

AN EXAMINATION OF THE NATIONAL COLLEGIATE ATHLETIC
ASSOCIATION'S TRANSFER RULE AND ITS EFFECT ON ACADEMIC SUCCESS
AT A DIVISION I-A INSTITUTION

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ABSTRACT

ANDRE WILLIAMS: An Examination of the National Collegiate Athletic Association's Transfer Rule and its Effect on Academic Success at a Division I-A Institution
(under the direction of Barbara Osborne)

The purpose of this study was to examine student athletes' and non-athletes' academic performance within the criterion of being a transfer or non-transfer student at a Division I-A institution. Data was collected on a total of 2,740 students, through submission from the University of North Carolina's Institutional Research Department. Measurements of academic success were analyzed by using one-sample t-test, independent t-test, and descriptive statistics. Results indicated significant differences among all four comparisons (1. non-transfer non-student-athletes v. non-transfer student-athletes; 2. transfer non-student-athletes v. transfer student-athletes; 3. non-transfer non-student-athletes v. transfer non-student-athletes; 4. non-transfer student-athletes v. transfer student-athletes). Non-student-athletes were found to have the greatest academic success. Of the non-student-athletes, non-transfer non-student-athletes reached a higher level of academic success than transfer non-student-athletes. Transfer-student-athletes showed to have a higher probability of gaining more academic success than non-transfer student-athletes, but were generally out-performed by transfer non-student-athletes. When excluding transferring from the equation, non-transfer non-student-athletes' academic success surpassed non-transfer student-athletes. Data from this study will hopefully provide a foundation to lead into additional research examining if the NCAA transfer rule is too restrictive or lenient.

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CHAPTER I

INTRODUCTION

Developed during 1905, the National Collegiate Athletic Association (NCAA) was originally created by way of President Theodore Roosevelt to reform intercollegiate athletics by trying to prevent the numerous injuries and deaths caused by football. In 1951, under the leadership and tutelage of Walter Byers, the NCAA began to position itself as the dominant organization presiding over intercollegiate athletics. Through the expansion of the original purpose of the NCAA, to prevent injuries and deaths caused by football, the organization's goals expanded. This expansion introduced objectives to govern all conference, institution, and collegiate student-athletes academically and athletically. As the intercollegiate world of athletics continued to grow and expand, an increasing amount of rules and regulations have been developed through the NCAA to ensure the purity of amateur athletics. These rules and regulations have been implemented with the goal of upholding the NCAA mission "to maintain intercollegiate athletics as an integral part of the educational program and the athlete as an integral part of the student body" (NCAA Mission, Values and Goals, 2006). Currently, the NCAA is committed to fairly administering college athletics and protecting the best interest of more than 361,000 student-athletes at 1,024 active member institutions (NCAA Transfer 101, 2005). However, student-athletes' eligibility, pertaining to the NCAA transfer rules, may be one of the most controversial issues argued within intercollegiate athletics.

During the 2007 NCAA Convention State of the Association, NCAA President Myles Brand stated, “in Division I alone, more than 30,000 student-athletes in good academic standing transfer each year” (NCAA, 2007). The majority of transfer student-athletes base their transfer decision on a multitude of reasons, ranging from limited playing time to seeking different academic goals. To ensure a level playing field, the NCAA has implemented transfer rules, which regulate the parameters student-athletes may transfer under to maintain immediate eligibility within their sport. It is a general consensus that most student-athletes have a high admiration for competing within their sport. Any limitation restricting such competition directly impacts many student-athletes. Consequently, several transfer student-athletes have fought for their athletic eligibility through court cases and appeals, only to find most verdicts leading back to the verbiage of the NCAA transfer rule itself. As a result, numerous transfer student-athletes rely on the NCAA transfer rule to dictate their immediate future within intercollegiate athletics. Understanding the high volume of transfer student-athletes in Division I athletics, it is imperative that the NCAA transfer rule provide guidelines and high standards that simultaneously create academic and athletic success (NCAA, 2007).

Purpose of the Study

The purpose of this study was to examine student-athletes and non-athletes’ academic performance within the criterion of being a transfer or non-transfer student at a Division I-A institution. Academic success for the purpose of this study was determined by evaluating existing Grade Point Average (GPA).

Research Questions

1. Is there a difference between non-transfer non-student-athletes and non-transfer student-athletes' academic success?
2. Is there a difference between transfer non-student-athletes and transfer student-athletes' academic success?
3. Is there a difference between non-transfer non-student-athletes and transfer non-student-athletes' academic success?
4. Is there a difference between non-transfer student-athletes and transfer student-athletes' academic success?

Hypothesis

1. The mean GPA for non-transfer non-student-athletes will equal or be the same as non-transfer student-athletes.
2. The mean GPA for transfer non-student-athletes will equal or be the same as transfer student-athletes.
3. The mean GPA for non-transfer non-student-athletes will equal or be the same as transfer non-student-athletes.
4. The mean GPA for non-transfer student-athletes will equal or be the same as transfer student-athletes.

Delimitations

1. List of final GPA for non-transfer students entering the University of North Carolina between the years of 1996, 1997, 1998, 1999, and 2000. (Random sample of 1,000).
2. List of final GPA for transfer students entering the University of North Carolina between the years of 1996, 1997, 1998, 1999, and 2000. (Random sample of 1,000).
3. List of final GPA for non-transfer student-athletes entering the University of North Carolina between the years of 1996, 1997, 1998, 1999, and 2000.

4. List of final GPA for transfer student-athletes entering the University of North Carolina between the years of 1996, 1997, 1998, 1999, and 2000.

Limitations

Limitations involved within this study include the factors utilized to define academic success of students. Other indicators of academic success may have been utilized. Due to confidentiality restrictions, data was not separated by sport. Cross comparisons among different groups of sports, such as revenue sports versus non-revenue sports, could not be analyzed.

Definition of Terms

For purpose of this study the following operational definitions are provided for the following terms:

1. Academic Success – variable used to measure academic achievement through existing Grade Point Average (GPA) and graduation rate
2. Existing GPA – variable used to denote the final Grade Point Average given to a student upon graduation.
3. Non-athlete – those individuals who attend college and do not participate as an athlete on a varsity athletic team.
4. Student-athlete – those individuals who attend college and are recruited by a school to play a sport or report to practice at a school (NCAA Transfer 101, 2005).

Significance of the Study

The NCAA's transfer rule inherently impacts the Association's mission of maintaining intercollegiate athletics as an integral part of the educational program and the athlete as an integral part of the student body (NCAA Mission, Values and Goals, 2006).

This study examines the academic performance of transfer student-athletes and non-student-athletes comparative to non-transfer student-athletes and non-athletes at the University of North Carolina. Preceding studies have evaluated academic performance without putting a major emphasis on transfer students. The significance of the study is to provide practical data to the NCAA, to analyze if the NCAA transfer rule is efficient in regards to academic success and maintaining its mission. According to NCAA President Myles Brand, it is the sincere goal of the NCAA to modify behavior so student-athletes succeed academically (NCAA, 2007). In addition, the NCAA aims to issues sanctions only when necessary through using good judgment and fairness (NCAA, 2007). Data from this study will hopefully provide a foundation to lead into additional research examining if the NCAA transfer rule is too restrictive or lenient.

CHAPTER II

REVIEW OF LITERATURE

Purpose

Thomas McHale v. Cornell University and NCAA (1985) provides three main objectives for which the NCAA established a transfer rule in intercollegiate athletics. These suggested reasons include: (1) to prevent transferring solely due to athletic reasons, (2) to avoid exploitation of student-athletes, and (3) to allow transfer students time to adjust to their new environment. Each of these objectives is theoretically sought out through the enforcement within all three of the NCAA Divisions (I, II, and III).

Legislation

It has been well recognized that athletes are the key to success within collegiate athletics. Through the recruitment of skillful athletes, coaches are able to triumph. In addition to the NCAA's goal of promoting sportsmanship and academic achievement, the organization also presents an undisclosed objective of dispersing skillful student-athletes through its rules and regulations amongst member institutions. Through this tactic, competitive balance is ensured within divisions among members. The NCAA's transfer rule is one of many rules that fulfill the NCAA's goal of balance (Fee and Yasser, 2005).

