

# REDEFINING COLLEGE SOFTBALL

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## INTRODUCTION

The National Collegiate Athletic Association (NCAA) prides itself on the fact that most student-athletes go pro in something else<sup>1</sup>, although they do not do enough to ensure their student-athletes will succeed off the playing field. In fact, the NCAA does more to protect players in sports that will go pro than in sports that will not. While there are several sports the collegiate sports in need of major NCAA adjustments, this paper will focus almost exclusively on college softball. College softball players are underfunded, over-worked, and left without valuable resources that could better prepare them to enter the workforce. This paper will address how the NCAA needs to take action by fixing the broken and outdated scholarship model. It will draw attention to the stresses the excessive game schedule and travel plans place on the student-athlete and call for change. It will highlight the low academic requirements set by the NCAA and asked for them to be raised. Finally, it will push for the addition of a fourth paid coach. All of the recommendations made in the following paper are written by a former NCAA Division I softball player with current NCAA softball student-athletes in mind. They are all changes that the NCAA is capable of making today and changes that they should make for the betterment of their softball student-athletes.

## SCHOLARSHIP

Currently, the scholarships available to a student-athlete is dependent upon whether their perspective sport is classified as a

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<sup>1</sup> Many Athletes “go pro” with careers at Enterprise Rent-A-Car. See Creative lablOI, Enterprise Rent a Car NCAA 2102 [sic] Commercial, YouTube (Mar. 5, 2012), <https://www.youtube.com/watch?v=720aObZm6bM>.

“head count” or “equivalency” sport.<sup>2</sup> Head count sports proscribe a set number of scholarships per team.<sup>3</sup> The athletes on the team either receive a full scholarship, or no grant-in-aid at all.<sup>4</sup> In contrast, equivalency sports teams are allotted a certain amount of money for the entire team.<sup>5</sup> Coaches can then divide the money into varying scholarship amounts to different players on the team.

NCAA Division I softball is considered to be an equivalency sport.<sup>6</sup> Softball programs are entitled to twelve scholarships to distribute as coaches see fit amongst a team ranging between fifteen to twenty-five student-athletes.<sup>7</sup> However, not all programs are fully funded by their respective universities which means those schools receive less than the twelve full scholarships. However, even if the team is fully funded, the vast majority of the team will not get their education fully paid for. Full ride scholarships are offered almost exclusively to pitchers, making it rare for a position player to get their education fully paid for. In contrast, football is a head-count sport. Football players on a Division I team receive either a full scholarship to participate, or do not receive any money at all and are considered a walk on.<sup>8</sup> Football, for example, receives eighty-five full scholarships and most teams carry a roster of over one hundred student -athletes.

So the question is why? Why are some sports treated differently than others?<sup>9</sup> Article 15.5.3.1 of the NCAA Division I bylaws states: “[t]here shall be a limit on the value of financial aid awards than an institution may provide in any academic year to counters in the following...sports.”<sup>10</sup> This list has nothing to do

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<sup>2</sup> Donovan James Nelson, *An Analysis of Scholarship Distribution by Division I Softball Coaches* (Dec. 2017), <https://scholarworks.uark.edu/cgi/viewcontent.cgi?referer=https://scholar.google.com/&httpsredir=1&article=4162&context=etd>.

<sup>3</sup> *Id.*

<sup>4</sup> *Id.*

<sup>5</sup> *Id.*

<sup>6</sup> *Id.*

<sup>7</sup> *Id.*

<sup>8</sup> *Id.*

<sup>9</sup> In 1973 the Pittsburgh football coach reportedly awarded 90 freshmen football players scholarships. This action was then scrutinized by the NCAA in 1977 when the Panthers won the national championship. The NCAA sought to ensure equity of competition within sports by creating scholarship limits. Peter Keating, *The Silent Enemy of Men's Sports*, ESPN (May 22, 2012), [https://www.espn.com/espnw/title-ix/story/\\_id/7959799/the-silent-enemy-men-sports](https://www.espn.com/espnw/title-ix/story/_id/7959799/the-silent-enemy-men-sports).

<sup>10</sup> *Id.*

with Title IX. Title IX requires schools to make a showing that they are meeting the athletic interests and abilities of their male and female students, but the law does not specify how they are to fulfill that standard.<sup>11</sup> Instead, the NCAA took the matter into their own hands. The NCAA scholarship rules have been geared toward making money. Spokesman Cameron Schuh stated “[t]his move was predicated on the ability of those sports at that time to generate revenue for the institutions as compared to the other sports the institutions fielded.”<sup>12</sup> Ellen Zavian, a professor of sports law at George Washington, proclaimed that “[i]n the long run, the NCAA won’t be able to fulfill its mission of helping all student-athletes if it continues to favor the richest sports.”<sup>13</sup> Thus, the gap has nothing to do with men’s and women’s sports, but rather the sports that generate high revenues and those that don’t.<sup>14</sup>

However, the NCAA can no longer hide behind their non-revenue argument. According to the Department of Education, softball programs reported \$450 million in revenue from the 2016-2017 year.<sup>15</sup> Forty-two programs reported more than \$1 million dollars in revenue.<sup>16</sup> Florida State and Baylor each reported \$2.2 million dollars.<sup>17</sup> Only football, basketball, and baseball are reporting more revenue than softball.<sup>18</sup> In fact, over the last 14 years softball revenue has increased by 217.4%.<sup>19</sup> The next closest increase in revenue was men’s basketball at 114%.<sup>20</sup> Yet, softball and baseball remain equivalency sports while non-revenue producing sports, such as volleyball and tennis, can deliver an entire roster full scholarships.

