades with events like the Rose Bowl or March Madness. However, the origins of intercollegiate sports are not as flashy or as intricate as current-day intercollegiate sports and events. Colleges were initially designed with the intention to educate a very select population: young wealthy white men. However, in the early 1800s elite colleges began to build gymnasiums for their all-white male student population to work off the extra energy they might have. Aside from using the gyms as spaces to burn off extra energy, the students at these institutions took the initiative to form sports clubs. These sports clubs rarely engaged with other sports clubs at neighboring institutions until 1852 (Smith, 213; Shulman and Bowen, 5; Oriard, 5). During that year, Harvard and Yale decided to face each other in a regatta. That race was the first intercollegiate sports match. Neither Harvard nor Yale would know that their interaction would be the beginning of intercollegiate athletics. Nor would either institution be able to imagine the behemoth that intercollegiate athletics would eventually become.

Crew quickly became the sport that dominated intercollegiate athletics at elite colleges and universities on the east coast. Institutions like Princeton or Amherst had direct access to bodies of water that were both large enough and conducive to crew practices or regattas. However, crew began to lose its popularity as more sports (specifically baseball and football) started to integrate into various institutions (Bass, 4; Oriard, 5). Baseball and football were able to grow in popularity due to (1) more men playing both sports and (2) more people attending the games to watch the matches (Bass, 4). Out of the three sports, football became and stayed the most popular sport throughout the late 1800s as it became a pastime for those who had access to watch football games (Shulman and Bowen, 7). Due to a lack of avenues of communication (e.g. television, radio, streaming, etc.) attending football games became a status symbol. The only people that were able to experience watching football games were the people

that (1) resided in areas where football games were present and (2) had the time to watch the games in real-time.

Football's popularity was not contained solely to the general public or to the players. Rather its popularity spread into the domain of college administration (Bass, 3). Some college administrators desired that their football programs were not only established but also maintained and successful (Bass, 3). However, these sentiments were not shared by all college administrators. For these administrators, the success of the football program could not take precedence over academics nor should the football program be able to influence academics in any manner (Bass, 3; Oriard, 6). Despite any reservations or critiques that college administrators may have had, they had to contend with the fact that football's popularity translated into a few benefits. Specifically, football's popularity at these colleges and universities resulted in an increase in alumni support, branding, and college applications (Bass, 4). While these benefits directly impacted colleges and universities, football programs did not come without problems. The most pressing of these issues were the injuries players sustained from the sport. For example, in 1905 there were over 100 collegiate football players who had sustained serious injuries due to playing the sport (Bass, 4). As if those numbers were not concerning enough, in that same year 18 collegiate football players died from injuries sustained from playing the sport (Bass, 4). These numbers were so concerning that two confidential meetings were held with key figures of higher education. The first of these meetings were between the current President of the United States at the time, Theodore Roosevelt, and the presidents of Harvard, Princeton, and Yale. The second meeting occurred shortly after and was held at New York University. The meeting was primarily attended by important academic officials at 13 institutions including NYU. The purpose of both of these meetings was to begin addressing the pressing safety concerns about football. These meetings would lead the way to



discussions about how collegiate sports as a whole should be governed which eventually would lead to the creation of the Intercollegiate Athletic Association of the United States in March of 1906. By 1910 the organization would change its name that is well known by the general public: the NCAA (Oriard, 6; Bass, 4).

### ***NCAA and its influence on Collegiate Sports***

Within its first year, the NCAA quickly wrote a constitution and within that document explicitly defined the phrase “intercollegiate amateur sport” as the following:

An amateur sportsman is one who engages in sports for the physical, mental, or social benefits he derives therefore, and to whom the sport is an avocation. Any college athlete who takes pay for participation in athletics does not meet this definition of amateurism. ( Bass, 4)

This definition had no impact on football’s popularity or college athletics as a whole. The initial introduction of the NCAA not only increased support of collegiate athletics but also reinforced past concerns from college administrators about football’s influence on colleges and universities that were not related to the domain of athletics. While college administrators were concerned about injuries sustained by players they were also concerned about any negative impact athletics but more specifically football could have on their institutions especially with the introduction of the NCAA which further helped legitimize collegiate athletics. These concerns held by college administrators held merit as football coaches began to accumulate more authority at the institutional level as opposed to gaining authority solely in the field of athletics (Oriard, 7; Bass,7). The dynamic between college administrators and coaches quickly turned sour as both groups began to participate in a power struggle about football’s influence and it is a power struggle that has been maintained to the present day. For example, as football’s

popularity began to rise college presidents began to vocally look down upon the sport as it challenged the academic integrity of their institutions. In 1893, then Harvard President Charles Eliot is quoted to have written the following in his annual report: “With athletics considered as an end in themselves, pursued either for pecuniary profit or popular applause, a college or university has nothing to do. Neither is it an appropriate function for a college or university to provide periodical entertainment during term-time for multitudes of people who are not students” (Bass, 5). To say that Eliot was thrilled with the role that football was occupying at his institution would be an understatement. Eliot’s words highlight the general sentiments of college and university presidents and administrators at the time who were unnerved at the power that football held then and its potential influence in the future.

