Note From the Editor
Chris Cooper, Political Science and Public Affairs

Welcome to the February 2016 Faculty Forum. I am pleased to take over the editorship of the Faculty Forum and I want to thank Mary Jean Herzog and all of the previous editors for their work to make the Faculty Forum the resource for faculty that it has become. Mary Jean had an uncanny ability to facilitate a meaningful and respectful conversation about the most important issues facing the university and I hope to continue that tradition.

The heart of the Faculty Forum will remain unchanged. The Faculty Forum has always, and will continue to publish unsolicited, important articles from faculty perspective. These unsolicited articles will comprise the bulk of the “new” faculty forum. These can be about virtually any topic related to the university as long as they are respectful, and likely to be of interest to faculty across campus. David Dorondo’s piece on the university creed in this issue is a good example of these kinds of articles. I am particularly interested in pieces that make specific suggestions for how to improve the work we do here. Maybe there’s a policy that could help us do what we do better, or a way to approach a problem that could improve how we teach our students or do our research. If you have those kinds of brainstorms, don’t let them sit idle, but instead drop me a note and perhaps you can develop them into a piece for the FF.

I will also continue Mary Jean’s practice of publishing responses to Faculty Forum in the following issue. These responses were often as insightful as the original pieces and I want to make sure the Faculty Forum remains a place for facilitating dialogue among our faculty.

In addition to the traditional Faculty Forum pieces and response to them, I am adding an additional, and I hope helpful, feature—the book symposium. In these symposia, I am asking three faculty with slightly different perspectives to weigh in on a book of interest to folks in higher education. The key difference between these symposia and what you might find in a traditional journal is that all three authors will focus on what this book means for faculty at WCU. Most of the issues we are facing as WCU faculty are reflective of broader trends in higher education and I hope these book symposia will highlight our connections with faculty across the country.

This issue’s symposium on the book Cheated is an excellent example of what I hope to accomplish. As many of you know, Cheated examines the UNC athletic scandal. In this issue of the Faculty Forum, Faculty Athletics Representative and Director of the School of Accounting, Finance, Information Systems and Business Law (AJ Grube), former college athlete and Associate Professor of Health and Physical Education (Justin Menickelli) and officer of the Drake Group, and Professor of Sport Management (Kadie Otto) all analyze Cheated and its implications for WCU faculty. Their views are all distinct, but well-informed and well-worth
considering. I hope you will enjoy reading the book forum and that you consider participating in similar forums in the future.

Lastly, please remember that the views expressed here are not necessarily ones that the Faculty Commons, the Provost’s Office, the Chancellor’s Office, the head of the UNC System (past or future), our students, the faculty senate, me, or anyone else other than the author agrees with.

-Chris
Did you know that we – Western Carolina University – have a creed? For a long time, I didn’t. About a year ago, perhaps two (I don’t precisely remember), posters began appearing in several of the classrooms where I regularly teach. On them is the University’s Community Creed. The posters read as follows:

- *I will live by high standards of personal integrity.*
- *I will embrace my responsibilities as a member of this community.*
- *I will respect the rights and the well-being of others.*
- *I will engage myself in the artistic, cultural and academic life of my University.*
- *I will celebrate and express pride in Western Carolina University.*

Though creeds do not form the subject of my research, I have always been seriously interested in creedal statements, or what pass for them, so I could not help noticing the colorful, large-format flyers.

At Western our professional existence is awash in “vision statements,” “mission statements,” assertions of “core values,” and the like. We regularly spend hours, days, even weeks grappling in committee with these pronouncements. Every time our Departments, Colleges, or the University attempt to define what it is that we do, what it is to which we genuinely aspire, we undergo this often grinding process. That’s good. We should grapple regularly, and thoroughly, with our innermost corporate selves. We should try to make sure that we do what we say we do – and then spend ourselves in the doing of it.

But do such statements rise to the level of a creed? Certainly not. And is every statement purporting to be a creed really one? Certainly not always. As so many readers of this newsletter readily know, “creed” derives from the Latin “credo,” which is to say “I believe.” With due apologies to my good colleagues in the Department of Philosophy and Religion, a creed might usefully be said to constitute a normative standard by which one ascertains what doctrines (usually theological in nature) are to be believed. That is to say, a creed has historically expressed, in very precise language, the irreducible substance of what must be believed in order for two or more persons to be acceptable to one another as fellow-believers.

