

Academic fraud and commercialised collegiate athletics: lessons from the North Carolina case

Jay M. Smith¹

The recent revelation of the scale of the academic/athletic fraud scandal at the University of North Carolina – Chapel Hill (UNC) has exposed a systemic weakness in the US higher education structure: the financial lure of sporting success can easily lead to the widespread and systematic compromising of academic standards.

UNC is a highly regarded institution ranked among the so-called “public ivies” that provide affordable educations comparable in quality to those offered at Harvard, Yale, and Princeton. It has top-flight graduate programs and a diverse undergraduate population of approximately 18,000. It boasts illustrious alumni—including one U. S. president and multiple Pulitzer Prize winners—from many fields. Since 1987, UNC students have won more Rhodes scholarships than students at any other public research university.²

UNC also enjoys a sporting identity known the world over. The alma mater of Michael Jordan and soccer superstar Mia Hamm, the winner of forty national championships in six different sports, one of the world's leading merchandisers of sports apparel, and a partner (with Duke University) in what many regard as the best rivalry in all of U. S. sports, UNC is a colossus of collegiate athletics. By the importance it confers on sports, and through its cultivation of an institutional “brand” partly defined by its sporting success, UNC exemplifies the peculiarly American melding of higher education and commercialised sports. Unlike university systems in any other country, American institutions of higher learning sponsor sports programs in which recruited “student-athletes” participate (UNC has

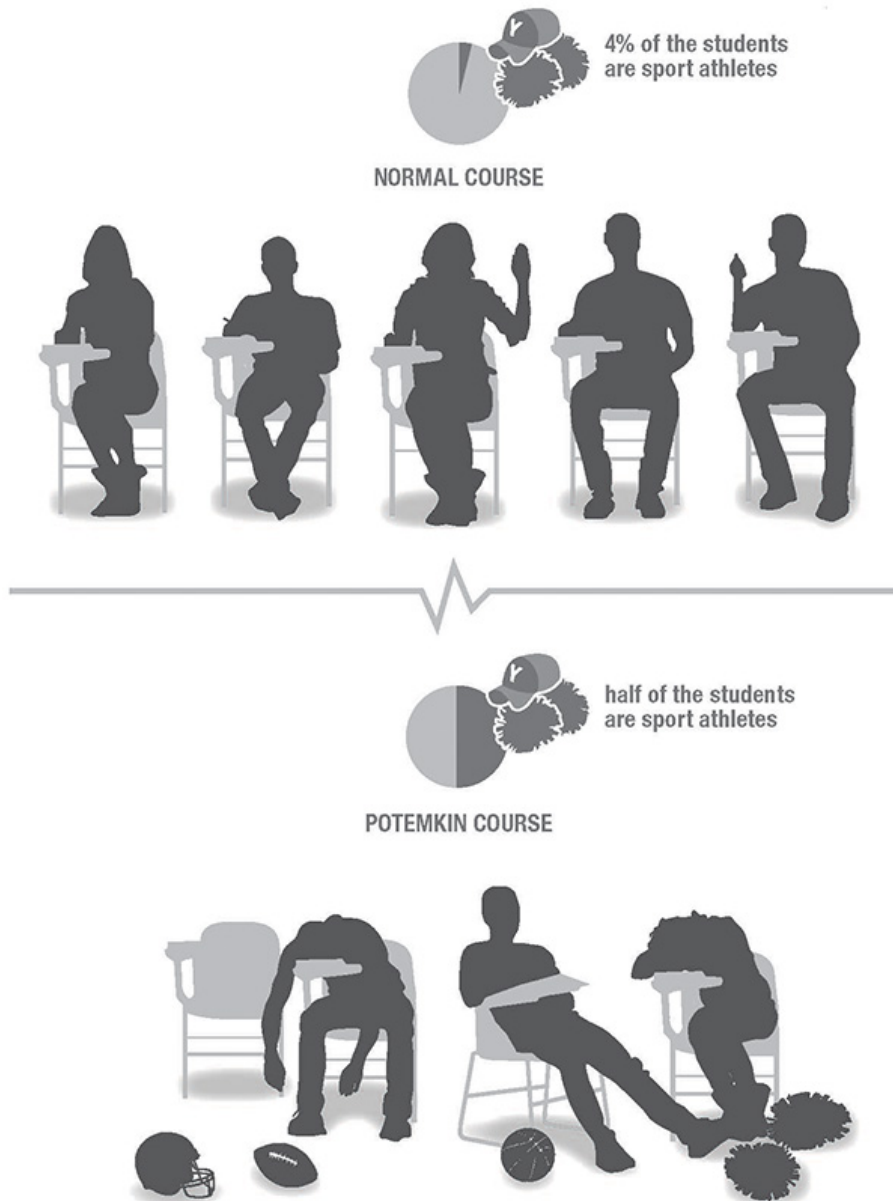
approximately 800 athletes in 28 sports) and which fans and alumni of the institution support through cash donations, the purchase of game tickets, and consistently high television ratings. American universities have created an enormously profitable entertainment enterprise—college sports programs, especially in basketball and football, take in approximately \$11 billion annually—and they have become psychologically and even financially dependent on the goodwill created by their teams’ successes on the field.³