Prior to the current power struggle between college administrators and athletic personnel, the Carnegie Foundation published a 350-page report in 1929 about the then-current state of college athletics. The report was based on data collected from over 100 college campuses over a three-year period (Clotfelter). The Carnegie report foreshadowed the reality of present-day collegiate athletics in various areas but the three areas that bear the most resemblance to current-day critiques fall into two categories: (1) football programs' recruitment tactics, and (2) excessive wealth.

The report made note of how the system of recruitment had changed from being student-led to being led by adults who had knowledge about collegiate athletics and commerce (Savage et al.). While the 1929 report noted this shift in systems of recruitment, the current day interaction of athletic recruitment extends beyond the athletic department to the admissions department, high school athletics, and pay-for-play clubs. The second category of excessive wealth is best seen in the difference in pay between college coaches and faculty. The 1929 report

notes that there is a ten percent pay disparity between coaches and top professors with the coaches being paid more (Savage, 24-25). Unfortunately, this pay disparity has only grown with time. DI institutions that prioritize their athletic department by paying coaches millions of dollars (particularly football and basketball coaches) often do so at the expense of the academic portion of their institutions (Nietzel; Defibaugh).

The Carnegie report was widely covered but despite the report being well known, it was unable to initiate any concrete changes to football programs across America. Colleges, universities, and the NCAA made no attempt to examine let alone change any of their actions and instead chose to continue on as they had prior to the release of the Carnegie report (Bass, 6; Oriard,8).

Nearly twenty years later, in 1948, the NCAA established a controversial by-law entitled the Sanity Code. The purpose of the codes was to create a basis for the amount of financial aid funding that college athletes were eligible to receive at a given institution based on the athletes' financial needs (Pendleton). However, not every institution that was a member of the NCAA agreed with the creation of the codes. Specifically, many of the colleges and universities that disagreed with the establishment of the codes were located in the South and lacked the same level of financial backing as many of the institutions within the Big Ten Conference or the Ivy Leagues (Bass, 8). Ultimately, this meant that under the Sanity Code that financial assistance was limited to athletes that were able to demonstrate they were in need of financial assistance (Pendleton). The NCAA eventually dropped the Sanity Codes in exchange for grant-in-aid. Grant-in-aid in the context of collegiate athletics refers to the idea that a grant will be given to a college athlete for their academics at a given institution (Bass, 8; "Grant-in-Aid"). The implementation of grant-in-aid allowed for athletes to be granted aid on the basis of their

academics instead of their financial need which ultimately allowed for more athletes to benefit from the aid awarded to them (Pendleton; Bass, 8). While grant-in-aid was beneficial to the collegiate athlete, its implementation in the world of collegiate athletics gave rise to the term "student-athlete." On the surface, the term "student-athlete" appeared to accurately describe the role that a student has in collegiate athletics, the use of the term was quickly used to disadvantage the student-athletes. With the adoption of the term, "student-athlete" colleges and universities were able to deny student-athletes the classification of employees of the institution despite the amount of money they were and continue to generate for institutions (Bass, 8). This commercialization of student-athletes would take a dramatic tonal shift in the 1970s and 1980s due to changes within the NCAA.

### *Changes within the NCAA*

Throughout the 1970s and 1980s, the NCAA underwent three significant changes that permanently altered present-day college athletics: (1) the separation of divisions, (2) the implementation of Title IX, and (3) broadcasting deals.

#### *The separation of divisions*

In 1973, the NCAA divided all of its members into three distinct divisions: Division I, Division II, and Division III (Bass,9 -10). The divisions were established based on three specific criteria: funding of the athletic department, scholarships for student-athletes, and the amount of fan interest. Thus Division I has the most amount of funding, scholarships, and fan interest. Division II follows Division I and Division III has the least amount of funding, scholarships, and fan interest compared to the other divisions. In the 2020-2021 academic year, Division I consists of 350 colleges and universities with over 170,000 student-athletes

who are eligible to receive either full or partial athletic scholarships for specific institutions (“Our Three Divisions”; “NCAA Recruiting Fact”). Division II is composed of 302 colleges and institutions with over 110,000 student-athletes (“Our Three Divisions”; “NCAA Recruiting Facts”). However, athletes in this division are only eligible for partial scholarships. Division III is made up of 439 colleges and universities with over 180,000 student-athletes (“Our Three Divisions”; “NCAA Recruiting Facts”). Student-athletes that attend Division III institutions are not eligible to receive athletic scholarships (“Our Three Divisions”; “NCAA Recruiting Facts”).

In terms of the types of programs offered by each Division, there are a variety of sports programs within and across the divisions. Not every program offered within each division is profitable. For example, at Division I institutions the football and basketball programs are typically responsible for not only generating enough funds for their own separate programs but also for the funding for the rest of the other athletic programs at these institutions (Bass, 22).

