



No Good Deed Goes Unpunished

**How the NCAA's Sanctions Were Unfair...and Why
ACU Should Have Fought Back**

By Randy Hill

“No Good Deed Goes Unpunished: How the NCAA’s Sanctions Were Unfair...and Why ACU Should Have Fought Back”

An e-book by Randy W. Hill

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Introduction

“No Good Deed Goes Unpunished” is the story of how Abilene Christian University’s athletic department got into trouble. Not for paying recruits. Not for fixing grades. But for basic human kindness.

Do you think a track athlete from Africa should be allowed to get a Christmas gift from a local church? I do and so will you when we jump into the details of this story and you realize how unfair the NCAA was in its investigation and its sanctions.

In this series, we’ll show you how the NCAA treated jaywalking like it were first-degree murder.

And, we’ll show you how ACU’s response was not nearly strong enough. By not standing up for itself, ACU set the stage to get attacked again...and for other small colleges to get attacked, too.

For years, the NCAA has established a reputation for taking it easy on the big guys. But in the Spring of 2009, it went after a little guy—ACU—with a vengeance.

I regret their sanctions. But more importantly, I regret that ACU didn’t push back harder.

As you will learn in this ebook, the sanctions were absurd, as was the response from the ACU athletic department.

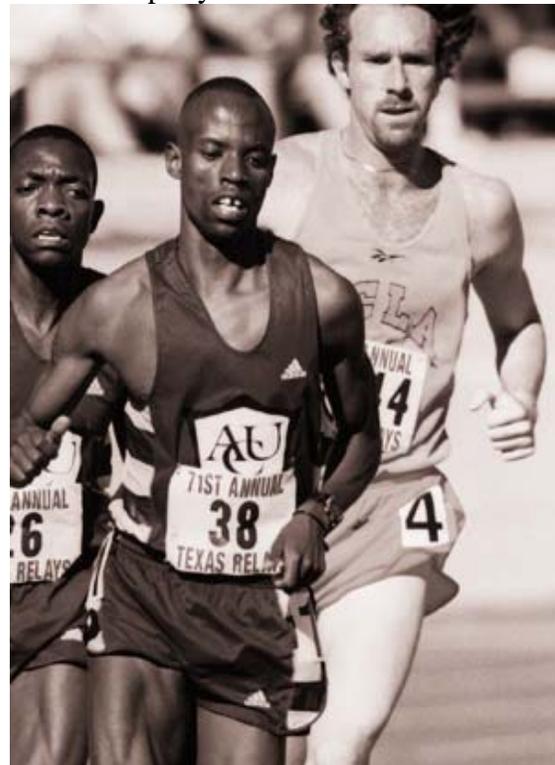
Absurd

How absurd were the NCAA sanctions against Abilene Christian University’s athletic department?

Consider the case of the church party. Let me quote directly from the NCAA report:

“Many members of the institution’s track and field teams are international student-athletes who are unable to travel to their home countries during the Christmas holidays. During the holiday seasons in both 2006 and 2007, “pot luck” suppers organized by a local church [Hillcrest Church of Christ] were held for some of the international students at the home of an assistant track coach (“assistant coach A”). During those parties 15 student-athletes (“student-athletes 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12,13, 14 and 15,” respectively) were provided impermissible benefits including small appliances, DVD’s, CD’s, food items, gift cards, personal items, clothing items and cash. The items were donated by members of the church.”

Are you kidding me? CDs and gift cards at a Christmas party?



But it gets more absurd. Also from the NCAA report:

“Once prospect 3 finished his assignments, assistant coach C mailed the completed correspondence course work to the institution through which the course was offered so that it could be graded. Assistant coach C paid the postage fee to send the assignments. Prospect 3 passed the class and competed for the institution.”

I thought coaches were supposed to support the academic pursuits of athletes. How is mailing in the correspondence work a major violation?

But this was just the beginning of the absurdity.

Here are some more of the “major violations” that the ACU athletic department committed, according to the NCAA:

“During the summer of 2007, two members of the football coaching staff assisted prospects 3 and 4 with their correspondence coursework.”

And what is the evidence the NCAA cites to back up this claim?

“Because assistant coach C knew prospect 3 needed to be pushed in his school work, he phoned the young man regularly to urge him to study.”

Oh, the horror of it! A college coach actually encouraging an athlete to study. Come on. Isn't this what all coaches should be doing? Not just coaching on the field but encouraging academic pursuits off the field, too?

Here is another “major violation” according to the NCAA:

“The scope and nature of the violations detailed in Findings B-1, B-2 and B-3 demonstrate that the head coach failed to maintain an atmosphere of compliance within the men's and women's track and field program and failed to monitor certain aspects of the program to ensure compliance with NCAA legislation.”

And the evidence?

The track coach “gave each of the young men, who had expressed a desire to compete on his team, a pair of running shoes.”

Tell me again how a pair of running shoes is a “major violation” of the rules? I could understand if he gave them a car or a job. But a pair of running shoes?

Here is what is obvious: the NCAA report is a major joke. When you consider that many major colleges pay athletes (remember Rhett Bomar's “job” and how OU got a slap on the wrist?) then the ACU violations don't seem very major at all.

Guilty

Let me be clear: ACU is guilty of these charges. I just don't think these charges are worthy of the punishments.

Or, to put it another way, what ACU did might have been illegal, but it wasn't immoral.

