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THE LACK OF DIVERSITY IN LEADERSHIP POSITIONS IN NCAA COLLEGIATE SPORTS

HEARING

BEFORE THE

SUBCOMMITTEE ON COMMERCE, TRADE, AND CONSUMER PROTECTION

OF THE

COMMITTEE ON ENERGY AND COMMERCE

HOUSE OF REPRESENTATIVES

ONE HUNDRED TENTH CONGRESS

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THE LACK OF DIVERSITY IN LEADERSHIP POSITIONS IN NCAA COLLEGIATE SPORTS

WEDNESDAY, FEBRUARY 28, 2007

HOUSE OF REPRESENTATIVES,
SUBCOMMITTEE ON COMMERCE, TRADE,
AND CONSUMER PROTECTION,
COMMITTEE ON ENERGY AND COMMERCE,
Washington, DC.

The subcommittee met, pursuant to call, at 9:40 a.m., in room 2322 of the Rayburn House Office Building, Hon. Bobby L. Rush (chairman of the subcommittee) presiding.

Members present: Representatives Schakowsky, Butterfield, Barrow, Hill, Towns, Ross, Dingell [ex officio], Stearns, Whitfield, Terry, Burgess, and Barton [ex officio].

OPENING STATEMENT OF HON. BOBBY L. RUSH, A REPRESENTATIVE IN CONGRESS FROM THE STATE OF ILLINOIS

Mr. RUSH. We are going to call this subcommittee to order. My opening statement will be reflected with these words. First of all, I would like the witnesses to please relocate, if you will, to the witness table there, Reverend Jackson and Dr. Brand. We will have opening statements from the members of the subcommittee and then that will be followed by opening statements from our witnesses and then we will have questions and answers from both entities.

I want to remind members that our rules indicate that if you pass on your opening statement, that will give you 3 additional minutes for questioning, and so we will proceed in that order.

Today is the last day of February, the last day of Black History Month. Three and a half weeks ago, two African-American head coaches, Tony Dungy and Lovie Smith, made history and faced each other in Super Bowl XLI. Consequently, as the chairman of this subcommittee, I believe this hearing, our first of the 110th Congress, and its subject matter are very, very timely.

For all of the success people of color have made in obtaining high-profile leadership positions in professional sports, similar progress in college athletics remains stubbornly elusive. Even though we have come to believe that sports is the one segment of American society that is colorblind, it seems that African-Americans and other minorities still face professional barriers and cannot achieve the levels of success that their white male counterparts enjoy. Today I hope to find out why this is the case and what has to be done.

Currently there are only 16 people of color who are athletic directors of Division I–A college programs. Twelve are African-Americans, three are Latinos and one Native American. While roughly 25 percent of college basketball coaches are African-American, only seven of the 119 NCAA Division I–A college football teams have African-American head coaches. This homogeneity is actually more profound at the Division II and III levels. Indeed, overall, of the 616 football programs that are affiliated with the NCAA, excluding historically black colleges and universities, only 14—I repeat, only 14 are African-American. Similar numbers hold true for women's sports and the inclusion rates for Latinos and Asians are equally dismal.

Lastly, it is worth noting that not a single commissioner of a Division I athletic conference is a person of color, not one. What is going on here? The usual excuse for such disparities is that as a result of social historical circumstances, African-Americans and people of color have not been in the job market long enough and haven't had enough time to build the requisite experience. This is an excuse that is profoundly in error as a general matter and it certainly doesn't hold any water in the sports marketplace. African-Americans have a long-established and successful history in collegiate sports at the highest level and the talent pool for black head coach and athletic director candidates is overflowing with qualified candidates. There is simply no good excuse for this lack of diversity in the higher echelons of college athletics.

I am fully aware of the cynicism that some of my colleagues on this committee have privately expressed about this hearing. I further realize that some members do not believe that this is a topic that is worthy of a congressional hearing. Quite frankly, I think this type of thinking is elitist and indicative of a sheltered and privileged mindset. For the record, let me state that I have sat through many hearings where I have been subject to, in my humble opinion, worthless, insulting and inane subject matters. Well, in my neck of the woods, we have a saying, "What is good for the goose is good for the gander", and with that stated, let me be clear, racial discrimination, intentional or unintentional, should always be the target of congressional inquiry no matter when and where it takes place. Moreover, I believe that racial and gender discrimination in the leadership ranks of college sports is especially worthy of our examination today.

First, athletic scholarships are often the only way qualified students from disadvantaged backgrounds can obtain a college education. A large percentage of these student-athletes are minorities and it is extremely important that these young men and women have access to role models and mentors who reflect their diverse background.

Second, and just as importantly, NCAA college sports is literally a multibillion dollar business. Cable and television broadcast rights, merchandising, advertising revenues, these are all cash cows that have turned college athletics, particularly football and basketball, into commercial juggernauts that make up an integral part of our popular culture. It is interstate commerce in its purest sense. The fact that a sizable portion of this billion-dollar revenue stream is being generated by minority student-athletes but minori-

ties are not part of the upper tier of strategic and decision-making leadership roles presents a disturbing two-tier situation that should raise a lot of eyebrows and a lot of tough questions.

Finally, let me thank our distinguished panelists who are here before us today. All of them have done a great job of raising this issue in the public arena, promoting awareness and spurring lively discussion. It is my sincere hope that today's subcommittee hearing with our distinguished guests will shed light on a problem that has plagued not only college sports but society for far too long. Indeed, sunshine is often the best disinfectant. On this last day of Black History Month, let us hope that the sunshine of this hearing moves us one step closer even if the step is a small step to a truly colorblind society and make America better for all of us.

Thank you, and I yield back the balance of my time. I want to now recognize my distinguished colleague from the State of Florida, the minority ranking member of this subcommittee, Mr. Stearns, for 5 minutes.

OPENING STATEMENT OF HON. CLIFF STEARNS, A REPRESENTATIVE IN CONGRESS FROM THE STATE Of FLORIDA

Mr. STEARNS. Thank you, Mr. Chairman, and I appreciate your calling this hearing and continuing the tradition of this subcommittee to use our jurisdiction to examine sports issues, which we did many times when I was chairman. You and I have worked together on other issues in telecommunication and I look forward to working with you on this. We have worked on previous sports issues and I think we have an opportunity to continue this history.

I would like to take a moment and welcome three new members to my side of the aisle. One is J. Dennis Hastert, who is the former Speaker of the House, is now on our subcommittee. I am very proud and pleased that we will have his participation, his leadership and his wisdom. Vito Fossella from New York is also a new member to this committee, and Sue Myrick from North Carolina, so I welcome these there new members.

Mr. Chairman, this is not the first time this subcommittee has examined issues that affect collegiate sports. In the last Congress, we examined the prevalence of steroids and other performance-enhancing drugs and the policies to keep them out of the sports arena at the professional and collegiate level. Before that we looked at a variety of issues affecting amateur sports including commercialism and the welfare of student-athletes. We also worked in a bipartisan manner to move legislation regarding the conduct of unscrupulous sports agents who targeted collegiate athletes. I know my colleague from Tennessee had his bill. We had a hearing on it. We were very successful in getting it through the sub and full and through the House. This bill was finally enacted into law and it started at this subcommittee.

Today's hearing should seem out of place in the year 2007. I think a lot of people are quite surprised but I agree with you: we should be looking at the numbers. You have given some valid statistics here when you talk about 119 Division I schools, and out of that six are African-Americans and one are Latino, and those are something worth looking at and understanding why this happened. But looking at the numbers, it is hard to come up with any plau-

sible reason why there are so few minority head football coaches and other leadership positions at NCAA schools, particularly in light of the fact that we had two African-American coaches in the NFL Super Bowl, showing the competence and the qualification of these individuals. Surely, surely, it should also be seen that this expertise is available in the Division I schools.

There are other areas that we can talk about. I think the chairman has also given many statistics to point out that there is a lot of work for Dr. Brand and the NCAA to work in and yet at the same time they have been pressuring universities such as the University of Illinois to change their nickname and mascot and I think that perhaps is one area he could work at but I think there is much more broader areas where he could use his influence, and I would suggest that he look at that too.

Another question, I think, Mr. Chairman, what are the benefits and pensions for these NCAA coaches? Does the NCAA have any say-so? Can they help out? There are a lot of coaches that are making a lot of money but what about those coaches that are not? So there is a host of questions that we can ask today and I look forward to the hearing, and I appreciate your calling it.

With that I yield back.

Mr. RUSH. Mr. Ross is recognized for 5 minutes.

OPENING STATEMENT OF HON. MIKE ROSS, A REPRESENTATIVE IN CONGRESS FROM THE STATE OF ARKANSAS

Mr. ROSS. Thank you, Mr. Chairman, for holding today's hearing on the lack of diversity in leadership positions in NCAA collegiate sports. I would also like to thank the panel of witnesses who have joined us here today, especially two from my home State of Arkansas, Dr. Fitz Hill and Coach Nolan Richardson, both from Arkansas. Both Dr. Hill and Coach Richardson have made tremendous contributions to collegiate sports and are well qualified to speak on today's topic.

As we know, Coach Richardson was a college basketball coach at the University of Arkansas where he was the winningest coach in Razorback history, compiling a 389–169 record in 17 seasons. Coach Richardson gained national recognition by taking the Razorbacks to three Final Four appearances in the 1990's including winning the NCAA national championship title in 1994 when he also took home Coach of the Year honors. Coach Richardson is also the only head coach to win a junior collegiate championship, the NIT Tournament and the NCAA Tournament. Coach Richardson's successful career in coaching has truly been an example that has paved the way for some African-Americans in the ranks of coaching but not nearly enough.

Dr. Hill, who is currently president of Arkansas Baptist College, received his degrees in communications and physical education from Washita Baptist University in 1987. In 1989 he was hired to become an assistant football coach for the Arkansas Razorbacks. He went on to serve on the Razorback staff for five different head coaches over a period of 12 years but perhaps the most important reason that Dr. Hill is here is because in May 1997 he was awarded the doctorate of education degree from the University of Arkansas where his doctoral dissertation was entitled "Examining the

Barriers Restricting Employment Opportunities Relative to the Perceptions of African-American Football Coaches at NCAA Division I–A Colleges and Universities." Dr. Hill is now working on his first book related to racial disparities in NCAA coaching, and I look forward to reading it. I believe we will all be able to learn from it, Dr. Hill.

I am pleased that both these remarkable men who have contributed so much to the State of Arkansas are here today to share their perspectives on racial disparities in the NCAA collegiate sports, and I believe, Mr. Chairman, that we can certainly learn from both of these fine men from my home State of Arkansas.

Mr. RUSH. I recognize the former chairman of the full committee, Mr. Barton.

OPENING STATEMENT OF HON. JOE BARTON, A REPRESENTATIVE IN CONGRESS FROM THE STATE OF TEXAS

Mr. BARTON. Thank you, Mr. Chairman. I listened with some pain to Mr. Ross's accolades to Coach Richardson. As a Texas A & M graduate and devotee of the late Shelby Metcalf, who coached the Aggies for many years, I was on the wrong end of many of those victories that you just talked about, but I understand that we have to boost the home team.

It is good to have the father of a famous son with us today in our presence. It is good to know where the chip off the old block gets some of his pizzazz from, so we are glad to have the Reverend Jesse Jackson here.

I am going to put my opening statement in the record, Mr. Chairman, but I want to put one thing to rest that you said in your opening statement. Unequivocally, the minority supports you holding this hearing without reservation. I too have sat through many inane hearings, some of which I called myself, and——

Mr. RUSH. I know.

Mr. BARTON. So let us just get the record straight: The minority supports this hearing. It is a serious issue when at this stage of our great Nation's history there are as few minority professional head coaches and athletic directors and administrators in the NCAA. It is a worthy hearing. I don't know what the remedy is. I will reserve the right on being supportive of whatever legislative, if any, remedy but we are absolutely committed to supporting you in holding this hearing, and if it needs to be a series of hearings, we will be very supportive of that.

I come from Waco, Texas. I was in the first integrated high school in Waco. I was a 6-year athletic starter in football and baseball, lost my starting position to a young athlete who happened to be African-American for the simple reason he was better than I. He was a better player. And when the coach came to me and said, "Are you OK with that, Barton?" I said, "Well, I wish I was 20 pounds heavier and about a second faster and then I wouldn't be OK with it, but he is a better player." So I don't talk about my athletic prowess because I wasn't very proud.

Mr. RUSH. You said you played for 6 years. Did you flunk?

Mr. BARTON. Well, no. I got to play football because I was the only one they thought was smart enough to read the hand signals and they didn't understand that I was blind as a bat so I couldn't

see them anyway, but that is a different story. But we are very supportive of you holding these hearings, and if there is something we can do to support some changes in NCAA, we will be supportive of that also, and with that, I yield back.

[The prepared statement of Mr. Barton follows:]

PREPARED STATEMENT OF HON. JOE BARTON, A REPRESENTATIVE IN CONGRESS FROM THE STATE OF TEXAS

The purpose of this hearing is to explore the diversity in athletic directorships and head coaching in NCAA collegiate sports. The Subcommittee on Commerce, Trade, and Consumer Protection has a strong bipartisan history in many areas, including investigations on various issues in both professional and collegiate sports.

We all agree that many professional and collegiate athletes are role models for young people, but our aspiring young athletes should also have people to whom they can look to for guidance and advice. Role models are important in terms of shaping an athlete's professional and personal futures. To the extent we can encourage diversity in positions providing role models to our young athletes, we should.

I thank the distinguished witnesses with us today for participating and sharing their views. It is important we have a full and open debates on this and many other issues affecting all competition levels of athletics.

Mr. RUSH. The next member recognized will be Mr. Towns of New York for 5 minutes.

OPENING STATEMENT OF HON. EDOLPHUS TOWNS, A REPRESENTATIVE IN CONGRESS FROM THE STATE OF NEW YORK

Mr. TOWNS. Let me thank you very much, Mr. Chairman, for holding this hearing and to say to you that I will not take the entire 5 minutes but I want you to know that when we started talking about the student-athlete's right to know, there was a lot of criticism as well. At that particular time students were not graduating, they were playing 4 years and then going back home with no degree and people said that we should not be involved in this and didn't think that Congress should entertain, but as a result of our involvement now, the graduation rate has increased tremendously and that the graduation rate among student-athletes is now higher than the student body and that is basically because of the student-athlete's right to know.

Now, in the meantime, a lot of people did not support it then and of course felt that we should not be involved. Well, I want to encourage you to be involved because the issue that you are dealing with now is about fairness. That is what we are talking about, fairness, and I think that if the Congress is not going to be about fairness, then what is the Congress going to be about? So I am hoping that you will continue to look at this issue and let us begin to bring people in and talk about it and recommend a fix, and of course, if it is not fixed, there is a lot of legislative things that can be done that can fix it, and as we continue to talk to experts, people who have been involved in the business, we will be able to get information from them and use that to be able to. I just would hope that we would not move too quickly. We want to make certain that we have enough information and bring experts in, and once we get that information, I think to take action, and let us face it, you are always going to be criticized.

You have to understand, there are people out in the world that all they do is criticize. They specialize in criticism. I have heard

stories of whole families that all they do is just criticize. The great-granddaddy is a criticizer, the granddaddy, all the grandchildren, and the story goes that a lady married into the criticizing family and of course she thought that she would be able to stop this fellow from criticizing and that she was doing all she could to stop him, and the story goes that he came downstairs one morning and she is trying to be helpful and stop him from criticizing. She said, would you like to have breakfast, and of course he said yes, I would like to have breakfast. So what would you like to have. He said I would to have two eggs, I would like to have one boiled and one fried and I want it in front of me in 7 minutes. So she ran over to the stove, brought it back in front of him. He looked at it, he said there you go again, you fried the wrong egg.

So, Mr. Chairman, you are always going to have folks that are going to criticize you. Don't worry about that. Just do what you have to do on behalf of the people of this Nation, and this is an issue that we should not ignore. This is an issue that we should deal with because a lot of folks are on the outside because of unfairness.

Mr. RUSH. I recognize Mr. Terry for 5 minutes.

OPENING STATEMENT OF HON. LEE TERRY, A REPRESENTATIVE IN CONGRESS FROM THE STATE OF NEBRASKA

Mr. TERRY. Thank you, Mr. Chairman. I do appreciate that you are holding this hearing today. I do think this is a legitimate issue when you have out of 119 Division I colleges only eight minority representatives as head coaches, and frankly, I think University of Nebraska, although we don't have a African-American or minority head coach, our former coach, Tom Osborne, did a good job of grooming Tony Samuels and one of my classmates and a friend, Turner Gill, to be head coaches, and maybe that is the way we can look at this.

I do want to say a couple of things that were not part of my thoughts when I walked in here today, and that is the discussion about criticism of holding this hearing. Frankly, I hadn't heard any criticism of holding this hearing. The folks I have talked to on our side, no one that I know of has said anything negative about holding this hearing, in fact, that it is a very legitimate issue and frankly we kind of enjoy bringing NCAA folks in here and exercising our jurisdiction in that way. So I compliment you on doing that, and I certainly would not associate with any potential criticism out there. I want to say it is legitimate.

There is one thing I would say that is not related to the subject matter that is a criticism. I am sure it is unintentional, by all means, but the Republican Conference is held every Wednesday from 9 to 10 so holding a hearing at 9:30 forced the Republican side to have to choose between attending their weekly conference or attending the hearing. Obviously I chose the hearing over the conference but I would appreciate if we didn't have to have that conflict in the future, and I yield back.

Mr. RUSH. That is another boiled egg/fried egg kind of criticism. Mr. Butterfield is recognized for 5 minutes.

OPENING STATEMENT OF HON. G.K. BUTTERFIELD, A REPRESENTATIVE IN CONGRESS FROM THE STATE OF NORTH CAROLINA

Mr. BUTTERFIELD. Thank you very much, Mr. Chairman, and I too would like to thank you for convening this very important hearing today. I would also like to thank the two witnesses for joining us, the Reverend Jesse Jackson, whom I have known for at least 30 years, probably more, and Dr. Brand. Thank you both very much for coming to be with us today.

I am probably, Mr. Chairman, the only one except for maybe Congressman Towns, who remembers when Reverend Jackson played football at A & T College in Greensboro, North Carolina. That was many years ago, but he was certainly not only a distinguished student but a distinguished athlete as well.

Mr. Chairman, we just saw the Super Bowl on television the other day and it was certainly an extraordinary event. It was a remarkable milestone that we had two African-American head coaches who met for the first time in the Super Bowl. It highlights the fact, Mr. Chairman, that African-American coaches can compete at the highest professional level and win at the highest level. I am hopeful that this historical event opens the door even wider for even more minority coaches. Hopefully it is a clear signal that race is becoming less and less of an issue for teams at the highest level.

One of the ways the NFL has tried to deal with a lack of diversity among head coaches is the so-called Rooney Rule where minority candidates must be considered and interviewed for open jobs. Seeing Dungy and Smith coach against one another in the Super Bowl and the Giants' recent hiring of Jerry Reese, the NFL's third black general manager, could lead to suggestions that progress is being made quickly. Although it is a start, there is still a long way to go at all levels before we reach a time when diversity and equal opportunity exist for all.

Outside of the historically black colleges and universities, there are only 16 African-American head football coaches among all of the colleges in Divisions I, II and III. That is just 16, I repeat, 16 out of 616 programs across the country. During the 2006 season, only five of the Nation's Division I–A college football programs were led by black coaches. They accounted for just 4 percent of the coaching jobs while black players make up 46 percent of Division I football players. There are also just five black athletic directors at Division I–A schools and just four of the Nation's 119 schools have black presidents, and the number of black coaches is growing so slowly that at the current rate we will be closing in on the next century before we near representation or diversity. Mr. Chairman, this is unacceptable, it must change, and I want to thank the chairman for his vision. You have talked with me privately and you have told me where you want to take this subcommittee, and I appreciate your leadership very much.

I yield back.

Mr. RUSH. Thank you. Mr. Burgess is recognized now for 5 minutes.

OPENING STATEMENT OF HON. MICHAEL C. BURGESS, A REPRESENTATIVE IN CONGRESS FROM THE STATE OF TEXAS

Mr. BURGESS. Thank you, Chairman Rush. Thank you for holding this hearing. Thanks to the witnesses for giving up their time to be with us today. I know it is painful to listen to opening statements from all members but I will be very, very brief.

Mr. Chairman, I just wanted to point out, this also is my first hearing on this subcommittee. I know it just seems like I have been over here and been a problem for a lot longer but this is indeed my first hearing on this subcommittee. I hope that through the leadership and dedication of this subcommittee we can make some real and lasting impacts for the next generation of American athletes for our Nation.

Today's hearing exemplifies some of the challenges that we still face in America. Glass ceilings should still not be prevalent in the 21st century but unfortunately we all know that they exist. Certainly more needs to be done but I think it is also important to acknowledge some of the steps that have been made already. Out of the four schools that I represent in the north Texas area, the University of North Texas, Texas Women's University, Texas Wesleyan University and North Central Texas College, we have a combined 13 minority head coaches that currently are teaching our young people in the 26th district. Texas Wesleyan table tennis head coach Jasnor Reed, who is an African-American woman, and I know, table tennis, but consider this: for the last 5 years she has led her team to the National Intercollegiate Championships. That is 2002, 2003, 2004, 2005, 2006. I had the opportunity to be there with them during the championships last year and, put it this way, it was much more exciting than I would have thought that a table tennis tournament would have been. There is a lot of activity during that sport.

But I am proud of the strides that have been made in diversity in the collegiate sports in the north Texas area. I should point out that Johnny Jones is the men's basketball head coach at the University of North Texas. He is ably assisted by Chuck Taylor. Both of those are African-American individuals. Texas Women's University you might expect to have a large number of women coaches but their softball coach is a Hispanic woman as well.

I encourage all of the universities to continue to do what they need to do to break down the glass ceiling once and for all. I do hope that we will exercise some care and caution that in our zeal to promote people we do not deplete the ranks of the smaller colleges and smaller universities of very capable African-American and minority mentors and role models, but hopefully, Mr. Chairman, this hearing will just be the starting point for this and I look forward to many more hearings on this subject in the future, and I will yield back.

Mr. RUSH. Thank you. I recognize Mr. Hill of Indiana for 5 minutes.

OPENING STATEMENT OF HON. BARON P. HILL, A REPRESENTATIVE IN CONGRESS FROM THE STATE OF INDIANA

Mr. HILL of Indiana. Thank you, Mr. Chairman. First of all, I would like to welcome my friend, Dr. Myles Brand, who is the

president of the NCAA. Dr. Brand was also the president of Indiana University when I was in Congress for the 6 years previous to this last election, and I know him as a man of great integrity and someone that is very sensitive to this whole issue. I appreciate you taking the time out of your schedule to meet with us and discuss this important issue.

Mr. Chairman, I want to thank you for giving us an opportunity to discuss this important issue today. As we come to the end of Black History Month, it is appropriate that we continue the discussion of diversity and equality. I am especially pleased that we are seriously considering this issue within college sports. As a former college athlete, I want to ensure that every position, players and coaches alike, is open to anyone who is qualified. I also believe that there should be no artificial or racial boundaries regarding the hiring practices within the world of college sports.

Sporting events promote unity more than almost any other cultural event in America. It is up to us all that we make sure that we do not neglect problems of diversity but rather address them head on so that sports can continue to bring us all together as a Nation.

Dr. Brand, I want to applaud your efforts in trying to promote equality and diversity within the NCAA. I know that from the beginning you have been dedicated to the promotion of diversity within the NCAA. It is my hope that with these hearings we can build on progress you have made by identifying potential obstacles regarding the hiring practices of the NCAA members and remedies that might be taken to sure that sports continue to unite Americans both on and off the field.

Mr. Chairman, I grew up in a small rural town in southern Indiana, Seymour, Indiana. This was back in the late 1960's and the early 1970's, and I remember all the civil rights talk and watching it on television. I can remember as a 16-year-old roughly from a white high school thinking at the time, what is all the fuss here. I didn't understand why this was going on. I then went on to graduate from high school and enrolled on a basketball scholarship at Furman University in Greenville, South Carolina. My roommate was an African-American by the name of Clyde Mays. I was shocked at the treatment of my roommate as we went out and about Greenville, SC, at the time. There were places that he couldn't go into, and it really was an eye opener for me.

And my point in all this is, sometimes people like myself grow into the realization that discrimination still exists today even. I didn't know it back then but I sure got an eye opener when I went off to Greenville, SC, and so this is a very important issue that we need to be addressing. I had this same discussion with Dr. Brand a couple weeks ago in my office. I know that you are keenly aware that there is a problem that needs to be remedied and you are fully committed to making sure that happens.

So Mr. Chairman, I echo what everybody else is saying. This is an important issue. Because of my life experience at Furman University in Greenville, SC, I am very sensitive to it myself, and I know that we are going to make these corrections as the months and year go forward. I appreciate the opportunity to speak to this issue, and I yield back the remainder of my time.

Mr. RUSH. Thank you. Ms. Schakowsky is recognized for 5 minutes.

Ms. SCHAKOWSKY. Thank you, Mr. Chairman, and it is a pleasure to see you in the chair on this great subcommittee, and also a real pleasure to welcome my special friend, Reverend Jackson, who has been an ally of mine. We have worked together for so many years. I am anxious to hear our witnesses testify but I just wanted to acknowledge that I am also proud that I came here to add some gender equity to this committee and to this discussion.

I am going to put this statement in the record, which demonstrates my broad understanding of all things sports and the relationship now to the closing date of Black History Month and just yield back my time. Thank you.

[The prepared statement of Ms. Schakowsky follows:]

PREPARED STATEMENT OF HON. JANICE D. SCHAKOWSKY, A REPRESENTATIVE IN CONGRESS FROM THE STATE OF ILLINOIS

Thank you, Chairman Rush and Ranking Member Stearns for holding todays hearing on the lack of diverse representation in the leadership of college sports. I would also like to extend a special welcome to my dear friend, Reverend Jesse Jackson. It is so wonderful to have you here with us—and to have Chicago so well represented today.

What a fitting way to close out this year's Black History Month, one that began with a historic sports moment. It was the first time that two African American coaches faced off in the Super Bowl. Had it only been one coach that made it—say Lovie Smith leading the Bears to a well-deserved victory—that, too, would have been history making.

The story of Coaches Tony Dungy and Lovie Smith speak to the importance of diversity in leadership at the college level. Both started out as college-level coaches, And, when Coach Dungy was the head coach of the Tampa Bay Buccaneers, he gave Coach Smith—then a secondary coach at Ohio State—a chance at pro-football by hiring Lovie as the linebacker-coach. If it had not been for their college coaching experience and Coach Dungy seeing the leadership in Lovie Smith, we might not have had the chance to share in that tremendously important moment.

However, I must also say that I am disappointed that it is 2007-more than 43 years after this body passed civil rights legislation—and that only now we are making this kind of history. It is also alarming to know that Super Bowl XLI could be a historic blip on the radar screen because of the low numbers of African American coaches on the college level—who will be our future professional league coaches,

According to the annual report card on diversity put together by Dr. Lapchick, one of our witnesses today, college sports arc receiving F's for lack of race and gender diversity in leadership positions—from conference commissioners to coaches. An F. What that grade says to me is that we are not learning our lessons and we need to do something to turn that grade around now. We cannot afford to miss elevating great and deserving coaches like Coaches Dungy and Smith because they did not have the opportunity to hone their skills at the college level.

Clearly, we still have a long way to go to achieve true diversity at every leadership level in professional and collegiate sports. The low number of African-Americans in leadership positions is not because of a lack of talent or ability; it is solely because of a lack of opportunity. As we move forward, we must foster that opportunity and remove the obstacles that hold back some of the best and brightest coaches from reaching the highest levels of professional and collegiate sports. I look forward to hearing from today's witnesses and their suggestions on what we can do to break the coaching glass ceiling.