Revenue is just one way that growth in college softball has been evidenced. The number of viewers watching softball games

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<sup>11</sup> Id.

<sup>12</sup> Id.

<sup>13</sup> Id.

<sup>14</sup> Id.

<sup>15</sup> David Berri, *NCAA Softball Is Now A Revenue Sport...Really!*, *Softball America* (Feb. 7, 2019), <https://www.softballamerica.com/stories/ncaa-softball-is-now-a-revenue-sport/>.

<sup>16</sup> Id.

<sup>17</sup> Id.

<sup>18</sup> Id.

<sup>19</sup> Id.

<sup>20</sup> Id.

on television has also increased dramatically. In 2017, the opening game of the Women's College World Series was viewed by 1.583 million viewers.<sup>21</sup> To give a comparison, only 1.1 million viewers on average were watching Major League Baseball on a Monday night that month.<sup>22</sup> Softball is a growing game that is catching fire and attracting the attention of viewers all over the world.

Coaches' salaries are up as well. Schools are willing to spend record breaking amounts to ensure their program has a winning coach. Patti Gasso, (Oklahoma) makes \$1.22 million a year.<sup>23</sup> Carol Hutchins (Michigan) is set to make \$628,213 this season, and Mike White (Texas) has a base salary of \$505,000.<sup>24</sup> Even Ole Miss is starting to invest into their softball staff. Recent hire, Jamie Trachsel is set to make \$245,000 a year and has \$220,000 to pay her two assistant coaches.<sup>25</sup> Money is being made on Division I college softball: fans, television networks, and colleges and universities are all spending money on college softball. But the NCAA still will not allow the sport to become a head count sport.

The ideal solution would be to fully-fund softball and baseball programs by allowing a set number of players to receive full ride scholarships and allowing a handful of other players to walk-on to the team like other revenue producing sports. The NCAA has already announced they will allow student-athletes to begin getting paid for their use of their name, image, and likeness. While the NCAA has not announced exactly what this is going to look like, it potentially means that schools will have to pay players. Schools may have to pay players to be put on posters or to do media day interviews, however a large percentage of student-athletes will still have their education unpaid and have to use this money to pay for their school anyway. Instead, the NCAA should

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<sup>21</sup> Id.

<sup>22</sup> Id.

<sup>23</sup> Steve Berkowitz, *NCAA's Power 5 Schools See Steep Raise in Pay for Non-Revenue Coaches*, USA Today (Aug. 12, 2019), <https://www.usatoday.com/story/sports/2019/08/12/ncaa-power-5-schools-steeply-raising-pay-non-revenue-sport-coaches/1946843001/>.

<sup>24</sup> Id.

<sup>25</sup> Nick Suss, and Jamie Trachsel's Salary to Facilities, Ole Miss to Invest Heavily in Softball, *Clarion Ledger* (Apr. 28, 2020), <https://www.clarionledger.com/story/sports/college/ole-miss/2020/04/28/ole-miss-softball-invests-jamie-trachsel-salary-facilities/3041774001/>.

allow schools to use the student-athlete's names, images, and likenesses without paying the student-athletes so long as they fully fund the costs of receiving their education. Any additional use of the student-athlete's name, image, or likeness by a third-party could then be negotiated with the student-athlete so they are able to profit.

Money to fully-fund the sport could be raised every year by the NCAA Postseason softball tournament. Every year the NCAA makes the majority of its money off the *March Madness* basketball tournament. In the 2018-2019 fiscal year, the NCAA made 867.5 million dollars on television and marketing rights alone and another 177.9 million dollars in ticket sales that year.<sup>26</sup> As evidenced by the viewers above, women's college softball has the caliber to raise a significant amount of money if they were to get the same postseason coverage that men's basketball gets. Both postseason tournaments span over approximately three weeks and start with almost the same number of teams. Basketball starts with 68 teams and progresses from the opening round to the *Sweet Sixteen*, *Elite Eight*, and *Final Four*. Similarly, softball starts with 64 teams and then progresses to *Regionals* (32 teams), *Super-Regionals* (16 teams), then the *Women's College World Series* (8 teams). The only difference is that the NCAA has not brokered deals with all the main television networks to get coverage of the games. Coverage would mean viewers; viewers would mean advertisers; and advertisers would mean money. This money could be put back into the game of softball so that every player would have their education fully paid for.

Individual schools could make money to fully-fund their softball programs the same way that individual schools make money off the NCAA basketball tournament. Each year the NCAA keeps approximately forty percent of what they make off television revenue and ticket sales.<sup>27</sup> Then, they distribute the remaining sixty percent to schools through their conferences.<sup>28</sup> For basketball, the NCAA urges, but does not require, conferences to

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<sup>26</sup> Noah McGee, How Much Money Does the NCAA Make From March Madness?, Microsoft News (Feb. 6, 2020), <https://www.msn.com/en-us/money/markets/how-much-money-does-the-ncaa-make-from-march-madness/ar-BBZIYDV>.

<sup>27</sup> Will Hobson, Fund and Games, Wash. Post (Mar. 18, 2014), available at <https://www.washingtonpost.com/graphics/sports/ncaa-money/>.

<sup>28</sup> Id.

share the money equally among their member schools.<sup>29</sup> However, since softball would be using the money to fully-fund their sport, the NCAA could mandate the money received from the NCAA basketball tournament be equally distributed to every member school of their respective conferences. Additionally, instead of money being distributed to each conference based on how many teams from the conference make the post season tournament as in basketball, the NCAA postseason softball tournament could give the same amount of money to each school. This would ensure schools outside the *Power Five* could afford to fully-fund their softball programs as well.