Division I, II, and III 2005-2006 NCAA Bylaws Manuals all include similar general rulings for the transfer rule. Section 14.5.1 in these manuals mandate that before a student is eligible to compete or receive travel expenses, one full academic year of

residency is required after transferring from a member institution to another collegiate institution. The aforementioned basic transfer regulation is enforced to all transferring student-athletes competing in Division I, II, and III, unless he or she receives an exception or waiver.

The transfer exception or waiver is arranged with different criteria across the three Divisions. In Divisions I and II, the “one-time transfer exception” waiver is offered in a similar manner. Within Division I (NCAA, 2005f) and II (NCAA, 2005ee), the one-time transfer exception provides a student-athlete transferring from one four-year institution to another with immediate eligibility under four conditions. First, the student can not be a participant in the sports of Division I basketball, football, and/or ice hockey. Second, the student is prohibited from receiving a previous transfer from any four-year institution, unless he or she was awarded a waiver. Third, the student would have been academically eligible had he or she remained at the institution from which the student transferred. Fourth, the previous institution must certify in writing that it has no objection to the student being granted an exception to the transfer residency requirement (NCAA, 2005f). In contrast, Division III’s one-time transfer exception focuses primarily on two factors. To receive instant eligibility, a student can not have previously practiced or competed in intercollegiate athletics at a non-Division III institution or participated in a Division III institution. In addition, a student must be academically and athletically eligible to compete at his or her previous institution. This criteria reveals the differences among Division I, II, and III when reviewing the requirements of the one-time transfer exception (NCAA, 2005aaa).

The transfer rule includes numerous general exceptions used throughout Divisions I and II. A few of the general exceptions involve discontinued academic (NCAA, 2005g and 2005dd) and sport programs (NCAA, 2005j and 2005aa), military service and church mission (NCAA, 2005i and 2005cc), and foreign student programs (NCAA, 2005h and 2005bb). Discontinued academic and sport programs takes into account students who transfer to other institutions as a result of the elimination of an academic major or particular sport at the previous institution. Military service and church mission require student-athletes to actively serve 18 months in Division I and 12 months in Division II before being exempt from the transfer rule. Through the foreign student program exception, this criteria allows foreign students, who are required to transfer due to academic programs predetermined by the government, exempt from the transfer rule. Although the NCAA has granted many exceptions to the transfer rule, some student-athletes still find the rule to be unjust and challenge the transfer rule's merit and legality in court.

Constituents Affected by Rule

In general, the athletic constituents that are directly affected by the NCAA transfer rule are student-athletes and coaches. Essentially, each constituent has developed their opinion on how the NCAA's legislation, in regards to the transfer rule, has impacted intercollegiate athletics.

Student-athletes

The NCAA recognizes student-athletes as the center piece of intercollegiate athletics. Without student-athletes there would be no opportunity for the vast athletic competitions between institutions held today. In most cases, earning the distinguishable

title of a “student-athlete” is a prestigious honor that challenges students to balance both academics and athletics. In Bruce Bennett’s *“Scholars or Slaves”*, he acknowledges that there is no way that a scholarship football or basketball player can fit into the mainstream of college life. Student-athletes have little time for routine studies and athletics, resulting in most athletes sacrificing other recreational and/or cultural activities (Bennett, 1986)

According to the NCAA “a student-athlete is a student whose enrollment was solicited by a member of the athletics staff or other representative of the athletics interest with a view toward the student’s ultimate participation in the intercollegiate athletics program. Any other student becomes a student-athlete only when the student reports for an intercollegiate squad that is under the jurisdiction of the athletics department. A student is not deemed a student-athlete solely on the basis of prior high school athletic participation” (NCAA, 2005c).

Once a student receives the status of a student-athlete it is his or her choice of how he or she wishes to utilize it. The NCAA encourages a standard policy of athletics programs of member institutions to be a vital part of the educational system. The basic purpose of the NCAA is to maintain intercollegiate athletics as an integral part of the educational program and the athlete as an integral part of the student body while retaining a clear line of demarcation between intercollegiate athletics and professional sports (NCAA, 2005a). Participation in a big-time intercollegiate athletic program, for some student-athletes, may represent both fulfillment of childhood desires and an opportunity to prepare for a professional career (Springer, 1978). Limited opportunities to fulfill these desires may result in a student-athlete’s wish to transfer to another institution where his or her aspirations may be accomplished.

In general, a student-athlete has five years to complete four seasons of competition within a sport. Deemed as the “Five-Year Rule”, a student-athlete must complete his or her seasons of participation within five calendar years from the beginning of the semester or quarter in which the student-athlete first registered for a minimum full-time program of studies in a collegiate institution (NCAA, 2005d). Time spent in the armed services, on official church missions, or with recognized foreign aid services of the U.S. government are a few exceptions regarding the five-year rule (NCAA, 2005e). As student-athletes determine if they are going to transfer, it may be important to consider if they will receive the one-time transfer exception due to the five-year rule and it’s time constraints placed on student-athletes eligibility to compete. If a transferring student-athlete is not granted the one-time transfer exception, allowing immediate eligibility to compete, he or she loses one of his or her four seasons of competition. The transfer rule is enforced in its most restrictive form in regards to student-athletes competing in revenue sports (football, basketball, and ice hockey), where the one-time transfer exception is not provided (Konsky, 2003).

Transfer Influences

During the past few years, media publications have shown student-athlete transfers to be influenced by a variety of reasons. These reasons include: (1) the firing of a head coach, (2) limited exposure, (3) academic and legal troubles, (4) NCAA sanctions, and (5) lack of opportunities to play. The following paragraphs provide brief examples of each influence:

Head Coach Resign

In 2006, Virginia Polytechnic Institute and State University had five wrestlers who wished to transfer to University of Iowa to follow their former Olympic champion coach Tom Brands. All five wrestlers stated Brand as being the sole reason for them committing to Virginia Tech. Brand allegedly promised certain athletes transfer release forms if he left, but Virginia Tech's athletic department considered Brand's actions outside the scope of his job description. Virginia Tech offered to release the wrestlers if they agreed to transfer somewhere other than Iowa (Reedy, 2006).

Limited Exposure

Kojo Mensah, a student-athlete who played basketball for Siena College, was prepared to transfer after his freshman year when his head coach was fired. However, new coach Fran McCaffery persuaded him to stay. After Mensah's sophomore season, he realized that he was tired of playing in the Metro Atlantic Athletic Conference with little television exposure. Mensah wanted to transfer and set himself on a clear path to the National Basketball Association (NBA) draft. Siena's Athletic Director John D'Argenio decided not to release Mensah from his commitment to Siena. In addition, the athletic department issued Mensah a letter that his athletic scholarship was not being rewarded for the 2006-2007 academic year. If Mensah decided to transfer to another Division I team, he would probably have to pay his own way during his first year, which he could not afford. D'Argenio did not want Siena to be portrayed as a steppingstone program, and was also concerned about the basketball program losing scholarships due to poor graduation rates that may be effected by transferring student-athletes. Siena later

offered to grant Mensah permission to be recruited on a team by team basis (Weinreb, 2006).

Academic and Legal Troubles

On July 25, 2006, Texas University's running back Ramonce Taylor announced that he was transferring. Taylor's decision to transfer stemmed from academic problems and legal troubles. He missed the Longhorns 2006 spring practices due to academic issues and in May was arrested on a marijuana possession charge, which is still pending. Taylor, who scored 15 touchdowns during the Longhorns 2006 National Championship season, was very appreciative of his teammates and Head Coach Mack Brown. Taylor announced, "I want to thank my teammates who supported me through any struggles. I also need to thank Coach Brown for always being honest and never changing. He always treated me as a person first and not just a football player. I will always respect him for that" (ESPN, 2006b).

NCAA Sanctions

In 2003, Baylor University requested that the NCAA waive its rule that transfers must sit out one academic year before playing for their new school. The NCAA granted the waiver as Baylor and the NCAA continued investigations concerning rules violations by the Baylor basketball program. At the time, former coach Dave Bliss had resigned, and the school had imposed a two-year probation with no post-season play. The NCAA waiver covered 10 scholarship players, but not all had asked for a release (Phillips, 2003).

Lack of Playing Time

Josh Akognon, Washington State University guard and previous Cougar's top scorer, wished to transfer due to his lack of playing time. Akognon was a sophomore who

averaged 10.3 points per game but saw his playing time shrink, because he was uncomfortable with previous coach Dick Bennett's rigid man-to-man defense (The New York Times, 2006). Similar to Akognon, Barrington Edwards, freshman running back for Louisiana State University's 2003 National Championship team, announced he was seeking to transfer due to lack of opportunities he was receiving at Louisiana State University (LSU). During his one season at LSU, Edwards played in 12 of the team's 14 contests. He registered 41 carries for 169 yards with one reception. Edwards said his decision to leave LSU came down to having more of a chance to showcase his skill (Hampton, 2005).