Mr. RUSH. Thank you to all the members. And now we will hear from our witnesses, and first of all, I want to introduce to this panel and to those who are present a man who I have loved for the last many, many decades, a person who has been instrumental in my life. Indeed, at a pivotal point in my life, he rescued me and actually to a great extent saved my life, literally saved my life, a man who is recognized world over as the foremost civil rights lead-

er, the foremost humanitarian in the whole world. He has an enormous impact on all of us, on this Nation. He has an enormous impact in the sports area and he understands beyond most of our understanding the connection between sports and the commercial dimensions of sports. I am intrigued and excited about the subject matter that he discussed in an op-ed piece for the Chicago Sun-Times on the lack of people of color in athletic director and head coaching positions in college sports. I want to welcome to this subcommittee my friend, Reverend Jesse Louis Jackson.

Our second witness is a person who I have recently met but have grown to respect very, very much because of his sincere commitment to this particular issue and his work on behalf of trying to end the discriminatory practices of the NCAA, a person who worked at the institution that I graduated from during the time that I was there and that person is Dr. Myles Brand. As the president of the NCAA, Dr. Brand has used his bully pulpit to be a very vocal proponent of increased diversity in the leadership rankings of college sports and a year and a half ago he is to be commended for creating the Office of Diversity and Inclusion to promote greater inclusion among the member schools. Dr. Brand, you are welcome to this subcommittee.

STATEMENT OF REVEREND JESSE JACKSON, PRESIDENT, RAINBOW/PUSH COALITION

Mr. JACKSON. Thank you, Congressman Rush, and to members of the committee, thank you so much for allowing us to bring this important subject to the national agenda today.

Let the record show that when African-American coaches do well, we should never say we are surprised but delighted. Only the ignorant are surprised. It is self-evident that we can coach football. We had this same drama, can a black be a center on the football team, initiates all plays, can a black be quarterback. Every position has been a major hurdle reflecting the social maladies in our culture.

I was delighted to see Dungy and Lovie coach at Super Bowl time but I was torn over the fact that if Jake Gaither from Florida A & M had had that same opportunity to go across the street to Florida State, if Billy Robertson had that same opportunity at Grambling to go to LSU—that happened many years ago. We didn't learn to coach football last January. We are talking about barriers that lock people out, basically based upon race. I was glad to hear the Congressman from Arkansas extol these virtues on Coach Nolan Richardson, who won the NCAA championship, came in No. 2, this and that, the winningest coach. He had been blackballed. He can't coach. One of the winningest coaches in American basketball history goes from the top to the bottom for no rational reason. Here he sits today having coached the Panamanian team last year, preparing them for the rural games. What is up with the winningest coach in Arkansas who won the NCAA championship, goes to the top 4 four times can't get a job? It speaks loudly.

We are here today in part because fair hiring is a civil rights issue. Title VII and title IX is why you have people of color in these schools and title XI is why you have women athletic teams because it is illegal not to. When we are protected by law, we gain progress.

I am delighted, Congressman Hill, that you and Mays were classmates. He was a family friend really, both of us from Greenville, SC, but it was just amazing how we couldn't even while I was in school apply to Furman, and I grew up on University Ridge where Furman was housed, not because I couldn't pass the grades. I could not get admitted.

We are fighting these barriers. Schools with Federal funds have civil rights obligations. Equal employment opportunity is a civil right, and the reason why there was some movement in the NFL, Mr. Chairman, was because of the Rooney Rule: you must at least consider a black. Democracy does not guarantee results; it guarantees opportunity. You must at least consider. And even with that, the 32 teams, four of the guys came from one team, Tony Dungy and Tomlin and Lovie and Herman, four guys from one team, and two guys from other teams. Even there they figure out ways to get around it. It is more cultural. It has nothing to do with capacity.

I can't help but think that when Colorado was No. 1 2 years in a row that the defensive coach which was credited for giving them those victories, when Mr. McCartney resigned, he recommended Bob Simmons to replace him. It was so logical. They had been No. 1 2 years in a row. He was the head defensive coach. They closed doors and got Newhouser from UCLA, younger and far less resume, who later ended up being disgraced in some scheme up in Washington or something. Bob Simmons was sent off to Oklahoma State, a school with less investment, and ended up defeating, to make it real romantic and poetic, defeating the University of Colorado football team. Bob Simmons was qualified but he was turned away because of closed doors. No worse than University of Alabama. Coach Croom grew up in Tuscaloosa, hometown boy, All-American, University of Alabama, hometown, played under Bear Bryant, can't get better than that in Alabama, but when the deal went down, they chose Shula from Miami, who had almost zilch resume. He subsequently has been fired, by the way, and Croom went to Mississippi State. He had hometown credentials, All-American credentials, had been recommended to be hired as an NFL pro coach but got knocked out based upon that.

Now, some progress has been made, Mr. Chairman, based on Dr. Brand's leadership of raising the academic standards to assure more graduation take place, and there is a penalty if you don't have a certain graduation rate but there is no penalty if you don't have black coaches, Latino coaches. There must be something that makes it a mandate to at least consider and to have some good reason why resume A that is superior goes beneath resume B, which may not hardly even exist. This thing is profoundly cultural.

Part of what makes this such a big deal to us, why are blacks so successful in football, basketball, baseball, track, golf and tennis. It is hard to be a Division I starter. It is hard to be so good when you become All Conference better, to become All-American. It is very tough competition. Then to become a pro. Why are we so good at that which is so difficult to do where you must absolutely coordinate motor, cognitive skills under immense pressure, 40,000 jeering, 40,000, cheering? Why are we so good at what is so hard to do? Whenever the playing field is even, the rules are public and the goals are clear, we do well. If on that football field blacks had to

run 12 yards for a first down to prove something extra and whites ran 8 yards for a first down because they inherited some yards, there are fights on the football field. As long as it is 10 yards for all first downs, 6 points for all touchdowns, we get along quite well. That does not apply just beyond that mark of where you hire coaches, athletic directors and college presidents.

What makes this subject exciting to me finally, Mr. Chairman, is the good that these sports have done for America. Congress is more hung up really on the issue of race and its hiring practices in many ways that the athletic world, in part because this is a zero-sum game. You only have 435 Congressmen, 100 Senators and it is all a fight for those 535 slots. In this world of athletics, it is not a zero-sum game. Inclusion leads to growth. When there is growth, everybody wins, it leads to growth, and what excited me as I walked amongst the people at the Super Bowl game this year in Miami to see basic white mothers and their children and their husbands, the middle America, wearing black football coaches', black football players' jerseys and wearing Tony Dungy hats and to see blacks from Chicago wearing Brian Urlacher jerseys. What allows us to go beyond this dementing race crisis in athletics is because in this arena, this narrow arena, the playing field is equal except for coaches, athletics directors, and so if the victory of Dungy and Lovie means anything, it exposes a light on the obvious. The obvious is, blacks can coach football, basketball, baseball. They are not allowed to in the main because of lack of consideration. The incestuous recycling of who gets hired must be challenged because these schools are under the regulations of our government because they get Federal grants and somehow there must be hearings when they have these high-profile openings and no blacks are considered. There must be some reason why, and I submit to you, sir, that EEOC laws must apply here. Civil rights in hiring are as important as civil rights in grades.

Thank you very much.

[The prepared statement of Mr. Jackson appears at the conclusion of the hearing.]

Mr. RUSH. Dr. Brand.

STATEMENT OF MYLES BRAND, PRESIDENT, NATIONAL COLLEGIATE ATHLETIC ASSOCIATION

Mr. BRAND. Chairman Rush, Ranking Member Stearns and other distinguished members of the subcommittee, I am Myles Brand, NCAA president. Thank you for holding this hearing on a critically important issue, and I am pleased to be on a panel with Reverend Jackson.

There is much to be proud of in collegiate athletics. I am especially pleased with the improved academic success of African-American student-athletes. Today African-American male student-athletes are graduating at 11 percentage points better than other black males in the student body and African-American females are graduating 15 points better than their counterparts in the general student population.

But we also have challenges. Chief among them, in my view, is the dismal record of hiring people of color as head coaches, especially in football. In my very first public speech as NCAA president

more than 4 years ago, I said that one of the most egregious instances of lack of access was the low number of African-American head football coaches in Division I–A or the Bowl Championship Subdivision, as it is now called. When I made that statement in 2003, there were four African-American head football coaches in Division I–A when you exclude the historically black colleges and universities, the HBCUs. Today there are six. We have gained a grand total of two in 4 years. There are five more in Division I–AA, now called the Football Championship Subdivision, two in Division II and only one in Division III, which is our largest division of schools. That makes a total of 14 African-American head coaches in all of college football when the HBCUs are excluded. In Division I–A, 2.4 percent are head coaches where 55 percent of the student-athletes are minorities. Sadly, if the pace of progress remains the same, it will be more than 80 years before we reach a percentage that even approximates the number of African-Americans in the general population. As I have said on more occasions than I can count, this is not only unacceptable, it is unconscionably wrong.

The NCAA cannot make the hires. The NCAA national office cannot mandate who is interviewed. Member institutions hire coaches and they are not about to cede authority and give up their autonomy to the NCAA national office to dictate either who they will hire or who they will interview in coaching or elsewhere. But that doesn't mean there is no role for the NCAA. Four years ago I began working with the Black Coaches Association, the BCA, to address inequities in the hiring process. The idea was that a more open and inclusive search would allow talent regardless of race to rise to the top and be hired. For 3 years now the BCA has prepared and made public its hiring report card that grades colleges and universities in Division I on their hiring processes. As a result of public disclosure, more than 30 percent of all candidates interviewed for head coaching positions over the last 3 years have been minorities. Even more striking is that 76 percent of all the openings over the last 3 years have had at least one minority candidate interviewed and more than three out of every four vacancies, a person of color was interviewed but only nine of the 81 openings in all of Division I have been filled with a minority candidate. Focusing media attention and expending energy on a collegiate version of the NFL's Rooney Rule not only ignores the success of the BCA hiring report card, it also diverts attention from the real issue, which is simply not enough hires.

In addition to helping develop the hiring report card, the NCAA national office has developed three coaching academies to help prepare candidates for coaching positions. Academies go beyond the Xs and Os. The focus is on the other skills that are required to run a multimillion-dollar operation, hire and manage a staff of two dozen or more, organize and develop more than 100 student-athletes, recruit in competition with dozens of other teams for the best talent, help acquire donations for athletic and other departments in the university, and often to be the most visible person on campus. And oh, by the way, you have to win games. The most elite of these programs for expert coaches with 8 years' experience has had two of its graduates hired as head football coaches in the last 2 years and a third individual, a graduate of the NCAA's men's

coaching academy, has also joined these ranks. Three of the last four minority hires have come from the NCAA academies.

The coaching academies have made a difference, the BCA hiring report card has made a difference and yet not enough hires are being made. What is next? In my view, we must overcome two additional obstacles. We have to mitigate the risk-averse nature of those who make football hiring decisions and we have to improve the informal network so that minority coaches are included. Their names must be advanced when influential consultants are asked the question, who can do this job? Those who make recommendations and hires must be as comfortable with African-American football coaching candidates as they are with African-American basketball coaches who now occupy more than 25 percent of the head coaching jobs in Division I men's basketball. Incidentally, there is no Rooney Rule for basketball. Getting top candidates in front of athletics directors and others before the stress of hiring begins is the next push we must undertake.

History was made on February 4 when two African-Americans coached their teams in the Super Bowl. Any institution focused on the values and success they represent would be proud to hire Lovie Smith or Tony Dungy as its head coach and both were coaches in college football but we let both get away. The next Lovie Smith or Tony Dungy is already in the pipeline. Talented minority coaches are on our campus in Division I. We simply have to hire them for the top jobs.

I thank you for this opportunity.

[The prepared statement of Mr. Brand appears at the conclusion of the hearing.]

Mr. RUSH. Thank you very much, Dr. Brand. Let me begin by asking you a couple of questions that I think are pretty relevant right now. Both of you have indicated that there is a real serious cabal in collegiate sports, really an old boys' network that excludes minorities from consideration and also from hiring. Can you describe for this subcommittee how that network, if you will, stands as a barrier to hiring of athletic directors and football head coaches?

Mr. BRAND. Yes. I think it is important to point out, Mr. Chairman, that the hiring process in universities is different from that in the professional leagues. There are a lot of hands on the wheel in college, and so it is not just the athletic director and the president getting together in almost all cases. There is a lot of information that goes through in terms of a search committee, in terms of input from alumni groups, in terms of consultants, and in terms of other football coaches too, who are, as you know, almost all white. As a result, all that information comes into the athletic director and the athletic directors have to make a decision that will affect their futures and so they have taken a very risk-averse position and have not been willing to hire African-Americans despite in many, many cases the noticeable and clear skill and experience of those individuals.

So I think to move from the search process, which was getting better in the hiring, we are going to have to look at who is making the specific recommendations, where are the key points of change and leverage in that very complex process, and I know that first-

hand, having been president of two universities. I have been involved in the hiring of head football and basketball coaches a number of times over. But sitting as a president, what happens is, you can help make the process more inclusive and that is why I think we are seeing so many more African-Americans interviewed, but most presidents don't know a lot about football or basketball and then take the advice of others, so we have to look at athletic directors and their committees and others who are providing that input and have a multi-pronged attack on that.

Mr. RUSH. Well, do you know if any of these presidents hire or have people on their staff who can be loosely classified or categorized as consultants on these specific matters of racial fairness in hiring at the athletic level?

Mr. BRAND. Yes. There are two types of people that do that. Almost all our major universities have an office of diversity in which they have—who oversee the process, not the particular candidate but will make sure the process is fair. We have to apply that affirmative action fair process to athletics just as we do to deans and faculty members and so on. We do it often in the rest of the university. Somehow we don't always do it in the case of athletics. And second, we have outside consultants who are hired to do the job who come in and they provide substantive advice. They give names.

Mr. RUSH. Reverend Jackson, do you care to respond?

Mr. JACKSON. Congressman, these same schools can find the players in the dingiest, most difficult circumstances. They can find the players. They can't find the guys who coach the players to make them qualified to play at this level of athletics. I mean, you go to *X* high school that is producing these great athletes and you look at their coach by and large in the city is African-American. The issue also is not to be colorblind but to be color caring. Race is an issue in hiring and recruiting. They will hire blacks to recruit to go into black neighborhoods and look for ballplayers like scouts and they hire them and put them on the staff to recruit, and what makes this—another concern, Congressman Rush, is that in this area, let us deal with, if a guy is a defensive coach and has a good defensive resume, there has to be points in that. If an offensive coach has a good resume, there must be points in that, and when you look at the Bob Simmons case in Colorado, of the Croom case in Alabama, resumes had no meaning, and somewhere outside of resumes, outside of objective criteria, I mean, the best defensive football coach in America for 2 years in terms of No. 1 couldn't get hired at that school. If you just look at the Shula versus Croom resume, it is not even any comparison.

I would think that in the end you who are Congress people who allocate money to these schools must demand a standard for hiring and recruiting that is transparent. Without new rules—we do best when the rules change. We were qualified to vote before 1965. Until the rules changed, we couldn't vote. We were qualified to play baseball before 1947 but until the rules changed—we need rules to protect us. We cannot depend upon the subjective whim of well-moneyed alumni groups that somehow operate outside of the university system. The president of the university must be responsible for who is hired, even though the coach often gets paid more than the president, I might add. Somehow we have almost run a kind

of a parallel scheme here that takes the coach outside of the realm of the university mandate. I think that cannot be allowed to happen.

Mr. RUSH. Thank you. Mr. Stearns.

Mr. STEARNS. Thank you, Mr. Chairman. I was pleased that when I read the statement of Reverend Jackson he indicated what the real issue is here. Some people will talk about it being fairness but I was pleased that he mentioned in his opening statement when he said, "They simply need to be given an opportunity," and obviously he is talking about the African-American individuals. When you look at Lovie Smith or Tony Dungy's resume and you see back in 1992 Lovie Smith was a linebacker coach and then in 1994 he was at the University of Tennessee, a defensive back coach, in 1995, defensive back coach, 1996 to 2000, linebacker coach, 2001 to 2003, defensive coordinator. Then he became head coach of the Chicago Bears. The same pattern is for Tony Dungy when he was talking about in 1988 he was the Pittsburgh Steelers defensive coordinator, 1992 to 1995, defensive coordinator, Minnesota Vikings, in 1996 to 2001 Tampa Bay Buccaneers, he was head coach and then he went to Indianapolis Colts where he was the head coach.

Dr. Brand, you had indicated in basketball there was no Art Rooney Rule and yet we have seen in basketball the coaches. Is that what I understand you to say?

Mr. BRAND. Yes, sir.

Mr. STEARNS. OK. And we all know that the Art Rooney Rule from the Pittsburgh Steelers owner essentially guaranteed that when someone looked at a coach, there was a mandate that you at least have one African-American. Is that what I understand the Rooney Rule to be?

Mr. BRAND. Yes, sir.

Mr. STEARNS. Now, under this kind of situation, it seems to be working in basketball but not in football. Is that a fair statement?

Mr. BRAND. Yes.

Mr. STEARNS. And so clearly, the opportunities for African-Americans to make it in basketball are there and it is highly competitive and these athletes are extraordinarily successful, so in a simple way, you mentioned two reasons it is not making it in a broad sense. You said risk-averse and informal rules. Reverend Jackson doesn't want to have rules because he realizes if you don't have transparency and you have these rules, then people somehow are able to manipulate those rules and do what they want. So the transparency is what he is asking for. Now, is the transparency there in basketball that is not in football?

Mr. BRAND. No, actually there is more transparency right now in football than there is in basketball in hiring head coaches, and that is the result of the good work of the Black Coaches Association and their report card. They make public and they have for the last several years the entire interviewing process and who is being interviewed. What that has done is that we have produced on average 30 percent of the people interviewed for head football coaches in Division I are African-American. Seventy-six percent of all the searches have included amongst their final candidates for interviews African-Americans. We have now transparency in hiring Af-

rican-American head football coaches more than we have in basketball, so that is part of the answer.

Mr. STEARNS. Well, then are you saying that the transparency is not the key then?

Mr. BRAND. It is not sufficient. It is necessary. We can't give it up but it is not sufficient.

Mr. STEARNS. Transparency in football, it is more transparent than it is in basketball?

Mr. BRAND. Yes.

Mr. STEARNS. But we are more successful in seeing the number of African-Americans in basketball?

Mr. BRAND. Yes.

Mr. STEARNS. So what gives?

Mr. BRAND. It is the hiring process. I believe it is how the recommendations are made to the president and the board in the universities. We really have to get inside that process. It is a complicated process. Sometimes alumni and boosters have excess control.

Mr. STEARNS. I understand that. It is a money game.

Mr. BRAND. I don't think that is always the case. I think there is risk-averse. There is a lack of knowledge of some very fine coaches and we have got to be able to increase that, so we have got to find a way to get inside those final recommendations. The transparency is there, sir.

Mr. JACKSON. Mr. Stearns, there is also a sense now—there is a kind of belief that black basketball coaches can recruit black kids better and can quote, unquote, handle them. There is a sense that there is kind of an expectation shift that is taking place on the basketball side. You mentioned Tony Dungy. He also, given the Rooney Rule, was asked to come to Green Bay to seek the job as an offensive coordinator and he was defensive, therefore he didn't make it. They asked him to come but Tony—Lovie Smith was Chicago's fourth choice. Nick Sabin was the first choice and couldn't work out team control. He took the job at the lowest price of any coach in the whole NFL to get a chance to coach. There is not a player on his bench that makes less money than he makes. He is the lowest paid person on the personnel and can't get a contract signed now after going to the Super Bowl.

Mr. STEARNS. If it is true in terms of recruiting for basketball, why wouldn't it be true for recruiting for football? Why wouldn't the African-American coach be much more successful at recruiting in football if using your argument that he does for basketball?

Mr. JACKSON. Ask the hirer, whoever is calling that shot as to the employer, the alumni group that weighs in. When you close the door at Colorado and you look at the resume of Newhouser behind that closed door, ask those people that question because that is who is making that decision that somehow blacks can't relate to alumni groups or they can't raise money, they can't do the beyond-the-football field stuff. So I think that what is clear is, there is no deficit of football capacity to coach but the will to hire, and I would think when we made the most progress when we were protected by law. I don't want to go any further where you have NCAA openings and what schools get Federal monies not to be accountable on some

transparency in recruiting of coaches, not just recruiting of players process.

Mr. STEARNS. Thank you, Mr. Chairman.

Mr. RUSH. Mr. Hill is recognized for 5 minutes.

Mr. HILL of Indiana. Thank you, Mr. Chairman. Dr. Brand, I was listening to your comments and was wondering, what stage in the process, whether it be the search committee, recruiting, what is the most important area that you need to focus your attention on in terms of trying to get this turned around?

Mr. BRAND. Yes. I think that is a central question. I couldn't agree more with Reverend Jackson. The will to hire is just not there right now, and I think you have to look at the final recommendation that comes to the president. I mean, although the president has responsibility and final authority, there is no question about that, but presidents by and large don't know a lot about college sports. They think they do but by and large they need good advice, and the athletic director and those who help the athletic director including consultants and others are providing that advice, and I think you have to go right to the heart of the decision-making process, the recommendations that are coming up the line at that crucial point, and that is where I would look for leverage.

Mr. HILL of Indiana. OK. Reverend Jackson, in listening to your remarks, I am still not clear in my own mind why we are being successful in basketball but not football. I am drawing a blank here.

Mr. JACKSON. I am not sure. It could be—Nolan Richardson, who has been through this process, might be able to answer that question better. I think what excites me at one level today having grown up in South Carolina, when I look at University of Clemson, University of South Carolina, the whole State becomes orange and white versus red and white instead of black and white. Only athletics can take us to that euphoria, that is because of the rules, but wonder why they cannot get coaches. They get coaches on those teams to recruit those black players because they feel they have more access to the homes but not in fact. The alumni then decides can we take this leap of faith and trust and one would like to think that the success of Tony and Lovie has given more people the heart, quote, unquote, to take the leap, the risk, because the winningest percentage—I might add, the black coach's percentage is higher like the black kids, the athletes' graduate rates are higher than the average students. Black coaches' winning records are higher than their white counterparts. So everything about this says that something about this is irrational. The winningest coaches can't get the jobs. I can't believe—Nolan Richardson again, the guy from Arkansas, he is the No. 1 NCAA championship, he is the No. 2, No. 4 something, he is the—and can't get a job. What is wrong with that?

Mr. HILL of Indiana.Well, I agree with you 100 percent. I am just at a loss as to why again it is—they are not hiring people like him in football but they are doing it in basketball. I mean, Indiana University has an African-American coach now that I think very highly of.

Dr. Brand, would you care to offer your—I mean, you have been involved in this before. You know how the network works.

Mr. BRAND. Well, I hired the first African-American head coach in any sport while I was president of Indiana University and frankly, that was a hard barrier to break through and——

Mr. HILL of Indiana. Let me stop and ask, was this person that you hired recommended by your select committee?

Mr. BRAND. Yes.

Mr. HILL of Indiana. OK.

Mr. BRAND. Yes, and I think it was a good recommendation. Obviously I went with it. He was a basketball coach, by the way. And the fact of the matter is, I think most presidents need that good advice and we have got to figure out a way to provide that advice. What we have in football like in basketball is a continuing repetition of the decision-making processes and those involved in the decision-making processes that don't allow for inclusion. We are caught in a small circle there and we have got to break out of it, and until we do that, until we get a critical mass of leadership as we do now in basketball coaches, we are going to be confined in this small circle and it doesn't work for these universities. They need the better talent.

Mr. JACKSON. Mr. Hill, the best news is that black coaches are qualified. They don't need to be taught to do it. They are qualified and they are winning. That is what gets the rub. They are qualified, it is self-evident, and winning. In qualifications, when winning is not enough, something irrational is cooked in and those persons who have those qualifications should be protected from those persons who present obvious barriers.

Mr. HILL of Indiana. Thank you, Mr. Chairman. I yield back. Thank you.

Mr. RUSH. Dr. Brand, if the search committee says hire, then where is the resistance? If the search committee makes the recommendation and the hire doesn't take place, then what is the barrier? Why doesn't it take place?

Mr. BRAND. Search committee recommendations come through the athletic director, who usually confers directly with the president and translates, if you like, that information from the search committee. Too few search committees are looking at just football expertise and are looking at other issues. Look, the elephant in the room is race and a number of search committees are concerned and treat that as a negative when they obviously should not. So we get that, and as that recommendation comes up to the president, he works directly with the athletic director who more often than not obviously is white and looking at the same group of candidates that they have looked at before. So I think it is that search process as the recommendation goes up that we have to figure out a way to break in.

Mr. RUSH. Mr. Terry.

Mr. TERRY. Well, let us follow up on that, Mr. Chairman, where my question is coming from. I think the two of you have identified and being experts in your field, I wouldn't disagree. I think the search process, the lack of knowledge by the president or chancellor who approves or the regents board then that approves later, their lack of expertise. So the issue is since we have identified one of the more significant aspects of the problem, what is the specific solution that can be reasonably adopted by the NCAA to make sure

that the best-skilled coach is hired, especially if they are African-American. Doing a Rooney Rule in the NCAA, is there some way that we can make that by rule, not by legislation but by the NCAA to really encourage this?

Mr. BRAND. Now, remember, the Rooney Rule only mandates a best practice for interviews. We already have that. In fact——

Mr. TERRY. And Reverend Jackson even exposed how that can be abused.

Mr. BRAND. Right, so that is not where the answer lies. I mean, where I think the answer is lying is making sure that there is direct and informal contact and it can't just be from the national office of the NCAA. For example, the conferences and the conference commissioners have begun to hold informal meetings in June and other times of the year in order to bring together athletic directors and potential candidates who are African-American head coaches. Our coaches' academies not only serve some professional development opportunities but they also bring people together in the same room. We need to be able to break down those social and informal barriers so that we know, so that the ADs and others who are making the decisions understand and can interact with these leading coaches.

Mr. JACKSON. The reason I am so strong, Congressman, on the rules is that you do benefit people that you know, trust, like and have to—know, trust, like, have to. If we have to be considered, then we are in the game. If it based on know, trust and like, we don't get in the circle. There is a dimension just beyond know, like, trust, have to. If you get Federal monies for that school and they are hiring people, there is something called EEOC, that is called fairness in hiring. That does not guarantee that the person gets the job. It guarantees transparency in the consideration, and to that extent, you begin to move in with the have-to dimension.

Mr. TERRY. In that regard, does that mean that university hiring within an athletic department is exempt from EEOC review currently?

Mr. BRAND. No.

Mr. TERRY. I didn't think they were.

Mr. JACKSON. Apparently they are.

Mr. BRAND. No——

Mr. TERRY. Unless a complaint is filed.

Mr. BRAND. EEOC says that in extraordinary circumstances you can step out of your normal hiring practices. Unfortunately, that is used too much and is an excuse. So it is within the law but it is being abused, to be frank about it.

Mr. TERRY. All right. Then there is maybe some way or something that we could do to look at it but I think other regards it needs to be dealt with by some institutional changes within the NCAA or, as you said, Dr. Brand, the conferences themselves.

In my minute and a half that is left, just as a college football fan, it appears to me just over the last 10 to 20 years even though there are white head coaches, even at the University of Nebraska, the vast majority of assistants, offensive, defensive coordinators are African-American. Are we seeing that tipping point coming where just the vast—there is going to be so many more highly qualified coordinators that are from major programs that are going to be the

obvious choice for the head coaching position, that we are just going to see a more natural hiring of African-American coaches? I would like your comments both from Reverend Jackson and Dr. Brand.