Every year thousands of college softball players take out loans so they can compete at the next level while earning their degree, and thousands more enter the workforce upon graduation with significant debt. The vast majority of athletes that play for fully-funded sports do not encounter the same debt problem, because the NCAA provides for them. However, the NCAA does not provide for softball student-athletes the way they are capable of. The sport has grown enough in popularity that the NCAA can now afford to provide full scholarships for softball student-athletes as the sport can now sustain itself. Softball just needs the opportunity. If the NCAA wants to do the most for their student-athletes, especially their softball players, they will allow the sport to be fully funded. This will give those student-athletes a chance to enter into the world with a clean slate instead of with hundreds of thousands of dollars in debt. If the NCAA chooses not to take action, they cannot claim that they are doing their best for all of their student-athletes to have the best college experience possible, but rather only the best for a handful of sports.

Alternatively, if the NCAA will not allow, or will not force schools to fully fund all of their athletic programs, the NCAA should eliminate scholarship limits by sport. Instead, they should give each school a total number of scholarships within a certain range for each sport. Thus, each school will have discretion in how they allocate their scholarships, but remain accountable to Title IX, while keeping a few schools from hogging all the talent. Less popular sports and their athletes would still be protected under

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<sup>29</sup> Id.

this model by having a minimum number of scholarships per sport. Similarly, “big sports” would remain protected as no school is going to jeopardize their money makers. An example of how scholarships can be allocated can be viewed in tables 1 and 2 below. These tables illustrate the following information based on the University of Mississippi Athletics programs for the 2019-2020 year. The tables show the current scholarships allowed, the current team size, and an example of what the new scholarship range could look like.

This model would also allow schools to take advantage of scholarships that are not being utilized. For example, as portrayed by the table below, seven scholarships were not utilized during the 2019-2020 athletics season at Ole Miss (see table 2). Women’s basketball had a roster of only ten players, but they were allowed to award fifteen scholarships (see table 2). Women’s cross-country carried a roster of seventeen runners, but were allowed to reward eighteen scholarships (see table 2). Volleyball had a roster of eleven players, but is permitted to award twelve scholarships (see table 2). Those seven unused scholarships could have been transferred to another sport instead of being wasted.

Table 1

Men’s Sport	Scholarship Currently Allotted	Team Size	Scholarship Range
Baseball	11.7	35	12-24
Basketball	13	16	10-15
Cross-Country	12.6	19	8-15
Football	85	118	60-75
Golf	4.5	10	5-10
Tennis	4.5	7	5-8
Track	12.6	40	12-18

Table 2

Women's Sport	Scholarships	Team Size	Scholarship Range
Basketball	15	10	8-13
Cross-Country	18	17	14-18
Golf	6	8	4-8
Rifle	10	10	6-10
Softball	12	25	12-24
Soccer	14	22	12-22
Tennis	8	8	6-10
Track & Field	18	40	14-24
Volleyball	12	11	8-14

A variety of factors could assist the NCAA decide the range such as the current number of scholarships, average college roster sizes, the number of players that play at one time, the number of players that play in a given game, and the average size of professional rosters as guidance for creating the scholarship ranges. All but the last factor is self-explanatory as to why the NCAA could use it as a factor. However, professional roster sizes should weigh heavily in the decision. If a professional team with all of their resources and money decide that a certain number is satisfactory to run a highly competitive professional league, that number should also suffice in college with perhaps a few extra players to account for amateurism.

For example, the National Football League (NFL) is allowed to have a fifty-three-man roster plus a ten-player practice squad. If the NFL is only allowed to have that many players, why do we allow college football teams to carry rosters over one hundred and grant full scholarships to eighty-five of them? The limited NFL roster promotes exclusivity on the teams, cuts down on travel costs for the owners, can ensure players more playing time, and saves on player salaries. Reducing college rosters could have the same benefits for schools without sacrificing the talent or caliber of play. The best players in the country would still be on full-ride scholarships and there would still be ample walk-on players. The same amount of people would watch college football if there were fewer players on the sidelines, especially because the best players

would still be playing. Reducing football scholarships would also increase competition. The 2019 Ole Miss Football Roster had seven quarterbacks listed.<sup>30</sup> If reducing scholarships meant only five quarterbacks received scholarships, those two other quarterbacks would likely take their talent to a smaller school where they could receive full funding. This effect would not only take place at the quarterback position, but at all the positions, which would in turn elevate competition across the game. Thus, the NCAA should consider reducing the number of full scholarships granted to football players and in turn award those scholarships to student-athletes among other teams.

The scholarship model needs to change. Whether the NCAA decides to fully fund every sport and provide for all of their athletes equally, or create a discretionary system that would allow for each school to allocate a certain number of scholarships per sport, something needs to give.

#### GAME SCHEDULE/PRACTICE SCHEDULE

Division I softball teams are permitted to play a fifty-six-game regular season schedule. Typically, teams play a four-week preseason schedule consisting of approximately twenty games before starting their league play. League play consists of approximately twenty-four games and all remaining games are played against non-conference teams. Softball and baseball are the only two sports that play such a long season. For example, the football regular season is thirteen games and the basketball one is eighteen. The closest sport to a softball's fifty-six game season is volleyball which has thirty. So why is softball so much longer? Because softball teams play three-game series against the same team each weekend.

Below is the travel schedule for Ole Miss softball student-athletes for the spring 2020 season. Had the season not been canceled due to the coronavirus, the girls would have missed eighteen full days of class and four half days. Depending upon their class schedules, the student-athletes could have missed additional classes even for home games.

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<sup>30</sup> The University of Mississippi, Ole Miss 2019 Football Roster, [olemisssports.com](https://olemisssports.com) <https://olemisssports.com/sports/football/roster/2019> (last visited Feb. 15, 2021).