At the University of Northern Colorado, a motive of increasing his playing time was enough for backup punter Mitch Cozad to be arrested on suspicion of stabbing starting punter Rafael Mendoza in his kicking leg. Lieutenant Gary Kessler of the Evans Police Department stated, "I guess the only identified purpose at this point in time is the competition for the position" (ESPN, 2006a).

Coaches

Similar to student-athletes, the NCAA transfer rule has had an effect on coaches, which can be beneficial or detrimental to their respective athletic programs. Coaches fulfill a very important role as leaders of their athletic programs. It is the responsibility of an institution's head coach to promote an atmosphere for compliance within their athletic program and monitor the activities regarding compliance of all assistant coaches and other administrators involved with the team (NCAA, 2005b). Although these responsibilities appear to be unambiguous, many coaches interpret their duties as a head coach and roles of a student in a variety of ways. Frank Kush, the previous Arizona State

University head football coach, believed his duties were to win football games, put people in the stadium, and make money for the university (Bennett, 1986).

In general, most coaches feel pressure to fulfill duties of recruiting better athletes and to constantly win, in order to generate the most income possible and avoid being fired (Springer, 1978). Tyrone Willingham, the previous Notre Dame head football coach, was fired three years into his five year contract, due to the lack of him accomplishing a single criterion of winning (ESPN, 2004). According to Notre Dame's athletic director, Kevin White, Notre Dame's football team was not making the progress on the field that was needed to return the prestigious football program to the elite level of the college football world (ESPN, 2004). However, White praised Willingham's leadership off the field, especially the Irish's strong academic record (ESPN, 2004). "From Sunday through Friday our football program has exceeded all expectations, in everyway, but on Saturday we struggle", White acknowledged (ESPN, 2004). Due to the enhanced amount of pressure that head coaches receive to be successful, winning has taken precedence as a very important duty of all coaches.

To succeed within athletics and accomplish the feat of winning consistently, various coaches have developed different strategies to aid them in this challenge. Junior colleges have been used to prepare academically ineligible student-athletes for college (Bennett, 1986). After completion of junior college, these athletes are immediately eligible to transfer and compete at a four-year institution (Bennett, 1986). The NCAA's graduation-rate report during 1995, showed that junior-college transfers were far less likely than other Division I athletes to earn degrees within six years (Witham, 1995). In the freshman class of 1987-1988, only 42% of the football players and 39% of the men's

basketball players who had transferred from junior colleges had graduated within six years, compared with 57% of all athletes and 51% of all transfer athletes (Witham, 1995). In addition, coaches admit highly-skillful athletes with marginal academic motivation or abilities, permitting them to drift through the academic curriculum, and cast them aside once their athletic eligibility is finished (Bennett, 1986). Legendary Head Coach Bear Bryant declared his athletes as being athletes first and students second (Bennett, 1986). It was also recorded in a published diary of an assistant coach at Oklahoma State University as a necessity to guide their incoming freshman to their first and only class, making sure that they attended (Bennett, 1986). As a result of attending class, it made their enrollment at Oklahoma State University official, limiting their options to transfer to another institution and play immediately (Bennett, 1986).

In other cases, strategies have been used by coaches to eliminate athletes who never reached their athletic potential set by coaches. Bylaw 15, found in the NCAA Division I Manual, outlines the NCAA rules and regulations in regards to providing financial aid. According to Bylaw 15.02.4, financial aid is funding provided to student-athletes for various reasons, including paying or assisting with their cost of education at the institution (NCAA, 2005l). Coaches reward skillful student-athletes by providing financial aid to attend an institution, in return for their talent to assist with the team's success. Student-athletes who are in receipt of athletically-related institutional financial aid, which is countable against the aid limitation in a sport, are deemed as "counters" (NCAA, 2005k). Specifically, Bylaw 15.5.3 establishes each sport within the NCAA with a limit on the value of equivalency of financial aid that is awarded by an institution per academic year to counters (NCAA, 2005m). Bruce Bennett's "*Scholar or Slaves*",

addresses situations where athletic programs pressure marginal student-athletes to voluntarily relinquish their athletic grant-in-aid, to make available scholarships and money for incoming recruits. Known as “running off,” this distasteful process is used in order to stay competitive (Bennett, 1986).

Depending on whether a coach is receiving a transfer student-athlete or losing a student-athlete due to transferring, driven by success, his or her option varies on the concepts of the transfer rule. Eddie Sutton, former head basketball coach of Oklahoma State University, was very proud of the transfer system he used to build a successful basketball program. Sutton had nearly 17 transfers on his basketball roster within a 14-year span, which included skillful players such as Brooks Thompson, Doug Gottlieb, and Victor Williams. During the 2003-2004 season, Sutton and the Cowboys won their first Big 12 Championship and Tournament, reached 30 victories, and went to the NCAA Final Four with 60% of their starting lineup originating from other Division I schools. Sutton explained, “We do not have the luxury of being able to compete at the highest national level with solely high school prospects, so we have an open door” (Kerkhoff, 2004).

Although, some coaches may approve of utilizing transfer student-athletes, other coaches despise opposing coaches who try to recruit their current student-athletes. Complaints to the NCAA of other coaches and representatives trying to lure athletes away from their present institution are common (Strout, 2005). Myles Brand, NCAA’s president, titles such actions “athletic looting,” and guarantees that it will not be tolerated (Strout, 2005).

Presently, the NCAA has been analyzing the effect of new legislations that would allow players, who have graduated with remaining eligibility, to transfer to any school at any level and play immediately as long as they enroll within a graduate program. Steve Spurrier, South Carolina's head football coach, said, "if a player is not getting to play and has already graduated and wants to play somewhere else, that's fine" (Macon Telegraph, 2006, 1). In contrast, Tommy Tuberville, Auburn's head football coach, viewed the new legislation allowing graduate student-athletes the mobility to move around like free agencies as being a pretty scary thought (Kendall, 2006).

Litigation

The majority of student-athletes that litigate the transfer rule in court file a complaint for an injunction denying their rights under the Fourteenth and Fifteenth Amendments, which include due process and equal protection laws. As Constitutional claims failed, athletes more recently make claims using antitrust laws. In order to grant the plaintiff (student-athlete) with an injunction, the court must weigh and consider whether the following exist: (1) the plaintiff will suffer irreparable harm if relief is not granted, (2) the defendant will be harmed if relief is granted, (3) the public generally will be harmed if relief is granted, and (4) if the plaintiff is likely to prevail on the merits of his or her claim (Cotton and Wolohan, 2003). To succeed with claims that the transfer rule denies rights within the Fourteenth and Fifteenth Amendment (i.e. due process, antitrust laws, and equal protection), the plaintiff has the burden of proving that the conduct of the NCAA is within state action.

State Action

State action encompasses any person or organization associated with governmental agencies and forces each entity to stand by the principles of the Constitution (Lowell, 1979). When a person or organization receives governmental assistance, encouragement, and enforcement, state action is present. All public institutions fall within the scope of state action, but private institutions that do not comply with one or more of the aforementioned requirements are not state actors. Despite the numerous NCAA sporting events held inside state-owned facilities, the NCAA is comprised of both public and private institutions, so early litigation hinged on whether the NCAA as an organization is or is not a state actor (Philpot and Mackall, 1972).

Many student-athletes' eligibility has rested on the ability to prove the NCAA as being a state actor. *Thomas McHale v. The National Collegiate Athletic Association and Cornell University* (1985) illustrates an example of how important it is for a plaintiff to establish state action in order to be granted due process. The plaintiff (McHale) attended the University of Maryland during the 1982 –1983 and 1983 – 1984 academic years and participated in two years of college Division I football. He withdrew from the University of Maryland during the summer of 1984 and transferred to Cornell University in January 1985 to continue his studies with good academic standing. Due to the Ivy Leagues' policy of not awarding athletic scholarships, McHale was not recruited nor offered a scholarship by Cornell University. As a result, McHale argued that he should be granted an exemption from the NCAA transfer rule and allowed to participate in football, due to the fact that he was not recruited and transferred solely for academic reasons. Debating that he did not challenge the NCAA transfer rule's three main purposes (i.e. transferring

solely for athletic purposes, preventing exploitation of student-athletes, and allowing transfer students time to adjust), McHale believed that enforcing the transfer rule would deny him of due process and his property right to remain eligible to compete. However, McHale was forced to comply with the NCAA's transfer rule, because the court did not find the private corporation of Cornell University to be a state actor. If the NCAA was established as a state actor, then student-athletes would have the opportunity to continue their argument that the transfer rule denies them of the Fourteenth and Fifteenth Amendment, including due process and equal protection.