Assuming this definition to be correct for the sake of the argument, I return to the University’s Community Creed. Nowhere in any of the five statements is there any pronouncement of what one must actually believe. All of the statements, particularly the last four, are merely vague, anodyne, but admittedly harmless, affirmations of a pledge of good behavior. Obviously, good behavior is better than bad behavior, but does our University, in fact does any university, actually need a document ennobled by the title of Creed in order to express the perfectly ordinary expectation that faculty, staff, and students behave themselves? In other words this is a creed that does not ask, much less demand, that one actually believe anything. It is a creed without “credo.”

Rather more seriously, this creed wastes not a syllable on the search for truth. To be sure, acting with personal integrity is laudable, as is shouldering one’s responsibilities in all spheres of life and not merely in academe. Respecting others can certainly ease, though alone it can by no means erase, ill-will. Then too, actively participating in the variegated life of the University and
taking pride in it can help us rightly express our solidarity with one another. Above all else, however, should we not – both as individuals and as a University – seek the truth? Should this obligation not override all others? Should we not demand it – everywhere, always – of our students and, more importantly, of ourselves? If so, should that search not also be included in what we purport to believe?

If, as I strongly suspect, many of our colleagues would reply by saying that there exists no objective reality called truth but only each individual’s conception of it as mediated through a completely autonomous will (note the recurrence of “I will” in the Community Creed), then our University has a creed to which anyone, anytime, anywhere might safely subscribe with no fear of actually having to believe in anything at all.

Much more ominous, however, is the following consideration: if nothing is objectively true and therefore morally right, then nothing is objectively false and therefore morally wrong. And if that’s the case, then I could, for example, stand before my modern German history class this very semester and say, without fear of contradiction, that what Hitler and his henchmen did to the Jews was perfectly acceptable. After all, his completely autonomous will told him that what he and his minions were doing was unobjectionable, indeed was required, precisely because that action rested upon an intellectual foundation constructed solely by that same will and having no point of reference beyond itself.

We abandon the search for objective truth, as well as its possession, at our own – and others’ – peril. The search is difficult. But avoiding the difficulty and its attendant cost is a dangerous game of “mental Miranda rights.” If we cannot afford the truth, one will be provided for us. But it may not be a truth we like very much.
In my classes, Jan Kemp (University of Georgia) is often credited with putting a national spotlight on fraudulent academic practices related to college athletics. Most of the time, my students don’t know who she was, but they are always fascinated by the whole story. While many other institutions have been faced with such egregious academic and athletic misconduct, the Jan Kemp case has always been “the big one” in my mind. After all, could it possibly get worse than administrators firing an English professor who refused to change the grades of football players to allow them to play in bowl games? Yep. It can get worse. A lot worse.

You’ll need to read Cheated to get an idea of the breadth, width, and dimensions of fraud at the University of North Carolina at Chapel Hill over the past two decades. “The big one” pales in comparison. Any one of the myriad incidents discussed in the book would warrant a major scandal. When one considers that they happened at a single institution for such a prolonged period of time, it’s genuinely mindboggling.

- In one academic year, over 300 (not a typo) independent study students were assigned to Dr. Nyang’oro (Head of the African Studies / African American Studies Department) in one academic year. He was on sabbatical for one of the two semesters. Debby Crowder, the department administrative assistant assigned most of the grades.
- There were processes in place to allow students and student-athletes to retroactively withdraw from courses and replace them with “paper classes” midway through a semester.
- An entire parallel curriculum, complete with its own grading system meant to benefit the enrolled students, was built and administered largely by Debby Crowder. This system was not implemented in secret. The dean of advising, the chair of the faculty, and the athletic student support services staff were quite aware of and often used the curriculum. The parallel curriculum was built and administered (including the assignment of grades) largely by an administrative assistant.
- Mary Willingham (an employee in the Center for Student Success and Academic Counseling at UNC-Chapel Hill) made a plea to the Faculty Athletics Committee to stop the use of fake classes. Nothing happened.
- The directors of the athletics academic support program went to the Faculty Athletics Committee to inquire about the teaching of independent studies. They were told it wasn’t their responsibility to worry about what faculty cover in courses.