Figure 1

<b>Away Games</b>			
<b>Event</b>	<b>Departure Date and Time</b>	<b>Return Date and Time</b>	<b>Location</b>
NFCA Leadoff Classic	Wednesday, Feb. 5th at 8:00AM	Sunday, Feb. 9th at 11:00PM	Clearwater, FL
Puerto Vallarta	Tuesday, Feb. 11th at 8:00AM	Sunday, Feb. 16th at 11:00PM	Puerto Vallarta, MEX
UAB Tournament	Wednesday, Feb. 19th at 1:00PM	Sunday, Feb. 22nd at 11:00PM	Birmingham, AL
Missouri	Thursday, Mar. 5th at 1:00PM	Sunday, Mar. 8th at 11:00PM	Columbia, MO
Memphis	Wednesday, Mar. 25th at 1:00AM	Wednesday, Mar. 25th at 11:00PM	Memphis, TN
Florida	Friday, Mar. 27th at 1:00PM	Monday, Mar. 30th at 11:00PM	Gainesville, FL
Auburn	Wednesday, Apr. 8th at 10:00AM	Saturday, Apr. 11th at 11:00PM	Auburn, AL
Tennessee	Thursday, Apr. 23rd at 8:00AM	Saturday, Apr. 26th at 11:00PM	Knoxville, TN
SEC Tournament	Monday, May. 4th at 1:00PM	Upon Elimination	Tuscaloosa, AL
<b>Home Games</b>			
<b>Event</b>	<b>Departure Date and Time</b>	<b>Return Date and Time</b>	<b>Location</b>
North Alabama	Wednesday, Feb. 26th at 2:00PM	Wednesday, Feb. 26th at 11:00PM	Oxford, MS
Ole Miss Classic	Friday, Feb. 28th at 2:00PM	Friday, Feb. 28th at 11:00PM	Oxford, MS
Central Arkansas	Tuesday, Mar. 3rd at 2:00PM	Tuesday, Mar. 3rd at 11:00PM	Oxford, MS
ULM	Tuesday, Mar. 17th at 2:00PM	Tuesday, Mar. 17th at 11:00PM	Oxford, MS
Belmont	Wednesday, Apr. 1st at 2:00PM	Wednesday, Apr. 1st at 11:00PM	Oxford, MS
UT Martin	Wednesday, Apr. 22nd at 2:00PM	Wednesday, Apr. 22nd at 11:00PM	Oxford, MS
Southern Miss.	Wednesday, Apr. 29th at 2:00PM	Wednesday, Apr. 29th at 11:00PM	Oxford, MS

The semester is composed of 14 weeks of classes starting on January 21<sup>st</sup> and ending on May 1<sup>st</sup>.<sup>31</sup> Classes that meet on Monday, Wednesday, and Friday meet thirty-seven times over throughout the semester; classes that meet on Tuesday and Thursday meet twenty-six times. Due to the travel schedule, Ole Miss softball players were scheduled to miss their Monday/Wednesday/Friday classes ten full days and three half days. That equates to missing roughly 31% of those classes. Additionally, they were scheduled to miss six full days and one-half day of their Tuesday/Thursday classes. That equates to missing approximately 25% of those classes. Altogether these student-athletes were expected to miss sixteen full days and four half days throughout the semester. Missing that much class is entirely unacceptable, and likely, it wouldn't be tolerated if these student-athletes were merely students.

Many schools have strict attendance policies that articulate the number of classes a student may miss, before their grade is penalized. For example, the University of South Carolina utilizes a fifteen percent rule. The rule states "absence from more than 15 percent of the scheduled hours that a class meets for instructional purposes is excessive, and the instructor may choose to exact a grade penalty for absences beyond this threshold."<sup>32</sup> Other schools, like the University of Mississippi, provide guidelines for professors to create their attendance policy based on the position that "students who attend class learn more than those who do not attend regularly and that grades are a reflection of learning."<sup>33</sup> They also provide that "a student who incurs excessive absences in a given course, but who has not been dropped from the course, may receive a grade of F."<sup>34</sup> Additionally, students are required to

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<sup>31</sup> The University of Mississippi Office of the Registrar, University of Mississippi Academic Calendar, [olemiss.edu](https://olemiss.edu), <https://registrar.olemiss.edu/spring-2020/> (last visited Feb. 15, 2021).

<sup>32</sup> The University of South Carolina, University of South Carolina's Academic Attendance Regulations, [https://www.sc.edu/about/offices\\_and\\_divisions/faculty\\_senate/documents/facsen\\_meetings/2019-10-02.attendance\\_policy.pdf](https://www.sc.edu/about/offices_and_divisions/faculty_senate/documents/facsen_meetings/2019-10-02.attendance_policy.pdf) (last visited Feb. 15, 2021).

<sup>33</sup> The University of Mississippi, University of Mississippi's Academic Attendance Policy, [olemiss.edu](https://catalog.olemiss.edu/academics/regulations/complete), <https://catalog.olemiss.edu/academics/regulations/complete> (last visited Feb. 15, 2021).

<sup>34</sup> *Id.*

establish eligibility for federal financial aid from the government by having their attendance verified for each class.<sup>35</sup> If a student fails to be present to verify his or her attendance, he or she could be dropped from the class and required to pay back a portion of the financial aid received for the semester.<sup>36</sup> Colleges, professors, and even the federal government put stipulations on class attendance because they believe in the value of being present in class.