### ***Title IX***

The second major change that permanently impacted the NCAA was the creation and implementation of Title IX. Title IX is a provision in the 1972 Education Amendments that requires that “ No person in the United States shall, on the basis of sex, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any education program or activity receiving Federal financial assistance” (“Title IX of the Education Amendments Act of 1972”). Because of this law, colleges and universities were mandated to fund their women’s athletic program. However, the women’s athletic programs were not entirely integrated into the NCAA framework. Because of this, women’s sports

activists created the Association of Intercollegiate Athletics for Women (AIAW). The AIAW wanted to differentiate itself from the NCAA and it did so by promoting two concepts: participation and education. Initially, the NCAA was indifferent towards the AIAW until the AIAW was able to obtain increased funding from institutions for the women's programs. It was then that the NCAA began to offer institutions membership discounts if they would enroll their women's sports program into the NCAA. This ultimately resulted in the AIAW disbanding and the NCAA essentially establishing a monopoly in intercollegiate athletics (Bass, 22). However, the inclusion of women's sports programs in the NCAA did not guarantee that the programs would be Title IX compliant. When institutions began to add more women's sports programs they began to add sports that were more niche than volleyball, track and field, and softball. Specifically, these sports were and are more accessible to individuals that come from an upper-middle-class background. Sports like crew, ice hockey, archery, bowling, water polo, and synchronized swimming all cater to a very specific demographic of white women which ultimately makes these sports predominately white.

### ***Broadcasting Deals***

The third major change came about in 1979 when the NCAA decided to increase its broadcasting deal with CBS after examining how successful the NCAA men's college basketball game that year was. The NCAA then made a deal with the newly formed ESPN to broadcast the men's sports that were not going to be broadcast on CBS. Because the production cost for college sports was so low television production companies sought out college broadcasting deals. This resulted in the NCAA obtaining nearly all of the negotiating power in the broadcasting deals with these companies. However, in 2010, the NCAA lost some of its power as football conferences began to negotiate with various broadcasting companies.

Because college athletic departments, specifically at Division I institutions, have to rely on various sources of revenue in order to function, they serve more as a business entity than an extension of an institution (Bass, 23).

While it would be easy to acknowledge that collegiate athletics history is important because it tells the story of how collegiate athletics came to be, that reading of the history of collegiate athletics fails to take into account that the history of collegiate athletics is not contained in a vacuum. Events like the publication of the Carnegie Report in 1929 or the implementation of Title IX are not events that only impacted individuals and institutions for a year. These events had long-lasting effects on collegiate athletics that still readily impact collegiate athletics as a whole to this day.

The level of corruption seen throughout Operation Varsity Blues is the same corruption that creates the unfair admissions advantage for recruited athletes. That corruption stems not from changes to the NCAA or from the implementation of Title IX, but rather even earlier than what is reported in the Carnegie report of 1929. The moment football recruitment began to have the goals of winning and making money for institutions is the moment when the integrity of admissions faltered which ultimately enabled Operations Varsity Blues to thrive for nearly a decade( Savage, 27).

## **Athletic Recruitment**

### ***The Importance of Recruitment***

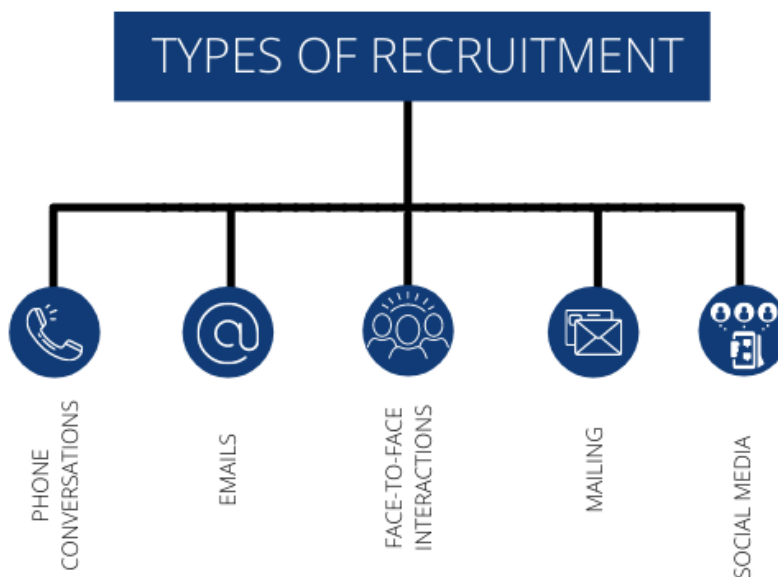
The process of recruitment is not as simple as it is portrayed in TV shows or movies. That version of the recruitment process relies heavily on everything that could go right going right despite any and every statistic that implies the improbability of the protagonist ever being recruited. This version of the recruitment process bears very little resemblance to how the actual

process of athletic recruitment operates. In reality, the process of recruitment is not only a lengthy one but also heavily relies on connections, time, and financial resources in order to be successfully recruited. The process of recruitment impacts the admission process in that the admissions department already sets aside slots for recruited athletes in any given class year. All that is required of the student-athlete is to play a sport extremely well and use as many resources (i.e. connections with their coaches, attending recruitment events, participating in the pay-to-play pipeline) at their disposal to their maximum potential in order to secure a slot in any class year.