After reading about these and dozens more incidents in the book, I honestly cannot get my head around the vast lack of integrity on so many levels. The cover-up that has ensued involves another inconceivable set of far-reaching tentacles. The authors (p. 58) summed it up by stating that “disclosing the truth, revealing the full extent of all problems, responding to faculty critics, and answering to the citizens of North Carolina would always take a back seat to the overriding imperative to protect the Athletic Department from the NCAA.” Perhaps we should be asking
who’s protecting the students, student-athletes, faculty, staff, and citizens of North Carolina from UNC-Chapel Hill.

My initial horror as WCU’s Faculty Athletics Representative (FAR) was for the student-athletes who were robbed of the opportunity to earn an education that would serve them for the rest of their lives. They were put in phony classes and told to focus on their respective sports. In one instance, a men’s basketball player was enrolled in no “real” classes (only paper ones). His GPA actually increased that semester. It’s truly criminal.

However, in my role as FAR, I’ve observed several positive changes on our campus resulting from all of this. While I may not appreciate the dictation of instruments used, I do appreciate having many sets of eyes on the data and processes affecting our student-athletes. For example, General Administration implemented a new policy requiring increased scrutiny of independent study courses. This is not a bad thing.

An annual report on athletics is now required of each institution in our system. The UNC Report is sent to General Administration after approval from WCU’s Board of Trustees. For most institutions, this is a time-consuming endeavor which requires a minimum of 80 hours to complete and involves the offices of legal counsel, provost, institutional planning and effectiveness, and the registrar. A review of our processes is healthy. Often, however, it seems like institutions are being asked to prove their innocence.

Annual review of processes and data surrounding student-athlete eligibility, clustering, and choice of majors. This such a beneficial, informative exercise. Summaries are included in my annual FAR report to the Faculty Senate. The full reports mentioned here are provided to the Faculty Senate Chair.

If we asked our entire faculty to invent ways to commit academic fraud, I don’t think we’d imagine all the events described in this book. If you haven’t read Cheated, please do. I’d love to have a cup of coffee with anyone interested in talking about Cheated, WCU athletics, WCU’s processes involving academics and athletics, or any other related topic.
Kadie Otto, Ph.D., Professor, Sport Management

I never thought it was a good idea to rest the reputation of a university on the back of athletics, but, then again, I’ve been researching college sports corruption for two decades. Given this, I wasn’t surprised to learn of UNC-CH’s academic fraud. What did surprise me, however, was the sheer duration of the fraud (nearly 20-years…now that’s quite a feat)! (For anyone interested in hearing my more detailed thoughts on the scandal click on the podcast link below). So, not only has UNC destroyed its once sparkling reputation, but, to make matters worse, they are also being sued for “…failure to safeguard and provide meaningful education to scholarship athletes”.

And yet, there are still university presidents who think it’s a good idea to make athletics “the front porch” of the university. Hmmm…

But what does UNC’s fraud have to do with WCU? We begin with the inherent dangers of attempting to ‘run with the big dogs’.

The Athletics Arms Race

In the dog-eat-dog world of college sports, there is a trickle-down effect wherein the “mid-majors” (the “have-nots”) attempt to ‘keep up with the Joneses’ (the “haves”). This of course is not possible if you consider reality—nearly 20 of the big-time universities spend over $100 million/yr. on athletics (the University of Oregon spends nearly $200 million/yr.). WCU, a “have-not”, spends $11,436,428 million/yr. on athletics. “The haves” (which consist of the 64 schools in the power-5 conferences [ACC, Big 12, Big Ten, PAC 12, and SEC] plus Notre Dame [an independent]) fund their programs by way of multi-billion dollar T.V. contracts, ticket and merchandise sales, and to a lesser degree, general university funds and student fees (the general student body at these schools contribute 0.0 to 7.6% of the annual athletics department budget), and most, if not all, of their athletic scholarships are fully endowed. On the flip side, WCU requires the student body to foot the bill to the tune of $7,581,603 annually (or 66.3% of the total athletic department budget). Indeed, every WCU student contributes $826/year ($730 athletic fee + $96 athletic facility fee) to subsidize athletics. If this sounds troubling, perhaps what’s worse is that each WCU student also contributes, a whopping, .50/semester to the N.C. Association of Student Governments whose purpose is to ensure “…that the benefits of The University of North Carolina and other public institutions of higher education, as far as