The institution’s recent experience therefore stands as a cautionary tale. Between the early 1990s and 2011, UNC was host to the largest and longest-running academic scandal in the history of intercollegiate athletics, the full dimensions of which university leaders assiduously tried to cover up for years.⁴ The course fraud scheme, which Drake Group⁵ president Gerald Gurney has called ‘the largest and most egregious case of academic fraud by far’ in the history of the National Collegiate Athletic Association (NCAA), sends one unmistakable message about college athletics in the United States: university structures will inevitably be pressured to accommodate the needs of their respective athletic departments.⁶ Too often, the will to accommodate those needs opens the road to corruption.

The fundamentals of the long-running UNC course fraud scheme are well known. In the former Department of African and Afro-American Studies (AFRI/AFAM), the chair and his administrative assistant arranged for the creation of ‘Potemkin courses’⁷ that enrolled athletes in disproportionate numbers, required no attendance and little real work (the worst of the courses were called ‘paper classes’) and invariably awarded students marks that boosted their grade point average (GPA)⁸ – and provided other academic benefits – as needed.⁹ The scheme unfolded over two decades; there were more than 3,000 student enrolments in the sham courses, almost a half involving athletes, even though athletes account for no more than about 4% of undergraduate enrollments at UNC. The department

chair, Julius Nyang'oro, and his administrative assistant, Debby Crowder, were the central figures in facilitating the fraud.¹⁰

Courses especially created for athletes



Source: University of North Carolina at Chapel Hill, "Investigation of irregular classes in the Department of African and Afro-American Studies at the University of North Carolina at Chapel Hill", 16 October 2014, <http://carolinacommittment.unc.edu/reports-resources/investigation-of-irregular-classes-in-the-department-of-african-and-afro-american-studies-at-the-university-of-north-carolina-at-chapel-hill-2>

The pretext that college athletes in the highly commercialised sports of American football and basketball are actually ‘students first’ forces the NCAA and its member institutions to develop elaborate disguises for the priorities they pursue. Keeping athletes academically eligible to play, constantly available to their teams and to their coaches, is in fact the chief function of academic support centres in athletic departments. But because the athletes’ “amateur” (meaning unpaid) status depends legally and morally on their presumed identities as ‘students first,’ the eligibility maneuvers that determine course schedules, choice of major field, and academic workloads must be dressed up so that casual observers will assume that athletes are following authentic and typical educational pursuits.¹¹ This is a massive operation that requires the complicity and active planning of many. UNC provides an ideal case study in the forms of hypocrisy that big-time athletic programmes require of the universities that host them. Its example should be studied intently by institutions of higher learning the world over, to help them avoid succumbing to similar pressures.

For three years and more, UNC’s leaders tried to foist on an inquisitive public a tightly focused narrative of corruption. They insisted that the problems with phoney courses (revealed by a local newspaper in 2011) were all the fault of two ‘rogue’ individuals centered in a single academic department.¹² Thanks to the recent investigation headed by Kenneth Wainstein¹³, the world has now seen that academic fraud was in fact pervasive in Chapel Hill.¹⁴ Evidence from the Wainstein report, together with an insiders’ account of the UNC scandal recently published by Jay M. Smith and Mary Willingham, shows that the UNC experience was symptomatic of a dysfunctional academic culture in the commercialized athletic programs of American universities.¹⁵