### ***What Exactly Is Recruitment?***

In order to discuss the importance of recruitment and how it was used as a side door for Rick Singer and his associates to obtain admissions to very selective colleges and universities, clarity about what recruitment is and how it functions is mandatory. The NCAA defines recruitment as follows: “ [a process that] happens when a college employee or representative invites a high school student-athlete to play sports for their college ”(Recruiting NCAA). While the definition is rather simple, the methods of athletic recruitment are vast. There are the traditional approaches such as face-to-face contact, e-mails, phone calls, and mailing information to players (see Figure 4). However, within the past decade, social media has been used more frequently as it allows for coaches to connect with players that do not live in their near vicinity (Khoros Staff; Hawley). However, this form of recruitment as opposed to the methods listed prior lacks the same level of strict adherence to the NCAA recruitment calendar (Calendar NCAA).





**Figure 4.** This image depicts the various forms that recruitment can take. Social media is currently the only form of recruiting that does not have any rules or regulations in place unlike the other four forms of recruitment.

Recruitment methods like face-to-face contact or phone calls are allowed to take place during specific periods within the recruitment calendar (see Figure 5). Each period is allotted a specific amount of time which directly impacts the number of times coaches can spend recruiting and evaluating student-athletes as well as adds pressure onto student-athletes to make every possible effort to capture and maintain those coaches' attention (Recruiting NCAA). The recruiting calendars differ based on two factors: division level and sport. Division I and II have set recruiting calendars and specific lengths for each period for a variety of sports. However, Division III does not have set recruiting calendars which means it is not held to maintaining specific periods and the regulations associated with those periods. Recruiting calendars contain four distinct periods: contact, evaluation, quiet, and dead. Each period lasts for a specified number of days as determined by the NCAA (Recruiting Calendars).



**Figure 5.** This image depicts the four periods of contact within the recruitment calendar. Each period has its limitations for the forms of communication that are allowed to occur per the NCAA rules and regulations.

### ***Contact Period***

During the contact period, coaches are able to have the following type of communication with student-athletes and their parents: face-to-face contact, watch the athlete compete, visit the athletes' high schools, write to the athlete or their parents, and have phone conversations with the athlete or their parents (Recruiting NCAA). Because each sport has its own recruiting calendar it would not be reasonable to analyze each calendar. In order to remedy this, the 2020-2021 men's and women's basketball recruitment calendar will be examined for two reasons: (1) there is an established recruitment calendar for both groups, and (2) the game is played nearly the same for both groups. For women's basketball, only 52 days were allocated by the NCAA for the coaches to have as many avenues of access as possible (Recruiting Calendars). However, men's basketball had nearly four times the amount of days (205 ½ days; on April 8, 2021, from 12:00 am to noon is considered a dead period but from noon onward is considered a contact period).

### ***Evaluation Period***

During this period, the only action that coaches and approved personnel are not permitted to participate in is face-to-face contact with the athlete or their parents off the college or university campus. However, watching the athlete compete, visiting the athletes' high schools, writing to the athlete or their parents, and having phone conversations with the athlete or their parents are all permitted. The purpose of this period is for coaches to determine the academic and athletic capabilities of the student-athlete (Recruiting NCAA). When examining the women's and men's basketball recruiting calendar, women's basketball is allocated 168 days by the NCAA while men's basketball is given only 21 days by the NCAA (Calendar NCAA).

### ***Quiet Period***

During the quiet period, coaches are only allowed to have face-to-face contact with the athlete and their parents **only** when all the parties are on the college or university campus. Coaches are also allowed to write to the athlete or their parents and have phone conversations with the athlete or their parents. However, coaches are **not allowed** to watch the athlete compete (unless the competition is occurring at the campus) nor visit the athlete's high school. For the 2020-2021 Division 1 basketball season, women's basketball has a total of 106 days allocated for this period while men's basketball has a total of 89 days of the quiet period.

### ***Dead Period***

The only actions that coaches are permitted to do during this period is to either write to the athlete or their parents or have phone conversations with the athlete or their parents. Other

forms of communication that are permitted in the above periods are forbidden. For women's basketball this period lasts for 27 days and 49 ½ days for men's basketball.<sup>1</sup>

### ***Social Media & Recruitment***

As mentioned earlier social media has begun to impact how coaches and colleges recruit student-athletes (Khoros Staff). On the surface, social media is seen as a tool for both coaches and student-athletes to have access to information not shown in either the player's athletic profile or on the athletic department's website as well as establish a form of communication that does not have as many restrictions as opposed to other forms of communication (i.e. face-to-face communication). However, when examining social media on a deeper level, it becomes less of a tool in favor of either party and a way to critique if not act negatively for either party. For example, if a recruited athlete logs into Twitter and saw that USC was trending for a scandal, that incident could determine whether or not the athlete will continue to consider attending that institution. However, a student's social media profile could also impact how coaches view the students and their potential impact on campus.

It is also important to note that because recruitment through the use of social media is relatively a new method, there are not many rules or regulations pertaining to the use of it for communication purposes between coaches, student-athletes and their parents, and other outside influencers like the student-athletes' high school coach.

### ***Who is Recruited and Why?***

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<sup>1</sup> Women's basketball has an additional period called "recruiting shutdown". During this period, no forms of recruiting are permitted.