Mr. BRAND. I would hope so but I am at this point not as optimistic as I would like. I mean, it is true that the pipelines are filling up and that is a very positive sign but until we actually make the hires, we won't reach the tipping point. We are not close to the tipping point right now. We don't have the critical mass.

Mr. JACKSON. Being at this hearing, Congressman Rush, is making this a public discussion. We have to put light on this discussion. It is absurd. When you look at Lovie being the fourth choice and he takes them all the way to the top and after he won the championship last year in this area they kept him from a pay raise. This time he went all the way to the Super Bowl, and I am glad that the writers in this sense, white female writers said it is beginning to smell like race. If Bobby Rush or I had said that, it would take on another, here you go jumping again, but is becoming obvious that something is not passing the smell test when the Super Bowl coach cannot get paid more than his players. It is that little tweak there that means that public pressure becomes a factor in forcing people to think, because if the Chicago Bears fans, they say he is the guy, and in Indiana, Dungy is the guy. So it is that—that is the tipping point that must be broken and I think public pressure and your inquiry—if they know that there is a new hire to be taking place and that your eyes are on them for transparency, that would be a help. Just that alone would be a help.

Mr. TERRY. Thank you.

Mr. RUSH. Mr. Whitfield, you are recognized for 5 minutes.

Mr. WHITFIELD. Thank you, Chairman Rush, and Reverend Jackson and Dr. Brand, we appreciate both of you being with us this morning on this important subject. Like other members, I certainly enjoy professional sports and collegiate sports, and I would just ask you, what is the average salary—maybe Reverend Jackson can answer this question—the average salary of a head coach in the NFL today?

Mr. JACKSON. I do not know. All I do know is, it has been widely published that the lowest salary is Lovie Smith, who took the team to the Super Bowl. That is all I know.

Mr. WHITFIELD. And did you make the comment that he was unable to get a new contract signed or something?

Mr. JACKSON. It is being negotiated right now, and it is becoming an issue in the public because it is so absurd right now. He is the guy who is the key man obviously from his success and yet far inferior records are getting better paid but not the same kind of public back and forth.

Mr. WHITFIELD. And Dr. Brand, do you all keep records of the race of athletic directors at, say, Division I colleges around the country?

Mr. BRAND. Yes, we do. The situation for ADs is a little different from head football coaches. We are at the beginning of seeing some serious movement and in particular several African-American athletic directors are now at the very best jobs and are moving between positions, so we are close to the tipping point. They are not

there yet but we are seeing in athletic directors some serious positive movement.

Mr. WHITFIELD. How many Division I schools are there?

Mr. BRAND. There are 119 I–A schools.

Mr. WHITFIELD. And of those 119, how many African-Americans would be the athletic directors?

Mr. BRAND. I think it is around 13. I am not 100 percent sure of that number but I think it is—more importantly, it has increased and importantly too they are at some of the very best schools.

Mr. WHITFIELD. Now, you obviously have a lot of contact with university presidents and university athletic directors. Is this an issue that they seem to be talking a lot about or is it just sort of something that comes up periodically or——

Mr. BRAND. I think there is general recognition and concern but not enough debate and discussion.

Mr. WHITFIELD. Right. How many employees do you all have at the NCAA?

Mr. BRAND. Now, remember, there is great confusion about who the NCAA is.

Mr. WHITFIELD. OK.

Mr. BRAND. The national office has about 350 employees. They are all staff members, myself included. I have no votes on any of these issues. We service the larger population. That larger population consists of over 1,000 schools and universities and the hiring decisions are being made on the campuses. The NCAA national office has no authority to recommend or to make any hires.

Mr. WHITFIELD. OK. So the 300 or so at the headquarters, you all are simply the administrators of the rules and regulations and provide guidelines?

Mr. BRAND. Yes, sir. That doesn't stop me from speaking out though.

Mr. WHITFIELD. And at the NCAA headquarters, what percent would be African-American employees, would you say?

Mr. BRAND. I will ask my colleague but I think it is over a quarter. Yes, about a quarter, including leadership positions, I should say.

Mr. WHITFIELD. And how long have you been the head of the NCAA?

Mr. BRAND. Four years, sir.

Mr. WHITFIELD. So have you enjoyed the experience?

Mr. BRAND. Yes, I have.

Mr. WHITFIELD. I am not going to get into the University of Illinois Ilini issue but—OK, Mr. Rush. I yield back the balance of my time.

Mr. RUSH. We recognize the ranking member for an additional question.

Mr. STEARNS. Mr. Chairman, you were asking Dr. Brand a couple things which I thought were pertinent, and I would like to find out, what is your feeling on the influence that the alumni has in the selection of the football coaches, because we have talked about the athletic director, the president, and you indicated the president probably has no knowledge of who to hire; he relegates this to the

athletic director. But it wasn't clear to me in your conversation your feelings about the alumni department.

Mr. BRAND. That is a very important question, I think. I think on some campuses, and it is variable by campus because there are different processes on each campus. It is variable by campus. On some campuses, they have a great deal of influence. On most campuses, the large majority, they have modest or little influence. So you really—I read an article not long ago, an op-ed in the New York Times, that said it was the alumni group or the booster groups that were the problematic groups, and that is conceivable. It would be true on some campuses but I would think it would be a small proportion of the campuses, so we have to be careful not to exaggerate their role in the decision-making.

Mr. STEARNS. I just wanted to ask Reverend Jackson the same question I asked Dr. Brand, he was talking about the athletic directors and the president and the alumni and trying to understand this transparency, and I was asking him what the influence of the alumni was, and you perhaps may have an opinion of the alumni's participation and their decision-making process in this whole process.

Mr. JACKSON. Well, they are the ones that pay the coaches the exorbitant salaries, oftentimes outside and beyond what the presidents make.

Mr. STEARNS. Yeah, they make a lot more than the president.

Mr. JACKSON. Well, they do, and they are the ones that offer the coach the radio and the TV commercial deal. They bring to the table lots of money to influence the decisions and all you can do is to, A, recognize that that big money factor is a huge factor.

Mr. STEARNS. Is it critical, do you think? Would you say it is critical in the decision process?

Mr. JACKSON. It may be the biggest factor because you are not hiring a coach to be a physical education teacher. You are not hiring him to be a professor. You are hiring him to coach the ball team and that is its own profession.

Mr. STEARNS. Dr. Brand, Reverend Jackson says he thinks it is critical, perhaps the reason that a lot of these coaches selected. Would you agree with that?

Mr. BRAND. On this particular issue, in my own experience I would not say that that is the case. However, on some campuses, often very high-profile coaching positions, it is critical but on a large majority of campuses in my experience and talking to many presidents, it is a factor but not the critical factor.

Mr. JACKSON. Dr. Brand is different. You must understand. This guy got rid of Bobby Knight so he is different. He is not like other people.

Mr. RUSH. With that note, we are going to conclude this first panel. I want to really thank our witnesses for their extraordinary testimony and we certainly will commit to continue to look into this area and provide what we hope will be some remedies for this situation that currently exists. Thank you very much.

We will call our next panel. I want to welcome, and this committee wants to welcome this panel of expert individuals who have shared so much of their lives that they experienced with America. I want to first of all, from my left and your right, I want to wel-

come specifically Dr. Fitzgerald Hill, who is the president of Arkansas Baptist College. Dr. Hill is a former head coach of the football team there at San Jose State. Dr. Hill was an assistant head coach at the University of Arkansas football team. He has done extensive academic work on this particular subject matter.

Next, Dr. Floyd Keith is the executive director of the Black Coaches Association. Mr. Keith can describe the difficulties and barriers African-American coaches face when trying to move up the coaching ranks and obtain the top head coaching positions of college sports teams.

Our next witness is Dr. Richard Lapchick, who is the chair of the DeVos Sports Management Program and director of the Institute for Ethics and Diversity in Sports at the University of Central Florida. Dr. Lapchick has done extensive work as an academician and as an advocate for diversity in college sports and will present a macro perspective including the results of his annual "race and gender report cards for college sports."

Our next witness has been identified and talked about earlier by the earlier witnesses. He is none other than the one and only Dr. Nolan Richardson, who is the former head coach at the University of Arkansas in basketball. Coach Richardson was the head coach of the Arkansas Razorbacks when they won the national championship in college sports at the Division I level, and despite his enormous success as was indicated earlier, he took his team to the Final Four three times and he won the National Coach of the Year honors in 1994. The University of Arkansas fired him in 2002, and we would like to hear his testimony regarding that.

Finally, Tim Weiser, who is the director of department of athletics at the Kansas State University. Mr. Weiser is also the incoming president of Division I–A Athletic Directors Association. Mr. Weiser recently hired Ron Prince as head coach of the Kansas State University football team, making Mr. Prince one of the only seven African-American head coaches in Division I–A college football. We welcome him and his testimony also.

We will begin with opening statements for 5 minutes from our witnesses, and we will start with Dr. Hill. Dr. Hill, would you please give us your opening statement for 5 minutes?

STATEMENT OF FITZGERALD HILL PRESIDENT, ARKANSAS BAPTIST COLLEGE

Mr. HILL. Thank you, Chairman Rush, and Ranking Member Stearns and other distinguished members of the subcommittee, and I appreciate the opportunity to share my personal experiences with you today. You have heard the stats and I am not going to elaborate on that. But this is very personal to me because I was in this profession for 20 years and this is something that has weighed heavily on my heart.

I think if we go back and look, and I am going to share a little story as head football coach at San Jose State, we were coming off a very positive 2 years. Our third year, we had some problems and didn't win as many games as thought, but as we stood at the boosters meeting which Mr. Stearns had referenced to what the importance of the boosters that get involved in the hiring process, I recently hired a new white defensive coordinator after replacing a

black defensive coordinator. So after a few glasses of wine, a booster came over to me and said Coach Hill, a couple of boosters and I, we have been talking, we have been thinking and we think that you are going to turn the program around now. He said we just had a discussion a few weeks ago and we think one reason that you were not more successful is because you had too many African-American assistants on your staff. I said oh, really. I said, well, it is interesting that you would say that. I said have you researched the success of the program over the last 3 years versus the success of the program 2 years previously of the two previous head football coaches, who happened to be white. I said if you know Coach John Ralston, who is a Hall of Fame coach, served as head coach at San Jose State for 3 years, who is now in the Hall of Fame, and then he named his own successor, David Baldwin basically, and I said did you check their winning percentages, and he said no, I haven't done that. I said if you go back and look at that real closely, you will see that my winning percentage is better than their winning percentage after 3 years.

So with that being said, I want to ask you this question: after those first 3 years of those individuals, did you go back and tell Coach Ralston and Coach Baldwin that they would have won more games had they had more white coaches. And the booster situation has a lot to do with what we are dealing with today, and I think in my opening testimony I would like to say how the story of the effects of race is in the numbers and the history of the hires. I mean, you don't have to say anything, just look at the statistics.

Race continues to influence the decision-making process for head coaches and coordinators positions. To explain the effects, consider this. What if Vince Lombardi and Bear Bryant were born with one-tenth of African-American blood in their veins? Where would their coaching careers have taken them? The same holds true for Bud Wilkinson, Woody Hayes, Frank Broyles and Darrell Roll.

In the five Bowl Champion Series (BCS) games following the 2006 season, the 10 head coaches were all white. How long will it be before two African-American coaches play each other in the national champion game? We don't know. At the conclusion of the 2006 season, there were 23 vacancies. One African-American was hired and he wasn't their first choice. Since 1992, there have been 437 head coaching vacancies at Division I level. African-American coaches have been selected a total of 26 times with 12 hirings occurring after the 1996 season. With those numbers, there are those who claim that equal opportunity is available to all regardless of color, but if they analyze the data, they would be amazed that more African-Americans have served our president as a Secretary of State than have worked as head football coach in the Southeastern Conference. I am so thankful that General Powell and Secretary Rice had a goal of emulating Henry Kissinger instead of Bear Bryant.

The unconscious employment barriers of these problems are evident when you listen to Roy Kramer, who served as commissioner of SEC for 12 years, and in 1997 Roy Kramer told the Washington Post that the SEC schools were hiring equally across the board. Well, if Coach Kramer and others like him looked at the situation realistically, they would realize that their definition for equitable

access in the coaching profession was at least grossly distorted and at most is a factual lie. The NFL has made tremendous progress with the Rooney Rule but for the NCAA to merely match the NFL's progress in this area, college football would have to hire 21 more African-American head coaches tomorrow. That is hard to imagine when considering that there is fewer African-American head coaches than there were 10 years ago, which concludes that racial equality is not progressing forward, it is actually going backwards. In football terms, that is called a fumble. Thanks to Jimmy "the Greek" Snyder, which really brings these comments to light with his comment back in 1988 and he said, "If all African-American coaches take over all the coaching jobs like everybody wants them to, there is not going to be anything left for white coaches." This is 2007. That statement was made in 1988. We have to tackle the barriers so that black coaches can coach. They want what everybody else wants, an opportunity to do that. I am fortunate that I had the opportunity to do that and I hope that my peers will get that chance to do the same. Thank you so very much for allowing the testimony.

[The prepared statement of Mr. Hill appears at the conclusion of the hearing.]

Mr. RUSH. Thank you. Mr. Keith.

STATEMENT OF FLOYD KEITH, EXECUTIVE DIRECTOR, BLACK COACHES ASSOCIATION

Mr. KEITH. On behalf of the Black Coaches Association, I would like to thank the Committee on Energy and Commerce and particularly the Subcommittee on Commerce, Trade, and Consumer Protection and you, Chairman Rush, for initiating this hearing regarding the lack of diversity in leadership positions within the NCAA collegiate sports. I am proud to represent more than 4,000 members of our association who entrust me with this opportunity to dialog on this issue. The Black Coaches Association is a 501(c)(3) tax-exempt, nonprofit organization created for the primary purpose of fostering the growth and development of ethnic minorities at all levels of sports, both nationally and internationally. Our mission is threefold: to address significant issues pertaining to the participation and employment of minorities in sport, to assist minorities aspiring to have a career in athletics through educational and professional development programs and scholarships and to provide youth and diverse communities the opportunity to interact positively with the BCA.

This statement specifically relates to the dire and disparate representation of African-Americans in roles of leadership within the NCAA. Since 1987, and especially beginning with the fall of 2002, the BCA has been hands-on in the effort to implement positive and proactive initiatives to address this concern. Dating back to 2003, on four previous occasions, I have personally voiced this concern on behalf of the association to members of Congress at the Congressional Black Caucus in 2004, the annual legislative conference in 2004, and in 2005, the National Black Caucus of State Legislators. I applaud this committee.

Dr. Lapchick will share with you the stark reality of statistical facts regarding participation and employment opportunities. One

statistic I will definitely share with you which I am sure will get your attention is this. Recognize today that a candidate of color has a far great chance to become a general in the United States Army at 83 percent with 26 percent participation than becoming president at any NCAA Division I–A institution, which is 3.4, or being named head football coach, which is 3.6, or women's basketball coach, which is 7.7, for any NCAA Division I program as well as an associate athletic director at 8 percent for any institution or faculty rep at 7.6 or being named commissioner of any NCAA athletic conference, which is zero percent. You have a better chance of being Colin Powell.

The game plan for the BCA has been addressed and centered on a goal-oriented approach which has been framed on knowledge, accountability and political influence and financial influence. The knowledge component has been addressed in three ways: first, by our continuing efforts to expose and report accurate statistical analysis of the issue. Second, these statistical data are then complemented by providing intercollegiate decision-makers with lists of capable candidates for head coaching and athletic director openings. We also understand the necessary to both acknowledge and increase the numbers of African-Americans in the candidate pool. For the past 5 years the BCA has made the diligent effort to provide capable candidate lists for Division I head coaching openings in football to collegiate athletic directors and presidents for every opening. We have asked that this information be received with an open mind with the insistence that an honest consideration of applicants of color and gender would be given. It will be difficult, if not impossible, for change to occur if decision-makers do not expand their knowledge and awareness of potential candidates beyond their often utilized comfort zone.

The third piece is educating the general public regarding the unfounded myths of people of color and the unspoken concerns of the negative effect upon financial giving and corporate sponsorships that is also a function of knowledge. The BCA believes accountability is fundamental in any formula dedicated to altering social injustice. Throughout the history of our United States, the resolution of civil rights issues has always required accountability. The role of the BCA's hiring report card, which I will discuss shortly, has served as our instrument of accountability to date. Just as title IX opened doors for NCAA women's athletics, we believe title VII may be necessary to drive this issue to the forefront and fulfill the accountability requirement. History has proven that in order for any significant progress to be made in eradicating a social injustice, legal action has been the catalyst for change.

The final category is that political and financial influence reveal a harsh reality which is present in all high-profile searches. Who knows who is much more important that who you know. It would be naive for us to think we can disregard the power of influence of these components.

Increasing the candidate pool, I will address that briefly. Since the fall of 2002, we have attempted to increase the pool of candidates with the awareness of capable candidates lists for the positions of head football coach and basketball coach as well as athletic director. This resource was initiated as a collaborative effort be-

tween the BCA and the NCAA's minority opportunities interest committee coupled with recommendations from high-profile coaches and administrators in collegiate athletics. Myles Brand has supported this process. Our lists are distributed in two ways. As a subscriber to the BCA's online job line, a candidate list may be viewed by representatives of the institution seeking applicants. Second, for the Division I head coaching openings in Division I football and women's basketball and for athletic director searches, both a general and specific candidate list is provided directly to the institutional athletic director and president via a hiring report card package which we sent.

Great strides have been made in professional development. The aforementioned coaches academies that have been developed by the NCAA at Myles Brand's blessing and with the support of the BCA and the American Football Coaches Association and the NFL are going a long way to provide new candidates for intercollegiate coaching positions but this may not be enough.

Mr. RUSH. Mr. Keith, would you bring your conclusion, please?

Mr. KEITH. We have been working also to confront myths, improving the search process with our aforementioned hiring report card, which is already in the record, sir, and title VII implications we feel can be utilized to advance this issue. Thank you very much.

[The prepared statement of Mr. Keith appears at the conclusion of the hearing.]

Mr. RUSH. We will make sure that the remainder of your testimony is included into the record. Dr. Lapchick, welcome.

STATEMENT OF RICHARD LAPCHICK, CHAIR, DEVOS SPORTS MANAGEMENT PROGRAM

Mr. LAPCHICK. Thank you very much, Congressman, and we really appreciate the fact that you have convened these hearings. I was one of the people who testified when Congressman Towns and Senator Bradley put forth the Student-Athlete Right to Know Act many years ago and that has had a tremendous effect and I think today's hearing have that same potential effect on an equally critical issue.

I think we have a rare opportunity, everybody has alluded to it, because of the Super Bowl and the two coaches who were in that game and one African-American coach now a Super Bowl champion. A lot of people were surprised that an event actually taking place in Black History Month made history in Black History Month. Today is the last day of Black History Month and the question is, will we remember what happened and the facts? Most people were surprised when I mentioned that in the history of the National Basketball Association, only one time have two African-American head coaches faced each other in an NBA championship. There has never been two in a World Series. There has never been two in the final men's championship or women's championship game in college basketball. There has never been two African-American head coaches in any BCS bowl game. This was a rare, rare event as has been noted. And the question is, do we remember the names of those coaches who broke those barriers? Probably not.

Do we remember the dates when they broke the barriers? In fact, in the NBA it was Al Attles and K.C. Jones in the 1974 NBA cham-

pionship. Prior to that time, only five African-Americans had ever been head coaches in the NBA. Since then, 46 African-Americans have been head coaches. When Nolan Richardson, John Thompson and Tubby Smith led their teams to NCAA championships, prior to John Thompson's victory with Georgetown, there has been only a handful of African-American head coaches in the college ranks.

Now with 25 percent of Division I basketball coaches being African-American, it is a completely different landscape. In the NBA and the NFL, we barely even notice when an African-American is hired or fired because the doors seem so wide open. Obviously that is not the case in college football, and while we have spent a lot of time on college football, I also want to paint a picture of all of college sport because the restrictions are simply not limited in the area of football. We have in terms of student-athletes plenty of opportunity. And these are Divisions I, II and III, respectively, the statistics I will give you. Twenty-one percent of Division I student-athletes are African-American, 18 percent in Division II, 7 percent in Division III. We have more than a majority in college basketball and nearly a majority in college football. Nearly 44 percent of women playing college basketball are now African-American, an all-time record.

When we look at the positions of who is running those sports, the picture changes, and that has been alluded to in cases so far. Every one of the Division I–A conference commissioners are white men. Every one of the Division I conference commissioners excluding the historically black colleges and universities are white. In the coaching ranks, we talked about basketball and plenty of opportunity. We have talked about football. College baseball, 4.1 percent of the head coaches in college baseball are people of color. Across three divisions, these are the percentage of whites holding those head coaching positions. Division I—this is all sports—90.6 percent; Division II, 89.5 percent; Division III, 93.4 percent. The percentage who hold those head coaching positions in college football are actually higher than they are for African-American head coaches in Divisions II and III. In fact, for me the most startling statistic, Congressmen, is that there are more women coaching men's teams in Division III than there are African-Americans coaching men's teams in Division III. There is a virtual lockout of opportunity for African-Americans in those coaching ranks. When we come to the college president ranks, you have heard already that 94 percent are African-American. When we look at the athletic director ranks, 95 percent, 94 percent, 93.2 percent at the three different levels are all held by white men. There is an impression that there are lots of people in the pipeline in the associate athletic director positions ready to step up. The percentages of whites controlling those positions are 91 percent, 89 percent and 92 percent in the three respective divisions.

It was alluded to by Congressman Terry before that the majority of assistant coaches at the coaching ranks in college football are African-American. The reality is that that is simply not true. There is not one division that has less than 80 percent of the assistant coaches who are white and the opportunities just are not there across the board at all positions and I think what it calls for is tools that we simply don't have in college sport because whatever

we have isn't working, and Dr. Brand has been a tremendous leader on this issue. He has done great things in the NCAA including who has brought into the NCAA but he hasn't had the ability as the NCAA president with the bully pulpit to really make significant changes, and I think that is quite obvious to me, and I know that there is resistance to it at the level of the NCAA, that the Rooney Rule has made a tremendous difference. We went from two to seven African-American head coaches in the National Football League. Most people forget that 2 years prior to the Rooney Rule, Bud Selig implemented a similar rule without a name and Major League Baseball went from three to nine managers of color in Major League Baseball and yet you heard Dr. Hill said that we actually have less head football coaches in college sport now than we had 10 years ago when we had eight Division I–A head coaches. The situation is worse now than it was 10 years ago. I think the Rooney Rule, I think title VII lawsuits, I think the whole series of some of the things that the NCAA is already doing will be helpful but I think the keys are getting more tools and having these congressional hearings are certainly a start in the right direction, and I thank you for listening.

[The prepared statement of Mr. Lapchick appears at the conclusion of the hearing.]

Mr. RUSH. Coach Richardson.

STATEMENT OF NOLAN RICHARDSON, FORMER COACH, UNIVERSITY OF ARKANSAS BASKETBALL TEAM

Mr. RICHARDSON. I want to thank the committee and Congressman Rush for inviting me up.

On this day 5 years ago, the last day of Black History Month, I was fired on this day, so this is an anniversary date for me. I thought about it when I was sitting in the motel room. On this day 5 years ago I was sitting listening to two white males determine my fate in coaching athletics and basketball and being an assistant athletic director. It always has been my burden to prove that I suffered at the hands of discrimination while working at the University of Arkansas as the men's basketball coach. I believe that my cries for equality fell on deaf ears. My immediate superiors did not care about what I had to say. Of course, since they were the offenders, especially one, this did not stop me from continuing to point out the overt discrimination

I had to endure during those 17 years. I had not received the greatest contract. The numerous bonuses that other coaches, which were basically white, particularly football, would make—or have better contracts that I had when I had been working extremely hard having a building built at the University of Arkansas that seated almost 20,000 fans. Tickets all sold out, from 5,000 to 8,000 on the waiting list for tickets to Razorbacks basketball games. And yet, when it was contract time, my contract seemed to the hardest to fill or to complete year in and year out. I had to work extremely hard with an agent to try to bring that to a halt. I also in 1990 became assistant athletic director until 2000. That is 10 years. And in those 10 years, I never once was invited to a meeting and I was one of the assistant athletic directors. Not only was I an assistant athletic director at the University of Arkansas, I was also an as-

sistant athletic director at Tulsa University where the young man that was in the Super Bowl was one of our players and football coach, Lovie Smith. I knew him back then. I was really proud of him. Prior to that, I was an athletic director at the junior college. So my life was to become a basketball coach and work my way up and to become an athletic director and yet I was stonewalled at the point of being a token for the University of Arkansas because of affirmative action. When asked the question how many African-Americans are on your staff, he could easily say yes, we got one and his name is Nolan Richardson, which I had no authority on anything. I didn't even once have a chance to be involved with decision-making policies.

After being fired, I wasn't even allowed to coach my team the last game of the season. I was approached by the athletic director and chancellor to bow out and say to the fans and to the people of Arkansas that I was tired and I wanted to spend more time with my family and they were to buy me out and give me a little job and pull the fans back together. They fired me because they say I made a statement that affected the fans but yet I am offered a job to keep my mouth shut and not be allowed to coach my team if I agreed not to do it, and of course, I did not agree. So there was no real equality in the terms of things that happened to Nolan Richardson on that campus as opposed to my white counterpart coaches. I made a statement and it was held against me and it didn't matter.

The statement that I made is that my great-great-grandparents came over on the boat; I did not. I expect to be treated differently than they were. I did make another statement that there was no one in that room that looked like me. Everyone, the media, everyone in Arkansas was lily-white so they had their own reasons for making me look like the bad guy. So when I sit and listen to the people that made these statements, there is no question, no question that in all the major universities, that the alums or boosters are in control. The only State that I really give creed to is Oklahoma, and the reason is because when I was at Tulsa University, I happened to be the only African-American in that area but by the time my team did what they did, Oklahoma had hired a football coach, Oklahoma University hired a basketball coach, Oklahoma State hired a African-American coach that we talked about, Bob Simmons, and they also hired a black coach in basketball. That is the only State that I know of that have shared their football and basketball with African-Americans. Thank you.

[The prepared statement of Mr. Richardson appears at the conclusion of the hearing.]

Mr. RUSH. Mr. Weiser.

STATEMENT OF TIM WEISER, DIRECTOR, DEPARTMENT OF ATHLETICS, KANSAS STATE UNIVERSITY

Mr. WEISER. Chairman Rush, distinguished members of the subcommittee, good morning and thank you for allowing me this opportunity to address the issue of diversity in the positions of collegiate athletic directors and head coaches in Division I–A of NCAA.

My name is Tim Weiser. I was asked to speak with you today specifically because the institution I represent as director of athlet-

ics, Kansas State University of the Big 12, is one of only six Division I–A athletics programs to have an African-American in position as head football coach. Ron Prince was hired in December 2005 in place of the retiring Bill Snyder, who in his 17-year career was credited with what has been called the greatest turnaround in college football history. Coach Prince has quickly made his own mark producing a winning record and leading the Wildcats to the Texas Bowl on his first season.

I believe I also can offer insight to this subcommittee on the topic before us because of my history of diversity in hiring head coaches as well as my position representing the Division I–A Athletic Directors Association as the incoming president. This background allows me within my personal experiences to reflect upon current and historical practices in our profession that are relevant to today's discussion.

As I begin my 25th year in collegiate athletic administration, the past 20 as director of athletics at four different institutions, I have been blessed to be part of my achievements and milestones. In my first experience at Wichita State, I had the opportunity to work with Willie Jeffries, the first African-American head football coach in Division I–A history. I am certain that as a 24-year-old breaking into the athletic business that those experiences helped shape my understanding of the importance of diversity within an athletics department. Once I became an athletics director and was in a position of authority for hiring head coaches and staff, I selected the first ever African-American head basketball coach at both Eastern Michigan University and Colorado State University. Ron Prince is the first African-American head football coach in Kansas State history.