Evidence now made public establishes beyond doubt that the academic corner-cutting and administrative chicanery that were part and parcel of UNC’s athletic eligibility system required the willing participation of a great number of people on the athletic and academic sides of campus. Those

willing to facilitate fraud, or to turn a blind eye to its unfolding, included many members of the faculty in addition to Julius Nyang'oro. Whether through apathy and indifference, their own enthusiasm for sports, or fear of administrative reprisal on a campus where most faculty do not enjoy the protections of tenure, faculty members and other staff in departments across campus proved “useful” to the academic counsellors for athletes during the scandal years. In the Wainstein documents, regular academic advisers are shown facilitating the ‘adding’ of sham independent study courses for irregular credit hours. The athletics compliance director—the person whose job it was to ensure that the UNC athletic department violated no NCAA standards—is shown joking about the ‘notorious’ paper classes and the uses to which they were being put by academic counsellors. Tutors are caught revising athletes’ ‘paper class’ papers for them. A head coach asks the academic counsellor for his team to place one of his players in an ‘ace in the hole’ independent study course. A powerful dean is revealed to have had suspicions about AFRI/AFAM independent study courses – which were offered by the hundreds each year – while doing nothing to investigate the department’s curriculum or its course scheduling practices. A professor in the geography department is shown acquiescing in a request to offer an “independent study” to five women’s basketball players during a summer session—the request coming not from the students but from their academic counsellor in athletics.¹⁶

This particular academic counsellor was one of the most prominent and notorious participants in the UNC course fraud scheme because in the years between 2011 and 2014 she also happened to serve as the elected chair of the university’s faculty. Jan Boxill joined the philosophy department as a lecturer in 1988, when she also began her service as academic counsellor for the women's basketball team. A former player and coach, and an announcer for the Lady Tar Heels basketball broadcasts, Boxill was fiercely dedicated to the athletic programme and to the athletes she advised. Just how far she took her dedication to athletics became clear with the release of the Wainstein report, which included damning e-mail exchanges between Boxill and Crowder. In one particularly egregious case, from 2008, Boxill is

shown haggling over the grade that one of her own women's basketball advisees was set to receive. The e-mail exchange indicates clearly that Boxill understood that Crowder – and not a faculty member – would be assigning the grade, and that the grade would be given in exchange for a 'recycled' paper that had been written (or plagiarised) in an earlier school year.¹⁷ On learning that the paper's deficiencies had even caught the attention of Crowder, and that the administrative assistant was not especially inclined to be generous in this case, Boxill responded that 'a "D" will be fine, that's all she needs'. And that's what she got. Both Boxill and Crowder were willing to overlook the faked writing assignment in order to push this student over the graduation finish line with an independent study that had involved little or no actual 'study'.

Boxill, whose term as chair of the faculty coincided with a period when faculty and non-faculty critics of the university were pushing hard for a real investigation of the athletic programme, worked to stave off any probing of the academic support centre for athletes. In a prime position to cover up her own complicity in a corrupt system, she did what she could to direct critical attention elsewhere.¹⁸ She even endorsed an external report that erroneously laid much of the blame for years of unchecked curricular fraud on a faculty committee.¹⁹ As faculty leader, Boxill played a confidence game that required real chutzpah – a game that might well have worked, had it not been for the commissioning of the Wainstein report.

Anger over the revelations of Boxill's complicity in the athletic scandal helps to explain why she has been removed from her teaching position.²⁰ Meanwhile, Nyang'oro and Crowder have gone into retirement and the 'paper classes' have been terminated. UNC would have the world believe that the removal of a few scapegoats and the ending of the most offensive curricular abuses from the scandal era have thwarted threats to academic integrity and have placed the university back on a healthy path. In fact, however, the evidence shows that the tentacles of corruption spread far, and that the corruption

came in many flavours – some more subtle than others. Only when the disease is treated, and the symptoms recognised as the tell-tale signs of illness that they are—an illness created and driven by the imperative to maintain athletes’ eligibility to play—will UNC and other participants in commercialised college athletics be able to restore themselves to health.

The financial pressures intrinsic to the commercial enterprise of collegiate sport inevitably create breaches in the wall defending academic integrity. At UNC, the scheduling of bogus AFRI/AFAM paper classes was the most egregious tactic used to propel the athletic eligibility system, but there were many other long-standing tricks, and many compromised individuals in addition to the two shamed AFRI/AFAM staff. For many years athletes were funnelled to notorious slide courses in geography, French, philosophy, drama, Portuguese, exercise and sport science, education, and library science – places that hosted either ‘friendly faculty’ known for their athlete favouritism or courses whose real purpose was to boost enrolments by keeping all students happy. Academic counsellors in the athletic programme found all these courses and directed all their needy students into each one.²¹ The admission to universities of athletes unprepared or unwilling to tackle genuine college-grade work, a problem exacerbated by the NCAA’s lowering of admission standards in 2003,²² only reinforced athletic department reliance on such courses and such faculty. At UNC, the broad temptation to sympathise with and ‘help out’ athletes with weak GPAs and impossible practice schedules led to the hardening of suspect curricular patterns.²³