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2 See McCants & Ramsey et al, v. NCAA & the University of North Carolina at Chapel Hill, Class Action Complaint, 15 CVS 1782 (Jan. 22, 2015). (“UNC’s bogus classes once again reveal the great hypocrisy of college athletics in America. The[y]...insist that their mission and purpose is to educate and to prevent the exploitation of college athletes. Yet...[they]...engag[e] in exploitation, subverting the educational mission in the service of the big business of college athletics...” at 3-4).  
3 See Brad Wolverton, Ben Hallman, Shane Shifflett, & Sandhya Kambhampati, The $10 billion sports tab: How college students are funding the athletics arms race, THE CHRONICLE OF HIGHER EDUCATION, Nov. 15, 2015, available at http://chronicle.com/interactives/ncaa-subsidies-main?cid=at&utm_source=at&utm_medium=en&elq=351190943de54e84a9844755e5b126af&elqCampaignId=1841&elqaid=6894&elqtag=1&elqTrackId=37e3dec289e45aa8f12757d89e52c2&sid=table_2014  
practicable, be extended to the people of the State free of expense”. Of course, every university is free to make its own decisions. In the case of the big-time schools, they could feed a small country or run a multi-million dollar sports entertainment business. In WCU’s case, we could use the money for our primary mission by funding academic scholarships or we could continue to require our students to subsidize athletics at an unconscionable rate, arguably in violation of the N.C. Constitution. Choices, choices.

Now, is it possible that the athletics arms race (i.e., the unquenchable desire for money, prestige, and exposure) could lead to academic improprieties? Surely not. Well, maybe. Okay, yes.

So, what can WCU learn from the UNC academic fraud scandal?

Faculty Governance

The overarching lesson is that the faculty are charged with the duty to oversee athletics. The AAUP Policy Documents & Reports outlines faculty obligations pertaining to the role of the faculty in oversight of athletics. Of course, from a national perspective, this is hardly the reality. Reasons for this generally include: faculty abdication; administration takeover; faculty apathy toward athletics; and/or, faculty viewing athletics as a nuisance or an unnecessary appendage. The bottom line is that our University Athletics Committee should be more than advisory—it should have primary jurisdiction to formulate athletics policy.

Now, moving on to a few specific areas here at WCU which, I believe, can be rectified without too much trouble.

1) **Conflicts of Interest**

   (a) The NCAA requires that all member schools have a Faculty Athletics Representative (FAR) whose job, broadly, is to oversee the goings-on in athletics in relation to the academic mission of the university. At WCU, there are two concerns however. The first is that there exists no term limit. The second is that the FAR is chosen and serves at the discretion of the Chancellor. While problematic for any number of reasons (i.e., actual or perceived conflicts of interest), a simple correction will rectify both concerns.

   **Recommendation # 1(a): The Faculty Senate, by vote of the General Faculty, should determine who will serve as FAR (i.e., one term not to exceed four years; second term permitted after two consecutive terms elapse).**

   (b) In the fall of 2008 I received a call from a reporter in Michigan asking me to comment on the “special treatment” their athletics committee members were receiving from the
University of Michigan athletics department. While serving as an elected member of our University Athletics Committee in 2011, I recalled the Michigan situation and proposed that we do away with allowing the athletics department to give Athletics Committee members two free season tickets to the men’s and women’s basketball games. As an overt display of my commitment to removing even a perceived conflict of interest in our charge as independent overseer of athletics, I turned in all of my free tickets. What followed was something strikingly similar to kids swarming a downed piñata full of candy. Clearly, some of the committee members treasured their free tickets.