The value was illustrated in a research study that asked whether a graded attendance policy increased attendance among college students. Although students recognized the relationship between attendance and higher grades, results indicated that attendance policies increased class attendance and that students missed twice as many classes per semester if they were enrolled in a class that did not have an attendance policy.<sup>37</sup> The researchers attributed this finding to the belief that “graded attendance policies may serve as a motivator for class attendance” and that “without an incentive, students may lack the intrinsic motivation to attend class on a regular basis.”<sup>38</sup> The attendance policies do little to aid in student-athlete motivation to attend class though, as participation in school-sponsored athletic events serves as an excused absence that does not count against the student. For student-athletes to reap the benefits of going to class, the NCAA needs to limit the number of classes that student-athletes are allowed to miss.

Virtually all schools require student-athletes to be present at every class meeting as they believe class attendance is vital to academic success. Most schools even provide “class checkers” that provide daily reports to the coaches and counselors noting absences and tardiness and providing penalties such as sitting out of practice or competition for skipping. While it is admirable the steps schools take to ensure their students are in class, it is ironic

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<sup>35</sup> The University of Mississippi, Federal Financial Aid Attendance Verification, olemiss.edu, <https://finaid.olemiss.edu/attendance-verification/> (last visited Feb. 15, 2021).

<sup>36</sup> *Id.*

<sup>37</sup> Tiffany Chenneville and Cary Jordan, Impact of Attendance Policies on Course Attendance Among Students, 8 *J. of the Scholarship of Teaching and Learning* 3, 29-35 (2008).

<sup>38</sup> *Id.*

that they allow their student-athletes to miss for competition. The University of Mississippi is a perfect example. The softball players are required to be present in each of their scheduled class sessions. If a player skips a class, she is required to sit out from practice or competition on that day. Although, she is permitted to skip sixteen half days and four full days to compete in competitions. The system is backward. Student-athletes should not be permitted to skip class to attend a game, but rather should be able to skip a game to attend a practice. This is where the NCAA needs to step in.

The NCAA should shorten the softball season by reducing the number of preseason games schools are allowed to play from twenty games to ten. This would allow the season to be pushed back two weeks. Student-athletes could have more time to stay home and enjoy their winter break instead of having to return early for season. Additionally, they could play in more favorable weather. This would also benefit northern schools that have to travel for all of their preseason games by allowing them to save money in their budget. But most importantly, the student-athletes would miss less school. Pre-season trips are when softball student-athletes miss the majority of their classes as they are gone for a full week at a time. The NCAA could further reduce the number of missed classes by reducing in conference games. Instead of playing a three-game series against conference teams on Fridays, Saturdays, and Sundays they could play each team twice. Playing conference games only on Saturdays and Sundays would allow these student-athletes to be present in more classes as they could leave on Fridays for their weekend competitions instead of on Thursdays.

In theory, for the Ole Miss team these changes would mean missing only five full days and two half days of their Monday/Wednesday/Friday classes and only one Tuesday/Thursday class. These student-athletes would still get to compete in thirty-eight regular season games, but only have to miss half of the classes they miss under the current game schedule. Missing less class equates to higher chance of succeeding in the classroom and in life.

Alternatively, if the NCAA refuses to change the softball game schedule, they should at least cap the number of classes that

each softball player is allowed to miss. Right now, the NCAA allows each school to create their own policy for missed classes. While the NCAA may feel that schools are capable of deciding their own policies, schools like the University of Mississippi are taking advantage of that liberty by requiring student-athletes to miss egregious amounts of class to participate in competition. Thus, the NCAA is negligent in failing to protect student-athlete's success in the classroom. Student-athletes should not have to choose between being the best they can be on the field, or being the best, they can be in the classroom. They should be able to do both, and with the NCAA's help, they can.

One possibility for how the NCAA could determine the cap for missed classes is to base it on the average number of classes colleges and universities across the country permit regular students to miss class. Colleges calculate the cap by balancing unforeseen circumstances, such as flat tires or sick days. The NCAA should be protecting their student-athlete's ability to be present in class based on the same number of classes schools feel are appropriate for non-athletes to miss and still be successful. For example, if the average number of classes that regular students are allowed to miss without being penalized is 15%, the same number should apply to student-athletes. Representing their school by playing a collegiate sport is an honor, but not one that should take precedence over sitting in the classroom actively engaging in learning.

#### STAYING ON TRACK TO GRADUATE

Athletes thrive under pressure, but right now all their pressure is to compete on the playing field, and the NCAA allows it. Yet, it is ironic how the NCAA boasts on their website that the likelihood of an NCAA athlete earning a college degree is significantly greater than the odds of going pro in their prospective sport, noting the graduation success rate of Division I athletes is 86%.<sup>39</sup> The chance that a college softball player will play professionally in the National Pro Fast Pitch League is so

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<sup>39</sup> NCAA, Estimated probability of competing in professional athletics, <http://www.ncaa.org/about/resources/research/estimated-probability-competing-professional-athletics>.

small that it did not even make the list on the NCAA website (see figure 4). College softball players that make it to the professional level average a salary between \$5,000 and \$6,000.<sup>40</sup> Each professional team has a salary cap of \$175,000, and the minimum salary is \$3,000.<sup>41</sup> If you divide that \$6,000 average by 52 weeks in a year, professional softball players make approximately \$115 per week, or less than \$500 a month.<sup>42</sup> Collegiate softball players rely on their college degree to get a job that will actually support the cost of living. The NCAA is doing them a disservice by having low academic requirements to stay eligible.