The Wainstein report shows that, at UNC, academic counsellors knew exactly where to look and whom to approach when athletes had special needs: GPA boosts, grade changes, late course additions, or schedules that imposed little to no burden. Moreover, AFRI/AFAM was only one of several units on campus where athletes could get the special treatment they ‘needed’.²⁴ UNC’s failure to acknowledge this widespread and deeply ingrained tendency to cut corners – the institution’s failure to acknowledge

its flourishing culture of ‘look the other way’ compromise – may prevent it from ever contemplating the sorts of reforms needed to avoid repeat embarrassments in the future.

American universities have been indelibly compromised by their willingness to subordinate academic integrity and educational outcomes to the eligibility imperatives of commercialised sport. Sports, it goes without saying, are worthwhile endeavours in themselves. Extra-curricular activities are nourishing and can enrich the educational experiences of college students everywhere. Participation in activities whose primary purpose is entertainment, such as musical or dramatic performance, is not inherently problematic; but the drive to compete for national championships – a drive fuelled by the massive and continuing infusion of money into athletic departments and the unchecked popular craving for televised sport entertainment – means that coaches and the many people who enable them will almost inevitably facilitate corruption within the academy in the absence of effective anti-corruption systems. Eligibility will always mean more to the stewards of the athletic machine than the educational experiences of the students in their charge. Consequently, faculty will be placed time and again in the uncomfortable position of having to sacrifice their integrity or inflict academic hardship on athletes who have previously been led to believe they would be ‘taken care of’. Too often, faculty will choose the path of least resistance, and educational integrity will go by the wayside.

Only a bracing ‘coming to consciousness’ among faculty and college administrators across the United States, and a vigorous new commitment to transparency in all matters athletic, can offer any hope of ending the hypocritical charade that US universities are currently enacting. American universities might wish to learn from the examples set by other academic communities the world over. Only in the United States do for-profit sporting enterprises operate alongside and mingle with the academic infrastructure of universities, and there are many good reasons why this practice is unique. In Europe, Asia, and elsewhere universities remain faithful to their missions and are reflexively regarded as places

of learning, research, and discovery. Their refusal to become entangled in commercialised sports and the corruption that comes in their wake helps to explain why their reputations as centres of learning remain fully intact—and it points to the tragic bargain with commercialism that has led American institutions of higher education to actively subvert their own values and standards in the name of wins, championships, and revenue. To avoid the temptation to make such compromises in their own missions and values, universities across the globe should heed the cautionary tale of UNC and definitively reject the American model for integrating academics and athletics.

Notes

¹ Jay M. Smith is a Professor in the Department of History, University of North Carolina at Chapel Hill.

² See 'Carolina's Rhodes Scholars', <https://alumni.unc.edu/news/rhodes-scholars-from-unc/>

³ On revenues see Al Jazeera America, 'Experts weigh in: should college athletes get paid?', 27 March 2014, <http://america.aljazeera.com/watch/shows/inside-story/articles/2014/3/27/should-college-athletesgetpaidtoplay.html>

⁴ 'UNC scandal ranks among the worst, experts say,' <http://www.newsobserver.com/news/local/education/unc-scandal/article10107554.html>

⁵ The Drake Group, established in 1999, is a network of academics in the United States with the shared belief that college athletics has become too dominant a presence on US university campuses.

⁶ CBS Sports (US), 'UNC's unprecedented academic fraud case will test the NCAA', 24 October 2014, www.cbssports.com/collegefootball/writer/jon-solomon/24765822/uncs-unprecedented-academic-fraud-case-will-test-ncaa.

⁷ The term 'Potemkin courses' is an allusion to 'Potemkin villages', the fake settlements built by Grigory Potemkin along the banks of the river Dnieper in eighteenth-century Russia purely to impress Empress Catherine II. 'Potemkin' is now used as an adjective to describe anything built solely to deceive people that a situation is better than it really is.

⁸ In the United States, grades from all current classes are averaged to generate a grade point average, which is an important factor for university applicants in the country.

⁹ UNC's former Department of African and Afro-American Studies now carries the name African, African-American, and Diaspora Studies.

¹⁰ For an overview of the UNC course fraud scandal see 'Fake-class scheme aided UNC players' eligibility, Wainstein report says,' 22 October 2014, <http://www.newsobserver.com/news/local/education/unc-scandal/article10104428.html>.