I believe it important for this subcommittee to understand that in each of these appointments, the decision I made was based on the belief of who I thought was the best fit for the particular institution and most qualified candidate for the job. This has always been the ultimate factor in my decision-making process for hiring coaches.

As the incoming president of Division I Athletic Directors Association, I am encouraged by what I see as an evolution within my profession. The business is changing rapidly. There may have been a time when an athletics director was a former coach or a favored son of the institution but as the enterprises have grown and the financial implications have become so significant, the job now requires skill sets and new ways of thinking involving leadership, counseling, personnel management, fundraising and much more.

I believe the ultimate goal of an athletics director is to provide within the means of the particular institution the necessary support and resources to give each student-athlete his or her best opportunity to graduate with a meaningful degree and be adequately prepared for a successful life to become leaders and contributors to our Nation.

Our profession is looked up now in large part like any other multimillion dollar business enterprise requiring progressive and inclusive processes that allow for growth in many ways that did not exist in years past. A constant in the role of athletics director, not unlike that of any CEO of a corporation, is the importance of mak-

ing good decisions in the hiring of head coaches. We are defined in large part by the choices we made for our head football and basketball coaches because we are all seeking to discover that man or woman who can succeed in building a championship program.

You have asked me here today because you are looking for answers as to why there aren't more than six African-American head football coaches at the highest level of the NCAA. Clearly, the growth in this area has been slow and I can only testify to my own actions. However, as I look at the sport of men's basketball and the growth in the number of African-American head coaches in place, I am encouraged that similar progress can be achieved but steps and incentives for progressive leadership need to be put in place for us to move forward. It will take the guidance of Myles Brand, all university presidents and athletics directors and even head football coaches themselves to create an environment that expands the pool of qualified candidates and provide more networking opportunities to allow those individuals to become more widely known for consideration as has become the practice in the NCAA and the NFL. In fact, a better dialog between the college hierarchy and that of the NFL, which is tapping into the talent pool of minority collegiate coaches to allow for discussion of reciprocal arrangements regarding the interviewing and hiring processes currently in place could prove beneficial.

Additionally, legislation to provide financial incentives for those NCAA member institutions to employment minority head coaches and athletic directors could be drafted by adoption by our organization. This diversity incentive would reward, not punish, those who seek to improve and grow the current pool of minority head coaches and athletics directors.

I offer these as just a couple of examples of ways that we at the collegiate level can consider expanding opportunities for minority candidates as we contemplate a new direction for collegiate athletics.

Thank you for the opportunity to offer my thoughts and share my experiences. I look forward to answering your questions.

[The prepared statement of Mr. Weiser appears at the conclusion of the hearing.]

Mr. RUSH. I want to thank the witnesses. I will start off with some questions. Coach Richardson, I want to return to an area that you described. First of all, let me just ask you this question. I am concerned. Do you consider yourself blackballed in college athletics now because you are unemployed now as a college coach?

Mr. RICHARDSON. I have been told by the person that is an agent of mine that there is no question what is happening, that the fear of being outspoken and the truth is, people don't want to hear that, and from that standpoint, I may have some baggage that I may be carrying. So from that standpoint, yes.

Mr. RUSH. So not only do you have to be effective and efficient and good at being an expert at being a college coach, you also have to be quiet? Is that what you are saying?

Mr. RICHARDSON. Absolutely. I mean, you have to stay in your place, as they call it. The good old boy system is well and alive and I think it is on a lot of campuses and probably on most campuses. The opportunities for white coaches are always going to be there

until there is—there was a question—my train of thought was, there was a question that I wanted to address about why are the black kids are going and playing basketball because of course there are more black coaches, and I think it all happened with the John Thompson when he had Patrick Ewing making the statement that I am going to play for a black coach. Now, what would happen if the football players who are key players say I am going to play where there is a head black football coach? I think something would start to change. Something has to change and that is what it is all about. So when you talk about basketball, that is what had happened, and as the blacks begin to get more jobs, kids beginning to get an opportunity to go to those schools, let us face it, it is about money. It is a big business in Division I basketball and football. It is a corporation. It is about money. It is as simple as that.

Mr. RUSH. Thank you. Mr. Keith and Dr. Lapchick, your focus has been on and your efforts have been on a lot of public exposure and you might even—in your testimony you even used the word "embarrassment" as a means of galvanizing individual schools toward hiring more minorities. That might be a good approach, it might be effective, but my question is, is embarrassment powerful enough? What if some of the more entrenched interests who are there to promote for the status quo—is embarrassment enough to break through that entrenchment? Suppose they don't respond to public pressure or to public embarrassment? What else is there that we could—what other remedial efforts can we take?

Mr. LAPCHICK. Well, I think it is pretty clear that embarrassment hasn't been effective enough based on the numbers that we talked about. I think that one of the things that we are discussing are title VII lawsuits. The cause of women in college sport was advanced enormously when women started bringing lawsuits against schools under title IX and won, and that hasn't happened yet on the issue of race and we think that that might be a powerful tool in the years ahead, and Floyd Keith and the Black Coaches Association are strongly considering that at this particular moment.

Mr. KEITH. I think exactly what Richard is saying. We felt when we initiated the hiring report card that maybe the pressure of public opinion would be enough to bring this issue to the forefront. We are going to continue to do the hiring report card regardless of whether the numbers increase or not because we think it has a role now in the consciousness of sport, particularly on the collegiate level. We are going to do that with athletics director searches. We are also going to do it with women's basketball. But at the truth and the heart of the matter is, the numbers aren't at a level where they should be and it hasn't gotten to the point where we don't talk about it anymore. It is title VII which we think may have teeth. I don't—you have got to have something that has some bite, and I am just not sure—because we will have a handful, like this year we are going to have almost 36 schools we are going to evaluate in football, and I know that for a fact our grades will come out in September. There is going to be five schools that just completely disregard the report card and they are just going to take the F and so they are basically saying well, we will take the F and then so be it. Well, that is not good enough. We have got to hold them further to accountability because some of them like in the old days say

well, you can't eat here, so what, who is going to do anything about it, you not eating here in the 1960's. So we go back to the same issue. I think it is a good tool but I don't think it has got enough.

Mr. RUSH. Thank you. Mr. Stearns.

Mr. STEARNS. Thank you. I think, Dr. Hill, you had indicated that the statistics show that we are actually in the last 10 year we are going backwards in Division II and III and actually Division I schools for African-American coaches. Isn't that what you said?

Mr. HILL. Yes, sir, Division I, we have fewer coaches today than we had 10 years ago.

Mr. STEARNS. OK. And what about Division II and III? Maybe Mr. Lapchick can tell me that. In Division II and III, what Dr. Hill referred to for Division I, is that true for Division II and Division III for male African-Americans, the numbers of coaches going down?

Mr. LAPCHICK. There has been virtually no opportunity historically in Division III whatsoever, so it has been pretty flat there. I think there is a single African-American head coach in Division III and that is a high number. In Division II, it has been four, five, six, over the years, kind of steady and constant, but the reality is that if you look at all the statistics, the opportunities are worse in Division III, a little bit better in Division II and a little bit better in Division I but they are not good in any of them.

Mr. STEARNS. Is that because there are less choices maybe, or not? How would you attribute that fact that Division III is the worst?

Mr. LAPCHICK. I think people aren't scrutinizing it as much as they are Division I.

Mr. STEARNS. It is easier for a coach, isn't it, to be successful in Division III than in Division I? It is not as competitive, so——

Mr. LAPCHICK. Well, those coaches would tell you it is pretty competitive at that level but the opportunities—I mean, I think the reality is that whatever embarrassment effect there has been at Division I with the black coaches hiring report card and the racial and gender report card has never been applied to Division II and Division III. We haven't really looked at it so——

Mr. STEARNS. OK. So we haven't had the spotlight on it?

Mr. LAPCHICK. Right.

Mr. STEARNS. Dr. Hill?

Mr. HILL. I was going to say, if you take, for example—and I said this for a while is that many of your candidates should come from the lower division colleges as a training ground and you take example I–AA, you say, well, you haven't had Division I experience. Well, take Jim Tressel. He came from Youngstown State. He came from I–AA. Two years later, he went to the national championship. So that should be tremendous training grounds, which Division III should come from the high school ranks. But the problem is, the recruiting if you go and examine the demographics, you will see the same thing taking place in high school. You have an urban community which I have referenced book that looks like HBCUs. Then you go to the suburbs. You go to the suburbs, you still have one African-American coach on that staff. You go to urban America, then you have predominantly black coaches.

Mr. STEARNS. Well, now, Mr. Lapchick, I want to move towards the women, African-American women. We haven't talked about them at all. Dr. Hill has mentioned the statistics in terms of Division I, II and III. What do the statistics look like for women? Are they even lower than males?

Mr. LAPCHICK. As your question implies, it is a double layer of separation for African-American women, and one of the new initiatives of the Black Coaches Association this year is to do a report card on women's college basketball where nearly 44 percent of the student-athletes are African-American but the number of African-American women head coaches has actually been decreasing over the last 4 years and is now down to about 7½ percent.

Mr. STEARNS. And is this true in all sports or just one particular sport?

Mr. LAPCHICK. There are very few African-American women head coaches in any sports in any of the divisions. They are smaller numbers than African-American men even.

Mr. STEARNS. Our concern obviously is that this statistic is getting worse as time goes on in Division I, II and III as on the whole and it is also even worse for women. So that is really another important thing, Mr. Chairman, that we should be concerned about is not just the men but the women and particularly in some sports you have indicated, Dr. Lapchick, that most of the participants are African-Americans and yet there are no African-American coaches. Is that what you are saying?

Mr. LAPCHICK. There are a few African-American coaches but very few, and a significant percentage of African-American student-athletes. I think on the gender issue, it is also worth pointing out that 35 years after title IX, more men coach women's teams in college sport today than women coach women's teams.

Mr. STEARNS. Now, why do you think that is?

Mr. LAPCHICK. I think that men in some cases have gone for the opportunities to help them to move up to get a men's job. In the case of women's basketball, it has become pretty big time now so it is a prominent position now so the men are going for it and athletics directors who are overwhelmingly men are picking a lot of male coaches.

Mr. STEARNS. So what you are saying is, a male coach is competing with a female coach and sometimes a male coach is beating out the white as well as the African-American and that is because of the selection process?

Mr. RICHARDSON. Yes. There are way more white male coaches in the female game than there are black females coaching as head coaches, way more. We did—I worked with the BCA 6 years ago on the SAT and ACT testing and found that gender with the women—our black women do not coach volleyball and they were doing more things for gender equity but it wasn't helping the black female because our girls are track, probably basketball. So how are you helping them? You are making more jobs availability for men, white, and female, white women. It is just as simple as that.

Mr. STEARNS. Well, Mr. Chairman, I think the point I am trying to make is that we have concentrated this morning on the male African-American but I think we should also be aware that the female African-American is also seeing the same kind of statistics in

the Division I, II and III and that it is disheartening to think that they are even lower than the men and this has been getting worse across the board. So with that, I will yield back the balance of my time.

Mr. RUSH. Thank you. Mr. Ross.

Mr. ROSS. Let me begin with Dr. Hill, and I apologize for running in and out. I have got one markup in the Science Committee and two different hearings in two different subcommittees of Energy and Commerce Committee all at the same time. No wonder we have problems in America if this is how we run Congress, so forgive me for moving around so much.

Dr. Hill, you did a dissertation on this and you have probably put more thought into this than most in this room. Is this something that—and I agree that clearly if you look at the numbers, the numbers don't lie and there is clearly a discrepancy—not a discrepancy but there is clearly a need, if you will, to have more African-Americans involved in leadership and coaching positions within the NCAA. Do you do that through public awareness? And of course a lot of press are here today. Do you do that through legislation? As we conclude Black History Month and we look through the historical achievements and accomplishments that we have—if you look at the time that we have endured in America and the progress that we have made, clearly this is an example of how, as some would say, while we have done a lot, there is still a lot that needs to be done. How do we take it to the next level? Is it through social awareness, PR campaign or through legislation?

Mr. HILL. I think maybe, Congressman Ross, a little bit of both but I think if you look at the hiring situation, you will see the influence of boosters in the hiring process. College athletics, unlike NFL where you have the owner making the decision, you have an athletics director worried about maybe a construction worker who didn't even go to college but became a millionaire and has a lot of money and has some influence, and if this happened in recruiting, you can't have boosters get involved in NCAA with the recruiting mandates that are set up. And so what do you do? You make boosters aware of the recruiting process. I think we need to move forward in making boosters aware of what diversity looks like. By doing that, we make hay in the fact that they can say "oh, I see". Many boosters, when they think of what a head coach is supposed to look like, they see a white, middle-aged male and so what you have to do, you have to make a concerted effort to overcome that subconscious mindset of what a head football coach looks like. And so until we can get them to change the lenses of their camera and say maybe a head coach may not look like me, and we referenced, the success of basketball, success breeds change and when you have John Thompson, Tubby Smith, Nolan Richardson and people going to be successful, then you say we want to do that and recruiting can enhance that by having athletes decide hey, we want to go make a difference. This is really still a civil rights issue.

If you look at the heart of what we are talking about today, this is 2007. In 1994, Cedrick Dempsey, who was then executive president of NCAA, claimed that we need to redouble our efforts to ensure equity for all coaches. That is 1994. In 2007, February 28, we are having a congressional hearing because we have gone back-

wards. Now, we can keep making public awareness if we like, we can keep talking about it, and when you have the hurricane season that takes place in December and January during the hiring, then you don't hear anything else about it. We are here today because of two African-American coaches going to the Super Bowl. Thank God for that. But what we have to do, we have to put something in place. Title VII, title IX, something has to mandate that we move forward to add corrective measures or a game plan that will ensure equity for all coaches regardless of color, male or female.

Mr. ROSS. In my remaining seconds, Coach Richardson, I would love to get your thoughts on that. By the way, I am a huge fans of yours so I am glad to have you here today. Dr. Hill made it very clear when you asked what can we do, it has got to become law. I mean, we are not going anywhere until there is law made and that is when progress begins. In 1994 I was here. John Thompson and I were going to walk out of a basketball game. Here we are, as he said, 2007 and we got six, seven football coaches. I mean, that has got to be ridiculous in two matters. The first of it is, what about the youngster that is playing football; when he looks on the sideline he never sees anyone that looks like him. Why should he pursue a career as a football coach? You have got to look at people, and that is why I am so proud of the basketball moving because now a young man that plays basketball who wants to be a coach can say hey, Coach Richardson, Coach Thompson, Coach Tubby—I mean, he can point at people that have made it. How can the football player point at people? It is just like the quarterback. I wanted to be a quarterback in high school but I wasn't smart enough. They called the plays. What do you mean I wasn't smart enough? I could handle the ball like anybody else could. And now, it is not a question about a quarterback because the plays a lot of times are called in. I mean, have you ever seen a football player that it is a kicker that is African-American? I have seen one maybe or two. Why? Have you ever seen an extra point kicker? Why? Until law is made to change things, that is the only way we are going to progress. That is how I see it. In my lifetime, that is the only way it is going to go because then you take the boosters out of it. You have got to take the boosters out of the equation because no matter what you say, there is still cheating going on today on college campuses.

Mr. RUSH. Mr. Burgess, 5 minutes.

Mr. BURGESS. Thank you, Mr. Rush, and just like my colleague from Arkansas, let me apologize for being in and out. There is always a lot that goes on in this town on a Wednesday and today is no exception.

I guess my question was partly answered by Mr. Ross's last line of questioning is, where do we go from here as a legislative body? We can certainly hold hearings all day long, and we do, and we can hold hearings year in and year out, and we do, but is there a point—and Coach, I guess you said until the law is made, progress cannot be expected to occur. Progress is not going to occur on its own. It will have to be encouraged. And I think I understood where you said that that encouragement would have to come from the legislative process and I have not talked to the chairman about any legislative that he has contemplated or has pending and I would certainly offer my services to work with the subcommittee chair-

man on that issue but let me just hear from Coach Richardson and Dr. Hill what elements, what principles, what words need to be in that legislative or what do the principles need to be around which that legislation is crafted?

Mr. HILL. Around access, equitable access. That is all that anyone really wants, the desire to say I have a son, 6 years old, and he was on the football field with me every day when I was practicing and he told me one day, Dad, I want to be a head football coach too, and that hit me in my heart because I didn't want him to have to experience those type of things that he would go through. I want him to have the same opportunities, have access, and what we have to do in trying to get the access comes from various—we have to change the mindset and that is why I think that education of our boosters and everyone involved to realize that head football coaches or women coaches may not look like you, and I think if you look at the progress in women's sports, particularly the NCAA, the Final Four with the women, that didn't just happen without some legislation. You have Pat Summerlin today because we mandated that the women's jobs are equitable to the men's jobs. That is why if you look at why we have more men coaching and want to go coach women's ball, because the salaries by title IX dictate that we have to make sure that we treat everyone fairly. That is the only type of legislation I think that we want is that you treat everybody fairly and that when you have 23 job openings this year, OK, and here is what is in the heart of coaches because I speak as one. You look at that and say man, I am not really a candidate not because of my qualifications but because of the color of my skin. How are you going to mandate that the color of your skin is taken out of the equation? Well, when you still have people making the hiring involved in doing that, it is difficult without mandating something in there, and that is what the Rooney Rule actually does and it exposes the hiring committee to break stereotypes that they don't even think about because they say man, this guy is sharp. There are a lot of sharp guys out there.

Mr. BURGESS. My follow-up is that do you think something crafted along the lines of the Rooney Rule or the unwritten Selig rule should in fact be one of those principles that we embody in the legislation?

Mr. HILL. Well, according to—they said it is 76 percent of the coaches. That is what Mr. Keith has been doing. What we have to do is make sure that we are having some more involvement in the process and a diverse pool of constituents that sit around the table that looks like a representation of your student body. Let me give you an example. If I move to Japan and I don't speak Japanese but if I was going to start a business in Japan, I would make sure that my management team was representative of my laborers because I don't understand the culture. Maybe not. And so we could get maximum effectiveness out of the workers, and when you look at the hiring process today, it blows your mind because if you saw 23 openings and you felt like your resume was qualified, you have gone to NFL academies, you have gone to all the things to do and when you come there and say man, I know I am not going to get a job. So what do black coaches do now? They jump to the NFL. It is brain drain. We are losing our best talent out of collegiate

football because we are not promoting through access, give the coaches access, and something has to be done because my brother Keith has been working, Dr. Lapchick. The numbers have been up there. In fact, I started this because of Dr. Lapchick in 1998 as a graduate assistant during a library assignment. I read his article in 1998. This is 2007 and his article still is being published and we are still talking about the issue. So I think 25 years—the civil rights laws were passed in 1964. It is 2007, and I think we need to move forward in making sure that this great country that we live in provides equal access for everyone.

Mr. BURGESS. Thank you. Coach Richardson.

Mr. RICHARDSON. I couldn't add much more to what Dr. Hill has just said. I just feel that in order to achieve anything, it is like the two things that I don't like and that is prostitution and slavery. You have to make laws to stop it. And to have slavery to be stopped, there had to be a law made or else it continues. I just believe that there has got to be a law made to change the field so we can play on a level field a little bit better, and he brought out some great points. Like he said, you have just got to get the people together, get some thoughts, put some real clean, good thoughts to the decision-making. There is no way it is going to change.

Mr. BURGESS. What about the issue of brain drain that Dr. Hill brought up? Are we risking depopulating the smaller colleges of qualified African-American minority mentors and coaches for those kids if the same thing happens at the NCAA level that happened at the professional level and everybody moves that one level up?

Mr. KEITH. Can I answer that question? There is a lot of young talented people out there and they are going to filter through. You are not going to rob anybody from anywhere. Everybody is trying to advance. I mean, there is no law about trying to advance. I don't penalize any of the coaches that have been diligently working through the process in collegiate football moving to the NFL simply because they are paid more than most coaches that are working in that system and the NCAA right now is losing their talent because when you turn on the TV, my friend, you are seeing coordinators of color in the NFL, you are seeing head coaches. When they started the season this year, seven head coaches in 32 opportunities. Congressman Burgess, there were 36 opportunities to be a head coach this year on the collegiate level and two African-Americans were hired on the collegiate ranks. I recommended Mike Tomlin for three head coaching jobs on the collegiate ranks. He is now the head coach of the Pittsburgh Steelers. He couldn't get—he wasn't contacted for two of them. Now, you tell me what is wrong. That is why we are losing them. You have got to wake up. We are losing the people. There is young people out there with great talent. They are going to fill in to all of those jobs. They want to coach.

Mr. BURGESS. Unfortunately, I missed Dr. Brand when he was here. Could this not be done internally within the NCAA today without waiting on us to make a legislation?

Mr. KEITH. They can't mandate——

Mr. BURGESS. I have only been here a couple years but I do know this place moves slowly.

Mr. KEITH. They can't mandate—there is three levels of the NCAA and I am not going to speak for Dr. Brand but I respect

him. There is the executive office in Indianapolis. The student-athletes are the NCAA as well. But individual institutions hire. They hire the ADs, they hire the presidents. They make those decisions. The NCAA itself, the executive office, cannot mandate to those places who to hire. The process is really simple. When people ask me, and I have to answer this question probably 300 times a year, is why is the NFL ahead of the collegiate ranks in hiring. It is pretty simple. There is less people to deal with. And the other formula is follow the money. There is nobody that understands that better than you folks. Follow the money and you will find out the answers.

The general manager and the owner are the two people that are making the decision in the NFL. That is the money. Now, if they get it, then the hiring becomes simple because if they are inclusive and they have diversity in their thinking, you don't have to reeducate them. They don't need some diversity program. It is business and they understand that it is good business. On the collegiate ranks, you have got the athletics director, you have got the search committee. You also have the executive search committee that is paid $35,000 to go out and execute the hire. You have got the president. You also have got the board of trustees who has to stamp their approval and then you have got the booster who is given the financial. So the money trail is spinning out there. There is so many other people that are decision-makers that are involved in the process. It is complicated on the collegiate level, and until we decide that accountability becomes part of that, we are making the knowledge, we are telling everybody what the issue is but there is political and financial influence and that is the elephant that is standing in the room. You have got to hold them accountable, and how are you going to do that? Well, hopefully if we can't do it with title VII, then let us make a rule so we can make this something we don't have to deal with 10 years from now so that my son comes in here and has to sit before you; he is not still talking about this.

Mr. BURGESS. Well, I think that is the salient point. When I think of all the kids back home in the 26th district of Texas who are probably not watching this because it is not on TV, but nevertheless, it is their future that we are talking about and——

Mr. KEITH. That is exactly right.

Mr. BURGESS. It is a pastime for many of us but it is their future that we are talking about.

Coach Richardson, I just have to say, I am not an Arkansan but I am related by marriage, and you had no bigger fan than my father-in-law, and if I went to Arkansas during college basketball season, I knew what we were doing on Sunday afternoons and it wasn't fishing, so thank you, sir.

Mr. RICHARDSON. Thank you.

Mr. RUSH. I am going to ask a final question here because I want to get another point of view here, and Mr. Weiser, you have been an athletic director but you have had a rather unusual history of hiring qualified minorities for head coaching positions, and in your statement to this committee you said your hires are based upon the fact that they are the most qualified in the market. You also cite athletic directors as being largely equivalent to corporation CEOs but you have come up with a solution or one remedy, your diversity

incentive remedy. Can you expound more on that and can you also in your answer to my question, can you give the members of this committee some idea of what should be the focus of our attention if in fact we consider legislative remedies for this ongoing systemic barrier to fairness and equality in college athletics.

Mr. WEISER. Well, yes. I certainly, Congressman, can give you my perspective and I will tell you that first of all, each campus has its different culture and I have heard several people refer to the booster influence and I can tell you that I have worked at institutions where that is a factor and I work at an institution now where that is not a factor, and I think the presidents have a lot to do with making sure that the business of the university is conducted by the university and not the outside influences. Now, that also has to speak to how that university is governed. Some of the institutions have their own governing boards. Others have boards that govern a number of institutions like it is at Kansas State. And so I think that has an impact on it.

But my point and what Myles and I talked about earlier, if 76 percent of the job openings these past 5 years have involved minority candidates, then to me trying to grow that pool isn't the issue. It is getting institutions to take that chance and hire those coaches that are qualified to do that. Somebody referred to the risk-averse nature of athletic directors and I will tell you that that is a very real world but it is not a risk at least from my perspective on one's racial nature. It is not that issue. It is hiring somebody who you think is going to be successful in the job because despite all this talk about search committees and their involvement, search committees don't get fired; athletic directors get fired and they get fired because those coaches don't succeed in those two positions primarily. That is who we are defined by, those decisions. So I think when athletic directors recognize somebody that is going to be capable of succeeding, they are going to make that decision, and in my case hiring Ron Prince, had he not been a coordinator, I wouldn't have considered him. In fact, my bias going into every search is, I want to hire a sitting head coach because I think there is less risk. You know what you have.

Well, if you have got six sitting head coaches, you already are behind the 8 ball, so to speak. You can't get those numbers to grow if they are small in that way so it has got to come from those coordinators that are considered out there and those candidates that we get to know when it is not a search time because when the search takes place, the BCA evaluates us on how long that search goes. The longer, the better, because that allows more people to be considered. But the media and our fans consider a longer search a misdirected search, that something must be wrong because those jobs that are hired instantly, those are the ADs and the searches that are the most successful. I don't believe that and I believe if you go into a search already knowing who your candidate is, you are not going to have an inclusive process. You are not going to allow others to be involved.

So back to the diversity incentive. I think a better approach is to find ways to encourage and reward those institutions that don't interview but hire. That is really what we are talking about. We are trying to find a way to get more African-American head coaches

in football and basketball, and that is where the focus should be, not on the interviews.

Mr. RUSH. I want to really thank this panel for your critical and very, very important testimony. I also want to just assure you that this is the first hearing. We don't intend to have hearings ad infinitum. We intend to deal with this issue and deal with a resolution. With your participation, with your involvement, I really open this process to you. I invite your commentary. I invite your input. As we proceed during the course of these legislative endeavors, I really want your participation and your comment. I am committed myself to trying to resolve this problem.

I think this is a problem that has languished far too long. It is a problem that needs to be corrected. It is a problem that needs to be exposed so that the American people will actually see what goes in the area of college athletics, particularly at the athletic director, the head coaching levels, and also really at the athlete's level. I am concerned about student-athletes also. But this is just the first foray into this area of investigation and area of inquiry.

Last, I just want to indicate, I think there was previous testimony that said when you get a general manager and owner together, they can make great decisions. There are still some rare instances where that is not the case. I would just take this opportunity to express to my favorite team, the Chicago Bears, that they need to show Lovie some love and get that contract signed right away because it is a parallel situation, I believe, that we have heard here in a lot of different ways.

Thank you so very much, and please, it is an open invitation. Whatever suggestions or input that you might want to share with this committee in the future, do not hesitate to contact us. Thank you, and this record will remain open for 30 days for additional input on the official record. Thank you so much, and God bless you.

[Whereupon, at 12:20 p.m., the subcommittee was adjourned.]

[Material submitted for inclusion in the record follows:]

Invited Testimony of
Reverend Jesse L. Jackson, Sr.
President and Founder, Rainbow PUSH Coalition

House Committee on Energy and Commerce
United States House of Representatives

Wednesday, February 28, 2007
"DIVERSITY IN SPORTS: THE CHALLENGE AHEAD"

Two African-American head coaches led their teams into the Super Bowl, with the dean, Tony Dungy and his Indianapolis Colts, coming out victorious. The Chicago White Sox won the 2005 World Series led by people of color - a Latino manger, Ozzie Guillen, and an African-American general manger, Ken Williams. And in 2006, the New York Mets almost duplicated the feat, losing only in the seventh game of the National League championship, while being led by a Latino general manager, Omar Minaya, and an African-American manager, Willie Randolph.