Take the case of the church Christmas party. This party was going to be held whether the athletes came or not. Since they also attended the church, why shouldn't they have gone? Just like when I was in college, my professor, Dr. John Willis, hosted a meal at his house every Sunday night than any student could attend. What's wrong with that? I talked to a person who was at the Christmas party who said the athletes talked about how far they were from home and what Christmas was like in their home countries. He said it was one of the most moving experiences of his life.

Or take the case of the track athlete who got medical treatment paid for by a friend at church.

At the Indoor Nationals, the athlete got a massive blister that covered the entire ball of his foot. It was cleaned and treated at the meet. The large flap of skin was laid back and the bare raw area was treated by the training staff. Once back in Texas the injury became worse and medical help was needed...and fast. With no one to turn to—athletic trainers were gone due to Spring Break—a Christian sprinted to the rescue and took the young athlete to the urgent care center and paid for his treatment. This is not out of the ordinary for any student at a college that bills itself as “No Ordinary University”.

Like I've said before, this would all be funny if it weren't so sad.



And how did the NCAA become so obsessed with all these minor infractions at a little school like ACU?

It turns out they had an inside source.

Inside Job

Sources close to ACU tell me the NCAA had an inside source. A compliance officer at the school kept a running tally of all the “major” violations. The compliance officer was a native Abilenian and an ACU graduate. As the school’s compliance officer, she was supposed to take the infractions first to ACU. In this case, the officer did no such thing. Instead, she built up her case against her employer and then went right over ACU’s head to the NCAA.

But according to sources, the ACU compliance officer did talk to the student-athletes. She was directed by the NCAA to interview all the student-athletes and compile a list of gifts given by church members, with no regard to whether it was used socks or paying for much needed medical treatments. She then went to Wal-Mart and priced all items as if new and informed the athletes that they would have to repay the amount of the gifts to a charity in order to be eligible to participate in the National Championships. The athletes scrambled to find some way to pay the fines levied by their own compliance officer with less than two weeks until Nationals.

The real scandal in this scandal is how the NCAA handled the investigation. This is a sordid business. The NCAA should have known better. And ACU should have gotten better.

When you base your entire investigation on a disgruntled employee, you should at least check out the facts before you impose harsh penalties.

And where was the local media? The local critics in the press had a field day playing this up as a major crisis. There was

speculation about who would be fired at the school. Yet few in the local press took the time to find out the real story. That’s a scandal, too.

But the other scandal in all in this was how little ACU did in defending itself.

Not Fighting Back

When the NCAA announced its findings on the ACU athletic department in February 2009, ACU President Royce Money responded:

“To be clear, we maintain that these infractions do not include intentional violations. While we had systems in place at the time of the infractions, this investigation has led us to strengthen our compliance education.”

Fair enough. But what was missing from this statement was an explanation of why these “major” infractions took place and how many of them were consistent with ACU’s values.

Crisis communications experts often talk about how it’s important to focus on results, not process. The statement ACU gave in response to the NCAA findings tended to focus on process. “We had systems in place,” Dr. Money said.

In retrospect, wouldn’t it have been better to say something like: “We have a values system in place”? And then go onto to describe the church Christmas party as an example of Christians simply showing some Christian charity to the student-athletes?

I think ACU missed an opportunity to describe to the nation why it is different than any other college in the country.

This could have been a great moment when a Christian school had the attention of the national media and used it to talk about how absurd it is that a church can't give out a Christmas gift to an athlete. This could have been a great teaching moment for the whole nation. ACU could have shown America that it is "no ordinary university."

There was a great speech waiting to be given in response to the NCAA sanctions.

What ACU Should Have Said

When ACU announced it was appealing some of the NCAA sanctions in February, here is what athletic director Jared Mosley said:

"We were surprised by the penalty in football that asked us to vacate the 2007 wins and associated records there. We had a chance the last couple of weeks to look into that a little deeper and feel that it's going to be worth our time and effort to put in the work and then look at case precedent and file our own appeal of those penalties they outlined for us."

The problem with this approach is that by challenging some of the sanctions, ACU implied that other sanctions were legitimate.

For example, by not challenging the track sanctions, the school suggested that it agreed with a ludicrous penalty leveled because the Hillcrest Church of Christ hosted a Christmas party that some track athletes attended.

By picking and choosing which sanctions to appeal, ACU inadvertently undermined its best argument: that the entire NCAA investigation was absurd.

Here is what I believe either President Money or Athletic Director Mosley might have been better off saying:

"We accept that rules were broken. But we do not accept that we did anything wrong.

As a Christian university, we have a higher calling to a higher power than the NCAA. And our code of conduct is a little different than the NCAA version. The NCAA version leads that organization to slap big guys on the wrist, like when OU alums were paying Rhett Bomar to not work at a car dealership. But that same NCAA code of conduct allows them to go after little guys like ACU with a vengeance.

Our code of conduct takes precedence: it's the Bible. And in it, we are instructed to love our neighbors as ourselves.

And so when a track athlete with an infected foot needs treatment, we provide it.

When a player needs a computer to take a correspondence course, we supply it.

And when athletes from other countries want to come to our Christmas parties, we embrace them.

That is not just what we do...that is who we are. We don't talk about kindness; we live it.

And so while we accept responsibility, we don't apologize. And when given the opportunity again, we will continue to do the right thing, whether the NCAA thinks it's the legal thing or not.

In 2nd Thessalonians, the Apostle Paul instructs us to "stand firm and hold to the traditions which you were taught...."

That is what we did...and what we will continue to do.

We can hold our heads high at the end of this investigation. Too bad the officials at the NCAA can't say the same thing."

Appendix

The NCAA Report:

www.rwhill.com