¹¹ For an incisive discussion of the eligibility pressures that bear down on academic counsellors in athletic departments, see Inside Higher Ed (US), 'Academic fraud in collegiate athletics', 2 October 2007, www.insidehighered.com/news/2007/10/02/fraud#sthash.K81KvTEj.dpbs.

¹² See, for example, the UNC-sponsored report by Governor Jim Martin in December, 2012 (James G. Martin, The University of North Carolina at Chapel Hill Academic Anomalies Review: Report of Findings, 19 December 2012, at <http://3qh929iorux3fdpl532k03kg.wpengine.netdna-cdn.com/wp-content/uploads/2013/01/UNC-Governor-Martin-Final-Report-and-Addendum.pdf>) as described by the UNC alumni magazine, at <https://alumni.unc.edu/news/martin-says-fraud-isolated-to-african-studies-department/>

¹³ Kenneth Wainstein, a highly regarded lawyer who served as homeland security advisor to President George W. Bush, was appointed to lead the independent inquiry into the academic irregularities at UNC-Chapel Hill in early 2014.

¹⁴ University of North Carolina at Chapel Hill, 'Investigation of irregular classes in the Department of African and Afro-American Studies at the University of North Carolina at Chapel Hill', 16 October 2014, <http://carolinacommitment.unc.edu/reports-resources/investigation-of-irregular-classes-in-the-department-of-african-and-afro-american-studies-at-the-university-of-north-carolina-at-chapel-hill-2>; see also both the 'Wainstein Final Report: Exhibits' at <https://docs.google.com/file/d/0B9a7FfkXuvZUOGR6ZU5WX3d5TkE/edit> and the 900-page 'Final Report Supplements' that were issued on the day of the report, <http://3qh929iorux3fdpl532k03kg.wpengine.netdna-cdn.com/wp-content/uploads/2014/10/UNC-FINAL-REPORT-SUPPLEMENTS.pdf>.

¹⁵ For discussion of the problems afflicting other universities see Jay M. Smith and Mary Willingham, *Cheated: The UNC Scandal, the Education of Athletes, and the Future of Big-Time College Sports* (Lincoln, NE: Potomac Books, 2015), pp. 207-234.

¹⁶ On the adviser, see 'Final Report Supplements' p. 610; on the compliance officer, see *ibid.*, p. 248; on the coach, see *ibid.*, p. 24; on the dean, see 'Investigation of irregular classes', p. 25; on the tutors, see, for example, 'Wainstein Final Report: Exhibits', p. 16; on the geography professor see "Final Report Supplements," p. 271.

¹⁷ 'Investigation of irregular classes', p. 44.

¹⁸ On Boxill's role in the UNC cover-up see Smith and Willingham (2015), pp. 96-105.

¹⁹ For the reception of the infamous 'Martin report' in UNC's Faculty Council, and Boxill's management of that reception, see Smith and Willingham (2015), pp. 141-143.

²⁰ *Raleigh News & Observer*, 'Jan Boxill, implicated in UNC scandal, resigns', 5 March 2015, <http://www.newsobserver.com/news/local/education/unc-scandal/article12601562.html>

²¹ See Smith and Willingham (2015), pp. 171-174, 186-190.

²² Gerald Gurney and Richard M. Southall, 'NCAA Reform Gone Wrong', *Inside Higher Ed (US)*, 14 February 2013, <https://www.insidehighered.com/views/2013/02/14/ncaa-academic-reform-has-hurt-higher-eds-integrity-essay>

²³ Alabama law professor Gene Marsh, who once chaired the NCAA's Division I Committee on Infractions, has noted that the presence in the student body of people 'who really don't belong' because of their academic deficiencies has the inevitable effect of inducing corruption. The imperative to keep players eligible 'means you're going to get more people getting cute, more professors who lose their will and their ethics'. See *Inside Higher Ed (US)*, 'Bad apples or more?', 7 February 2011. On the changed admissions standards introduced in 2003, and their unintended consequences, see Gerald Gurney and Richard M. Southall, "NCAA Reform Gone Wrong," *Insider Higher Ed*, 14 February 2013, <https://www.insidehighered.com/views/2013/02/14/ncaa-academic-reform-has-hurt-higher-eds-integrity-essay>

²⁴ See the Wainstein 'Final Report Supplements', <http://3qh929iorux3fdpl532k03kg.wpengine.netdna-cdn.com/wp-content/uploads/2014/10/UNC-FINAL-REPORT-SUPPLEMENTS.pdf>.