Figure 2

	NCAA Participants	Approximate # Draft Eligible	# Draft Picks	# NCAA Drafted	% NCAA to Major Pro	% NCAA to Total Pro
Baseball	36,011	8,002	1,217	791	9.9%	
M Basketball	18,816	4,181	60	52	1.2%	21.0%
W Basketball	16,509	3,669	36	31	0.8%	6.9%
Football	73,712	16,380	254	254	1.6%	
M Ice Hockey	4,323	961	217	71	7.4%	

The NCAA claims they are “dedicated to equipping student athletes with the skills to succeed on the playing field, in the classroom, and throughout life,” but they are not doing enough to ensure their student-athletes succeed as students first.<sup>43</sup> The standards they have in place to “ensure student-athletes make progress toward a degree” are the bare minimum. They require a Division I student-athlete to complete 40% of their required

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<sup>40</sup> Patrick Pinak, Pro Softball Player: ‘Yankees Bat Boy Salary is More Than My Professional Contract,’ Fan Buzz (Feb. 27, 2020), <https://fanbuzz.com/college-softball/delanie-gourley-softball-contract/>.

<sup>41</sup> Id.

<sup>42</sup> Id.

<sup>43</sup> Harrison, Rennie, Why Do Student-Athletes Choose ‘Easy’ Majors?, *The Odyssey* (Feb. 1, 2016), <https://www.theodysseyonline.com/why-do-student-athletes-choose-easy-majors>.

coursework for a degree by the end of the second year, 60% by the end of the third year, and 80% by the end of their fourth year (see figure 2).<sup>44</sup> Furthermore, student-athletes are only required to earn six credit hours per term<sup>45</sup> to be eligible for the following term and are only required to meet minimum grade-point average requirements related to the school's GPA standards for graduation (see figure 2).

The GPA requirements state that student-athletes must achieve 90% of their school's minimum overall grade point average required to graduate by the beginning of year two, 95% by year three, and 100% by year four (see figure 2).<sup>46</sup> Thus, athletes are required to maintain the following GPA to stay eligible to participate in collegiate athletics: 1.8 by the beginning of year two, 1.9 by year three, 2.0 by year four.

Figure 3

Progress-Toward-Degree Requirements				
Academic Requirements	Prior to the Second Year of Enrollment	Prior to the Third Year of Enrollment	Prior to the Fourth Year of Enrollment	Prior to the Fifth Year of Enrollment
<b>Regular Academic Term</b>	6 semester/6 quarter hours of credit	6 semester/6 quarter hours of credit	6 semester/6 quarter hours of credit	6 semester/6 quarter hours of credit
<b>Regular Academic Year</b>	18 semester/27 quarter hours of credit	18 semester/27 quarter hours of credit	18 semester/27 quarter hours of credit	18 semester/27 quarter hours of credit
<b>Degree Credit</b>	Credits accepted toward any degree offered at the institution	Credits used must go toward the designated degree	Credits used must go toward the designated degree	Credits used must go toward the designated degree
<b>Annual/Percentage-of-Degree</b>	24 semester/36 quarter hours of credit	40-percent of the designated degree must be completed	60-percent of the designated degree must be completed	80-percent of the designated degree must be completed
<b>Grade-Point Average</b>	90-percent of the minimum GPA required for graduation (1.8 if a 2.0 is the minimum)	95-percent of the minimum GPA required for graduation (1.9 if a 2.0 is the minimum)	100-percent of the minimum GPA required for graduation (2.0 if 2.0 is the minimum)	100-percent of the minimum GPA required for graduation (2.0 if 2.0 is the minimum)

<sup>44</sup> Student-athletes are eligible to compete in only four seasons in a prospective sport but may receive athletically related financial aid for five years. They can receive an additional year of eligibility in a different sport.

<sup>45</sup> Most academic advisors suggest athletes enroll in 15 credit hours per semester, instead of the minimum required of 12.

<sup>46</sup> Staying on Track to Graduate, NCAA, <http://www.ncaa.org/student-athletes/current/staying-track-graduate>.

For a student-athlete to be eligible to play his or her freshman year at a Division I school, she must complete a list of 16 core courses and earn at least a 2.3 GPA in them.<sup>47</sup> Further, the NCAA requires the student-athlete to earn a score on the SAT or ACT that matches their GPA on a sliding scale (see figure 3). This means if you have a low-test score, you need a higher GPA to be eligible; if you have a low GPA, you need a higher test score to be eligible.<sup>48</sup>

Figure 4

**NCAA D1 Sliding Scale**

Core GPA	New SAT	Old SAT	ACT
3.55	400	400	37
3.525	410	410	38
3.5	430	420	39
3.475	440	430	40
3.45	460	440	41
3.425	470	450	41
3.4	490	460	42
3.375	500	470	42
3.35	520	480	43
3.325	530	490	44
3.3	550	500	44
3.275	560	510	45
3.25	580	520	46
3.225	590	530	46
3.2	600	540	47

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<sup>47</sup> If you have not satisfied the academic requirements, you may not compete your first year at college. However, you can qualify for an academic redshirt if you complete the 16 core courses and earn at least a 2.0 GPA. The redshirt would allow you to practice and receive athletic scholarship, just not compete in athletic competitions.

<sup>48</sup> The minimum GPA you can have and still be NCAA eligible for DI is a 2.3 GPA and a 900 SAT or 75 ACT sum score.