**Recommendation # 1(b): The University Athletics Committee should add a clause to its charge stipulating that no entity shall be permitted to offer any inducement to Committee members.**

2) “Talent Waivers"

It is the case that some of the most talented athletes sometimes happen to be the least talented academically (as was the case in the Florida State University academic fraud scandal). This reality led universities to compromise their academic standards in exchange for athletic talent (hence the creation of the term “talent waiver”, the creation of the “talent waiver admissions exception”, and the creation of an entirely new line of employment—“athletic-academic support advisors”). Currently, WCU has a “Memorandum of Understanding” between the Admissions Office and the Athletics Department titled, “Policies and Procedures for the Collaboration between the Admission Office and Athletics”. This document effectively serves as the modus operandi for admitting academically underqualified athletes into our institution. The process calls for the Athletic Director to submit the name of the student to the Vice Chancellor for Student Affairs who then makes the decision concerning admission. Three red flags exist here. The first is that “[i]nstitutions should not use admissions standards for athletes that are not comparable to those for other students”. The second is that the decision to submit and admit rests with just two people—one whose position, Athletics Director, is a clear conflict of interest. The third concern is that, if WCU persists in permitting “talent waivers”, then there must be a committee comprised solely of elected faculty who make these decisions.

**Recommendation # 2: The Faculty Senate should create a new committee, the “Talent Waiver Admissions Committee”, comprised solely of faculty who will review and make decisions on all “talent waiver” requests (i.e., the Athletics Director and the Vice Chancellor for Student Affairs should serve in advisory roles and be non-voting members).**

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10 See Statement on Intercollegiate Athletics, AAUP Policy Documents & Reports, 9th Ed. 2001. (“Conflicts of Interest – Paid-for-trips to games, and other special benefits for faculty, administrators, or members of governing boards involved in the oversight of athletics, whether offered by the university or by outside groups, create conflicts of interest and should be eliminated” at 241).


This committee should be separate and distinct from the University Athletics Committee. The Talent Waiver Admissions Committee should review the existing “Memorandum of Understanding”, make any changes necessary for alignment with WCU’s academic standards, and craft the official policy on “talent waiver” admissions.

3) Athletics-Academic Support Personnel

As you can see, one exception (the “talent waiver”) has the potential to beget, yet, another problem. As “talent waiver” admissions were bent and stretched there came a point when athletes were, quite simply, incapable of achieving academically (noting that some college athletes are, in fact, illiterate). Indeed, an entirely new line of employment opened up in the athletics department—“athletics-academic support personnel”. At UNC, Jan Boxill was not only a member of the faculty and, in an ironic twist, the Director of the Parr Center for Ethics, but also the athletic-academic support liaison for the women’s basketball team (serving in dual roles can be precarious, e.g., conflicts of interest). It was her dual role as athletic-academic support advisor and faculty member that created the avenue through which she was able to manipulate grades for players such that they would remain eligible. The lesson here is that the athletics-academic support personnel must remain completely separate in job description, role, and function from university academic support personnel. Since their job description requires them to monitor and ensure the academic eligibility of the athletes, and their pay depends on performing the functions of their job, it is likely that their allegiance lies with athletics. Still, the bottom line is that if there were no talent waivers, then there wouldn’t be much of a need for the army of athletic-academic support personnel that exists at many of our universities today.

Recommendation # 3: The Athletics Committee should review the job description, role, and functions of athletic-academic support advisors and seek ways to ensure that persons serving in this capacity are aware of what they are charged to do and not do. The Committee should also review the employment contracts of athletic-academic support personnel to ensure that there exists a clause addressing ramifications for violations of their job description (i.e., engaging in, or enabling, any act of academic fraud or any other academic impropriety, etc.).

In sum, if athletics are to be an integral part of education, and the athlete an integral part of the institution, then the faculty must have primary oversight of athletics. Primary oversight begins, and ends, with faculty governance.

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Cheated by Jay M. Smith and Mary Willingham is an in-depth, thought provoking and convincing book about the well-publicized UNC academic scandal. The book goes into an astonishing detail on how faculty, staff and administrators pulled-off and attempted to cover-up a fraud so intricate that it even surprised a cynic like me. It is a must-read for any UNC fan or foe, or anyone within earshot of an ivory tower. In the end, I sympathized with Willingham and a few others. I got the feeling they meant to do the right thing for the athlete-students, but before long they found themselves in the center of a tornado where the air feels eerily calm.