In order to understand who is recruited to play college sports in Division I, it is important to address a myth about recruitment. The players recruited are not just the players who send in the most impressive highlight reel. Rather recruitment is better thought of as a complex flowchart in which every decision can either move a student-athlete closer or farther away from their goal of playing at a Division I institution. While it is impossible to detail every potential move, there are two critical elements that have a significant impact on athletic recruitment: recruitment events and the pay-to-play pipeline (see Figure 6). Both of these elements require that athletes have access to not only stable finances but also cultural and social capital that allow them to not only participate in these events but to have an understanding of how these events function and how they can benefit them in their pursuit of being recruited by a college or university.

### ***Recruitment Events***

The phrase “recruitment events” refers to the following events: camps, clinics, combines, and showcases. Each of these events has different setups but all allow for coaches to get to see student-athletes in action and determine whether or not they want to reach out to the student-athlete to begin the recruitment process (The Ins and Outs; “Next College Student Athlete”). However, all of these events require that the student and their parent or guardian has time (both to participate in the sport and to support the student), finances to fund playing the sport and to participate in recruitment events, and has contacts who can inform either the student or their guardian about recruitment events they can attend. The importance of these recruitment events cannot be stressed enough, but it is equally important to recognize that student-athletes do not simply stumble upon these events. In order to even attend these events, student-athletes need

to have access to three key factors: time, finances, and connections. In order to even compete in a recruitment event let alone multiple events, the student-athlete needs to have the time to attend these events. Without the resource of time, it does not matter how well the student-athlete is at their specific sport their chances of being recruited are limited (The Ins and Outs). The next resource that the student-athlete needs are access to finances. While not all the recruitment events require that the student-athlete (or their guardian) pay directly to attend the event(s), major recruitment events (i.e. camps or clinics) do require enough funds to pay for the event, food, and potential temporary housing (i.e. motels or hotels). The final resource is connections. While student-athletes may be aware of recruitment events in their immediate area, coaches (whether school coaches or club team coaches) are aware of other recruitment events that the student-athlete is not aware of as well as have the potential to connect the student-athlete with college coaches or recruitment agencies (The Ins and Outs).



**Figure 6.** This image depicts the four events that are entailed when discussing recruitment events. Each event has a varied timeline and a variety of skills examined at each event.

### *Camps*

College camps are an opportunity for potential student-athletes to be recruited by college coaches (Clarke; Drotar; Winters). Some camps are open to every student-athlete who is interested in attending while other camps are invitation only (The Ins and Outs; Clarke). These camps usually last for longer than a couple of days unlike other recruitment events and usually take place in the summer when both the students and coaches can dedicate an extended amount of time to play or coach a specific sport (VarsityEdge; Drotar; Winters).

### *Clinics*

Unlike camps, clinics only last for as short as a couple of hours to at most two days. Clinics tend to have a central focus whether it be a specific technique such as pitching or to serve as a way for prospective students to get to know a specific college or university's environment (The Ins and Outs).

### *Combines*

Combines are events that allow student-athletes to display their skills. These combines also test student-athletes on specific conditioning drills that examine the student-athlete's speed, strength, and skills (The Ins and Outs). Typically these combines do not require invitations.

### *Showcases*

Showcases are like combines but they have more of an emphasis on the specific sport that the showcase is being held for (The Ins and Outs). During these showcases, sports-specific drills are had as well as competitions in order to determine the skill set of the student-athletes present.

While each of these events can act as opportunities for recruitment to take place, it is important to remember that these events are only accessible to individuals who have the time, money, and availability to attend and succeed at these events. This means that only a handful of high school athletes ever make it into the college recruitment process. These events are further complicated when the pay-to-play pipeline is introduced.



### ***Pay-to-Play Pipeline***

The pay-to-play pipeline is a method that requires “significant financial resources...to enter the pipeline and to advance through its many stages” in order for the student-athlete to advance their career playing a specific sport (Eckstein, 18). Initially, the start of the cost may be minor. For example, a child could be put in a community soccer league that requires a small one-time fee or the child could begin to play the sport at their school. However, if that child’s parents, guardians, or the child themselves want to advance the child’s sports career they could then enroll the child into a more competitive league like a traveling team. This would then require a significant annual financial investment which is dependent on both the sport being played and the reputation of the traveling. The earlier and the longer the child is invested in the pipeline, the more money is spent. The reason parents or guardians put their children through the pipeline is to obtain the opportunity for the child to be recruited to a college team *and* for that team to provide a significant scholarship that would either fully fund or partially fund the child’s college cost. While varsity high school games are no longer the primary source of who is recruited for college for both women’s and men’s teams (Eckstein, 39-40; College Recruiting Process). However, men's teams tend to be more recruited through recruitment events whereas women’s teams tend to be more recruited through the pay-to-play pipeline (Eckstein, 39-40). The pay-to-play pipeline requires a significant and stable amount of finances, the players that engage in the pipeline are not diverse in both race and socioeconomic status. To put it simply the pay-to-play pipeline is composed of mainly white upper-middle-class families (Eckstein, 39-45).