The times they are a-changing. In 2005, the annual Racial and Gender Report Card produced by Richard E. Lapchick of the Institute for Diversity and Ethics in Sport gave athletics a B-minus, the first time for a score above C or worse. The National Basketball Association continues to set the pace in terms of opportunity and diversity, but now Major League Baseball and the National Football League are closing the gap. Baseball even marked its first Latino owner, when Arturo Moreno purchased the Anaheim Angels.

But progress is still uneven. Most shocking is the failing grade issued to Division 1A College football. Lapchick fails the major colleges that we root for every day for the dearth of people of color as university presidents, athletic directors, conference commissioners and head football coaches. Forty-five percent of the players in these

colleges are African-American. Five percent of Division 1A head coaches were. And worse, exactly zero conference commissioners.

This year, Lapchick reports, "The overwhelming majority of the most powerful people in college sport is still white. In Division IA, this includes 94.9 percent of the presidents, 85.7 percent of the athletics directors, 93.3 percent of the faculty athletics reps and 100 percent of the conference commissioners."

This is, ironically, despite the fact that 2006 marked the greatest improvement in the Division IA athletics for diversity. As Lapchick notes, "We have reached a new all-time record for athletic directors, with 12 African-Americans, four Latinos and a Native American, for a total of 17 athletics directors who are people of color on the 119 campuses, for 14.3 percent of the total. These are the 119 institutions that play intercollegiate sport at the highest level. The 14.3 percent in Division IA stands in stark contrast to other NCAA institutions, where only 6.7, 7.7 and 3.9 percent of the AD positions in Divisions I, II, and III, respectively, are held by people of color. The large institutions have taken the lead."

In Division II and III, there are more women coaching male teams than people of color. We've come a long way, but we still have a long way to go.

At Rainbow PUSH, we've pushed to break down these closed doors for a long time. The reason is simple. In athletics, we all play on a level playing field, where the rules are clear and the same for everyone. Excellence excels; race doesn't matter. So we had to get past

the myths that African-Americans weren't smart enough to be quarterbacks, head coaches or general managers. Once we break down the barriers, quality - as exemplified by Tony Dungy and Lovie Smith in the Super Bowl - rises to the top.

And sports do matter. When we root for a football team, we focus on the color of the player's jersey, not the color of his or her skin. We root for our guys, and against the other guys - whatever their race, religion or sexual preference. With the barriers broken down, athletics provides a wonderful lesson in the strength of diversity, in the value of equal opportunity, in our ability to rise above our divisions to come together behind one team.

Major league football and baseball still have a ways to go, but they've made great progress. Division 1A college athletics still hasn't moved very far down the field; and the lower divisions are simply fumbling the ball. But what Tony Dungy and Lovie Smith and Willie Randolph and Ozzie Guillen and Arturo Moreno have made clear is that the era of excuses is over. There are excellent potential owners, managers, conference commissioners and head coaches eager to lead. They simply need to be given an opportunity. Extend the level playing field to the sidelines, the locker rooms, the office suites, the league meetings . . . and we will make America better.

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College athletics still dropping the ball

(http://www.suntimes.com/news/jackson/253997,CST-EDT-jesse13.article)

February 13, 2007

BY JESSE JACKSON

Two African-American head coaches led their teams into the Super Bowl, with Tony Dungy and his Indianapolis Colts coming out victorious. The Chicago White Sox won the 2005 World Series led by people of color: a Latino manager, Ozzie Guillen, and an African-American general manger, Ken Williams. And in 2006, the New York Mets almost duplicated the feat, losing only in the seventh game of the National League championship, while being led by a Latino general manager, Omar Minaya, and an African-American manager, Willie Randolph.

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But progress is still uneven. Most shocking is the failing grade issued to Division I-A college football. Lapchick fails the major colleges for the dearth of people of color as university presidents, athletic directors, conference commissioners and head football coaches. Forty-five percent of the players in these colleges are African American; 5 percent of Division I-A head coaches were. And worse, exactly zero conference commissioners.

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"The Lack of African American Coaches and Administrators on the Collegiate Level"
Wednesday, February 28th, 2007
Presented by Floyd A. Keith
Executive Director, Black Coaches Association

Our lives begin to end the day we are silent about things that matter.
--Martin Luther King

Acknowledgements:
On behalf of the Black Coaches Association (BCA), I would like to thank Representative Rush for initiating his Congressional Hearing with regard to the inequities in the hiring of African American Coaches and Administrators on the NCAA level.

I am proud to represent the more than 4,000 members of our association who entrust me with this opportunity to speak on the issue of **"The Lack of African American Coaches and Administrators on the Collegiate Level"**

The Black Coaches Association is a 501 C3 tax exempt non-profit organization created for the primary purpose of fostering the growth and development of ethnic minorities at all levels of sports both nationally and internationally.

The Black Coaches Association mission is threefold:

- To address significant issues pertaining to the participation and employment of minorities in sports at all levels;
- To assist minorities aspiring to have a career in athletics through educational and professional development programs and scholarships
- To provide youth and diverse communities, the opportunity to interact positively with the BCA as a corporate citizen and community builder through a variety of alliances.

This statement specifically relates to the dire and disparate representation of African Americans in the position of Head Football Coach, Athletic Director and Head Woman's Basketball Coaching Positions within the NCAA.

Since 1987, and especially beginning with the fall of 2002, the BCA has been hands-on in the effort to implement positive and proactive initiatives to address this concern.

THE OJECTIVE FACTS

Excluding the current 2006 hiring cycle, since 1982, there have been 414 head football coaching openings at the Division IA level. African-American coaches have been selected for 21(5 percent) of the head coaching opening with 19 of the appointments occurring after 1990 (Harrison & Yee, 2006; Hill, 2005; Lapchick, 2005). In the history of Division IA, African-American coaches have been selected a total of 25 times as the leaders of college football programs (Harrison & Yee, 2006; Hill, 2005; Lapchick, 2005). Since 1996, only 11 African-American coaches have been hired (one each year with the exception of this year) out of 175 vacancies (6 percent). The same historical pattern of Division IA football is even less diverse at the Division IAA, II, and III levels. This year, while there are nearly 100 predominately white IAA schools that compete in football, only six are head coaches of color.

I would like to underscore some of the relevant facts regarding participation and employment opportunities. These statistics were obtained from the most recent NCAA statistics for 2004-2005; the 2005 Racial and Gender Report Card developed by Dr. Lapchick; the 2002 Census and USA Today, and some updates into the 2006 academic year.

AFRICAN-AMERICAN NCAA PARTICIPATION (HBCU EXCLUDED)

- 20.6% of all Division I student-athletes are African-American
- 28% of all college student-athletes are African-American
  - 24.8% of all males
  - 15.4% of all females
- 58% of the players in Division I Men's basketball
- 42% of the players in Division I Women's Basketball
- 44% of the players in Division I/IAA Football
- 6% of the players in Division I Baseball
- 69% of the players in the NFL are African-American
- 26% of the United States Army is African-American

AFRICAN-AMERICAN HEAD COACHES (EXCLUDING HBCU)

- Men's Sports and All Divisions: I (7.3%)
- Women's Sports and All Divisions: I (6%) II (4.3%) III (4.2%)
- All NCAA Men's Football: 19/516 3.6%
  - Div. IA Football: 7/119 5.8%
  - Div IAA Football: 6/103 5.8%
- All NCAA Men's Basketball...12.3%
  - Div. I Men's Basketball...25.2%* (62/265 Head Coaches) *All-Time high
- Division I Women's Basketball...9.6% (25/265 Head Coaches)
  - African-American women: 7.7% (20/265 Head Coaches)
- All NCAA Baseball: 0.7%
  - Division I Baseball: 4.1%
- NFL: 6/32 18.75%

AFRICAN-AMERICAN NCAA ADMINISTRATION (EXCLUDING HBCU)

- NCAA AD: 25/873 2.8%
  - Division 1: 5.5 % (12 Afro-Amer/3 Latino)
- Associate AD: 8.2% (Div I)
- FAR: 7.6% (Div I)
- NCAA Division I Commissioner: 0/31 0%
  - Division IA Commissioner: 0/11 0%
- Division IA University President: 3.4%
- Generals in the United States Army...8.3%

THE BOTTOM LINE IS STILL

- General in the U.S. Army: 8.3% with 26% Participation
  - NCAA Head Football Coach: 3.6%
  - NCAA Black Female DIV. I Head Basketball Coach: 7.7%
  - NCAA Head Baseball Coach: 0.7%
  - NCAA Athletics Director: 2.8%

•NCAA Associate Athletics Director:	8.2%
•NCAA Faculty Athletic Rep (FAR):	7.6%
• NCAA DIV. I Commissioner:	0%
•NCAA DIV. IA College President:	3.4%

Today, a candidate of color has a far greater chance to become a general in the US Army @ 8.3% with (26%) participation, than becoming President at any NCAA Division IA institution; or named head football or woman's basketball coach for any division NCAA I/IAA/II program; or to be named the athletic director or associate athletic director at any NCAA institution (excluding HBCU); or selected to be the Faculty Athletic Representative for a Division IA school; or to be named the commissioner of any NCAA athletic conference.

BCA GAME PLAN FOR ACHIEVING HIRING EQUITY

The BCA game plan for addressing this complex issue continues to be centered on a goal oriented approach framed by the categories of **"Knowledge"**, **"Accountability"**, **"Political Influence"** and **"Financial Influence"**. We believe these headings provide both insight and an explanation of the over-all hiring problem.

The **Knowledge** component has been addressed by two methods: continuing efforts to expose and report the objective and statistical facts of the issue by providing background on the overall subject; which is complimented by making intercollegiate decision makers aware of capable candidates for head coaching and athletic director openings via candidate lists.

Our concentration is on accurate statistical analysis. It is of the utmost importance that all stakeholders in the hiring process are accurately informed; this includes the media and the general public as well.

We understand the necessity to both acknowledge the African American candidate pool and continue to increase the numbers.

For the past five (5) years, the BCA has made the diligent effort to provide "capable candidate lists" for Division I head coaching openings in football to collegiate athletic directors and presidents for each and every opening; we have asked that this information be received with an open mind and with the assurance that an honest consideration of applicants of color and gender will be given. It will be difficult, if not impossible for change to occur, if decision makers do not expand their knowledge and awareness of potential candidates beyond their often utilized narrowed "comfort zone" network.

On the BCA website, www.bcasports.org, we provide similar "capable candidates" list for men's and women's basketball, administration as well as football.

Educating the general public regarding the unfounded "myths" of people of color and the unspoken concerns of the negative affect upon financial giving and corporate sponsorships is also a function of knowledge.

The BCA believes **Accountability** is a fundamental and necessary ingredient in any formulae dedicated to changing any social injustice. The history of our United States and the resolution of civil rights issues have proven this to be true. The role of the BCA's **"Hiring Report Card"**, which will be discussed shortly, has served as our instrument of accountability to date.

Just as Title IX has opened doors for NCAA Women's athletics, we believe the use of ***Title VII*** may be necessary to drive this issue to the forefront. History has proven that in order for any significant progress to be made in the eradicating a social injustice, legal action has been the catalyst for change.

The impact of **political and financial influence** is a harsh reality in all high profile searches. "Who knows who" is much more important than "Who you know"? Politics is a significant player in the arena of intercollegiate athletics. Spears of influence are experienced both positively and negatively; and with varying degrees of magnitude.

The power of financial influence is a truth. If one truly wants to find answers to most issues; regardless of the motivation for the discovery; the truth will be revealed if you follow the trail of the significant money resources.

INCREASING THE CANDIDATE POOL

Since the fall of 2002, the BCA has attempted to increase the pool of candidates and the awareness of capable candidates via **capable candidates lists** for the positions of head football and basketball coach as well as athletic director. This resource initiated as a collaborative effort between the BCA, the NCAA's Minority Opportunities and Interests Committee, and the recommendations of high profile coaches and administrators in collegiate athletics. Most recently, it has become the sole effort of the BCA.

The "lists" are distributed in two ways. As a subscriber to the BCA's online job line at www.bcasports.org, the candidate lists may be viewed by representatives of the institution seeking applicants. Secondly, for the Division I head coaching openings in Division I football and women's basketball; and for Division I athletic director searches, both a general and specific candidate list is provided directly to the institutional athletic director and president via the Hiring Report Card package sent once an opening is verified.

We have encouraged stakeholders in the hiring process to utilize the already existing talented personnel resources available within the **Historically Black Colleges and Universities** network, which are laden with proven successful administrators and head coaches.

Great strides have been made in the creation of professional development programs on the collegiate level. The realization of the newly created three pronged **"Coaches Academy Program"** for football coaches are sponsored and administered by the NCAA with the support of the BCA, American Football Coaches Association and the NFL along with former and present NCAA football coaches, intercollegiate administrators and university presidents and chancellors as faculty and presenters.

The BCA's very successful **"ACE Program for Women's Basketball Coaches"** is a great example of the collaborative efforts of the NCAA and BCA to address the issue in Women's basketball. The BCA collaborated with the National Collegiate Athletic Association (NCAA) and Committee on Women's Athletics and the Minority Opportunities and Interests Committee to further the mission and vision of advancement for minority women in athletics. This popular BCA program is designed to assist an already talented group of assistant coaches to become the next generation of head women basketball coaches. To date, of the 36 previous participants, seven (7) have attained the tile of Head Basketball Coach. The A.C.E. Program is committed to developing the total coach in the areas of communications, budget planning, Xs and Os and

program development. The program creates an environment where thoughts and ideas can be exchanged on issues that face minority women basketball coaches. A.C.E. Program workshops encompass a wealth of information within four intensive days of programming following the BCA National Convention and Expo in Indianapolis.

Beginning this summer, assisted by funding from the NCAA's office of Diversity and Inclusion, the "ACE Program for Men's Basketball Coaches" will commence simultaneously with the ACE for Women's program.

CONFRONTING MYTHS

Unspoken stereotypes that whites hold about African-Americans such as being less intelligent, more violent and more inclined to use drugs are misconceptions that negatively influence legitimate opportunities. According to a recent speech by Dr. Richard Lapchick given at the NCAS 2007 National Convention, "Racial studies show that attitudes remain common but are rarely articulated. Thus, when reading about African-American athletes, some of whom commit acts that are illegal, stereotypical imagery can be reinforced."

There exists today, another unfounded "myth" that hiring a person of color may have a negative affect upon financial giving and corporate sponsorships. In reality, it is proven that "winning and losing" are the major factors in financial support.

Today, business savvy individuals, such as yourselves, know and understand the collective buying power of African-Americans, Asian Americans, Latinos and Native Americans is now $1.4 trillion and is rising at a much faster rate than the over-all US buying power. Demographically, multicultural families are the fastest growing market segment in the United States.

A true visionary of intercollegiate athletics should recognize the high participation levels of collegiate student-athletes of color in such high revenue producing sports such as football and basketball and see the authenticity of this monetary value as a financial resource. Diversity conscious institutions or organizations willing to demonstrate a commitment to the practice of diversity and inclusion in athletic related hiring are will reap the financial benefits of this investment in the future.

All of this leads to the **"Hiring Report Card" (HRC)**. We feel this instrument encourages and ensures a conscious effort to increase the diversity of the candidate pool via the use of the capable candidates' lists as suggested in the report card criteria.

IMPROVING THE SEARCH PROCESS: BCA HIRING REPORT CARDS

The BCA's research and experiences with the history of intercollegiate hiring practices strongly suggests the "status quo" is seriously flawed. We believe that close adherence to the criteria of the **"Hiring Report Card"** would positively strengthen diversity and inclusion in the search and hiring process for NCAA institutions. The **"Hiring Report Card"** is the model currently suggested for use by the BCA on the Division IA/IAA level in football. Beginning with the 2002-2007 hiring cycle in NCAA Division IA Athletic Director openings and NCAA Division I Head Women's Basketball, this tool will be applied to those related searches within the next calendar year.

The purpose of the Hiring Report Card and the public release of the grades is to have and provide an objective measurement that quantifies the five major categories that we suggest as the components of an inclusive and diverse best hiring practice. Through a systematic evaluation of institutions and their athletic departments, we hope to increase the public awareness of the limited opportunities to coaches of color based on objectivity, not subjectivity.

The first ever **BCA "Hiring Report Card",** was first released on October 20, 2004. This was followed by our second and third reports in November 2005 and September 2006. The value of the HRC is manifested in the number of requests we receive and the "hits" on our website to obtain the information; coupled with the reactions (both positive and negative) by evaluated institutions. It is quite evident the **BCA "Hiring Report Card** weighs upon the conscience of NCAA institutions as it relates to the hiring process within the aforementioned sports. We recommend the following criteria for those related searches:

- ***A minimum of one direct communication with the Executive Director of the Black Coaches Association (BCA) or the Chair of the Minority Opportunities and Interests Committee (MOIC) Two direct (not email) communications demonstrates a committed effort.***

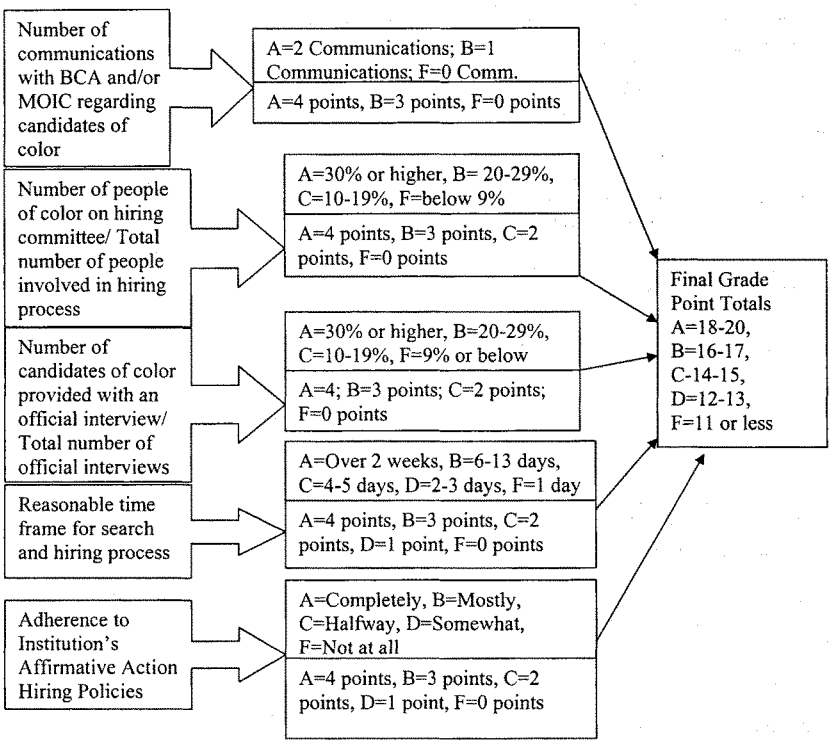
- ***A minimum of one person of color involved with the hiring search process. Consider the number of people of color involved in the hiring process out the total number of people involved. 30% would be an "A" effort.***

- ***Number of candidates of color provided with official interviews/total number of official interviews (weighted x2). 30% would be considered a "A"***

- ***Following a reasonable time frame of two to four weeks in search and hire process. Over 2 weeks would be considered an "A".***

- ***Affirmative action hiring policies. To what degree did you follow the policies of your institution?***

Figure 1: Research Design Diagram for the Hiring Report Card



BONUS: For schools that hired a coach of color, a 2 point bonus will be added into the final grade point total. The purpose of this bonus point system is to be fair to non ethnically or racially diverse search committees.

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Reviewing the grades of the 2005 Hiring Report Card #2 will disclose a worse grade than those of the initial 2004 Report. There were roughly the same number of "A" final grades for Division IA for both year 1 and 2; however, the number of "A" grades for Division IAA dramatically dropped from two to zero. The number of "B" grades rose dramatically in Year 2 for Division IA which represented a positive movement in the right direction. However, the number of "B" grades for Division IAA decreased.

The number of "C" grades increased for Division IA and declined for Division IAA. Unfortunately the number of "D" grades for Division IAA increased as did the "F" grades for Division IA. While these final grades were revealing, the comparison between IA and IAA was skewed by the fact that IAA only had seven head coaching openings while Division IA had 23 head coaching openings, more than three times the number of openings in IAA.

In the 2006 Hiring Report Card #3, the grades both improved and reached new lows in terms of the overall letter grades in certain categories. Further, when each of the five categories of the Hiring Report Card is examined, low marks across the categories empirically indicate the need for more improvement in the various areas. Consider the following snapshot of the overall marks and the five hiring categories:

There are a total of 26 schools in the 2005-06 study. Sixteen were IAA and ten were IA. There were 12 "A," three "B," two "C," three "D," and six "F" grades for the **IA** and **IAA** schools. All six of the "F" grades were automatic as they did not turn any data in for the study. Overall grades for IA were as follows: four "A," one "B," one "D," and three "F" grades. The overall **IAA** final grades were as follows: six "A," four "B," one "C," two "D," and three "F" grades.

***IA Grading Category Breakdown*:**

Communication— seven "A" and three "F" grades in this area.
Search Committee— three "A" and two "B," and five "F" grades in this area.
Final Candidates— four "A," two "B," and four "F" grades in this area.
Time Frame—four "A," three "B," and three "F" grades in this area.
Affirmative Action— four "A," one "B," two "C," and three "F" grades in this area.

***IAA Grading Category Breakdown*:**

Communication— 12 "A," one "B," and three "F" grades in this area.
Search Committee—five "A," eight "B," and three "F" grades in this area.
Final Candidates— nine "A," two "B," and five "F" in this area.
Time Frame—14 "A" grades and two "F" grades in this area.
Affirmative Action—six "A," two "B," six "C," and two "F" grades in this area.

The 2007 Hiring Report Card #4 is presently being complied and is scheduled for release in the early fall of 2007.

TITLE VII IMPLICATIONS

Title IX opened doors for NCAA Women's athletics; we believe the use of ***Title VII*** may be necessary to drive this issue to the forefront. History has proven that in order for any significant progress to be made in the eradicating a social injustice, legal action has been the catalyst for change.

Individual institutions hire coaches and athletic directors. The implications of a successful claim under the provisions of Title VII would be monumental in its scope and impact. The filing of a strong qualifying Title VII case at a visible institution would most certainly impact the collegiate search process. The realization of legal implications with regard to Title VII on the campus of selected NCAA institutions suspected of violations maybe the serum needed for an injection of equality in intercollegiate athletic hiring's.

For the past three years, the BCA has searched for such a medicine. We have asked ourselves, "What Are the Federal Laws Prohibiting Job Discrimination? Research shows the following:

- ***Title VII of the Civil Rights Act of 1964*** (Title VII), which prohibits employment discrimination based on race, color, religion, sex, or national origin;
- the ***Equal Pay Act of 1963 (EPA)***, which protects men and women who perform substantially equal work in the same establishment from sex-based wage discrimination;
- the ***Age Discrimination in Employment Act of 1967 (ADEA)***, which protects individuals who are 40 years of age or older;
- ***Title I and Title V of the Americans with Disabilities Act of 1990 (ADA)***, which prohibit employment discrimination against qualified individuals with disabilities in the private sector, and in state and local governments;
- ***Sections 501 and 505 of the Rehabilitation Act of 1973***, which prohibit discrimination against qualified individuals with disabilities who work in the federal government; and
- the ***Civil Rights Act of 1991***, which, among other things, provides monetary damages in cases of intentional employment discrimination.

The U.S. Equal Employment Opportunity Commission (EEOC) enforces all of these laws. EEOC also provides oversight and coordination of all federal equal employment opportunity regulations, practices, and policies.

Under ***Title VII***, it is illegal to discriminate in any aspect of employment, including:

- hiring and firing;
- compensation, assignment, or classification of employees;
- transfer, promotion, layoff, or recall;
- job advertisements;
- recruitment;
- testing;
- use of company facilities;
- training and apprenticeship programs;
- fringe benefits;
- pay, retirement plans, and disability leave; or
- other terms and conditions of employment.

Discriminatory practices under these laws also include:

- harassment on the basis of race, color, religion, sex, national origin, disability, or age;
- retaliation against an individual for filing a charge of discrimination, participating in an investigation, or opposing discriminatory practices;

- employment decisions based on stereotypes or assumptions about the abilities, traits, or performance of individuals of a certain sex, race, age, religion, or ethnic group, or individuals with disabilities; and
- denying employment opportunities to a person because of marriage to, or association with, an individual of a particular race, religion, national origin, or an individual with a disability. Title VII also prohibits discrimination because of participation in schools or places of worship associated with a particular racial, ethnic, or religious group.

Title VII prohibits not only intentional discrimination, but also practices that have the effect of discriminating against individuals because of their race, color, national origin, religion, or sex.

Title VII's broad prohibitions against sex discrimination specifically cover:

- Sexual Harassment - This includes practices ranging from direct requests for sexual favors to workplace conditions that create a hostile environment for persons of either gender, including same sex harassment. (The "hostile environment" standard also applies to harassment on the bases of race, color, national origin, religion, age, and disability.)
- Pregnancy Based Discrimination - Pregnancy, childbirth, and related medical conditions must be treated in the same way as other temporary illnesses or conditions.

Title VII covers all private employers, state and local governments, and education institutions that employ 15 or more individuals. It also covers private and public employment agencies, labor organizations, and joint labor management committees controlling apprenticeship and training.

Any individual who believes that his or her employment rights have been violated may file a charge of discrimination with EEOC. In addition, an individual, organization, or agency may file a charge on behalf of another person in order to protect the aggrieved person's identity.

The enforcement vehicle of ***Title VII*** is EEOC. This independent federal agency was originally created by Congress in 1964 to enforce ***Title VII of the Civil Rights Act of 1964***. The Commission is composed of five Commissioners and a General Counsel appointed by the President and confirmed by the Senate. Commissioners are appointed for five-year staggered terms; the General Counsel's term is four years. The President designates a Chair and a Vice-Chair. The Chair is the chief executive officer of the Commission. The Commission has authority to establish equal employment policy and to approve litigation. The General Counsel is responsible for conducting litigation. EEOC carries out its enforcement, education and technical assistance activities through 50 field offices serving every part of the nation.

As one of the most important breakthroughs in equal employment opportunities, the BCA views this law as a significant accountability and political solution. Although this was the single most important law to federally mandate against discrimination in employment, sex discrimination was not originally intended to be covered by this law until Congresswoman Martha Griffiths proposed an amendment to include it. President Lyndon Johnson singed the executive order to include sex discrimination in 1967 (Mezey, 1998). Thus, ***Title VII*** "made it illegal for an employer to discriminate against individuals on the basis of their race, sex, national origin, or religion, unless it is a necessary and 'bona fide occupational qualification'" (Baez, 2002. p. 13). If an individual feels that he or she has been discriminated against, then a claim with the Equal Employment Opportunity Commission (EEOC) must be filed and they will determine the appropriate action (Baez, 2002).

There are two main components of ***Title VII*** claims: disparate-treatment and disparate-impact. Disparate–treatment refers to individuals who allege that they were treated less equally than their

fellow employees on account of their race, national origin, sex, or religion. This type of claim must demonstrate intent.