It is easy to dismiss what some people call the “shameless exploitation” and “covert racism” that occurred at UNC for two decades as big-time athletic program problems but some of the issues seem unnervingly familiar. I am hesitant to call the following “lessons learned” but I took a stab at offering some, but not all, of my take-always from the book.

There is a clear-cut difference between an “easy” course and a “paper” course and everyone involved knows where the line is drawn. Some courses are fundamentally challenging, some are objectively easy and most fall somewhere in the middle. There is nothing inherently wrong with courses at the less difficult end of the continuum. One of the most shocking statistics from Cheated is that from 1999 to 2001, hundreds of lecture classes and bogus independent study classes at UNC never met. Independent studies or “paper” courses are often a total sham. A course that requires a single paper with no scheduled class time is making a lot of assumptions or rather, it is open to a lot of questions: Is the professor meeting with the student to ask and answer good questions-- in a word, teaching? Who actually wrote the paper? Is the paper being objectively evaluated? Most of us have taught an independent study and required that the main product of the course was a research paper. Teaching these courses the right way takes a great deal of time and energy, which is why most of us choose to do very few of them. If a professor is teaching hundreds of them, something is dead wrong.

Summer school policies at UNC and WCU are eerily familiar. At both universities, summer school is a stand-alone entity with its own budget and nuances. Faculty run the risk of their course being cancelled due to under enrollment and the pathetically low pay scale is ever-changing. Student evaluations of summer school classes are not scrutinized as heavily by the department heads. The dynamic that drives course offerings during summer terms begs for cutting corners and favoritism. At UNC, about 33-50% of all credits earned by athlete-students were earned in the summer. This is not the case at WCU but our summer school is wrought with duplicitous practices. At one time, you could make more money by offering multiple sections of the same on-line course rather than teaching one large section. In essence, summer school at WCU has been a problem for decades and steps to fix it have clearly not worked.

If there is a central theme in Cheated it is that fame and money fueled the fire that burnt down the metaphorical walls of the university. College sports is a 16 billion dollar a year industry. WCU contributes very little to this giant money machine because we lack any real fame (we actually spend about 11.5 million a year on athletics). People are not buying WCU tee shirts at the Walmart in Chapel Hill but people are buying UNC shirts at the Walmart in Sylva. The only time we acquire any real amount of money from athletics is when the football team competes against a much bigger cog in the machine. We are part of the machine, but a very small part.

The most famous people on big-time college campuses are the football and men’s basketball players. After all, they are the stars responsible for bringing in multi-billion dollar
television contracts. This fame can lead to hero worshipping by employees, and ultimately to academic fraud. If you want to ride the team bus with Julius Peppers then you have to give him a passing grade in your composition course. This may sound crazy but that is exactly what happened at UNC. It is unlikely that a faculty member at WCU is going to risk his/her career to ride the team bus with Troy Mitchell. Ron Rash is probably the most famous person on our campus. His book royalties might also make him the highest paid person at WCU but nobody really cares. At UNC and other big-time universities, the football and men’s basketball coaches are often the highest paid employees. In fact, the highest paid employee in 40 or so states is either a football or men’s basketball coach. Since more money often equates to more power, athletic coaches at places like UNC have more unadulterated power than the chancellors. It is a messed-up system that does not appear to be going away anytime soon.

Both UNC and WCU admit athletically talented but academically underqualified students then take advantage of every NCAA loophole to keep them eligible for participation in athletics. I am not convinced, as some have suggested, that admitting academically weak students amounts to exploitation or covert racism (more on that another day) but it certainly undermines the academic integrity of the university. In many ways, we are nothing like our big brother dressed in Carolina blue but we do face some of the same challenges. I was reminded of this when I went to the cafeteria and ran into a student-athlete and his assistant coach. “Is he in your class this semester?” “Yup,” I replied. “Are you gonna’ take care of him?” he asked. I shook my head and let out an audible sigh.