

GOVERNING BODY CRITIQUE

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Governance and Ethics in Sports

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A Masters in Sports Administration would allow me to become an Athletic Director on a collegiate level. This position would allow me to fulfill policy expectations and ethically set an example for the NCAA and other collegiate universities. The particular problem with Athletic Directors on the collegiate level is that they have sacrificed ethical judgement with a team (specifically football) for bowl game projections and wins. From allowing certain students to transfer into a university because what he may bring to the team to turning a blind eye to different situations that are not only legally, but morally wrong. The university I will be analyzing is Baylor University. As we know they have had a number of situations dealing with the football team and how serious situations were handled and looked at. I personally feel that their football program deserves the "Death Penalty" for their program. If SMU can receive the "Death Penalty" for their program due to the "repeat violator" rule, we definitely need to look into why Baylor University has not been dealt the same punishment. Baylor University is a private Baptist university in Waco, Texas, that has about 17,000 students enrolled. They are ranked #71 in top universities nationwide, #43 in best universities for veterans, and #53 for best valued universities according to *usnews.com*. A university as prestigious as this, needing the "Death Penalty" enforced...why would that be? Well not only is Baylor University one of the finest universities in the United States, but its football program has also been under scrutiny for having multiple issues with sexual assault. By multiple I mean hundreds, *Wall Street Journal* reports, "Early numbers reported five football players accused of eight or more instances of sexual assault since 2009. Instead believed 19 football players had assaulted 17 women since 2011. Those numbers continue to climb in subsequent allegations. A February court filing bumped that number to allege 31 football players committed at least 52 rapes between 2011 and 2014. And these cases didn't garner sympathy from school officials, the filing says. Administrator and coach responses ranged from saying it'd be "great" if police kept quiet to questioning the women." There is a problem and we do need to gain some insight.

The ethical theory I will use to analyze this dilemma is "Egoism". According to DeSensi and Rosenberg (2010) Egoism is described as believing that actions are motivated by selfish interest or pursuing something that fulfills one's personal interest. I feel this is the perfect theory because we know that sexual assault is wrong on every level, but yet in still Baylor is choosing to try and do what is right for their university and football team than to the allegations that are being presented in front of them. Instead of the NCAA sanctioning out punishments, they are allowing Baylor to control the process, punishment, and the media and how they appear.

As we look at the timeline of the events Baylor has had many infractions, that can appear to show that Baylor is in need of sanctions placed by NCAA instead of the university. In 2003, Ian McCaw was hired as Baylor's Athletic Director and Tom Stanton was replaced due to an unrivaled scandal. A former player was charged with the murder, for shooting another teammate, but also ex-head coach (Dave Bliss) conspired a way to cover it up to avoid NCAA infractions by saying it was a drug dealer...Egoism. Everything could have worked out, but it was recorded. In November of 2007 Art Briles

was named head coach of the football team and things begin to roll downhill a few years later. In 2009, Tevin Elliot (Defensive End) came to Baylor from Mount Pleasant and was later charged in 2012 for sexually assaulting a former Baylor student and sentenced to 20 years and a fine for two counts of sexual assault in 2014. In July of 2012 Shawn Oakman a 6'9" 295-pound defensive tackle transferred from Penn State, in 2013 Waco police confirmed that the defensive lineman was released from Penn State for physically assaulting a woman. Baylor already having a situation with a player and sexual assault, then allows a student to transfer for assaulting a woman. It could be that they were trying to give a troubled student another chance or it could be just they were looking at the benefits of a solid football player who could contribute to a BIG 12 Championship...Egoism. DeSeni and Rosenberg (2010) give the example how someone may save a drowning child to be looked upon as a hero (personal interest) and with egoism they will ask themselves "What's in it for me?" and we are seeing the exact question being answered by Baylor. Let me continue on. In April of 2013, Tre'von Armstead and Myke Chatman were named by police for a sexual assault incident, but were never charged. In 2015, they were both released from the team, Chatman transferred to Sam Houston State University and Armstead was expelled. In May 2013, Sam Ukwuachu a 6'4" 220-pound defensive end transferred from Boise State for unspecified reasons. In 2015, he was convicted of sexually assaulting a Baylor female soccer player. Later in September of 2013, Baylor President Ken Starr and his wife Alice petitioned for a Virginia school administrator to receive community service rather than prison time for admitting to molesting five children under the age of fourteen (he later received 43 years in sentence). In August 2015, a Baylor tennis player was the lone suspect in a sexual assault case and did not compete in the matches during the fall and spring of 2016. In September of 2015, two female students filed a Title IX no contact order for Rami Hammad (an offensive lineman for Baylor) when one female student spoke to the other about being sexually assaulted by him and the other female student had a similar encounter with him. The victims did not receive any closure from the Title IX trial, but received an email explaining to her how to exit building doors and avoid contact with Hammad. Stefanie Mundhek, in February of 2016, alleged she was raped twice and posted her encounter online. She also posted how Ken Starr (Baylor President) failed to take action and continued to let her alleged perpetrator to work in the office job housing her academic program. In March of 2016, a Title IX lawsuit was filed against Art Briles (Baylor Head football coach) and Ian McCaw (Athletic Director) for knowingly not taking action to protect the student after they knew of the sexual assault reports. Finally, in May of 2016, Baylor decides to remove administrative positions. Firing President Ken Starr and Art Briles. A few days later Athletic Director Ian McCaw resigned, Baylor issued a statement saying, "Institutional failures at every level of Baylor's administration impacted the response to individual cases and the Baylor community as a whole." In January of 2017, a Title IX lawsuit was filed against Baylor for alleging a culture of sexual violence that included 52 rapes in four years, and the suit goes against the coaching staff also for encouraging players to have recruits sleep with female's students on school sanctioned visits. Finally, in May of 2017, another Title IX lawsuit is filed claiming as many as eight Baylor University football players drugged and