Disparate-impact is a claim in which an individual alleges that an employment policy, practice, or criterion creates a negative impact on the classes of people whom are protected by ***Title VII***. This type of claim requires "the showing that the employment practice had more than a trivial negative impact on a class of individuals" and there is a three-step process for litigation that was created by the Supreme Court (Baez, 2002: 13). The first step is to establish a prima facie case, which means that individuals must construct an implication of discrimination by demonstrating four components: membership of the types of classes; sought and possessed the appropriate qualifications for the job or benefit; they did not receive any benefit; and the employer gave the job or benefit to similarly qualified employees or job applicants. Once the prima facie has been established, the second step is for the employer to communicative a "legitimate business reason" for the decision. Finally, it is ultimately the employee's responsibility to prove that the reason expressed by the employer was actually a pretext for discrimination (Baez, 2002).

In 1972 educational institutions were included in and covered by ***Title VII*** (Cooper, Kane & Gisselquist, 2001). Since then, educational institutions have a duty to make certain that their hiring practices are compliant with the availability of women and minorities in the labor populations from which their employees are selected (Busenberg & Smith, 1997). A critical analysis of the effects of ***Title VII*** show that predominately white women in higher education are the ones whom are benefiting from its implementation (Cooper et. al.., 2001). Women of color in higher educational administration have been painted a bleak picture. According to Busenberg & Smith (1997), being a woman and a minority member is a double jeopardy for those who are seeking to have a career in academia. Although Busenberg & Smith's (1997) research was applied to presidents of universities and chief executive officers, athletic directors, athletic departments and student-athletes are also part of higher education administration and organizational culture.

Closing:

I sincerely hope recruits of color and their parents will weigh the Hiring Report Card results and make decisions with strong consideration given to the grades earned by respective institutions. As a people of color, we need to start 'shopping and buying' at the stores (institutions) that reflect a high concern for inclusion and diversity. When student-athletes of color start making decisions to 'play where they can eventually coach'; we will start to see a difference"

If one realistically and objectively views the landscape of this complex issue; it would be safe to conclude that one or both of the following must occur in some significant form to realize significant increases in the hiring ratios of African Americans in NCAA athletics. We will need to experience an increase in the social consciousness levels of the ethnic minority student-athletes attendance decisions based on part by diversity and inclusion; and/or the realization of legal implications of ***Title VII*** in the intercollegiate hiring process.

Congressional Testimony
Committee on Energy and Commerce
Subcommittee on Commerce, Trade and Consumer Protection
Congressman Bobby L. Rush
Racial Hiring Practices in College Sport
Richard Lapchick
February 28, 2007

I would like to thank Congressman Rush for initiating his Congressional Hearing with regard to the inequities in the hiring of African American Coaches and Administrators on the NCAA level.
Right in the middle of Black History Month we found a sports event making history.
The fact that the 2007 Super Bowl Sunday marked the first time two African-American head coaches led their teams against each other in a Super Bowl was widely discussed and extensively covered in the media.

- Lovie Smith and Tony Dungy, the two coaches, were so gracious and humble that their frequent references to their families and their faith seemed to further endear them to the nation.

But Black History Month ends today and now what? Will we forget?

Most were surprised when I mentioned that having

- two coaches of color in the NBA finals had only happened once and that it had
- never happened in a World Series,
- a men's or women's national championship, or in
- any BCS bowl game.
- Not one person I spoke to remembered which coaches (Al Attles' Golden State team defeated KC Jones' Washington Bullets in a four-game sweep) or when (the 1975 finals) the two African-American NBA coaches faced each other.
- Not many could name all the other coaches of color whose teams won the NBA championship (Attles, Bill Russell, Lenny Wilkens and KC Jones),
- the World Series (Lou Pinniella, Cito Gastin and Ozzie Guillen).
- Or the three African-American coaches (John Thompson, Nolan Richardson and Tubby Smith) who won the men's Division I championship.

So why was it important if we eventually lose count of the facts including the who, when and how?

- Let's take the NBA to see exactly why. Before Attles and KC Jones faced off, there had been five African-American coaches in the history of the league. After the collision of their teams, there have been 46 more. We no longer notice when an African-American has been hired or fired in the NBA.
- The same is true in college basketball. There had only been a few African-American head coaches in Division I basketball before John Thompson's Georgetown team won the Big Dance. As we head toward March Madness in 2007, African-Americans now hold more than 25 percent of the Division I positions.

- Like the NBA, we rarely notice when an African-American is hired or fired. Unlike the past, both the NBA and college basketball feature fired African-American coaches getting rehired elsewhere. That was rare before championships were carved out.

OK, so we might not remember the specific facts but a championship has mattered in the past.

- What lessons then emanate from this Super Bowl for college sport?
- Before the game, the NCAA had all but dropped the idea of a Rooney Rule for colleges.
- Will it be reconsidered now?
- The Black Coaches Association has been threatening Title VII law suits against colleges that Executive Director Floyd Keith hoped would follow the successes of Title IX lawsuits for women when colleges finally began to more effectively comply after a series of successful Title IX suits in the courts.

I believe who coached in the Super Bowl and how they carried themselves will become more important than threatened law suits in the NFL or the Rooney Rule.

- However, both played an important part in getting us to the point where there were seven African-American head coaches in the 2006 NFL season.
- Johnnie Cochran and Cyrus Mehri, two attorneys, threatened to sue the NFL in 2002 leading to the adoption of the
- Rooney Rule which mandated that African-Americans be included in the interview process for every head coaching position. The NFL went from two to seven African-American head coaches in a short period of time. Now Tony Dungy stands as a humble Super Bowl Championship coach.

- The Super Bowl has forced leaders to look at college football which has the worst record for hiring practices for head coaches in any pro or college sport.

- Next year there will be seven coaches of color out of 119 at the Division IA level, less than there was a decade before!

- However, we do have a visionary leader on the issue in Dr. Myles Brand, the NCAA President. His role at the top has been unique for an NCAA leader. Brand has been outspoken on the issue. Moreover, his actions with the creation of the NCAA Office for Diversity and Inclusion, the hiring of Charlotte Westerhaus as vice president for Diversity and Inclusion , the work of a high powered Diversity Leadership Strategic Planning Committee he created, Brand's support for the Black Coaches Association, and the funds invested by the NCAA targeted for this issue, are testaments to Dr. Brand's desire for meaningful change. I am hopeful that as the work of the

- Strategic Planning Committee is implemented that bigger changes will come soon. However, for college football it cannot come soon enough.

- Like the NFL five years ago, law suits contemplated by the BCA are on the horizon.

- The NFL short-circuited that by adopting the Rooney Rule. The results in the NFL are Black History Month worthy.

- College sport desperately needs a similar rule. College administrators are trying to avoid it.

- But surely colleges do not want law suits. These Congressional hearings on the issue are so important. I thank Congressman Rush for initiating them.

- Five years ago the NFL was being even more criticized than the colleges for its poor record of hiring practices for coaches.

- Now the NFL is being called a model for diversity for corporate America.

The ball is in the air. It is up to the NCAA members to catch it and make a college football moment **Black History Month worthy** in the future.

But I also want to look beyond college football with an overview of all of college sport at NCAA member institutions.

Student-athletes

• The percentage of white student-athletes at the Division I, II and III levels were 65.9 percent, 70.7 percent and 83.9 percent respectively, while the percentages for African-American student-athletes were 20.6 percent, 18.1 percent and 7.3 percent at each descending level.

• In Division I, African-American male student-athletes make up 24.8 percent of the total male student-athletes. In Division II, they comprise 22.3 percent and in Division III, 8.9 percent. In Division I, African-American female student-athletes comprise 15.4 percent of the total female student-athletes. In Division II, they make up 12.1 percent and in Division III, only 5.1 percent.

• For the second year in a row, African-American women reached some all-time high percentages, with 43.7 percent in Division I college basketball and 15.4 percent in Division I college sports overall.

• Latinos increased NCAA baseball participation, but remained relatively constant in all sports combined.

• The percent of Latinas decreased in basketball, track and field/cross country but increased in all Division I sports combined.

Conference Commissioners

• All Division IA conference commissioners were white men.

• All Division I conference commissioners were white. Two conference commissioners were women and four other women were commissioners of sport-specific conferences.

Coaching

• In men's Division I basketball, 25.2 percent (up 2 percent) of all head coaches were African-American, an all-time high percentage.

• Opportunities for people of color in men's sports other than basketball remained poor.

• The 2006 season had five African-Americans leading Division IA football programs. Next year there will be six African-Americans and one Latino.

• In Division I only 4.1 percent of head baseball coaches were people of color, with 2.6 percent Latino.

• Whites dominated the head coaching positions held on men's teams at each level.

- Whites held 90.6, 89.5 and 93.4 percent of all head coaching positions in Divisions I, II and III respectively.
- African-Americans accounted for 7.3, 4.4 and 4.1 percent respectively in each division.
- Asians represented 0.4, 0.7 and 0.6 percent at each level.
- Latinos held 1.1, 3.6 and 1.5 percent of the positions in each division.
- Native Americans accounted for less that 1 percent of total head coaches at each level.

These figures included male and female head coaches for men's teams.

• In fact, African-Americans were so underrepresented as head coaches, that once again, the percent of women coaching men's teams actually exceeded that of African-Americans in Division III (4.4 percent versus 3.7 percent.) In Division II, the percentage of women coaching men's teams almost matched the percentage of African Americans (3.4 percent versus 4.2 percent.)

• 35 years after the passage of Title IX, women coaching women's teams still do not represent the majority of coaches in the women's game.

•. Whites held the overwhelming percentage of the head coaching positions on the women's teams in each division.

- Whites held 89.6 percent, 89.9 percent and 92.9 percent of all head coaching positions in Divisions I, II and III, respectively.
- African-Americans held 6 percent, 4.3 percent and 4.2 percent of the women's head coaching positions in the three NCAA divisions, respectively.
- Latinos held 1.6 percent, 2.9 percent and 1.3 percent of head coaching positions for women's teams in the respective divisions.
- Asians held 1.1, 1.2 and 1.2 percent of head coaching positions for women's teams in the respective divisions.
- Native American representation was very minimal.

These figures accounted for male and female head coaches of women's teams. It should be noted that the high percentage of whites coaching women's teams decreased at every level.

• On the men's teams, whites held 79.2, 82.7, and 88.4 percent of the assistant coaching positions in the three divisions, respectively. African-Americans held 17.6, 11.6, and 8.3 percent, respectively.

• Among the women's teams, whites held 81.6, 82.4 and 90.5 percent of the assistant coaching positions in Divisions I, II and III, respectively. African-Americans had 13.2, 9.4, and 6.5 percent, respectively.

University Leadership Positions

• In Division IA, 94.1 percent of university presidents were white, 3.4 percent were African-American and 2.5 percent were Latino. There were no Asian or Native American university presidents. There were 15 females in this position, which is 12.6 percent, an increase of 1.1 percent.

• Whites held the overwhelming percentage of positions of athletics directors in all three divisions

- In each particular division, white men held 93.1, 92.3 and 96.1 percent of the athletic director jobs.
- African-Americans held 5.5 percent, 4.3 percent and 1.9 percent, respectively in Divisions I, II and III.
- Latino men accounted for 0.9, 2.7 and 0.3 percent of the head coaches at Division I, II and III.
- Asians and Native Americans had very minimal representation at each level.

• Nonetheless, the level of diversity within the athletic director position at Division IA institutions has continued to grow. Currently there are 16 (13.4 percent) people of color in that position, which is more than a three percentage point increase.

• As of November 2006, in the Division IA athletic director position, there were 12 African-American men, three Latino men, one Native American man and six women.

• Women gained ground as athletics directors in all three divisions since the last Report Card. In Division I there were 7.8 percent, in Division II - 18.7 percent and in Division III 27.3 percent. Virtually all white women.

• Women held 97.7, 99.4 and 98.9 percent of the Senior Woman's Administrator jobs in Division I, II and III, respectively.

- White women continued to dominate the SWA position holding 84.3, 90.6 and 95.7 percent in Division I, II and III, respectively.
- African-American women represented 10.2, 5.3 and 2.2 percent at each respective level.

• Whites filled the majority of the FAR positions with 92.4, 92.2, and 95.5 percent in Divisions I, II and III, respectively.

- At the associate athletic director position, whites comprised 89.5 percent 94.0 percent and 95.3 percent of the total population at Division I, II and III respectively. African-Americans held 8.2 percent, 4.0 percent and 3.6 percent of the positions at each level. The percentage of women filling associate athletic director positions was 28.4 percent in Division I, 48.7 percent in Division II and 49.7 percent in Division III.

• Across all three divisions, women continue to be pigeon-holed in to the academic advisor/counselor position, as well as the life skills coordinator position. Within the life skills coordinator position, women held 69.2, 60.3 and 69.0 percent respectively.

Suggested Solutions

I recommended several ways to increase opportunities for people of color and women for positions in college athletics.

- Support the Black Coaches Association in their efforts to promote equal opportunity for coaches and administrators. This includes
    1. Support for the BCA Hiring Report cards.
    2. Support the BCA efforts to get potential student-athlete recruits to utilize the Report Card in choosing their colleges and to 'play where they can eventually coach.'
- Continuously update the documentation of the diversity records of the department. Keep the information in the view of the public.
- Recognize that there are more than 48,000 professional positions in college sport at the 1,028 members of the NCAA. Opportunities exist off and on the playing field.

- Create more diverse boards and Presidents at the upper levels which will create opportunities at the lower levels.
- Presidents should emphasize that diversity is good business so athletic department staff will buy-in and understand.
- Regularly do diversity management training for the athletics department.
- For coaching and senior level positions, have a real search process that takes time to open the pool. In order to have the best pool of candidates:
  1. Colleges use the extensive data bases available from the Black Coaches Association and the NCAA.
  2. Colleges use the NCAA Office of Diversity and Inclusion's roster of the participants in the NCAA Expert Coaches Academy.
  3. Colleges use the roster of the NCAA's Ethnic Minority Leadership Institute and Fellows Program for athletic administrators
- Appoint a diverse search committee. Include former student-athletes.
- Interview at least one person of color and, for administrative positions, one woman.
- Follow the university's affirmative action policies.
- Select the best person available after going through such a process.
- Let search firms know that diversity is a priority. Examine the role of search firms in the hiring process for football coaches and athletics directors and apply pressure on those with poor records to do better.
- Support individual coaches and administrators who speak up about the existing problems.
- Support the adoption of a Rooney Rule in college sport.
- Consider Title VII lawsuits where appropriate.
- Conference Commissioners create social gatherings to meet assistant coaches. When an AD calls, the commissioners will know the person and not just the name.
- Conference commissioners can play a special role:
  1. keep an expansive database of all assistants or people of color as well as NFL assistants.
  2. Create a minority internship program in commissioner's office.
  3. Expand diversity of their own staff at the conference level.
  4. Have coaches mentor assistants.
- Athletics directors can:
  1. Look for colleges with great track records for developing talent in their search process.
  2. Serve on national conference committees to network and meet future hires.

I thank Congressman Rush and the Committee for listening to our ideas. Your attention will help maximize national attention to this important issue.

Opening Statement
Kansas State University Director of Athletics Tim Weiser
To the Committee on Energy and Commerce Subcommittee
On Commerce, Trade and Consumer Protection

February 28, 2007

Chairman Rush and distinguished members of the Subcommittee, good morning and thank you for allowing me this opportunity to address the issue of diversity in the positions of collegiate athletics directors and head coaches in the Bowl Championship Subdivision of the National Collegiate Athletics Association.

My name is Tim Weiser. I was asked here to speak with you today specifically because the institution I represent as the Director of Athletics, Kansas State University of the Big 12 Conference, is one of only six Bowl Championship Subdivision athletics programs to have an African-American in position as head football coach. Ron Prince, the son of a non-commissioned U.S. Army officer, was raised in Junction City, Kansas, home of Fort Riley and the Big Red One, just 15 miles from the Kansas State University campus. He was hired in December 2005 in place of the retiring Bill Snyder, a Hall of Fame coach who in his 17-year career was credited with what has been called the "Miracle in Manhattan: the greatest turnaround in college football history." Coach Prince has quickly made his own mark, producing a winning record and leading the Wildcats to the Texas Bowl in his first season.

I believe I also can offer insight to this Subcommittee on the topic before us because of my history of diversity in hiring head coaches as well as my position representing the Division 1A Athletics Directors' Association as the incoming President.

This background allows me, within my personal experiences, to reflect upon current and historical practices in our profession that are relevant to today's discussion.

As I begin my 25th year in collegiate athletics administration, the past 20 years as the Director of Athletics at four different institutions, I have been blessed to be part of many achievement and milestones, both on the field and off. In my first experience at Wichita State University, I had the opportunity to work with Willie Jeffries, the first African-American head football coach in Division 1A history. I am certain that, as a 24-year-old breaking into the athletics business, those experiences helped shape my understanding of the importance of diversity within an athletics department. Once I became an Athletics Director and was in the position of authority for hiring coaches and staff, I selected the first-ever African-American head basketball coaches at Eastern Michigan University and at Colorado State University. Ron Prince is the first African-American head football coach at Kansas State. I think it should be noted that Kansas State has been at the forefront of diversity in athletics; in 1949 Wildcat football player Harold Robinson became the first African-American athlete to be awarded an athletics scholarship from any institution in what was then the Big Seven Conference.

I believe it is important for this Subcommittee to understand that in each of these appointments, the decision I made was based on the belief of who was the best fit for the particular institution and the most qualified candidate for the job. This has always been the ultimate factor in my decision-making process for hiring coaches.

As the incoming President of the Division IA Athletics Directors' Association, I am encouraged by what I see as an evolution within my profession. The business is changing rapidly. There may have been a time when an Athletics Director was often a

former coach or a favorite son of the institution, but as the enterprises have grown and the financial implications have become so significant, the job now requires skill sets and new ways of thinking involving leadership, counseling, personnel management, fundraising, and much more. I believe the ultimate goal of an Athletics Director is to provide, within the means of the particular institution, the necessary support and resources to give each student-athlete his or her best opportunity to graduate with a meaningful degree and be adequately prepared for a successful life to become leaders of, and contributors to, our nation.

Our profession is looked upon now, in large part, just like any other multi-million-dollar business enterprise requiring progressive and inclusive processes that allow for growth in ways that did not exist in years past. A constant in the role of an Athletics Director, not unlike that of any other CEO of a corporation, is the importance of making good decisions in the hiring of head coaches. We are defined, in large part, by the choices we make for our head football and basketball coaches because we are all seeking to discover that man or woman who can succeed in building a championship program.

You have asked me here today because you're looking for answers as to why there are not more than six African-American head football coaches at the highest level of NCAA football. Clearly, the growth in this area has been slow and I can only testify to my own actions. However, as I look at the sport of men's basketball and the growth in the number of African-American head coaches in place, I am encouraged that similar progress can be achieved. But steps and incentives for progressive leadership need to be put in place to move us forward. It will take the guidance of Mr. Myles Brand,

President of the NCAA, and all university presidents, athletics directors and even head football coaches themselves to create an environment that expands the pool of qualified candidates and provide more networking opportunities to allow those individuals to become more widely known for consideration, as has become the practice in the National Football League. In fact, a better dialogue between the collegiate hierarchy and that of the NFL, which is tapping into the talent pool of minority collegiate coaches, to allow for discussion of reciprocal arrangements regarding the interview and hiring processes currently in place could prove beneficial. Additionally, legislation to provide financial incentives for those NCAA member institutions who employ minority head coaches and athletics directors could be drafted for adoption by the NCAA. The "diversity incentive" would reward, not punish, those who seek to improve and grow the current pool of minority head coaches and athletics directors. I offer these as just a couple of examples of ways we at the collegiate level can consider expanding opportunities for minority candidates as we contemplate a new direction for collegiate athletics.

Thank you for the opportunity to offer my thoughts and share my experiences. I look forward to answering your questions.

Opening Statement for Nolan Richardson Jr.

It has always been my burden to prove that I suffered at the hands of discrimination while working at the University of Arkansas as the Men's Head Basketball Coach. I believed that my cries for equality fell on deaf ears. My immediate superior did not care about what I had to say about my treatment, since he was the offender. This did not stop me from continuing to point out the overt discrimination I had to endure.

I did not receive the great contracts with enormous bonuses that other coaches received even though I was out performing them in my duties, especially the football program. Even though I served as Associate Athletic Director, I was never informed of any meetings and I was not ever given any duties. As I inquired about the meetings and my duties, it seemed like a tremendous amount of effort was made to not include me and I was often stone walled. It became quite evident to me that I was experiencing "Tokenism."

As a basketball coach, my job performance was measured by victories, losses and results; by how many NCAA Tournament appearances my team made. I was measured by how many season tickets were sold. I was measured by how much money the basketball program made for the school. After 17 years of service, winning the 1994 NCAA Tournament title, going back to the NCAA Championship Tournament the following year (1995) and finishing as one of the top two teams in the Nation as a runner-up, consecutive NCAA appearances, NIT appearances and numerous conference championships. During my tenure my program was synonymous with winning and countless other successes. I was

one of the top coaches in the country, with one of the highest career winning percentages. I had a proven record but I could never prove myself.

After being fired (2002), I wasn't even allowed to coach the last game of the season. I felt for all the discrimination I had endured I needed to continue my fight for equality. That is when I decided to file a lawsuit against the University, the Board of Trustees, and the Razorback Foundation for racial discrimination.

Summary of Major Points for Nolan Richardson, Jr.

Racial and Gender Underutilization

Under representation of Minorities (African-Americans, Hispanics, Asians and Native Americans) and Females in leadership positions in college athletics is minimal to say the least. Leadership positions from the top of the departments down to the bottom should be a diverse collection of leaders. I feel that the only way this is ever going to happen is that the current leaders need to be open-minded and fair. Another reason minorities are locked out of key positions is because those in power often have their own network or pool of colleagues that they give these opportunities to. This is not only happening with NCAA Division I schools but also in Division II and III schools.

I. Experiences at the University of Arkansas

- African American Girls on the University of Arkansas Women's basketball team often sought my help and support because they felt they had no one to turn to. They felt they were discriminated against. The Women's Basketball Coaching Staff was white and the African American Coach they had, felt as if she was powerless and had no voice. No one would listen to the African-American girls. I had to intervene on their behalf and go talk to their coach about their concerns.
- White football coaching staff asked for my help with the African-American student-athletes they were recruiting. They found it difficult to relate to African-Americans.

- Immediately after being hired, Athletic Director Frank Broyles suggested that I call University of Indiana Head Men's Basketball Coach, Bobby Knight, so that Coach Knight could teach me about defense.
- When Houston Nutt was hired, he was given bonuses and incentives that took me almost 17 years to get.
- I was targeted for graduation rates, where other schools that had records that were seriously low were not targeted because the head coaches were not African Americans.

II. Tokenism

- I served as Associate Athletic Director from 1990-2000.
- I was not included in any decision-making.
- I was not assigned any duties.
- The Media is heavily responsible for stereotyping African-Americans in athletics. The Media contributed immensely to my dismissal.

III. Hiring Practices

- Unstable Hiring Increases, which lead to decreases in the numbers.
- Minorities are not able to secure positions for long periods of time like their white counterparts.
- Losses are less tolerated from African-Americans, while whites are often given numerous chances and time to produce a winning team.
- Tyrone Willingham (African-American) was replaced by Charlie Weis (White Man) Notre Dame is an example of the different treatment.
- African Americans are relegated to Assistant coach positions.

- With this increase of Assistant Coaches, bottlenecking is at a serious all time high.
- Very few assistant coaches if any are able to obtain head coaching position.
- Slow Hiring
- Reluctance to hire African Americans has resulted in a slow growth rate.
- Rarely do minorities get hired at other colleges after their dismissals, unlike their white counterparts. Whites have the luxury and the flexibility to move from one top school to another, while African –Americans often fade into obscurity.
- Disparagement of the numbers of positions held by whites versus the number held by African-Americans.
- African-American Coaches are singled out as "great recruiters" but are given no credit for any other skills or attributes, let alone being labeled as a great coach.

IIII. Salaries and Bonuses

- Disparity in salaries and bonuses
- Unfair assessment of job performance.
- Head Football Coach Houston Nutt (University of Arkansas)
- African Americans are seemingly judged collectively instead of individually

V. Where do the Boosters and Alumni figure into the hiring equation?

- The hiring power does not rest solely on the administration.
- Boosters and Alumni Associations weigh in heavily on hiring and firing decisions.

VI. Lack of representation

- Football
- Athletic Directors
- African –American females as women's basketball head coaching position.

8

Pride and prejudice. (Arkansas Razorbacks' basketball coach Nolan Richardson; includes related article)(Special Section: The NCAA Tournament)

SportingNews

From: The Sporting News | Date: 3/20/1995 | Author: Hille, Bob

Nolan Richardson, the highly-regarded coach of the NCAA's reigning national champion men's basketball team, is one of a handful of African Americans to achieve prominence in a management role in sports. Richardson came of age in the segregated South, and the experience strengthened him.

The nine children, Banked by soldiers draped in olive drab, looked younger, smaller than they really were as they were escorted into monolithic Little Rock Central High School. It was fall 1957, and progress came in small steps taken by small feet in Arkansas. It had been five years since Edith Mae Irby became the first Negro to graduate from the University of Arkansas Medical School, but it would be almost 30 years before a black man would get the opportunity to coach basketball in Fayetteville and nine years more before a lineup dominated by African Americans would win Arkansas' first NCAA basketball championship.

It was 1957, and there was a citywide curfew in El Paso, Tex., but Nolan Richardson had to be home much earlier than any curfew. His grandmother, Rose, saw in him great things -- "You're special," she told him, "You're going to be places." -- and she was trying to protect him from a neighborhood that came by its name honestly: El Pujido, Mexican slang for "tough and rugged."

A four-sport star in high school, one outstanding season melting into the next, 15-year-old Nolan was always coming home from one practice or another. And each day as he rounded the corner onto Overland Street, he saw what one day would be one of his precious memories. There, at the shotgun house at 1626, was Ol' Mama, rocking, waiting, just as she had been waiting and watching out for the 11 years since Nolan and his two sisters came t Paso when their mother died (Nolan's daddy, who'd never been around much, had died when he was 12). Ol' Mama was equal parts father, mother, provider and front-porch philosopher.

It was 1957, and the Bowie High School baseball team had won a place in districts, but Nolan, the only Negro on the team and the best player, would not be allowed to stay with his teammates on the road. The mists of 38 years can't swallow the hurt Nolan Richardson felt in 1957, when Coach Herrera pulled him aside and told him he would not be staying at the team motel, that he would not be swimming and eating chicken-fried steaks. Richardson, tugging at the immaculate, starched white collar of his expensive shirt, remembers his reaction as if he were sitting with Ol' Mama right now on that porch of that shotgun house at 1626 Overland: To hell with them, I just won't go. He also remembers 01' Mama's response as she quietly rocked: "Lemme tell you something. You're going, and you're going to stay across the tracks with the little black lady they told me you were going to stay with. Let your bat do the talking. You pitch, and if you pitch, let your arm do the talking. And then, one of these days, some things are going to change and you're going to have opportunities you never would've had. But if you don't go, if

you don't go and let your bat do the talking, they may keep that kind of stuff going on forever, for your kids."

Richardson, a man of considerable ego as well as pride, would like to be able to tell me he listened intently to his grandmother, in her reasoning saw enlightenment and swallowed that pride. In reality, 15-year-olds are 15-year-olds. "My kids? I don't care about my kids. I ain't got no kids, Ol' Mama." But to districts he went; and, in Richardson's words, he went "berserk" once there. When he returned to El Pujido, Ol' Mama gave him a knowing lecture, a talkin' to that Richardson recalls and has not only lived but also carried with him and delivered more than a time or two:

"You gotta keep going berserk. That's the only way you're going to make it, either with your bat or with the ball, which means that if you're good enough, you're going to get your scholarship and you can keep going. If you're good enough in the classroom and get enough education behind you, you keep fighting. Eventually, somebody's going to open the door. You just keep knocking. It'll open. And when it do, you knock that damn door down."