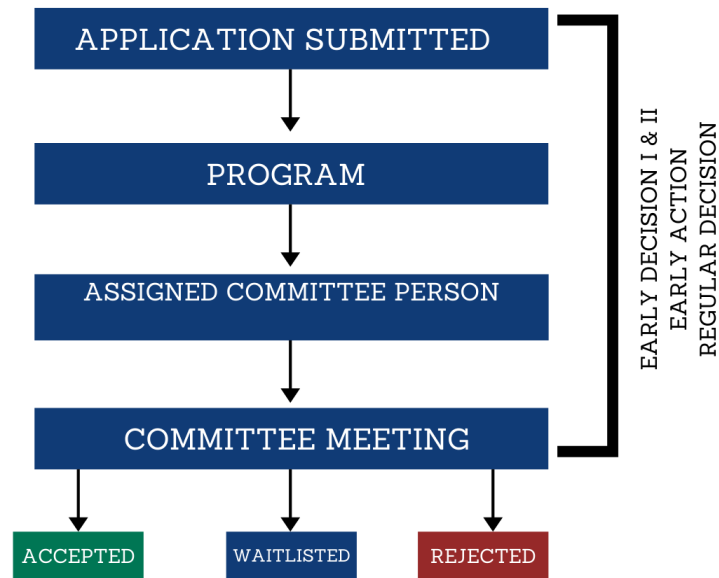
Recruitment is a more complex system than media has previously and currently portrays. However, it is in that complexity that the absurdity of the admissions advantage that recruited athletes receive is highlighted. The recruitment process does not always guarantee that a

student-athlete will be recruited by a big-name school or be granted a large scholarship from being a recruited athlete. In actuality, the recruitment process is a way for student-athletes to show coaches and recruiters that they deserve to go to a specific institution because they play a sport and not because they are an academic fit at that institution.

### **Admissions**

In the United States, most students apply to college by filling out forms, writing essays, and potentially being interviewed (see Figure 7). The admissions process tends to differ depending on the school but in general, the process is as follows: application is submitted to the college, the application is run through a program that looks for general information about the applicant (i.e. GPA, school ranking, standardized test scores, etc) for the first review, then the regional reader examines the application, next comes the committee setting where the other admissions personnel decided whether to accept, deny, or waitlist an application. However, this is the process for non-athletes. This process looks different when examining recruited athletes.

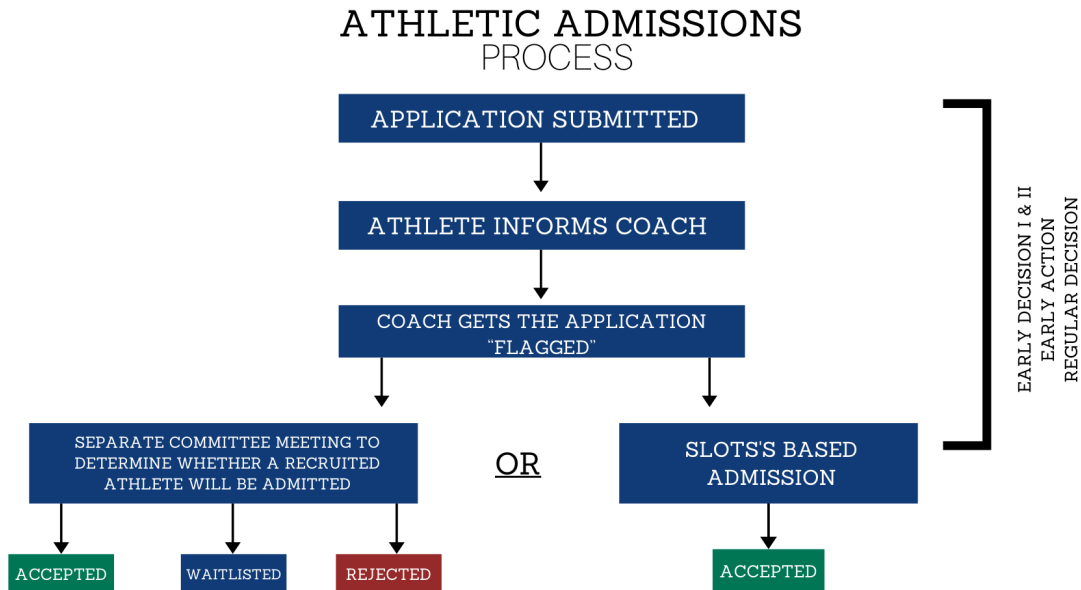
## NON-ATHLETIC ADMISSIONS PROCESS



**Figure 7.** The image above is a flow chart that briefly details how the admissions process works for non-athletic applicants. On the right side of the flow chart, the bracket represents the time component of when the application can be submitted which can significantly impact the makeup of the campus.

### *The Scaffolding of Athletic Admissions*

A unique relationship exists between the admissions department and the athletic department (see Figure 8). Prior to the admissions process, the admissions department informs the athletic department of the number of slots they are allowed to have for that year for recruited student-athletes (Anderson & Svrluga). Those slots need to be filled but the admissions department has the final say in which student-athletes will be accepted. This means that the athletic department has to be selective in the student-athletes they recruit. It is not enough for the student-athlete to be exceptionally gifted in a sport. They also have to meet various academic criteria such as a minimum GPA or standardized test score. However, those criteria are often lower for recruited athletes than for non-athletes (Eckstein, 73-76).

*Admissions Process: Athletics Edition*

**Figure 8.** This figure is a flowchart of how the admissions process works for athletic recruits. On the right side of the flowchart is the time component which states the various deadlines for application submissions.