3.175	620	550	47
3.15	630	560	48
3.125	650	570	49
3.1	660	580	49
3.075	680	590	50
3.05	690	600	50
3.025	710	610	51
3	720	620	52
2.975	730	630	52
2.95	740	640	53
2.925	750	650	53
2.9	750	660	54
2.875	760	670	55
2.85	770	680	56
2.825	780	690	56
2.8	790	700	57
2.775	800	710	58
2.75	810	720	59
2.725	820	730	60
2.7	830	740	61
2.675	840	750	61
2.65	850	760	62
2.625	860	770	63
2.6	860	780	64
2.575	870	790	65
2.55	880	800	66
2.525	890	810	67
2.5	900	820	68
2.475	910	830	69
2.45	920	840	70
2.425	930	850	70
2.4	940	860	71

2.375	950	870	72
2.35	960	880	73
2.325	970	890	74
2.3	980	900	75

Test scores are used for a variety of reasons in college admissions. A primary reason is these scores show a student's readiness for collegiate academia. Test scores also determine placement in college classes and identify students who may benefit from specific academic support. If student-athletes are required to have a minimum of a 2.3 GPA to be Division I eligible to play their freshman season, it does not make sense to reduce that GPA minimum to 1.8 after their freshman year and a 2.0 by the end of their fourth year to remain eligible. By creating a low standard for once student-athletes get accepted to their respective schools, the NCAA shifts the focus from succeeding in the classroom from excelling on the field. Collegiate athletics are much more rigorous and demanding compared to high school athletics, and so are the educational courses. Thus, the NCAA needs to change their eligibility requirements to ensure that student-athletes are prioritizing their focus where it really matters: in the classroom.

On a 4.0 grading scale, which the vast majority of colleges use, to achieve a 1.8 or 1.9 GPA a student would be garnering a C-. To get a 2.0 the grade would be a C. A 'C' average performance on the field is unacceptable to most fans, coaches, and athletes. They are often pushed to be perfect and coaches work them until they are. Athletes are expected to give an A+ performance every time they step onto the field. Yet, when it comes to academics, just slipping by is enough. Slipping by is even encouraged.

Too often athletes skate through college taking "easy" classes in "easy" majors because the pressures of competing at their best on the playing field take priority over excelling in the classroom. In fact, one study conducted by a team sociologist found that student-athletes often identify themselves as athletes before students and that they tend to focus on their athletic interests

over their academics<sup>49</sup>. Another study conducted by a professor of sociology at Ursinus college showed that student-athletes spend on average more than 25 hours a week on sports-related activities, other than competition, but less than eight hours on academics outside of class.<sup>50</sup> The arduous training schedule for student-athletes coupled with the demand for excellence in their sport and not in the classroom has led to “clustering.” Clustering is a term used to describe when twenty five percent or more members of a team declare the same major.<sup>51</sup> Some athletes elect to study the “easy” major because their academic advisor recommended it, and others just because they think they will be able to slip by without putting in all the work.<sup>52</sup> However, the problem with clustering is that the majority of the time these student-athletes are directed into a field they have no professional interest in pursuing.<sup>53</sup> The disconnect between taking easy courses and taking those that the student-athlete is genuinely interested in further erodes the student-athletes desire to excel in the classroom. <sup>54</sup> With coaches breathing down their necks to get more skill work and training in, coupled with their lack of interest in the curriculum they are studying, it is no wonder that student-athletes often do the bare minimum in the classroom.

An example of clustering can be seen by looking at the majors most selected by athletes at the University of Mississippi. Twenty-seven percent of all student-athletes elect to major in ‘General Studies.’<sup>55</sup> According to the school website the degree was created to “meet the needs of undergraduates who wish to tailor their own degree program to meet their specific educational and career

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<sup>49</sup> Peter Adler and Patricia A. Adler, *From Idealism to Pragmatic Detachment: The Academic Performance of College Athletes*, *Sociology of Education* 58, 241-50 (1985).

<sup>50</sup> Jasmine Harris, *It’s Naïve to Think College Athletes Have Time for School*, *The Conversation* (Oct. 9, 2018), <https://theconversation.com/its-naive-to-think-college-athletes-have-time-for-school-100942>.

<sup>51</sup> Harrison, Rennie, *Why Do Student-Athletes Choose ‘Easy’ Majors?*, *The Odyssey* (Feb. 1, 2016), <https://www.theodysseyonline.com/why-do-student-athletes-choose-easy-majors>.

<sup>52</sup> *Id.*

<sup>53</sup> *Id.*

<sup>54</sup> *Id.*

<sup>55</sup>

*Top Majors For Student Athletes, One Class*, <https://oneclass.com/blog/featured/173492-top-majors-for-student-athletes.en.html>.

needs; non-traditional students whose work and family responsibilities constrain their ability to complete the requirements of other undergraduate degree programs offered by the University...”<sup>56</sup> Instead of fitting in athletic responsibilities around an academic schedule, it can be argued that Ole Miss created a major that would allow academic responsibilities to be fit in around athletic ones.

Some schools have taken clustering even further by creating fake classes. For eighteen years’ student-athletes at the University of North Carolina were funneled into “paper classes” by their advisors to aid them in receiving artificially high grades in order to remain academically eligible to play.<sup>57</sup> The advisors went as far as telling the so-called professor of these classes the exact grades that student-athletes would need in order to stay eligible.<sup>58</sup> Other schools, like Florida State, had athletes take real online classes, but provided them with test answers prior to the exam.<sup>59</sup> Some schools, like Mississippi State, just have tutors complete the work for student-athletes themselves.<sup>60</sup> These all provide examples of how schools are prioritizing athletic performance over academic achievement. These scandals will continue to plague collegiate athletics until the NCAA takes a stand.

The NCAA needs to apply more pressure to compete in the classroom by raising the standards for success. They should start by requiring student-athletes to pass at least nine credit hours each semester to be eligible to compete the following semester. As of now, student-athletes are only required to pass six credit hours per semester, although most of them take a full course load of fifteen credit hours. Raising the standard will put an emphasis on the importance of academics. However, the NCAA should reduce the required course load in season from twelve credit hours to nine

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<sup>56</sup> Bachelor of Multi-Disciplinary Studies, OleMiss.edu <https://mds.olemiss.edu>.