Richardson, 53, has been splintering thresholds for 38 years by sheer determination and, as fate would have it, because of the color of his skin. He was the first black at Bowie High and in 1965 returned as its first black coach; he was one of the first black basketball players at Texas Western (now Texas-El Paso); he was the first black coach at Western Texas Junior College (where he went 37-0 and won the national junior college championship in 1980) and then the first black coach at the University of Tulsa.

By any yardstick, he is at the top of his profession. He is coach of a team that this week will begin defense of the only national championship in 72 seasons of Arkansas basketball. But clearly he isn't satisfied; he can't be satisfied. He is a complicated man, on the one hand scarred by his past and on the other tempered by it. Perhaps that is why he always seems to be saying he doesn't give a damn about what you think of him, yet always finds time to defend himself against criticism or perceived slights. There is always another challenge, real or imagined, and to conquer each, Richardson calls upon his grandmother's wisdom.

"I never will forget it," he says. There is a softness in his voice now as we sit in the concrete catacombs of Bud Walton Arena and he takes me back to El Paso in 1957, passing along advice Ol' Mama gave him the year I was born. "'Just tell them, you let them crack it,'" he says, squinting and holding the thumb and forefinger on his right hand a quarter-inch apart. "That's all you need. You don't want them to open it just leave a crack.' And that's been in the back of my mind all the time. So when I think about some of these guys out here who don't want me to be successful, I think about that crack. Just leave me a crack; I'll get it."

Arkansas is a beautiful, ugly, enlightened, ignorant, fabulously wealthy, painfully impoverished state. It is a state that gave us William Fulbright, one of the first U.S. senators to speak out against the Vietnam War and one of the last to vote in favor of civil rights. It is a state that counts among its residents one of the richest families in America and people so poor that its per-capita income annually ranks near the bottom in the United States.

Arkansas is a state in which Nolan Richardson fits perfectly -- and not at all.

"He broke a significant racial barrier here," friend Sam Yalowitz, a Brooklyn-born professor of special education at Arkansas, told the Washington Post. "This is still a traditional Southern state. A lot of people still call blacks `niggers' and think they should be happy with what they have."

When he arrived from Tulsa in 1986, what Richardson had was a walk-it-up team that would go 12-16 in a first season of pounding square pegs into round holes and, my, how many holes Eddie Sutton did leave when he went to Kentucky. Arkansans accustomed to basketball at 331/3 couldn't get used to the game at 78 rpm.

(True story: In that first season, Richardson's wife, Rose, was shopping at a Fayetteville department store when she overheard another customer telling a sales clerk that her husband had been thinking of selling his tickets "ever since they hired that black coach." With her checkbook open, Rose approached the woman: "Ill buy your tickets.")

Within three seasons in Fayetteville, Richardson would know great personal depths -- his daughter, Yvonne, the beautiful one who called him Papito, would die of leukemia at age 15 in 1987 -- and the first uptick of tremendous professional heights there, as the Razorbacks would put together a 21-9 record in 1988 and earn an NCAA Tournament berth.

By 1989, things were fitting together. Recruiting had gone well, and the Hogs were about to embark on a three-season stretch in which they would record 89 victories and 16 losses.

Victories and losses. Results. That's what it's all about, right? If we could all just look past the surface, celebrate our differences, not make judgments because of them. Black, white, brown. Green, for God's sake. What's the big deal?

John Thompson, realist, idealist and Georgetown basketball coach, is on the phone, and he is quietly, patiently trying to explain this thing that divides our country: "We do live in a society of colors, and unfortunately that comes to bear for all of us. I think we'd be unrealistic if we didn't think it did, whether you're a black coach or a black doctor."

So no matter how many victories Nolan Richardson finishes with -- he enters tournament play with 364 and, he points out, is third on the list of active coaches in terms of career winning percentage -- he will be judged differently than, say, Kentucky's Rick Pitino or Duke's Mike Krzyzewski.

"The game is defined differently for a black coach," Thompson says. "And, truthfully, it's hard to explain to a white person. It's like Nolan has talked about his daughter and says he's had people say to him, `I know how you feel.' And that really upsets him, because there's no way they could possibly know how it feels.

"There's no such thing as the game for the sake of the game. It's not a luxury but a necessity; it's a means to an end, its a means to an end for a lot of people. And Nolan understands that."

The epiphany came as Richardson watched Thompson walk out before a Georgetown game in 1989 in protest over NCAA eligibility requirements that Thompson argued were

unfair to black athletes. Recalling watching Thompson walk out, Richardson would say: "I felt so bad. I didn't know what to do."

Richardson ached because he knew that there had been no one there to stand up for him almost 30 years earlier when Texas Western was about to play in a tournament in Shreveport, La. Richardson, a sophomore and the team's leading scorer, was told he would be left behind in El Paso because Centenary, the host school, didn't allow blacks to play on its court. "I felt" Richardson says, again holding his fingers a quarter-inch apart, "about that big."

He was left behind to listen to the games on the radio. "I'd say, `C'mon, man, c'mon. Oh, man, c'mon,'" Richardson says, leaning into an imaginary radio as he recalls his solitary confinement. When the Miners fell behind, as they inevitably would without their best player, Richardson would turn off the radio. Three games, three losses, three opportunities lost never to be recovered by Nolan Richardson, the player.

So when the NCAA talks about tighter eligibility and standardized test scores as part of eligibility requirements, that's when Richardson, who with Thompson is a cornerstone member of the Black Coaches Association, has to speak up for those who can't.

"When I speak in terms of opportunity, I really mean poor people because I think those are the people who are really getting -- excuse my French -- screwed because the school systems don't have the best schools for the poor folks. I stand for that maybe because of my background and where I came from and how hard it was and what I've seen and how many times I was said no to because of the color of my skin," Richardson says, the passion adding inflection to his words. "I'm very fortunate, I'm very lucky and I'm very appreciative. I think the good Lord really blessed me for having the opportunity. See, I don't think I would've been here if I had to pass the SAT back then."

Opportunity, that's what this is all about to Richardson, whose math, frankly, doesn't jibe with the NCAA and the idea of publishing graduation rates. Because, Richardson says, if you, as a coach, have brought 500 kids to your college and graduated all 500, and he has brought 1,000 to his college and graduated 500, he has done a better job than you because he gave more opportunities. Richardson, playing both parts, lapses into a conversation between himself and an Imaginary College Administrator to illustrate the frustration his math can bring about:

Richardson: So let's make the kids ineligible (if they don't meet entrance requirements).

Imaginary College Administrator: OK ... well ... that's going to cost us.

N.R.: What's more important, the kid or the money? Let's just spend more money and give more -- opportunity.

ICA: Well, we've got women's programs to ...

N.R.: Well, so what? Give them some, too.

"See? I just don't understand then what $1.7 billion from CBS is going to do for you. That's a lot of dollars. When I (retire), I'm going to ask them, `Show me. Show me where all that's going. Show me.'"

On an unseasonably warm spring evening, I approach Bud Walton Arena, a two-year-old state-of-the-art coliseum that is a monument to Arkansas' recent basketball success and makes the football stadium two blocks north on Razorback Drive look downright quaint if not antiquated. A man in his 30s approaches and asks the question that makes scalpers' and athletic directors' hearts flutter: "Got any tickets?"

On this night, there isn't a ticket to be bought as the Razorbacks look like the running, pressing defending national champions in flicking Louisiana State out of their way before a national-TV audience. In the preceding five days, Arkansas has defeated Kentucky, and Richardson has defended himself against the expletives in the media who continue to attack him.

Two hours after his team's victory over LSU and two days after it has dispatched eventual SEC champion Kentucky, Richardson knows there are still those who doubt his coaching acumen, and he recounts a conversation with Pitino with obvious relish: "We're good friends, and I said, `Rick, you just run, gun, shoot 3s and everybody thinks you're one hell of a coach.' I said, `If I did that -- which I do -- they call mine ratball or niggerball,' " Richardson says, the words rushing faster as he bends forward, his broad shoulders straining the seams of his black double-breasted suit. " `But when you do it, it's called up-tempo, up-tempo and shoot the 3. They give it a beautiful name, and they glorify you.' He just shook his head and said, `Nolan, you're right.'

"There are some good, beautiful, wonderful people in Arkansas. There's a few who are always going to stick . . ." Richardson stops short. "They don't want me to be successful so they'll do anything they can or say some of the things that are going to affect that."

Richardson's most vocal critic is John R. Starr, an op-ed columnist with the state's largest newspaper, the Arkansas Democrat-Gazette, in Little Rock. On the eve of the Razorbacks' national-championship run last season, Starr took Richardson to task for losing an SEC Tournament game to Pitino and Kentucky. For three consecutive days, Starr wrote about Richardson. His most unrelenting attack coming March 15, when, as the Razorbacks prepared for the NCAA Tournament, Richardson went to Chicago for a BCA meeting to discuss whether to boycott the tournament because of the NCAA's proposed tightening of admissions standards for athletes:

"If the players play, their chances of winning the tournament are considerably enhanced if Richardson, one of the poorest bench coaches in the land, is back in Fayetteville sulking in his tent."

Richardson coached, and the Razorbacks advanced to the Final Four in Charlotte, where they defeated Arizona in the semifinals, setting up a championship against Duke and putting Richardson in the position of spelling things out in black and white in the inevitable comparisons of Duke and Arkansas, himself and Krzyzewski.

Richardson had seen it before. "We went 37-0 in junior college, and I remember at the barber shop a guy was saying, `I wonder what Dean Smith would do with a team like that.' `Hoss, we didn't lose a game. What could he have done?' " Richardson says, his voice rising in incredulity.

"The respect I was thinking about (in Charlotte) was the fact that I know I've been coaching all these years and winning, and if I would win games and some of the other

black coaches would win, we could never win because of our brains and our techniques and our teachings. We could never win that way; it was always because, `Well, they've got the best athletes' and `Man, look at those athletes that guy got out there.' Wait a minute, I said, look at my team and look at Krzyzewski's team and put us on paper and just ask the people out here how many they want of their All-Americans as opposed to us -- they don't know us, they don't know anything about us -- and see whose team they're going to pick, whose players they're going to pick. That was the thing that used to bother me more than anything."

His mentor from UTEP, Coach Don Haskins, looked on from Richardson's hometown as he lectured the assembled media. "I didn't think he needed to do that. He came out a loser," Haskins says. "He kicked Arizona's ass, and he should've left it at that."

But Richardson wouldn't; he couldn't.

"Nolan can never compete as 100-percent coach," Thompson says. "He has other responsibilities as a black man. I hear people say they're in it for the love of the game. He can't go in feeling that way; no black man can. And I think that's a lot of what you heard from Nolan at last year's Final Four."

Wednesday night in Fayetteville and the topic of conversation at Herman's, a landmark barbecue joint in a house that looks to be held together by smoke, is ... investments?

In a dimly lit room where the only thing thicker than the sauce is the accents, there isn't a discernible word about the Hogs (although there is a lot of red being worn).

It has been that kind of season.

The night before, in the wee hours, Richardson sipped a Diet Coke and talked at length about the pressure his team has faced this season, about the injuries and other sundry problems it has overcome. With all five starters back from the national-championship team, the expectations have been high. "When you are the h-h-hunted," Richardson says, stumbling on the word as if it pains him, "it's a little different than when you were on that mission and you know you had something to prove."

There is, then, the potential that Richardson will have done a better job of coaching this season when history says the Razorbacks probably won't repeat as champions. And even after winning the championship, Richardson received a small percentage of letters that included racial slurs from Arkansans more intent on his not succeeding than the team's succeeding for no other reason than Nolan Richardson's pockmarked skin is the color of chocolate. Repeat or not, Richardson will keep coaching four or five more years and then retire, probably to his land in northwest Arkansas.

"You create a monster, you've got to feed it. I know that I've created a monster," says Richardson, leaning back and surveying the ceiling. Then he spreads his arms and looks around. "Look at this building. You think they would have a building like this if we weren't exciting? Nooo way, Jose. .. But this ain't my building because I'll leave here and somebody else is going to have it. The point is this: I know why they built it."

Melba Patillo Beals, 53, lives in Marin County, Calif. Thirty-eight years ago this fall, she and eight other students integrated Little Rock Central High School, which was just plain Little Rock High School when my father went there in the late 1930s.

Of her experience she writes: "I was a child who rode in the back of the bus, who drank from a fountain marked `colored,' who was not allowed in the movie theater. My life today is better."

RELATED ARTICLE: Crunch time

Arkansas has struggled all season with the twin-edged sword of huge expectations rarely met and enormous potential unfulfilled. The Hogs have been labeled everything from overrated to uninterested.

Yet they are the defending national champions, have all five starters back, including the Final Four MVP. Only two rotation regulars -- Roger Crawford and Ken Biley -- were lost.

OK, Nolan Richardson, it's NCAA Tournament time. What can your first round opponent expect this week in the first round?

"We're back to playing Nolan's kind of ball," he says. "I like that."

The gap between good and great in college basketball can be traversed in a blink; the difference between a pass stolen and one that goes for a breakaway layup can be imperceptible.

There have been stretches in which the Razorbacks have been brilliant. A 94-92 victory against eventual Southeastern Conference champion Kentucky on Super Bowl Sunday was worthy of the Final Four. And there have been times when they've been abysmal, blown away at Auburn and buried at home by Alabama.

Arkansas enters the tournament more than former than the latter.

"We are all stepping up at the right time," says Corliss Williamson, the Final Four MVP. "It's March now, which means it's crunch time. Everyone needs to play well."

Only within the past three weeks has Arkansas displayed any sort of consistency or inspired any kind of confidence among fans, despite winning streaks of 11 and eight games during a 25-5 regular season. Explanations have ranged from excess weight (Williamson and Darnell Robinson) early on to injuries (Davor Rimac and Dwight Stewart) through the middle of the schedule to egos and chemistry throughout the season.

But the Razorbacks say other teams are making a mistake if they think Arkansas is blase about trying to repeat.

"I hope they count us out," says junior guard Scotty Thurman, who then perhaps unwittingly gives a glimpse of the strain the Razorbacks have played under this season. "Maybe it would put the pressure on someone else, and we'll see how they play under the spotlight."

So what must Arkansas do to be successful in its title defense?

Offensively, Beck and Thurman (and Al Dillard when called upon off he bench) must hit their outside shots, so teams can't double- and triple-team Williamson inside. Defensively, Richardson must be able to use his team's depth so the Hogs can turn up the full-court pressure, wear down teams without as much depth and unleash their transition game.

Oh, and one more thing, Richardson says: "We have to put our kids in the frame of mind that its' time to make your move. Get the confidence that you need to defend. Make your move. That's all we talk about."

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For Collegiate Football Coaches Race Defines Space

Dr. Fitzgerald Hill, President of Arkansas Baptist College, Former Division I-A Head Football Coach and Author of soon to be published book: CrackBack! Throwing the Flag on College Football's Coaching Apartheid

The current extent to which employment opportunities are restricted for African-American football coaches is often underestimated by those associated with intercollegiate athletics. In fact, it is often difficult to convince many university academic leaders, athletic administrators, and influential boosters that current employment patterns of collegiate football coaches do not provide equal opportunities for qualified African-American football coaches.

This misperception occurs largely because many Americans continue to think of racial discrimination in terms of overt and purposeful bigotry. It is, however, normally implemented through subtle and covert tactics that may not appear racially motivated. As a direct result, on many coaching staffs, white administrators and coaches are frequently perceived by African-American coaches as perpetrators of this discreet form of modern day discrimination. Exacerbating the situation is the fact that most white athletic administrators and coaches do not intentionally attempt to treat African-American coaches any differently than white coaches; yet they fail to understand how their biased attitudes and stereotypical perceptions often create invisible but impenetrable barriers restricting accessibility to equal opportunity.

The Problem

African-American student-athletes, after finding success on the football field, have subsequently discovered that opportunities in the coaching profession and athletic administration remain elusive. Most postsecondary institutions embrace the notion that equal opportunity exists for those that are qualified. However, qualified African-American football coaches have not been given the same career opportunities as their white colleagues. Although affirmative action legislation was designed in effort to aid African-American football coaches in the employment arena, the implementation of these laws has had little, if any positive impact in creating employment opportunities and advancement for African-American football coaches.

In the 138-year history of Division I football, African-American football coaches have been selected to serve as head coach a mere 26 times. Even following the sport's widespread racial integration in the 1950s and 1960s, coaching opportunities for African-American coaches at predominantly white colleges and universities were still difficult if not impossible to attain. During the 1970's and 1980's the common practice was for colleges to hire one African-American football assistant coach per staff. This sole minority coach understood that his primary duties at the institution were to recruit, retain, and cultivate African-American student-athletes. The minority hire also frequently served as the "poster boy" example of equal opportunity for the African-American coaches who were deemed "safe" enough to employ.

Since the early 1990's, the number of African-American football assistant coaches has increased significantly. However, over the same period, the number of

African-American head coaches has actually decreased. This has created a confused and frustrated group of minority coaches who are searching for answers to explain why their skin color penalizes their employment opportunities.

The effect of how race continues to impact coaching opportunities is rarely understood by white administrators and coaches. Race continues to influence the decision-making process for collegiate coaching positions, particularly the head coaching jobs. To explain the effects of skin color on the sport, consider this: If Vince Lombardi had been born black, he would have never been given the opportunity to be a head coach. The same holds true of Bud Wilkinson, Woody Hayes and many others of their generation. If that had been the case, think of all the young men who would have been denied the opportunity to learn and play for these great Hall of Fame coaches.

Unlike college football, the National Football League has made tremendous progress in creating employment access to all coaches since implementing the "Rooney Rule" in 2002. This rule mandates that whenever a NFL team has a head coaching vacancy, the organization must interview a minority candidate for the position or face a substantial fine.

Early this month, the Super Bowl was played in Dolphin Stadium in Florida. The most popular story angle by far was the unprecedented historic achievement of both teams being led by African-American head coaches. Tony Dungy was on the sidelines for the Indianapolis Colts. The Chicago Bears were Lovie Smith's team.

The two men deserved every bit of that hype. But one can only wonder how long it will be until college football has a national championship game where both head coaches are African-American—or if such a matchup will ever take place? The odds of it

happening are miniscule, considering how few minorities are hired as head coaches each year. These odds will not improve until Division I universities implement significant changes in their hiring practices and policies.

In the five Bowl Championship Series (BCS) games following the 2006 season, the 10 head coaches all were white. Of the 64 coaches in bowl games, 62 were white. At the conclusion of the 2006 football season there were 23 colleges and universities that needed new coaches. In theory, this meant significant opportunities for African-American and minorities. Of the 23 openings, only the University of Miami hired an African-American. Randy Shannon was promoted from his job as the Hurricanes' defensive coordinator – but only after Miami failed to land its top choice, Rutgers head coach Greg Schiano.

An examination of these numbers illustrates why so many African-American coaches can understand Ralph Ellison's novel "The Invisible Man" without having read the book. Athletic Directors and Presidents have a tendency to see right through coaches of color, regardless of their qualification and experience. The numbers tell the story.

Since 1982, there have been 437 head coaching vacancies at the Division I level. African-American football coaches have been selected for 26 of the head coaching vacancies with 12 of the appointments occurring after 1996.

In 2006, of the 119 Division I football coaches, only 4.2 percent were minorities. But 5.1 percent of the 119 Division I university presidents were minorities. Why are the percentages greater for college presidents than head football coaches? The hiring process would suggest that the hiring for university presidents at public schools is usually wide open. Candidates are publicized and brought before a committee that usually includes

some trustees, administrators, faculty members and students. They usually demand a varied list of candidates, with some diversity.

This is not the case in the collegiate football coaching profession. Research indicates that African-American football coaches are rarer than an undefeated season. According to the NCAA record book, during the 138 years that college football has been played, there have been 322 unbeaten and untied teams at the Division I level. In those same 138 years, there have been only 26 hirings of African-American head coaches. By my rudimentary calculations, it is therefore six times more likely that a Division I college athlete will play for an undefeated football team than play for a black head football coach. These are ridiculous odds. Yet there are those, including many athletic administrators and some political activists such as former University of California regent Ward Connerly, who continue to claim that equal opportunity is available to all coaches, regardless of color. Mr. Connerly and those athletic administrators might rethink their positions when confronted by another amazing fact: More African-Americans have served our country and our president as a secretary of state than have worked as a head football coach in the Southeastern Conference.

It is remarkable that, while Condoleezza Rice and General Colin Powell have been trusted to negotiate with world leaders at the highest level, only one African-American person – Sylvester Croom of Mississippi State – has so far been trusted to coach football players in the SEC. Fortunately, General Powell and Secretary Rice had a goal of emulating Henry Kissinger instead of Bear Bryant. It should be noted that Bryant himself would have not had the opportunity to become the head coach of Alabama if he was born with 1/10 of African American blood in him. How many coaches of color that

possessed Bear Bryant potential were not considered head coaching material because they were born African-American?

The hiring scoreboard for black football coaches shows that since 1996, there have been 200 Division I head coaching vacancies. African-American coaches have been selected to fill 12 of those jobs, or six percent of the openings. As the 2007 season approaches, only six of the 119 Division I football coaching jobs are filled by African-Americans. That is three fewer African-Americans than coached at the same level 10 years ago. My conclusion? Racial equality in the collegiate football profession is not progressing forward. It is actually moving backwards.

Unconscious Employment Barriers

Civil rights legislation and equal opportunity laws in the 1960s removed many of the structural barriers confronting African-American football coaches at NCAA Division I institutions. Nevertheless, many white collegiate administrators remain unconvinced that subtle forms of prejudice and discrimination take place within their institutions or organizations.

For example, Roy Kramer, the now-retired commissioner of the Southeastern Conference stated that the selection of the head football coach is each individual institution's prerogative. Kramer served as the SEC commissioner from 1990-2002. During that time period, he insisted that equal opportunity was in place throughout his conference, even though no SEC member had ever employed an African-American head football coach. In 1997, Kramer told the Washington Post: "I think institutions are making that commitment [to hire black coaches] across the board." Kramer must

therefore have been convinced that no African-American football coach possessed the qualifications to lead a football program in the SEC, because according to his comments, if one did, he would have been hired. Kramer's statement, revealing his oblivious bias, explains much of the problem with the current hiring situation in the 21st century.

Most white athletic administrators and coaches are honorable men and women. They do not intentionally attempt to treat African-American coaches any differently than they treat white coaches. But as honorable as these collegiate administrators may be, their unwitting biased attitude and behavior toward equal opportunities and employment access creates chaos for minority coaches. The administrators' pride and ego enables them to actually believe that they are hiring the most qualified head coaching candidate, and that skin color is not a factor in their decisions. Trying to get these collegiate administrators to understand their bias is often as difficult as trying to get a fish to discover water.

Another example of the college establishment's lack of awareness was evident in a statement by former Texas A & M Aggies, Head Coach, RC Slocum. In a May, 1992 interview with the Dallas Morning News, Slocum boldly claimed: "There is no one coaching that has any more opportunity than a young black coach . . . I can name you example after example".

This statement confused many African-American coaches seeking employment opportunities in the collegiate coaching profession. Why? Examine the hiring situation for African-American coaches during the early 1990's. During the 1992 football season, only one African-American served as a head football coach at a Division I institution. Among the 108 major colleges, most coaching staffs employed only one African-

American football coach. Yet in Slocum's mind, equal opportunity was readily available and accessible to coaches of color.

It is obvious that in the minds of Kramer and Slocum, both white men, subtle bias existed. It helps explain why college football lags in terms of equality hiring. Both men should have taken to heart the comments of then NCAA Executive Director, Cedric Dempsey in August of 1994. Dempsey noted that NCAA member institutions had not been active enough in providing opportunities to minorities. He acknowledged that a long road must be traveled before true diversity is achieved in collegiate athletics, especially in the sport of football and key leadership positions in athletic administration. Dempsey stated: "We must redouble our effort to allow minority individual's access to careers in intercollegiate athletics." Nearly 15 years later, there is minimal progress to report. If the NCAA were a college football program, its behavior would be penalized and the players benched, replaced by people who could at least attempt to follow the game plan. And if Kramer and Slocum looked at the situation realistically, they would realize that their definition for equitable access in the coaching profession was, at least, grossly distorted. At most, it is a factual lie.

Unfortunately, many college administrators do not understand what is happening on their campuses. They do not see how that they have built glass ceilings – or brick walls – because of an ingrained collective mindset. This mindset involves stereotypes that are perpetuated by too many in the college football culture. This mindset is exacerbated by fears that alumni will not accept an African-American head coach as well as by the internal, insular "network" of college football administrators that coaches of all colors readily acknowledge. But mostly, the situation exists because when white

administrators and influential boosters picture their ideal head football coach, they rarely if ever picture a black man.

Thanks in part to the ill-advised comments of individuals such as the late Jimmy 'The Greek' Snyder, the public was exposed to the stereotypical perceptions regarding the ability of African-American coaches. Snyder, a colorful and often quoted CBS sports commentator, was fired from the network in 1988 after making racial remarks regarding African-American athletes and African-American coaches. He was quoted as saying that if African-Americans "take over the coaching jobs like everybody wants them to, there's not going to be anything left for the white people".

This mindset no longer exists in college basketball. Many men of color have succeeded in that profession – including Tubby Smith, Nolan Richardson, John Thompson, John Chaney, and Kelvin Sampson. No school's boosters think twice today when an African-American is hired to coach a Division I basketball team. The presence of successful coaches such as Smith, Richardson and Thompson on the sidelines, coaching their teams to conference championships and the Final Four, has made it easier for athletic directors to envision other African-Americans as ideal candidates to coach basketball at their institutions. A similar scenario has taken place in the National Football League.

College football is different. White athletic and academic administrators routinely go on the record supporting equal opportunities and inclusiveness for African-American football coaches. But tracking the hiring patterns reveals they are actually thinking something else. A quote from Notre Dame athletic director Kevin White when he was asked why George O'Leary was hired to coach the Irish without a thorough

background check of his qualifications—which would have revealed a deceptive resume that ultimately caused O'Leary to resign a few days after his hiring—reveals another case of subliminal bias. White explained away the school's error this way: "George kind of appeared to us like something out of central casting."

In other words, when university administrators were casting the role of head coach in South Bend, they first envisioned a middle-aged white guy who talked a good game and fit the right "image" for Notre Dame. After terminating O'Leary for falsifying personal information on his resume, Kevin White hired Tyrone Willingham, who happened to be an African-American. White is far from being a racist, obviously. But his remark shows how benignly insidious and hidden the prejudice against minority head coaches can be.

A similar situation recently took place at the University of Miami following the 2006 football season. Randy Shannon was promoted from his job as the Hurricanes' defensive coordinator – but only after Miami failed to land its top choice, Rutgers head coach Greg Schiano, who happens to be white.

Much credit should be given the white athletic administrators who are trying to overcome negative stereotyping and the subconscious biased behavior in the employment arena. These administrators – either in good conscience or because they are ordered to do so – frequently create "guidelines" or "processes" to try and give minority coaches a more "fair" chance for jobs. It is obvious that colleges can learn from the National Football League. By implementing "guidelines" or "processes," the NFL has created access to head coaching opportunities for coaches of color. The proof is in the pudding.

As of February 2007, to merely match the NFL's progress in this area, college football would have to hire 21 more African-American head coaches tomorrow.

The NCAA has attempted to create a pool of minority football head coaching candidates for colleges and universities by developing the Coaches Academy. This Academy attempts to select and prepare the top tier minority coaches in leadership training to ready themselves for head coaching positions. This program has pros and cons. It can imply that African-American football coaches are born inferior to their white counterparts and need additional training outside of the normal coaching regime. On the flip side, the program is a great networking gathering for white athletic administrators and black coaches to meet, greet, and become acquainted with one another. This is an important step toward creating diversity because many white athletic administrators are often not aware of the qualified minority candidates available. The Black Coaches Association (BCA) works closely with the NCAA to identify and recommend prospective candidates for the program.