Due Process

Due process is addressed within the Fourteenth and Fifteenth Amendments of the United States Constitution. It states that no person shall be deprived of "life, liberty, and property without due process of law." Prior to continuing with a due process claim, the plaintiff (student-athlete) must demonstrate: (1) state action is present and (2) deprivation must prevent life, liberty, or property interest (Lowell, 1979). In seeking to achieve the second factor of due process, student-athletes generally argue that the enforcement of the transfer rule infringes on their property right. The debate of whether intercollegiate athletics is a right or a privilege has been continuously disputed by administrators and student-athletes. Student-athletes argue that the transfer rule limits their rights to participate in intercollegiate athletics during their first year at the newly enrolled institution.

Hays Williams v. George Hamilton and the National Association of Intercollegiate Athletics (1980) provides an example of a transfer rule court case that challenges due process. The plaintiff (Williams) attended Guilford College, in

Greensboro, North Carolina, under a \$500 per year soccer scholarship. Unexpectedly, Williams was sidelined by lower back pain, but still chose to attend practices and travel with Guilford's soccer team. Under the circumstances, Williams decided to transfer in 1980 to an institution closer to his New Jersey home. Ironically, after medication and rehabilitation, Williams' back pain was relieved. With not being a year removed from Guilford College, Williams contested the NCAA for his property right to continue to compete without any loss of eligibility. The challenge was placed on the court to decide if Williams had a right or privilege to participate within intercollegiate athletics. As a result, the court rejected Williams' complaint stating that his opportunity to participate in soccer at the intercollegiate level was a privilege.

Current trends reveal that courts are not identifying the NCAA as a state actor. As a result, there is an increased challenge for all student-athletes seeking constitutional protection. Previous cases that deem the NCAA as a state actor, such as *University of Minnesota v. NCAA* (1976), are not currently acknowledged by courts. Instead, the majority of present day courts use precedent cases, such as *NCAA v. Tarkanian* (1988), which consider the NCAA not to be within state action. Within the 1988 Supreme Court case, *NCAA v. Tarkanian*, the NCAA Committee on Infractions discovered that the University of Nevada Las Vegas (UNLV) and head basketball coach Jerry Tarkanian had committed several NCAA rule violations (Cotten and Wolohan, 2003). In order to avoid extensive penalties, UNLV had to sacrifice Coach Tarkanian and his successful basketball expertise (Cotten and Wolohan, 2003). The court found that the NCAA's pressure on UNLV to suspend Coach Tarkanian did not constitute state action according to the following factors: (1) the NCAA and UNLV were not joint members when the

NCAA represented the interest of its membership through investigations, (2) Power was never given to the NCAA to directly discipline university employees, (3) UNLV voluntarily complied to abide to all NCAA rules, and (4) no governmental power were delegated to the NCAA for the purpose of the investigation by the university (Cotten and Wolohan, 2003). The NCAA continues to stand by its stance of being a voluntary organization, in which members have agreed and been provided the opportunity to discontinue membership if they do not abide by the NCAA's established rules.

Sherman Antitrust Act

Along with challenging the transfer rules infringement of due process, many student-athletes deem the rule to be in violation of the Sherman Antitrust Act by imposing an unreasonable restraint of trade. The Sherman Antitrust Act was implemented by Congress in 1890 to inhibit monopolies and business trust. The act is composed of two sections. Section 1 of the Sherman Antitrust Act states that "every contract, combination in the form of trust or otherwise, or conspiracy, in restraint of trade or commerce among the several States, or with foreign nations, is hereby declared to be illegal" (15 U.S.C. § 1). Section 2 of the Sherman Antitrust Act states that "every person who shall monopolize, attempt to monopolize, or combine or conspire with any other person or persons, to monopolize any part of the trade or commerce among the several States, or foreign nations, shall be deemed guilty of a felony" (15 U.S.C § 2). The majority of cases pertaining to the NCAA's transfer rule are argued to be in violation of Section 1 of the Sherman Antitrust Act. If interpreted and implemented as stated, Section 1 would apply to practically every contract. All contracts bind parties to inflict some sort of restraint of trade. Therefore, courts have enacted limitations to the restriction of

Section 1 to only apply to unreasonable restraints of trade (Konsky, 2003). Three tests have been developed by courts to determine if the defendant is performing unreasonable restraints of trade. These tests include the per se rule, rule of reason, and quick look rule of reason. The majority of the cases involved in the transfer rule fall under the rule of reason test (Wolohan, 2003).

Within the rule of reason test, courts analyze the challenged restraint of trades by examining the markets and parties affected in relation to the effect on competition in the product market (Konsky, 2003). Justification of the rule of reason under Section 1 can be established by a plaintiff's ability to show significant anticompetitive effects of the restraint and that the same procompetitive effects, contested by the defendant, can be achieved through less restrictive means (Konsky, 2003). The principle of the rule of reason test is to examine the purpose and effects of the restraints on competition.

Farley Weis v. The Eastern College Athletic Conference and The National Collegiate Athletic Association (1983) is one of the few cases that challenges the NCAA transfer rule in relation to the Sherman Antitrust Act. The plaintiff (Weis) attended Arizona State University (ASU) and competed in varsity tennis during the 1981 – 1982 academic years. Prior to the 1982 – 1983 academic year, Weis transferred to the University of Pennsylvania. Considering that Weis was neither recruited by the University of Pennsylvania nor provided with an athletic scholarship, he believed that the NCAA transfer rule's purpose of protecting student-athletes from exploitation or coaches' aggressive recruitment of other institutions' student-athletes was not applied correctly within the objectives of the rule. Instead of examining Weis's issue of the transfer rule not being in compliance with the Sherman Antitrust Act, the court denied

Weis's injunction due to his failure to establish irreparable harm. Precedence continues to show with cases involving the transfer rule that courts appear to avoid to look at antitrust issues (Konsky, 2003). Instead, courts use other alternatives to deliver holdings on transfer issues.

Preceding Study

In 2000, John Robost and Jack Keil, produced a study examining the relationship between athletic participation and academic performance. The study focused on comparing academic performance of student-athletes and non-athletes within Binghamton University, a NCAA Division III institution. Excluding the inherent difference between NCAA Division I and Division III institutions, the study provides a brief overview of academic success, with the primary focus including the Division III mission, between transfer student-athletes and non-athletes. Within the study multiple variables (as seen in Table 1) including grade point average (GPA), course load ease (students with higher-ease scores have relatively easier course loads than students with lower ease scores), academic level, ethnicity, academic preparedness, students involved in the Educational Opportunity Program (provides low income students with financial assistance, tutoring and counseling), and the graduating school were used within a t-test to analyze students. In addition, Keil and Robost analyze the academic performance between transfer and non-transfer student-athletes within Binghamton's eighteen athletic team program (as seen in Table 2). The following tables provide the statistical data that was collected. Although Robost and Keil compared the differences in the aforementioned variables, the structure of Division III athletics prohibited their analysis

regarding the methodology of awarding athletic scholarships and the NCAA Division I mission (Keil and Robost, 2000).