Student-athletes are required to apply to the institution that they are being recruited to if they desire to be accepted into that institution. Once they have submitted that application, they then contact the coach of the sport that they are being recruited for. After this, the coach notifies the admissions department of the student-athlete's application. The admissions department flags that application as one submitted by a recruited athlete. From there the application process diverts into two paths depending on the institution.

One route leads to the application being sent to a subcommittee composed of a few members of the athletic department and the admissions department. In that subcommittee, the members from the athletic department present the recruited student's application and athletic profile to the members of the admissions department. From there the committee determines one

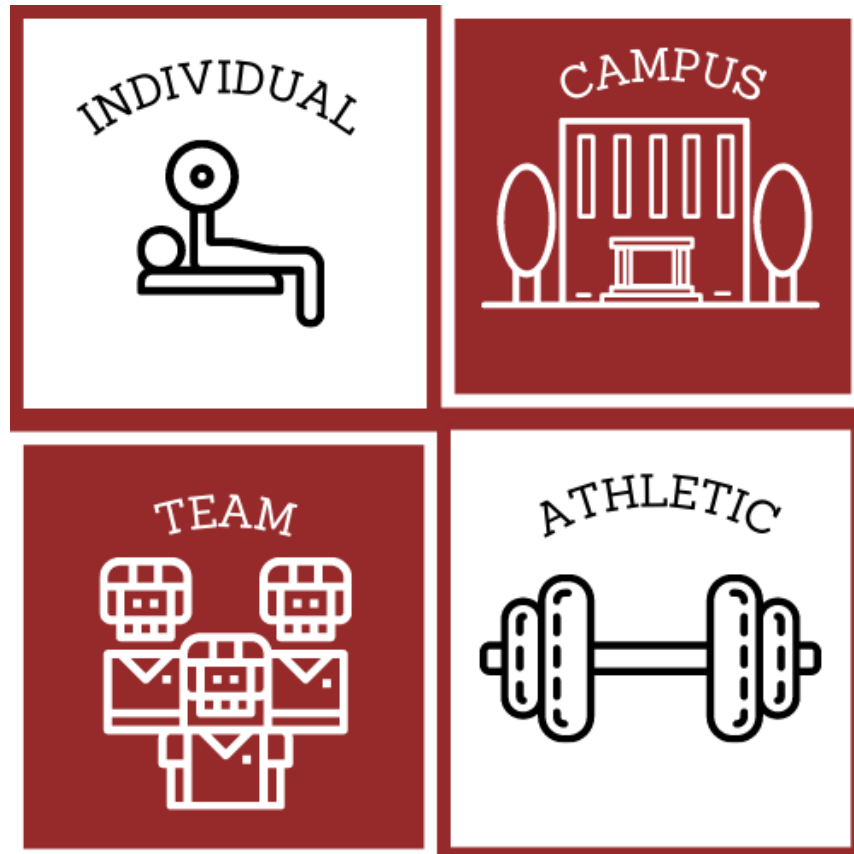
of three outcomes: accept the recruited student-athlete, waitlist the recruited student-athlete, or reject the student-athlete. More often than not, the recruited student-athlete is granted admission to the specific institution. For example, the former associate director of athletics at USC, Donna Heinel, was repeatedly involved in presenting student's applications and athletic profiles to the subcommittee. However, not every student's application and athletic profile that Heinel presented was from a legitimate recruited athlete. Heinel would knowingly present information from students who were involved in Operation Varsity Blues to this subcommittee to facilitate their admission into USC (Affidavit, 100-104).

The second route is based on the available slots for the various varsity sports offered at an institution. Because colleges and universities reserve a select number of slots for recruits, coaches have an idea of the number of student-athletes they need for the upcoming season. While not every recruited student-athlete will be granted a slot, as long as the student-athlete is able to meet a few criteria (i.e. GPA, ACT score, or SAT score) the student-athlete has a high likelihood of being admitted into the institution (Eckstein, 77).

Depending on the institution, the likelihood of a recruited athlete being accepted into an institution is greater than when compared to a non-athlete being accepted by the same institution. For example, in 2018 the University of Southern California had a 90% acceptance rate for its recruited athletes compared to the 13% overall acceptance rate for that year (Mackovich; Affidavit, 65).

However, at all Ivy League institutions, all recruited athletes have to score high enough on the Academic Index (A.I.) in order to be considered for admission into any of the institutions (see Figure 9). The A.I. is "a number that measures high school academic performance for the purposes of admission to an Ivy League school" (Lincoln, 18). The A.I. is composed of four

categories: individual, campus, team, and athletic. Each A.I. for the various categories is calculated slightly differently.



**Figure 9.** This image represents the four components of the Academic Index. Starting from the top left corner and going clockwise the names of the components are as follows: Individual Academic Index, Campus Academic Index, Athletic Academic Index, and Team Academic Index. Each component is calculated in a different manner.

### ***Individual A.I.***

Individual A.I. is calculated by taking class rank or GPA and SAT or ACT scores. The highest score an individual can receive is 240. A recruited athlete must have a minimum score of 171 in order to be admitted into an Ivy League institution (“Understanding the Academic Index”, Lincoln, 18-20).