Collegiate Football Coaching Opportunities

My historical analysis of hiring patterns for African-American head football coaches at the Division I level reveals one consistent trend: Most African-American assistant coaches desiring to become head coaches will likely be offered the opportunities to do so for college programs that require major rebuilding. The low winning percentages associated with these institutions may negatively influence the perception of the coaching potential of African-American coaches. Consequently, many head coaching opportunities at traditional collegiate football powers remain elusive and African-

American coaches continue to take jobs that may not appear to be very promising on the surface.

Tyrone Willingham, the University of Washington head coach, is the only African- American that has been terminated from his head coaching duties at one Division I school who has been granted another opportunity to lead another Division I football program. This is vastly different from Willingham's many white counterparts, who are frequently recycled and given second opportunities – which in many ways prevents many African-American coaches from even receiving a first chance. Such employment practices indicate that African-American coaches tend to be evaluated collectively while white coaches are evaluated individually.

If is often difficult for white coaches to understand the general discontent shared by African-American coaches regarding their chances for career advancement. In my interviews with many white coaches, they have said they are tired of hearing African-American coaches complain about the lack of coaching opportunities. But as sociological literature suggests, the way that people--white or African-American--perceive a particular employment situation is usually reflected by how that individual is affected by the situation. However, hiring patterns that follow racial lines support the fact that race has dramatically affected the careers of African-American football coaches.

The following comments are from African-American coaches I interviewed in my research.:

An African-American assistant coach employed in the Pacific-10 Conference expressed his views on employment issues facing African-American coaches:

"The bottom line is that racism exists in all areas of life and football is no exception. Administrators hire white head coaches because the vast majority of them are white. In turn, white head coaches hire mostly white staffs because they want to work with people that they are familiar with. In most cases that person is someone of their own race. The African-American coach is then hired to fill a quota, recruit the African-American athlete and become their mentor."

Another African-American football coach from the Big West Conference wrote:

"There seems to be a mentality that two African-American coaches are basically enough. If you have two, then you're okay. I've been here going on four years and we've had no more than two coaches of color during that time. The head coach didn't know either of us before we were hired. There also is a perception amongst the white assistants that we have it made because of our skin color. What they don't realize is that we are competing for those two spots out of the nine assistant jobs, while they are competing for the other seven. Also the "good" African-American coach gets over. Any straying from that gets you labeled as a troublemaker, malcontent, and subversive."

An African-American coach from the Big East considered himself to be an authority in dealing with African-American recruits and their families.

"I am perceived as the resident "expert" on all minority affairs. African-American players come to me for social, personal and academic problems. That does not set well with others on the staff. On recruiting weekends, regardless if I have one of my own recruist or his parents visiting the campus, I host the African-American parents. I have developed great relationships with parents and

players. Often other coaches come to me to find out about "their" recruits or personal problems."

Studies suggest that the percentage of African-American collegiate football coaches does not reflect the number of African-American football coaches with qualifications to do one of those jobs. Caution must be used when using statistics to show under-representation. Nevertheless, Dr. Terry Don Phillips, the director of athletics at Clemson University and a licensed attorney, believes that qualified coaches should come primarily from those who actually participated in athletics. This is currently not the case.

When companies, industries, and colleges prove they cannot regulate themselves within constitutional guidelines, those institutions eventually are forcibly regulated. History teaches that social change doesn't normally occur without litigation or legislation. Integration did not occur without litigation. School desegregation required litigation. Title IX required litigation. Universities have left coaches of color virtually no other option except to use the courthouse for justice. Civil Rights laws were passed in 1964. But in 2007 , these Congressional hearings are taking place because the laws have not been applied equally as it relates to employment equity for all coaches regardless of color at collegiate football programs.

For genuine equality to occur within the coaching profession, white collegiate administrators and coaches must come to terms with the fact that they are a product of a racially biased society which unconsciously can negatively affect their perceptions of African-American Americans. Recent studies and content analysis of Division I football media guides shows that if the situation is improving, it is doing so at a glacial pace. Past employment patterns, as well as current hiring trends, show there is a definite need to

seek measures that will genuinely promote equal opportunity for all within the college football coaching profession.

Implications

Much progress has been made in the world of sports since Jackie Robinson integrated Major League Baseball in 1947. However, more than half a century later, studies indicate that race continues to have a dramatic influence on the employment opportunities for African-American football coaches at predominantly white colleges and universities. During the civil rights era, sports created educational and economic opportunities by making skill the most important determinant for success. It is unfortunate that white administrators and coaches seldom judge African-Americans solely on the basis of character and merit. To say that society is color blind and that equal opportunity exists for everyone is neglectful of the real problems and issues of race.

Ron Brown was employed as an assistant football coach at the University of Nebraska for more than 15 years. He possessed an impressive resume with impeccable credentials. When his alma mater, Brown University of the Ivy League, began its search for a new head football coach, Brown was contacted and asked to interview for the position. During the process of the interview, Brown was told that there were individuals who had reservations about hiring an African-American head football coach. According to Brown:

"The athletic director told me just prior to the interview, 'Some alums are not happy because you're African-American.' They said, 'We don't want to play that

experiment here.' It really bothers me. I played there. You get all the pats on the back while you're playing. All of a sudden, there's a drawn line."

Recent hiring decisions regarding head football coaches at Division I universities indicate that college presidents and athletic directors are seeking individuals who are well perceived by an institution's constituents. White collegiate administrators often become appalled at being labeled racist for the lack of African-American coaches hired at their institutions. The truth is, there is a demand for coaches who are articulate and well dressed, and those qualities are not frequently associated with African-American coaches.

Many African-American and white coaches alike will not openly discuss their true feelings concerning race-related issues for fear of possible reprisals or harm to their career. The lack of genuine, open, and honest dialogue when it comes to personal feelings regarding equal employment practices involving African-American and white coaches contributes to a stale and stagnant employment situation. Studies of African-American football coaches have discovered the following:

- African-American football coaches often lower their expectations and become complacent satisfied just to be employed. Sociological literature refers to this as the "shattered dreams syndrome."
- African-American coaches often see white coaches with equal or lesser qualifications advancing and assume that skin color is the explanation.
- African-American coaches develop what is defined as coping fatigue as they perceive that white coaches do not acknowledge their competence or knowledge of the game.

- The current hiring trend continues to stratify African-American football coaches into positions that tend not to lead to head coaching positions.
- To advance their careers, African-American football coaches may believe it is necessary to deny their culture for acceptance. This can lead to an identity crisis.
- African-American coaches perceive they cannot voice their true feelings regarding apparent employment barriers for fear of damaging career opportunities. The result of this is defined as self-censorship.

Current hiring patterns of African-American football coaches may explain why a significant majority of African-American coaches believe that a "diversity plan to increase the number of African-American coaches is necessary." However, it is possible that many white coaches may perceive that implementing any institutional hiring practices based on the goal of achieving racial diversity or equal opportunity actually promotes reverse discrimination.

It is astounding that African-American football coaches often seem content to complain loudly to everybody except the institutional leaders who actually possess the authority to alter unjust hiring practices. But if meaningful changes are going to occur, African-American coaches must join together and voice their opinions regarding employment perceptions and institutional treatment. However, to avoid alienating collegiate and academic and athletic administrators, African-American coaches must also take a sensitive approach when addressing these issues. The words racism and discrimination can provoke a defensive posture on the part of many white academic and athletic administrators.

Game Plan for Corrective Action

Correcting the inequities in college football hiring practices would not be as difficult as many people imagine. It would mostly involve college administrators bringing the same hiring policy perspectives to football that they already use in other areas of their universities. If these policies are implemented in football, they should provide a more fair atmosphere for coaches of all colors. My recommendations:

1. END SECRECY

When many institutions are hiring a new football coach, too often the process is kept hidden from sight. This happens either because a candidate does not want his name made public, or because schools want to keep one candidate's name secret from another candidate.

This is dramatically different from the way universities usually hire their top academic or administrative personnel. Candidates for school president are publicized and asked to appear before a committee that includes some university trustees, administrators, faculty members and students. They usually demand a varied list of candidates, with some diversity.

With football coaches, that's very seldom the case. If a school wants to confine the search solely to a buddy of the athletic director -- or to the favored candidate of a booster who contributes the most money to the football program -- then the school can do exactly that. There is no way to tell if every good candidate is even being considered and no guarantee that candidates are being held to certain standards.

Is it any wonder so many minority coaches believe there might be a covert conspiracy to deny them an opportunity for job interviews? Is it any wonder that so many

coaches--of all races--feel they aren't getting a fair shake when it comes to hiring?

The remedy is easy: End the surreptitious circus. Require that all interviews of head coaching candidates take place in an open atmosphere. Make sure every name of a candidate is made public so that the school's constituents – students, alumni, football fans -- know that the university is making a broad effort to hire the best person for the job.

2. SLOW DOWN THE PROCESS

The Daytona 500 takes more time to run than it takes for some universities to conduct a "coaching search." To hear athletic directors and school presidents tell it, they have no time to conduct a measured, methodical review of coaching candidates because the school might risk losing key high school recruits, or because "continuity" is imperative, or because a top coaching candidate might take a job somewhere else.

At best, these are rationalizations. At worst, they are a devious cover story. There is no demonstrable proof that hiring a head coach quickly results in a better won-loss record. After the 2000 season at Ohio State, the school administration dithered for weeks and weeks until finally hiring its third or fourth preferred candidate, Jim Tressel of Youngstown State. Tressel coached the Buckeyes to a national championship in his second season.

The NCAA should mandate a two-week or three-week "cooling off" period between the time a coach is fired or quits, and the time when a new coach is hired. This would allow all coaching candidates to receive a fair look and for schools to perform better diligence before making a hire. It would also give minority candidates a better

chance to put themselves in play for a job, since many are "outside the loop" regarding the hiring process.

3. EXPAND THE INTERVIEW PROCESS

At many schools, the "hiring committee" for a new football coach basically consists of two people -- the athletic director and school president. Sometimes, it consists of only one person. If so, it is usually the athletic director. The president then rubber-stamps the choice.

This situation hardly takes into account all of college football's stakeholders -- administrators, faculty members, students, alumni, boosters. If the school is a public institution, taxpayers are also stakeholders.

The NCAA should require Division I universities to form an advisory committee whenever a head coaching job in football becomes open. Colleges can become bogged down in bureaucracy, so this committee would have to be set up wisely, with a mission to be efficient and nimble. I would suggest that the committee be appointed by the school president, who could use it as a year-round athletic advisory board that would already be in place when an opening occurs. The committee would not do the actual hiring. But it would be in position to suggest names of candidates, to interview those candidates when they come to the campus and to file strenuous objections if the athletic director appears to be making a nonsensical move. It would also shine more sunlight on the hiring process and make the candidates confident that they are not victims of the "good old boy" syndrome perpetrated by athletic directors who hire only their old cronies or coaches who are recommended by other old cronies..

4. EMULATE A SUCCESSFUL MODEL

During the 2002 football season, the NFL recognized it had a significant problem with racial inequity. Of the 32 head coaches in the league, only two were black – Tony Dungy of the Indianapolis Colts and Herm Edwards of the New York Jets. The NFL Players' Union expressed concern with the situation, at least partially because 67% of its membership was African-American.

Dan Rooney, the Pittsburgh Steelers' owner, made a proposal to help bring more diversity to the coaching ranks. It was adopted by the league and has come to be known as the Rooney Rule. It mandates that every NFL team with a head coaching vacancy must interview at least one minority candidate before filling the job. A team that fails to follow this guideline is subject to severe fines.

The rule's intention is threefold. It gives more minority candidates the chance to audition for head coaching positions. Secondly, even if those minority coaches do not earn a head position, the interviewing experience usually makes them more prepared and comfortable for the next interview. Thirdly, the names of the minority coaches who interview for the vacant positions are circulated in the media and around the league, putting those coaches on a list of likely candidates for coordinator positions as well as subsequent head coaching vacancies.

The Rooney Rule has been dramatically successful. By the 2004 season, the NFL had an unprecedented 14 offensive and defensive coordinators who happened to be minorities. There were also 173 minority assistant coaches, another record. And at the start of the 2006 season, there were seven African-American head coaches in the NFL, including the two who eventually coached against each other in the Super Bowl, Dungy

and Lovie Smith..

There is no reason the NCAA could not adopt similar legislation, using the Rooney Rule as a template. Before any Division I university hires a football coach, it should be required to give a serious interview to at least one minority candidate. But instead of a university simply being fined if it fails to follow the rule, the school would be placed on NCAA probation and barred from going to a bowl game for a season or more.

5. MANDATE ACADEMIC CREDENTIALS

When a school does not list specific hiring criteria when searching for a new head football coach, it leads to all sorts of confusion. Candidates have no idea what to accumulate on a resume. When attempting to smash a glass ceiling, the best ammunition is to remove any doubts about job qualifications. But if there are no clearly stated qualifications for that job, how can you know what it will take to become "qualified?" Athletic administrators have shown a tendency to be extremely subjective when evaluating football coaching candidates.

Astonishingly, in some cases, high school coaches are required to have more academic credentials than Division I coaches, given the high schools' teaching and faculty needs. For the same reason, at smaller Division II and III colleges, coaches are required to have masters' degrees. But major college football jobs don't require one. In fact, there are no real academic requirements at all to apply for those jobs.

Uniform standards should be set. If the head football coach is going to be the highest-paid "faculty member" on campus, he should have some academic credentials. At minimum, every head coach of a Division I school should possess a master's degree. Colleges should also be required to publicly state the level of experience or

expertise necessary for a job -- and adopt a policy of never hiring a coach who does not meet those requirements over a coach who does. That way, when job candidates are attempting to accumulate the proper credentials early in their careers, they have a clear idea how to do so. As a bonus, football players at these schools would likely receive more competent and proficient coaching with an educational component..

6. CREATE MORE OPPORTUNITIES

At the Division I level, most coaching aspirants begin their careers as graduate assistants. These jobs are low paying (or in some cases, basically volunteer-type positions) that are a good stepping stone to a full-time job. Currently, the NCAA allows Division I schools to employ two grad assistants. As you can imagine, the competition for those two jobs is fierce. There are always many more applicants than positions available.

To create a larger pool of diverse coaching candidates in the future, the NCAA should mandate an extra graduate assistant position to be filled by a minority, at all 119 Division 1-A schools. The expense would not be onerous, given the small stipend that grad assistants are provided. But the 119 extra jobs could be financed by tapping the "diversity program fund" that already exists in the organization. Either that, or the NCAA could tap the enormous profits generated by the BCS bowls. Another possibility: The NFL and NFL Players' Association could combine to donate the money.

Under this proposal, no jobs would be taken away from white graduate assistants -- or any current grad assistants, for that matter. Individual schools would not have to come up with extra dough for the extra position because it would be paid for by outside

money. More young coaching talent would be exposed to Division I football. And finding qualified candidates of all colors for full-time positions in the future would be far easier.

7. EDUCATE THE CONSTITUENTS

In recent years, schools have tried to gain more control over the actions of their most rabid athletic boosters. Often, these boosters are urged to attend an educational "seminar" at which NCAA rules regarding improper benefits and illegal support mechanisms for athletes are outlined. Boosters could also be asked to undergo an educational program about the benefits of racial diversity in college coaching. The program would also foster candid dialogue on the issue. Thus, when the next head coaching vacancy occurs, boosters might more easily understand why hiring practices to encourage minority candidates are in place.

8. STOP THE BRAIN DRAIN

Just as universities work hard to keep their best professors from leaving for a private sector job, college football administrators must make efforts to identify their talented minority coaches and keep them from evacuating to the NFL. Many young African-American coaches today believe there are far better opportunities for them in pro football than on campus. After the sight of Dungy and Smith coaching against each other in the Super Bowl was witnessed by millions, that perception is easy to understand. College administrators must cultivate and encourage young minority coaches – not with financial compensation alone, but with moral support and pledges to provide more opportunities at the offensive and defensive coordinator positions.

College football draws millions of people to campuses each fall. Many people believe the sport is one of the best things about our nation's culture. The NCAA and our higher education system must demonstrate that college football truly believes in the vision of equality for all that Americans desire. Right now, in terms of the head coaching position, the sport seems to exist in a world apart from that vision. There is no reason that should continue. These guidelines would provide a template for positive change.

STATEMENT OF MYLES BRAND, NCAA PRESIDENT
BEFORE THE
HOUSE SUBCOMMITTEE ON COMMERCE, TRADE AND CONSUMER PROTECTION
February 28, 2007

Chairman Rush, Ranking Member Stearns and other distinguished members of the Subcommittee, thank you for inviting me to appear before you today to discuss hiring equity in college athletics and the NCAA's efforts to assist in increasing the number of minorities in leadership positions within college athletics. Thank you also for holding this hearing on an important issue.

The NCAA is a voluntary association of nearly 1,300 colleges, universities, athletics conferences and related organizations. The NCAA's primary purpose is to regulate and promote intercollegiate athletics in a manner that fully integrates athletics programs with the academic mission of higher education and student-athletes with the student body. As a membership organization, the NCAA serves as the governance and administrative infrastructure through which representatives of colleges and universities enact legislation and set policy to establish recruiting standards and competitive equity among members, protect the integrity of intercollegiate athletics, ensure the enforcement of its rules and provide public advocacy of college sports. The authority for all rules, policies and procedures rests with the member institutions and not the national office. The NCAA also conducts 89 championships in 23 sports in which more than 45,000 student-athletes compete for the title of National Collegiate Champion. More than 380,000 student-athletes are competing in sports at NCAA member institutions this academic year.

Although the national office in Indianapolis is often referred to as the NCAA, the staff is merely the implementing infrastructure for the colleges and universities.

There is much within intercollegiate athletics to celebrate. My emphasis over the last four years has been on academic reform, ensuring that student-athletes have the opportunity to acquire a sound education that will serve them throughout a lifetime so they can serve their country as productive citizens. Indeed, as a long-time university professor, administrator and president, educating students has been my life's work.

Among the success stories of intercollegiate athletics has been the academic performance of student-athletes and their progress over the last decade and a half and especially of African-American student-athletes. Some may see the numbers about to be discussed as damning praise; and indeed, American secondary and post-secondary education must do a better job of elevating the academic preparation of Black children and young adults. But I can say with some pride that the standards intercollegiate athletics has put in place over the past 20 years are making a difference.

When the Department of Education began collecting graduation data for the first time from the class that entered higher education in 1984, African-American male students in the general student body graduated at a rate of 28 percent. [See chart below] African-American female students graduated at a rate of 34 percent. Black student-athletes were doing only marginally better. Black male athletes' rate was 33 percent. Black female athletes' rate was 45 percent. Black football student-athletes graduated at a rate of 35

percent, and worst of all, Black male basketball student-athletes graduated at a rate of 29 percent – just one point better than their counterpart in the general student population.

Sixteen years later, after nearly two decades of NCAA academic reform, graduation rates of African-American male student-athletes is 20 points better than the rate of African-American males in the general student body in the 1984 cohort. Today, Black male student-athletes graduate at a rate of 48 percent, Black female student-athletes at 66 percent. African-American males in the student body today graduate at 37 percent and females at 50 percent. Today, African-American male basketball student-athletes graduate 13 percentage points better (42 percent) than the 1984 class, and football student-athletes are 14 points better (49 percent). These are conservative numbers because the Department of Education methodology fails to take transfer students into account, even though their own estimates are that as many as 50 percent of all college students today transfer at least once.

The NCAA does calculate the success and failure of transfer student-athletes, and the rates there are much better. When you take transfers into account, the graduation success rate (GSR) of African-American male student-athletes is 55 percent and for females it is 74 percent. African-American football student-athletes graduate at 55 percent by this calculation and male basketball student-athletes graduate at a rate of 51 percent. This is a great success story.

Academic Success of
African-American Student-Athletes

	1984 Cohort Dept. of Ed. Rate	2000 Cohort Dept. of Ed. Rate	2000 Cohort GSR Rate
African-American male students	28	37	N/A
African-American male student-athletes	33	48	55
African-American female students	34	50	N/A
African-American female student-athletes	45	66	74
African-American football student-athletes	35	49	55
African-American male basketball student-athletes	29	42	51

Note the 2000 cohort is the most recent information available; the period measured for graduation is 2000-2006.

But not all challenges within intercollegiate athletics have been as successful, and some are personally frustrating. Chief among those, in my view, is the dismal record of hiring people of color into head coaching positions, especially in the sport of football. We have made significant progress in college basketball. Over the last two decades, the number of African-American head coaches has significantly increased. Today, there are more than 80 in Division I, better than 25 percent of all the head coaching positions in the sport. That is not good enough in a sport where 63 percent of the participants are African-American, but it is significant progress. There has been some progress among athletics directors of color with 11 African-Americans and three Latinos in Division I.

College football, however, is far and away the worst of the areas. In my first public speech as NCAA president to the Association's membership more than four years ago and less than two weeks after taking office, I said that one of the most egregious

instances of lack of access was the low number of African-American head football coaches in Division I-A (or the Bowl Championship Subdivision as it is now called). The number of Black head football coaches in January of 2003 was four when you exclude the Historically Black Colleges and Universities (HBCUs). Today, there are six. There are five more in Division I-AA (now called the Football Championship Subdivision); two in Division II; and one in Division III.

The grand total is 14 among all football-playing member institutions when the HBCUs are excluded from the calculation. That represents 2.4 percent in a sport where 55 percent of the student-athletes are African-American. And in the last four years, we have only increased the number in Division I-A by two. At that rate, it will take more than 80 years before we reach a percentage that even approximates the number of African-Americans in the general population. As I have said on as many occasions as possible over the last four years, that is not only unacceptable, it is unconscionably wrong. If we can make significant progress with the hiring of African-American head basketball coaches, why has the progress been so slow in football?

Part of my personal frustration with this issue is the lack of direct control the NCAA has over the matter. The Association cannot make the hires, and it cannot mandate who is interviewed. Just as no central authority dictates to American higher education who among all educators and administrators they ought to interview or hire, the colleges and universities will not cede to the NCAA the authority to dictate who to interview or hire in athletics. This is not a challenge that can be managed through Association action in the

same way we have done with academic reform. The universities and colleges retain their autonomy and authority in the case of hiring and in the case of expenditures, and they will not cede it to the NCAA or any other national organization.

Some observers of intercollegiate athletics have promoted a collegiate version of the Rooney Rule that has diversified the interview pool for the National Football League (NFL). Such a rule will not work for higher education as a whole, nor can a specific sport be singled out to operate apart from the institution. More importantly, such a rule is not necessary. I began working with the Black Coaches Association (BCA) four years ago to address the under-representation of African-Americans among head football coaches and helped that organization design the Minority Hiring Report Card that grades and publicizes the results of interview and hiring efforts in Division I. The idea was that a more open and inclusive search would allow talent, regardless of race to rise to the top and be hired.

For the past three years, the BCA has unflinchingly graded athletics departments and publicly released its report card. This past year, there were more A's than ever, but there were also more F's. Two overwhelming facts emerge that suggest the report card is doing its job through public disclosure. First, more than 30 percent of all candidates interviewed for head coaching positions over the last three years have been minorities. Even more striking is that 76 percent of all the openings have had at least one minority candidate interviewed. In more than three of every four vacancies, a person of color was interviewed. The results for last fall are being collected and we won't know the

percentages until late summer, but the BCA Minority Hiring Report Card has proven to be the operational equivalent of the NFL's Rooney Rule. Indeed, it is a more powerful and comprehensive tool because it evaluates not only whether a minority was interviewed, but the diversity of the search committee, communication with the BCA and others who can make minority recommendations, the duration of the process to avoid 48-hour searches and hires, and adherence to institutional affirmative action policies. The problem lies now not in the search process, which has changed to accommodate the BCA Hiring Report Card, but in the final result – the actual hires.

Focusing media attention on the Rooney Rule and expending energy on blaming the NCAA national office for not having it is aiming at the wrong target and diverts attention from the real issue – the paucity of diversity hiring.

In the last four years, we have only improved the net number of African-American head football coaches in Division I-A by two and in all of Division I by eight. Even in these dismal numbers, there is some good news. Three of the most recent hires – Kansas State University's Ron Prince, Columbia University's Norries Wilson, and Chris Taylor of St. Peters College – are graduates of the NCAA Men's and Expert Coaching Academies. The academies go beyond the Xs and Os of coaching. The focus is on other skills required to run a multi-million dollar operation. In scale of operation and expectations, college football differs from all other sports. A head football coach – even more so than a head basketball coach – must not only understand the complexities of the game, but they must hire and manage a staff of two dozen or more, organize the development of more than a

hundred student-athletes into various skill units, recruit in competition with dozens of other top teams for the best available talent, appeal to alumni and donors for both athletics and campus-wide development, and often be a spokesperson for the university. And, they must win!

The NCAA coaching academies – developed in conjunction with the Black Coaches Association, the American Football Coaches Association and the National Football League – has now helped develop more than three dozen assistant or coordinator coaches in the skills and characteristics required to undertake a head leadership position on a Division I campus. Over time, these academies will elevate the qualifications of all those minority coaches who aspire to be head coaches.

A year-and-a-half ago, I created the office of diversity and inclusion and hired Charlotte Westerhaus as vice president to develop a program that will assist member institutions and the national office to increase their diverse makeup and, more importantly, to put diversity to work in an inclusive environment. Vice President Westerhaus has recently completed and is now implementing a year-long strategic planning initiative that will serve intercollegiate athletics well over the next three to five years. Within the national office, we have worked to set an example for both diversity and inclusion. Over the last five years, the number of African-Americans on the administrative staff in the national office has increased from 46 to 64 and the percentage has increased from 22 percent to 24 percent.

The coaching academies have made a difference. The BCA Hiring Report Card has made a difference. The office of diversity and inclusion will provide both resources and impetus to new initiatives. And yet, not enough hires are being made. What must we do next?

In my view, we must overcome two additional obstacles. First, we have to mitigate the risk-adverse nature of those who make football coaching hires. Like it or not, the pressure to be successful in college football – given the contribution it makes financially to a successful experience for other sports and other student athletes, given the visibility it brings to a campus from multi-million-viewer television audiences, given the complexity of football operations – raises the stakes for those who make hiring decisions or recommendations in the sport. It is viewed as "safer" to hire a proven coach even though such practice closes the door on talented assistants and coordinators, including those who are minorities.

Second, we have to improve the informal networks so that minority coaches are front-of-mind options for hiring decisions. Their names must be advanced along with others when influential consultants are asked the question: "Who can do this job?" We must get top candidates in front of athletics directors and others before the stress of hiring begins. Those who make recommendations must become as comfortable with African-American football coaching candidates as they are with African-American basketball coaches. The Rooney Rule, by the way, had nothing to do with developing the current level of diversity in basketball. Developing a better informal network for minority assistants and

coordinators is the next major push we must undertake, and I will be working with the Division I-A Athletics Directors organization to promote that effort. The Division I-A conferences have begun to host informal events that include African-Americans who are potential head football coaches and athletics directors. This too is a step in the right direction.

History was made February 4 when two African-American coaches in the NFL took their teams to the Super Bowl. Lovie Smith and Tony Dungy quietly and with great dignity made a statement that will change the way coaches of color in the sport of football will be viewed in the future. Any college or university focused on obtaining the values and success that these men represent would be proud to hire them. And both were coaches in college football, but we let them get away.

The next Lovie Smith or Tony Dungy is in the pipeline. Talented coaches are on our campuses in Division I all across America, including coaches of color. We must open the doors to them, and we simply have to hire them for the top jobs.