Table 1

Binghamton University's variable means t-test study

Variables	Non Transfer		Transfer	
	Athlete	Non-Athlete	Athlete	Non-Athlete
GPA	3.04	3.12	2.96	3.00
Ease	3.04	3.09	3.06	3.13
Females	0.45	0.58	0.34	0.50
Educational Opportunity Program	0.03	0.07	0.04	0.07
Ethnicity				
White	0.81	0.68	0.35	0.40
Black	0.04	0.06	0.02	0.02
Hispanic	0.04	0.06	0.02	0.02
Asian	0.05	0.13	0.01	0.04
Unknown	0.05	0.06	0.58	0.50
Academic Level				
Freshman	0.36	0.27	0.21	0.16
Sophomore	0.28	0.25	0.32	0.19
Junior	0.19	0.23	0.27	0.31
Senior	0.17	0.24	0.20	0.34
Schools				
Arts and Sciences	0.84	0.85	0.67	0.51
Education and Human Development	0.00	0.003	0.20	0.16
Engineering	0.01	0.02	0.06	0.14
Management	0.14	0.11	0.20	0.14
Nursing	0.01	0.02	0.04	0.05
Academic Preparedness				
SAT Verbal	508	527	-	-
Sat Math	606	601	-	-
High School Rank	86.3	89.6	-	-
Transfer GPA			3.07	3.17
Number Observed	1,782	30,818	599	23,715

Robost and Keil concluded at the end of the study that “athletic participation does not impair student’s academic performance.” Furthermore, it was found within Binghamton University non-transfer student-athletes have higher GPA’s than non-athletes. However, transfer student-athletes share similar grades to non-athletes, and athletes’ graduation rates are higher in comparison to non-athletes overall. In regards to athletic participation, Robost and Keil found transfer students within men’s golf, swimming, wrestling, softball, and women’s tennis to have higher GPA’s comparative to non-transfer student-athletes within the same sport. Keil and Robost’s study provides a framework that analyzes academic performance in regards to athletic participation within a Division III institution (Keil and Robost, 2000).

Table 2

Binghamton University's study on number of athletes and GPA by sport

Cohort	Non-Transfer		Transfer	
	Athletes	GPA	Athletes	GPA
Non-Athletes	30,818	3.12	23,715	3.00
Men's Sports				
Baseball	144	2.97	53	2.94
Basketball	125	2.89	46	2.80
Golf	36	2.70	29	2.75
Hockey	55	3.02	24	3.02
Soccer	168	2.92	56	2.87
Swimming	120	3.01	43	3.14
Tennis	83	3.25	22	2.80
Track	234	3.06	70	2.85
Wrestling	72	2.79	66	2.88
Women's Sports				
Basketball	66	3.11	27	3.04
Soccer	157	3.13	33	3.00
Softball	89	2.98	19	3.26
Swimming	136	3.13	23	3.22
Tennis	55	3.15	19	3.18
Track	200	3.14	60	3.06
Volleyball	59	3.30	15	3.23
Kickline	24	3.29	-	-
Cheerleading	18	3.07	-	-

This study will utilize Keil and Robost's study as a guide, while increasing the focus on student's transfer and athletic status, within a Division I institution, in relation to his or her academic success. Research shows that the transfer rule not only impacts student-athletes but also coaches through a variety of influences. In addition, the NCAA transfer rule has had different effects within Division I, II, and III intercollegiate athletics.

CHAPTER III

METHODOLOGY

Purpose

The purpose of this study was to examine student-athletes' and non-athletes' academic performance within the criterion of being a transfer or non-transfer student at a Division I-A institution.

Participants

Subjects of this study included former students at the University of North Carolina at Chapel Hill from the entering classes of 1996, 1997, 1998, 1999, and 2000. These students were selected due to being the five most recent classes at the university that have been afforded five years to graduate.

Procedure

The data for this study was collected through assistance from the University of North Carolina's Institutional Research Department. Appendix A was submitted to the university's Institutional Research Department to use as a guide for retrieving information. The Institutional Research Department provided data on subjects' GPA and graduation rates. Additional information regarding the names of transfer student-athletes' and non-transfer student-athletes who entered the University of North Carolina during 1996, 1997, 1998, 1999, and 2000 and participated in intercollegiate athletics was retrieved through the University of North Carolina's Compliance Department. To insure

extreme confidentiality of these individuals, no identification will be provided throughout the study. The names were given to the University of North Carolina's Institutional Research Department strictly to aid in data collection.

Data Analysis

The data retrieved from the University of North Carolina's Institutional Research Department was analyzed by using a full set of descriptive statistics and exploratory data design for each group. A one sample t-test was used to compare GPA means for non-transfer non-student-athletes to non-transfer student-athletes and transfer non-student-athletes to transfer non-student-athletes. An independent sample t-test was used to compare GPA means for non-transfer student-athletes to transfer student-athletes. Population means were utilized when comparing GPA means for non-transfer student-athletes to transfer student-athletes. Therefore, no statistical analysis was necessary.

CHAPTER IV

RESULTS

Descriptive Statistics

Data were collected on a total of 2,740 students, through submission from the University of North Carolina's Institutional Research Department. Table 3 displays the n-value, mean, and standard deviation for each of the four groups (i.e. transfer student-athletes, transfer non-student-athletes, non-transfer student-athletes, and non-transfer non-student athletes). Data provided on transfer student-athletes have a smaller population n-value of 62 participants, compared to a larger population n-value of 678 provided for non-transfer student-athletes. Participants within the groups of transfer non-student-athletes and non-transfer non-student-athletes had the largest n-value with a random sample of 1,000 participants.

All participants' grade point averages (GPAs) were measured on a scale from a low of 0.00 to a high of 4.00. Non-transfer non-student-athletes recorded the highest mean GPA of 3.00. The lowest mean GPA was recorded by non-transfer student-athletes at 2.64. Three groups, including transfer non-student-athletes, non-transfer student-athletes, and non-transfer non-student-athletes, registered a minimum GPA of 0.00, while transfer student-athletes registered a minimum GPA of 1.63. Transfer non-student-athletes and non-transfer non-student-athletes calculated the highest maximum GPA of 4.00. Transfer student-athletes and non-transfer student-athletes calculated lower maximum GPAs of 3.64 and 3.97.

Table 3

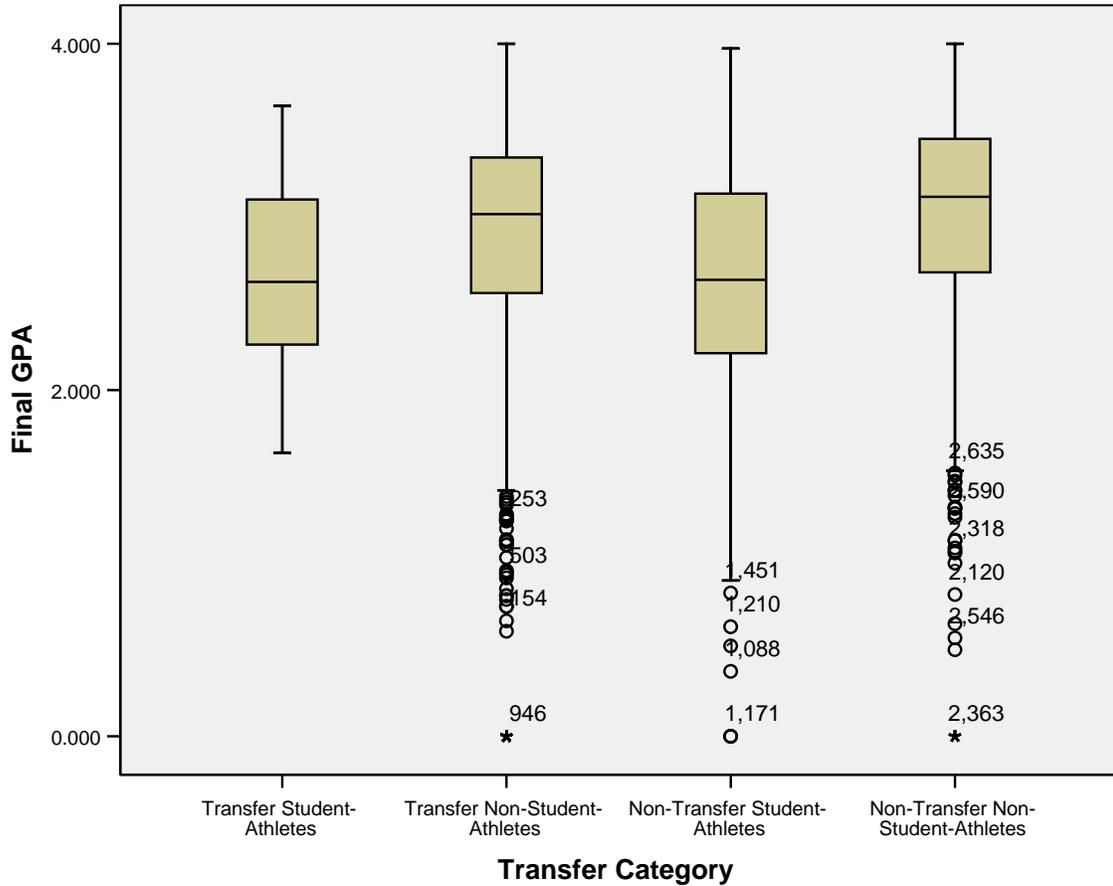
Descriptive Statistics

Transfer Category	N-value	Minimum	Maximum	Mean	Std. Deviation
Transfer Student-Athlete	62	1.64	3.64	2.67	0.54
Transfer Non-Student-Athlete	1000	0.00	4.00	2.84	0.79
Non-Transfer Student-Athlete	678	0.00	3.97	2.64	0.65
Non-Transfer Non-Student-Athlete	1000	0.00	4.00	3.00	0.64