***Campus A.I.***

Campus A.I. is the average of all the students on a specific campus which means that this A.I. will differ from institution to institution (“Understanding the Academic Index”).

***Team A.I.***

Team A.I. is specific to an individual varsity team and is calculated by finding the average A.I. score of every member on a specific team (“Understanding the Academic Index”). It is also important to note that the Team A.I. is required to be within one standard deviation away from the Campus A.I.

***Athletic A.I.***

Athletic A.I. is calculated by finding the average A.I. of all the students playing all varsity sports and that average is also required to be within one standard deviation of the Campus A.I. (“Understanding the Academic Index”).

While the A.I. attempts to provide proof that the recruitment process does factor in student-athletes academic performance, it is important to reiterate that the academic performance of recruited athletes is still lower when compared to the non-athletes at both the Ivy League institutions and other Division 1 institutions (Lincoln, 32-36; Eckstein,73-79). Systems or practices like the A.I. are attempts to add academic legitimacy to the admission process of recruited athletes when in actuality the purpose of those systems or practices should be questioned. Recruited athletes are already granted an unfair advantage in the admissions process,

adding a system or practice like the A.I. does nothing to address the unfair advantage. If anything using systems or practices like the A.I. allows for discussions or critiques about the unfair admissions advantage granted to recruited athletes to fall to the wayside.

Despite the admissions process being fairly complicated, it is evident that recruited athletes apply to institutions differently than non-recruited athletes which ultimately leads to recruited athletes being granted an advantage in the admissions process. When the admissions department allots for slots in an admitted class specifically for recruited athletes they are removing slots for students that are not recruited athletes. These slots allow for recruited athletes to attend colleges and universities not for the primary motivation of the academics offered at an institution but for the opportunity to play a sport for an institution. Essentially, colleges and universities double as both institutions of higher education as well as being the semi-professional arena for a variety of sports.

## **Conclusion**

### ***The Problem at Hand***

In the aftermath of Operation Varsity Blues, a variety of discussions have taken place. Some of those discussions focus on legacy and how that system impacts admissions. Other discussions have been more focused on how the scandal may impact the institutions involved in the scandals. However, the discussion of athletic recruitment and its impact on admissions is not a discussion at the forefront because it is a discussion that has been occurring for centuries (Savage et al., 1929).

Complaints about athletic recruitment and the power of the athletic department have come from the 1929 Carnegie Report and college presidents and professors. However, those



critiques are not taken seriously by either the NCAA or the colleges or universities despite the validity of the critiques. A key reason for this is that the recruitment of student-athletes is beneficial to colleges and universities whether those benefits are financial or a form of social capital (i.e. winning tournaments or championships). Colleges and universities are businesses before they are institutions of learning which means that they may make decisions based on financial reasons rather than practical reasons. For example, according to the NCAA only 20 colleges and universities, actually, turn a profit from their DI athletic programs (Desai).

However, most DI colleges and universities still maintain their athletic programs for a variety of reasons from name recognition to appearing more appealing to students to appeasing alumni (Desai). Yet, many of those reasons (i.e. appeasing alumni) also have financial incentives attached to them such as alumni donations to athletic programs (Kelly & Vamosiu, 2020). Other financial benefits that institutions receive due to athletic recruitment are alumni donations as they tend to increase when various sports in the athletic programs succeed (Young).

While institutions may value those benefits over having an uncorrupted admissions process, non-athletic applicants do not. When non-athletic students apply to these DI institutions and are accepted, their acceptance can be undermined with accusations of "only being accepted because of affirmative action." This perception of affirmative action assumes that students of color receive the most advantages in the admissions process which is untrue (ACLU).

Affirmative action is not some sweeping bonus applied to racial and ethnic minorities that guarantees that they will receive admission into a college or university as many people think (ACLU). Rather affirmative action, in the context of colleges and universities, can only be used in a very narrow way: to create a diverse student body without establishing a quota (Vox).

Affirmative action is a convenient excuse to question the presence of non-athletic students of

color being at colleges and universities. While athletic recruitment, particularly with sports that are niche (i.e. equestrian or fencing) or heavily entrenched within the pay-to-play pipeline (i.e. soccer or crew) allows for upper-middle-class white student-athletes to have access to the admissions process benefit despite this demographic already having additional benefits when applying to colleges (i.e. access to private counselors or help for preparing for standardized testing ) (Jaschik).

The admissions process is incredibly complex and secretive and it is in this complexity that both Operation Varsity Blues and athletic recruitment are able to thrive. Despite Operation Varsity Blues clearly displaying how the athletic recruitment process can (and was) manipulated for the same demographic that already has access to a multitude of benefits for college applications, institutions are not willing to give up the process of athletic recruitment because of the financial and social capital benefits recruitment provides. Currently, colleges and universities are at the same precipice they were when the 1929 Carnegie Report was published. These institutions do not necessarily have to eliminate athletic recruitment, but they cannot continue to have the system of athletic recruitment continue in its current form. The financial and social capital colleges and universities receive can no longer outweigh the negative impact of athletic recruitment. Any attempt to maintain the current system of athletic recruitment is nothing short of foul.

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