took turns raping her at an off-campus apartment. The victim heard teammates saying, "Delete the text and numbers" to avoid being caught. The suit alleged that the football team had a system of freshman bringing freshman females to parties and drugging them and gang raping them and considering it a "rights of passage" into the brotherhood of the football program. The plaintiff states that there is one 21-second video circulating around. According to the Waco Tribune-Herald. This entire timeline of events, charges, and replacing of staff and student athletes screams EGOISM! From 2011 to 2016, everyone had the mindset of what can you do for me? These student-athletes had self interest in mind when assaulting these women. Coaches had self interest in mind when recruiting players who had previous cases and issues assaulting women to their team and culture. Administration had self interest in mind once allegations came forward and tried to save the reputation of the university or should I say the PRIVATE CHRISTIAN UNIVERSITY. The actions that were taken were definitely not deontological, nobody in this situation tried to act out of obligation or duty for what was right. The female head basketball coach at Baylor Kim Mulkey, stated during a school prep rally, "Any parent who states their daughter wouldn't come to Baylor because it is unsafe, you should punch them right in the face". What type of cultural school pride do we have where female students being assaulted and victimized is now wrong on their part for reporting it. Even female staff personnel are showing more pride in the school name, then the young people going to the school itself. Now, she late a couple days later in a press conference apologized and cried, but I do not know if it was genuine or because of the media backlash.

Dissecting this further, you may wonder, what does the school policy say about sexual assault? According to Baylor Universities policy on sexual assault, it states, "In all disciplinary procedures Baylor University will seek to be redemptive in the lives of the individuals involved and to witness to the high moral standards of the Christian faith." It goes on and states under sexual conduct BU-PP 031, "Baylor will be guided by the biblical understanding that human sexuality is a gift from God and that physical sexual intimacy is to be expressed in the context of marital fidelity. Thus, it is that Baylor students, faculty and staff will engage in behaviors consistent with this understanding of human sexuality." Does this policy even hold true? As many females that were sexually assaulted, players recruited, cover ups and harassment from staff to other investigating staff to cover up certain details were alleged, be the norm for a Private Christian University? How can we get passed self-interest (Egoism) and still be competitive within the NCAA? Where do we draw the line in the sand and grow past Egoism and look to build better men and women graduating college instead of broken ones?

In closing, though I can see myself as a NCAA conduct and policy liaison, as an Athletic Director there are a few things I would have done differently to change the Egoism culture of the university. To start recruitment, knowing I am an Athletic Director of a popular private Christian university all student would have the moral and ethical foundation embedded in them through a series of interviews. Any student athlete being recruited would not only be recruited by the coach, but would also sit down with the

head coach and staff member of my choosing to perform an “Ethics Interview” before being offered a scholarship in front of a panel regardless of high school accolades. All students would be offered a scholarship during a school visit where the interview would happen. Any student with a prior record, conviction, or removed from a school for an undisclosed reasoning, would either inform the “Ethics Panel” willingly or not be accepted no questions asked. Next, I would have a team meeting personally with ALL sports teams individually and inform them personally on the policies and the standard that they are being held at. Make all student athletes sign an ethical statement agreeing to the standards that I informed them of and any athlete who violates those standards depending on the severity of situation would be dealt with accordingly. Basically, a zero-tolerance policy. I would also make sure every year that someone who either had been sexually assaulted, family member killed in a DWI/DUI (Driving While Intoxicated/Driving Under the Influence), or had a drug addiction spokesman come speak to every member of the athletics organization. In addition, coaches and staff would have to do EO (Equal Opportunity) workshops and training yearly to maintain employment and before being hired would sit before the same Ethical Panel as the students. All coaches would be held to an even higher standard and would be given a contract with understanding of the standard and zero-tolerance policy. This would assist in taking the “Self-Interest” culture away from the program and show that building contributing citizens of society is more important than rings and championships. It would insure a safe culture for students and most importantly a disciplined culture amongst the student athletes. In building these norms amongst the student body, parents and media will know that when we recruit we look past the athletic attributes and also look within the student’s heart. I am a firm believer that Baylor University football program deserves the “Death Penalty” for the culture they created or at a minimum to be eliminated from any post season bowl games or playoffs for at least 10 years.