A visual comparison is provided through a box and whiskers plot graph in Figure 1. The interquartile range is used to measure the GPA values between the range of P₇₅ and P₂₅. All but one, transfer student-athletes, had interquartile ranges similar patterns. Non-transfer student-athletes displayed the largest interquartile range of 0.93. The smallest interquartile range of 0.77 was shown by non-transfer non-student-athletes. Both transfer non-student-athletes and non-transfer non-student-athletes had the most outliers, a range of 4.00. Transfer student-athletes had no variance, represented by the shortest whiskers and a range of 2.01. A high level of negative skew was shown by transfer non-student-athletes, non-transfer student-athletes, and non-transfer non-student-athletes. Each of the three groups' mean was lower than the each of the three groups' mode. Transfer student-athletes and non-transfer student-athletes shared very similar medians of 2.63 and 2.64, while the median for transfer non-student-athletes and non-transfer non-student-athletes was 3.02 and 3.12.

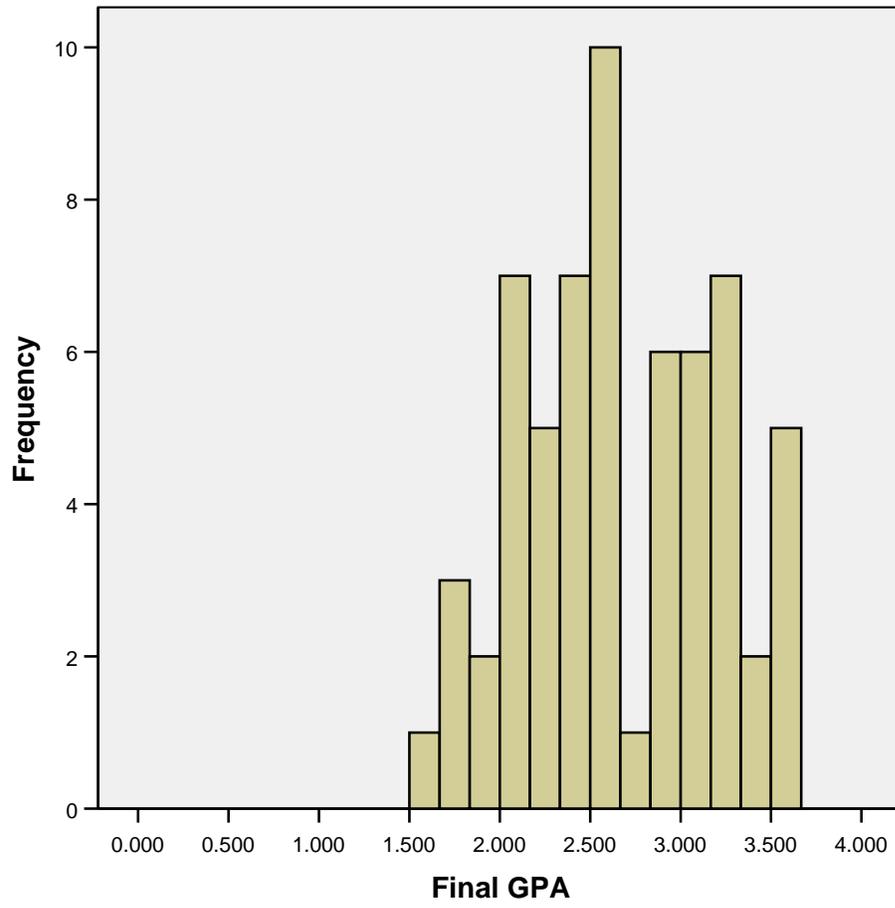
Figure 1

Box and Whisker Plot Graph



A histogram graph is used to provide additional visual representation and comparisons of the variance of each group. Figure 2 displays a histogram graph of transfer student-athletes with the lowest standard deviation of 0.54. Transfer non-student-athletes calculated the highest standard deviation of 0.79, shown in Figure 3. In Figures 4 and 5, non-transfer student-athletes recorded a standard deviation of 0.65 and non-transfer non-student-athletes recorded a standard deviation of 0.64.

Figure 2
Transfer Student-Athletes



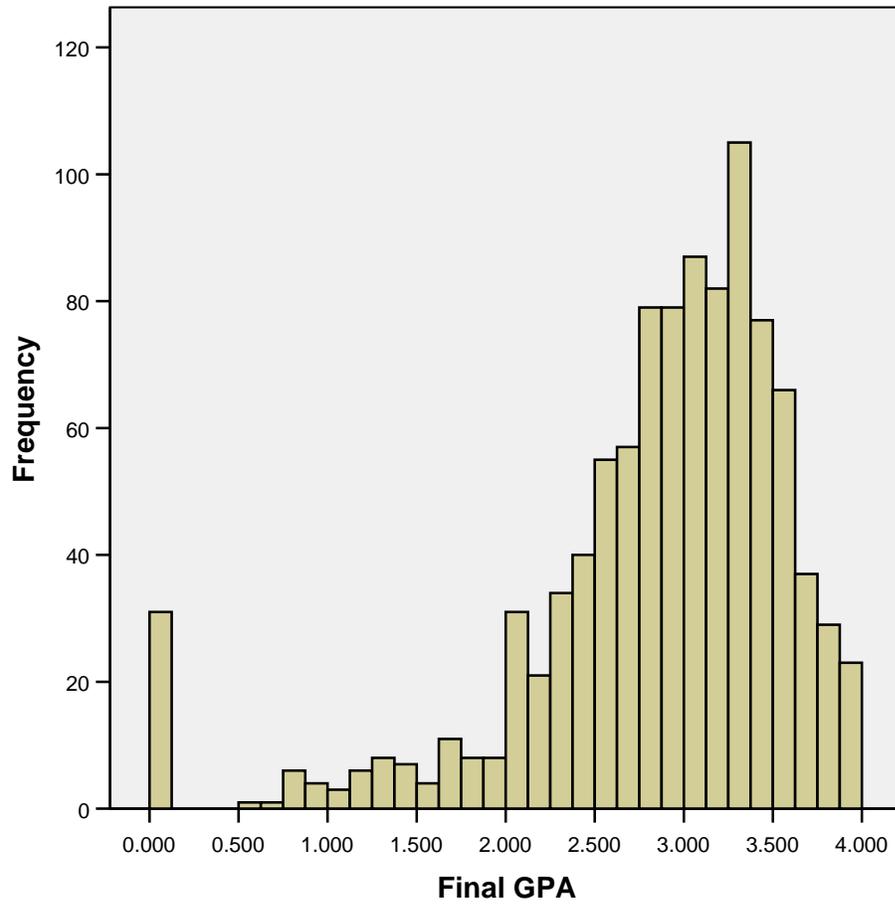
Mean: 2.66824

Standard Deviation: 0.537219

N: 62

Figure 3

Transfer Non-Student-Athletes



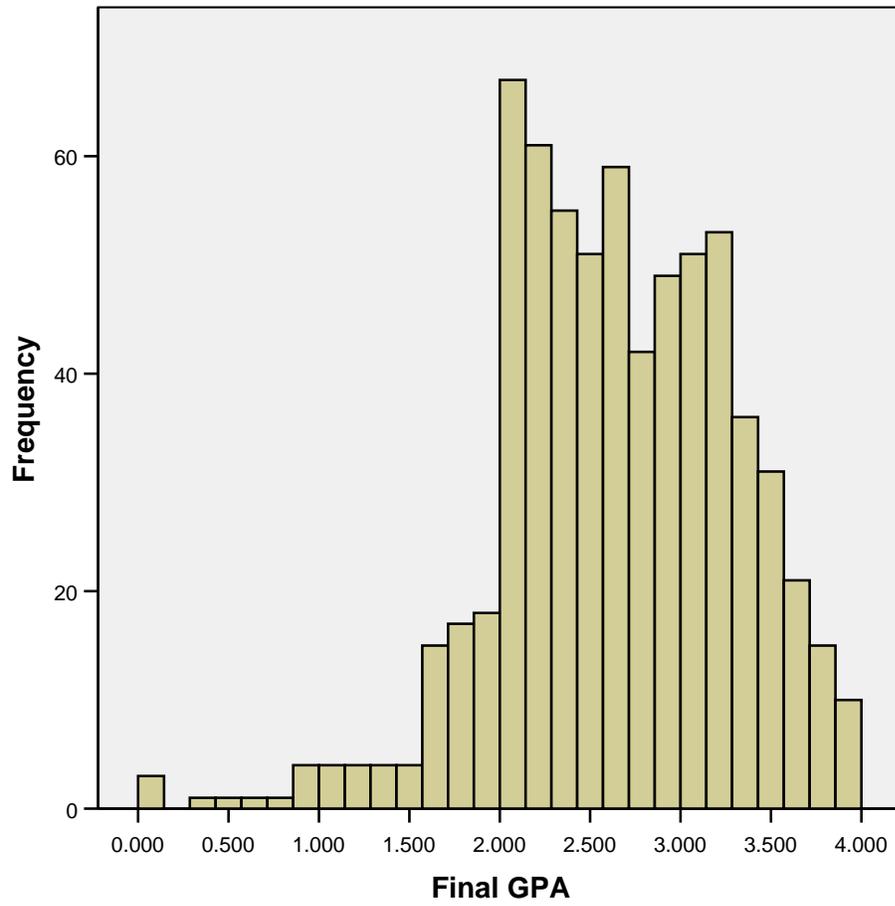
Mean: 2.84213

Standard Deviation: 0.790712

N: 1,000

Figure 4

Non-Transfer Student-Athletes



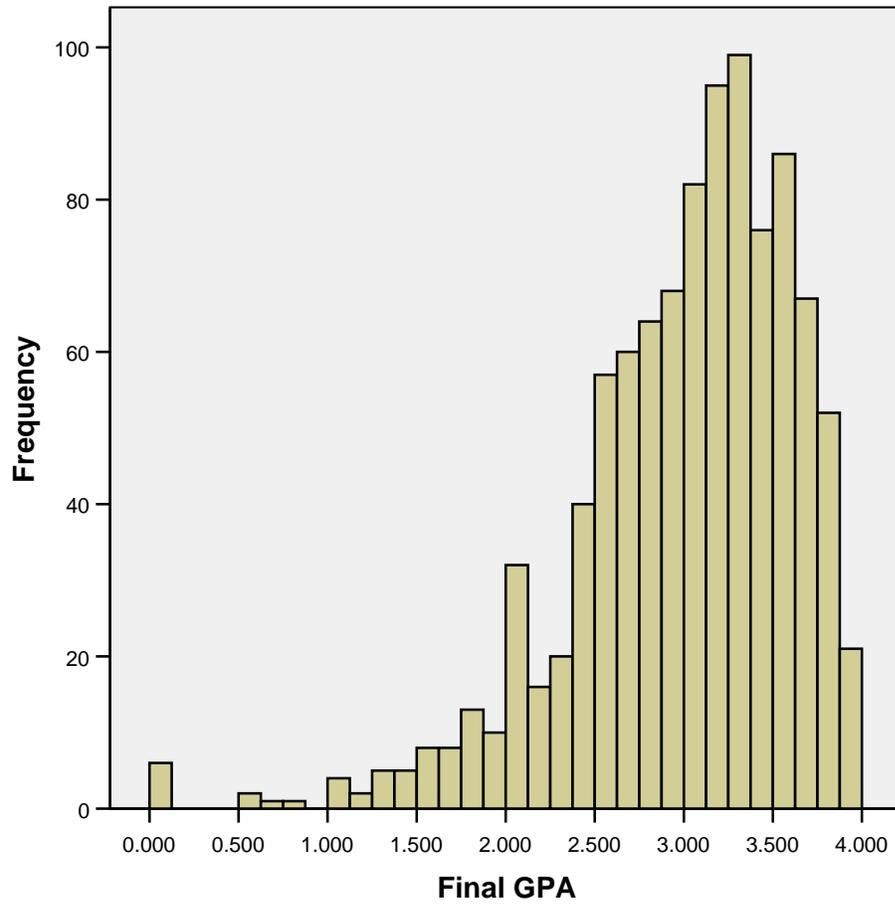
Mean: 2.64483

Standard Deviation: 0.647585

N: 678

Figure 5

Non-Transfer Non-Student-Athletes



Mean: 2.99953

Standard Deviation: 0.636381

N: 1,000

Hypothesis Testing

Table 4 displays the t-value, degrees of freedom, and p-value for each hypothesis testing. Generally, higher t-values have lower probabilities of occurring by chance, and generate lower p-values. In order for a significant difference to be shown among the GPAs of the groups tested, a p-value of less than or equal to 0.05 must be present. The one-sample t-test between non-transfer non-student-athletes (a sample) and non-transfer student-athletes (a population) produced a p-value of $p < .0005$, resulting in the rejection of the null hypothesis that the mean GPA for non-transfer non-student-athletes would be equal or the same as non-transfer student-athletes. The comparison made by transfer non-student-athletes (a sample) and transfer student-athletes (a population), within a one-sample t-test, produced a p-value of $p < .0005$, resulting in the rejection of the null hypothesis that the mean GPA for transfer non-student-athletes would be equal or the same as transfer student-athletes. The independent sample t-test between non-transfer non-student-athletes (a sample) and transfer non-student-athletes (a sample) produced a p-value of $p < .0005$, resulting in the rejection of the null hypothesis that the mean GPA for non-transfer non-student-athletes would be equal or the same as transfer non-student-athletes. Descriptive statistics between non-transfer student-athletes (a population) and transfer student-athletes (a population) reported a 0.03 difference of population means. As a result of the aforementioned comparisons, it was concluded that a statistical difference was found within each study.

Table 4

Difference between GPA means and Transfer Status

Group Comparisons	t-value	df	p-value
Non-Transfer Non-Student-Athletes v. Non-Transfer Student-Athletes	17.37	999	p < .0005
Transfer Non-Student-Athletes v. Transfer Student-Athletes	6.88	999	p < .0005
Non-Transfer Non-Student-Athletes v. Transfer Non-Student-Athletes	-4.90	1910.7	p < .0005

CHAPTER V

DISCUSSION

Summary

The purpose of this study was to examine student-athletes and non-student-athletes' academic performance within the criterion of being a transfer or non-transfer student at a Division I-A institution. Subjects for this study included former students at the University of North Carolina at Chapel Hill from the entering classes of 1996, 1997, 1998, 1999, and 2000. This study compared the academic success within four groups (1. non-transfer non-student-athletes v. non-transfer student-athletes; 2. transfer non-student-athletes v. transfer student-athletes; 3. non-transfer non-student-athletes v. transfer non-student-athletes; 4. non-transfer student-athletes v. transfer student-athletes) to determine if the mean GPA was equal or the same within each group.

Application

All four comparisons provided a significant finding. Numerically, a quality point difference of a GPA mean of 0.01 may not appear to be very significant in the sense of importance. However, after applying this numerical difference to the University of North Carolina at Chapel Hill's grading system and the NCAA's academic eligibility and progress toward degree requirements the GPA mean difference of 0.01 is very important. General students and student-athletes have to meet certain academic GPA requirements throughout their collegiate career (Appendix B). Failure to meet such requirements, even by 0.01 quality points, put their student status and athletic eligibility at risk.

Within this study non-transfer student-athletes and transfer student-athletes' mean GPAs exhibited the smallest actual quality point difference of 0.03. Transfer student-athletes calculated a higher GPA mean of 2.67 comparative to non-transfer student-athletes lower GPA mean of 2.64. The higher GPA mean score results of transfer student-athletes may be due to the necessity of transfer student-athletes having to fulfill the requirement of being in "good academic standing" before being allowed to transfer. In contrast, GPA calculations for non-transfer student-athletes included a full range of student-athletes who may or may not have been within "good academic standing" throughout their collegiate career.

The largest actual quality point difference of 0.35 was shown by non-transfer non-student-athletes and non-transfer student-athletes. Non-transfer non-student-athletes calculated a GPA mean of roughly 3.00, exhibiting a high level of academic achievement. This extreme difference may have been attributed to the additional amount of time that most non-student-athletes receive throughout their day to study, while most student-athletes extra time is committed to their sport. Another rationale for this large difference may be associated with the different admission standards provided for non-transfer non-student-athletes and non-transfer student-athletes. The majority of non-transfer non-student-athletes are obligated to achieve higher incoming GPA and standardized test scores in order to ensure admittance into the university.

Transfer non-student-athlete and transfer student-athletes recorded an actual quality point difference of 0.17, similar to non-transfer non-student-athletes and transfer non-student-athletes who recorded an actual quality point difference of 0.16. After examining the mean of each group in Table 1 and each of their actual quality point

differences, it has been ultimately proven that non-student-athletes have the greatest academic success. Of the non-student-athletes, non-transfer non-student-athletes are found to reach a higher level of academic success than transfer non-student-athletes. Transfer-student-athletes have a higher probability of gaining more academic success than non-transfer student-athletes, but are generally out-performed by transfer non-student-athletes. When excluding transferring from the equation, non-transfer non-student-athletes' academic success surpasses non-transfer student-athletes.

Study Comparison

When comparing these findings to Robost and Keil's 2000 study examining the relationship between athletic participation and academic performances within Binghamton University, an NCAA Division III institution, many differences stand out. The University of North Carolina at Chapel Hill recorded GPA means ranging from 2.64 to 3.00, while Binghamton University recorded GPA means ranging from 2.96 to 3.12. Dissimilar to Robost and Keil's study, athletic participation was found to impair students' academic performance, and transfer-student-athletes recorded higher GPAs than non-transfer student-athletes. General differences between the two studies perhaps were influenced by the contrasting divisional philosophies utilized between Division I and Division III institutions. Division I philosophical theories include: (1) establishing high academic quality, (2) striving for regional and national excellence, (3) serving the community and university, (4) offering extensive opportunities for men and women, (5) sponsoring intercollegiate competition among one or both income-producing sports of football and basketball at the highest feasible level, (6) scheduling games primarily with other Division I institutions, (7) striving for financial stability from revenues generated

by the athletic program, and (8) respecting and supporting the athletic programs and philosophies of other divisions (NCAA, 2005p) . In contrast, Division III philosophical theories include: (1) placing special importance on the impact of intercollegiate athletics on the participants rather than the spectators, (2) awarding no athletic related financial aid to any students, (3) encouraging the development of sportsmanship and positive societal attitudes among student-athletes, (4) maximizing the number and variety of athletic opportunities for student-athletes, (5) endorsing coaches and athletic administrators to exhibit fairness, openness, and honesty in their relationship with student-athletes, (6) encouraging athletic programs to support and abide by similar general procedures of financing, staffing , and controlling utilized through institutions' educational mission, (7) offering extensive opportunities for men and women, (8) providing equitable athletic opportunities for men and women, and (9) emphasizing the importance of regional in-season competition and conference championships (NCAA, 2005 bbb). Immediately, the NCAA Division III's mission of purity within intercollegiate athletics through a foundation of its' institutions' educational principles is shown by Binghamton University's higher GPAs.

Future Studies

The value of this study is shown by providing the NCAA with a foundation of practical data to analyze if the NCAA transfer rule is efficiently promoting academic success. According to NCAA President Myles Brand, "it is the sincere goal of the NCAA to modify behavior so student-athletes succeed academically" (NCAA, 2007). In addition, the NCAA aims to issue sanctions only when necessary by using good judgment and fairness (NCAA, 2007). Currently all Division I-A NCAA transfer student-athletes,

participating in basketball, football, and ice hockey, who decide to transfer to a Division I-A institution receive a one-year sanction of athletic ineligibility. Other Division I-A transfer-student-athletes who do not participate in basketball, football, and ice hockey are able to receive a one-time transfer exception, allowing them to transfer one-time without receiving a one-year sanction of athletic ineligibility. These sanctions are issued with the goals of (1) preventing transferring solely due to athletic reasons, (2) avoiding exploitation of student athletes, and (3) allowing transfer student-athletes time to adjust to their new environment (*Thomas McHale v. Cornell University and NCAA, 1985*).

As a result of this study's finding that transfer-student-athletes at the University of North Carolina at Chapel Hill record higher GPAs than non-transfer student-athletes, it is worth further examination to observe if this trend continues among several other Division I-A institutions. Due to confidentiality restraints, a limitation of this study included the inability to perform an in-depth analysis of mean GPAs pertaining to individual sports. Future research should include cross examination of academic success between transfer student-athletes and non-transfer student-athletes within individual sports and an academic development analysis between all four groups tested. Conclusive data between individual sports will allow the NCAA to examine if the one-time transfer rule range should be extended or reduced throughout specific sports. An academic development analysis will provide data on an individual's development between his or her freshman and senior years, rather than an individual's overall performance at the conclusion of four academic years. The calculated existing GPA mean utilized within this study measured the subjects' perceived performance upon them graduating from the University of North Carolina at Chapel Hill. Other studies should measure subjects' first year GPA

comparative to their existing GPA, and observe the subjects' development. Further research comparing several Division I-A institution transfer student-athletes' academic development, through the breakdown among individual sports, will assist the NCAA in its efforts to maintain the fairness of the NCAA transfer rule.

Conclusion

It can be concluded from this study that within the University of North Carolina at Chapel Hill, a Division I-A institution, transfer student-athletes' academic success is not hindered due to transferring from one institution to another. Non-student-athletes tend to have more academic success than student-athletes. Lastly, non-transfer non-student-athletes ultimately generate the highest probability of having high academic success.

Appendix A

Information Request within an Excel Document:

1. List of final GPA for non-transfer students entering the University of North Carolina between the years of 1996, 1997, 1998, 1999, and 2000. (Random sample of 1,000).
 2. List of final GPA for transfer students entering the University of North Carolina between the years of 1996, 1997, 1998, 1999, and 2000. (Random sample of 1,000).
 3. List of final GPA for non-transfer student-athletes entering the University of North Carolina between the years of 1996, 1997, 1998, 1999, and 2000 (I can provide the names of these athletes).
 4. List of final GPA for transfer student-athletes entering the University of North Carolina between the years of 1996, 1997, 1998, 1999, and 2000 (I can provide the names of these athletes).
- If possible I would like to label the data in request 3 and 4 (according to four sports of football, men's basketball, baseball, and wrestling). Other sports will be mixed in without labeling.

Appendix B

**ACADEMIC ELIGIBILITY AND PROGRESS TOWARD
DEGREE REQUIREMENTS**

Year of Initial Collegiate Enrollment	Entering 3rd Semester of Enrollment at UNC	Entering 5th Semester of Enrollment at UNC	Entering 7th Semester of Enrollment at UNC	Entering 9th Semester of Enrollment at UNC
Fall 2003 and after	1.800 cum GPA 24 Degree Hours <i>>18 credits earned during academic year (Fall and Spring) with at least 6 credits earned in each semester</i>	1.900 cum GPA 51 Degree Hours <i>>18 credits earned during academic year (Fall and Spring) with at least 6 credits earned in each semester</i>	2.000 cum GPA 78 Degree Hours <i>>18 credits earned during academic year (Fall and Spring) with at least 6 credits earned in each semester</i>	2.000 cum GPA 105 Degree Hours <i>>18 credits earned during academic year (Fall and Spring) with at least 6 credits earned in each semester</i>
		Must declare a major and have completed 40% of that specific degree's requirements.	Must have completed 60% of that specific degree's requirements.	Must have completed 80% of that specific degree's requirements.
Prior to Fall 2003 (Fall 2002, 2001, 2000)	1.500 cum GPA 24 Degree Hours <i>>18 credits earned during academic year (Fall and Spring)</i>	1.800 cum GPA 51 Degree Hours <i>>18 credits earned during academic year (Fall and Spring)</i>	1.900 cum GPA 78 Degree Hours <i>>18 credits earned during academic year (Fall and Spring)</i>	2.000 cum GPA 105 Degree Hours <i>>18 credits earned during academic year (Fall and Spring)</i>

Student-athletes must meet two sets of eligibility requirements. UNC eligibility requirements must be met in order for the student to return to the University each year. NCAA requirements must be met in order for the student-athlete to participate in athletics each year.

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