<sup>57</sup> Sarah Ganim and Sawyers Devon, UNC Report Finds 18 Years of Academic Fraud to Keep Athletes Playing, CNN (Oct. 23, 2014), <https://www.cnn.com/2014/10/22/us/unc-report-academic-fraud/index.html>.

<sup>58</sup> Id.

<sup>59</sup> Ravi Lulla, 10 Worst Scandals in NCAA History, Bleacher Report, <https://bleacherreport.com/articles/869007-10-worst-scandals-in-ncaa-history>.

<sup>60</sup> Michael Wayne Bratton, NCAA Announces Mississippi State Put On Probation Following Investigation into Academic Misconduct, Saturday Down South (Oct. 2019), <https://www.saturdaydownsouth.com/mississippi-state-football/tutorgate-ncaa-investigation-probation-penalties-bulldogs/>.

credit hours. As noted above, student-athletes often do not have enough time in season to focus on their academics so they elect the “easy” majors and just do enough to stay eligible. The reduction of classes would allow students to spend more time focused on fewer classes and in turn, excel in those. Theoretically, this change could also cause more student-athletes to elect majors they are actually interested in, instead of those that are just “easy.” To account for the reduction of classes taken in season, the NCAA should extend the duration a student-athlete has to finish their degree from five years to five-and-a-half years.

Additionally, the NCAA should higher the GPA requirement. A U.S. News World Report article suggested that a 2.0 is generally the minimum to receive federal aid and meet graduation requirements, although individual scholarships and programs often demand more from a student.<sup>61</sup> Most graduate programs require a minimum GPA of 3.0 for admission. As of now, student-athletes do not have to have a 2.0 GPA until entering their fourth year. But as shown above, most student-athletes, especially college softball players, “go pro” in something else. Thus, their ability to learn and achieve success in the classroom is essential to unlocking doors to their future. If the NCAA wants to ensure student’s garner the best education they can while in school, thus preparing them to succeed off the field upon graduation, they will higher the GPA requirement to at least a 2.3 GPA.

Athletes understand rules. When the penalties for breaking those rules are severe enough, the rules will deter the athlete from breaking them. However, the current NCAA rules regarding academic misconduct are not severe enough to deter student-athletes from engaging in it, because the student-athletes themselves aren’t penalized when they get caught. For example, during the 2018-2019 school year a Mississippi State tutor took exams and completed assignments for ten football players and one men’s basketball player. The penalties included fines, reduction of scholarships for the teams, reduction in recruiting days and

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<sup>61</sup> Josh Moody, What a GoodCollege GPA is and Why it Matters, U.S. News (Jan. 28, 2019), <https://www.usnews.com/education/best-colleges/articles/2019-01-28/what-a-good-college-gpa-is-and-why-it-matters>

official visits and three years of probation among other things.<sup>62</sup> However, the only consequence the players suffered was having to sit in on a single rules education session on the consequences of academic misconduct.<sup>63</sup> The NCAA does not tolerate cheating in athletics so they should not tolerate it in academics either. Thus, they should adopt the same penalties for academic misconduct as they utilize for performance enhancing drugs. The situations are nearly parallel; the only difference is in one area the student-athlete is cheating to perform better on the athletic field, while the other to perform better in the classroom. The NCAA rules provide that “[t]he penalty for a positive test for a performance-enhancing drug (PED) is strict and automatic: student-athletes lose one full year of eligibility for the first offense (25 percent of their total eligibility) and are withheld from competition for 365 days from the date of the test. A second positive test for a PED results in the loss of all remaining liability.”<sup>64</sup> If a student-athlete gets caught cheating once, they should lose a year of eligibility; if they get caught a second time, they should be prohibited from competing in the NCAA.

The proposed changes regarding academic regulations are summarized below in table three. Ideally, the changes will cause coaches to be on players more about their studying and ensuring that players are getting the proper tutors and assistance they need to succeed in the classroom in order to stay eligible. If the NCAA is genuine in wanting to help student-athletes succeed both on and off the field they will make the proposed changes.

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<sup>62</sup> Horka, Tyler, Mississippi State Hit With NCAA Sanctions: Tutor Took Exams for Football, Basketball Players, Clarion Ledger (Aug. 23, 2019), <https://www.clarionledger.com/story/sports/2019/08/23/mississippi-state-university-athletics-academic-violations-ncaa-penalties-john-cohen-mark-keenum-msu/2041804001/>.

<sup>63</sup> *Id.*

<sup>64</sup> Frequently Asked Questions about Drug Testing, NCAA, <http://www.ncaa.org/sport-science-institute/topics/frequently-asked-questions-about-drug-testing>.

Table 3

Model:	Credits Passed Per Semester	Credits Required in Season	Duration to finish degree	Minimum GPA
Current	6	12	5 years	1.8;1.9; 2.0
Proposed	9	9	5.5 years	2.3

#### FOURTH PAID COACH

The NCAA has not only handicapped baseball and softball programs by limiting the number of scholarships they can provide, but also by limiting the number of experienced coaches they can have working with the players. Passing the legislation for an additional paid coach would not mandate schools do it, but would allow schools that chose to, to grow the game and heighten the level of play.

Softball and baseball teams are allowed only one head coach, two paid assistants, and one volunteer coach. They are also permitted to have graduate assistant managers along with undergraduate managers, but none of the managers are permitted to teach the game. They are only allowed to aid the coaches in the overall management of the team, but not instruct the players. Although the proposal to add a third paid assistant has been voted on twice now by the Division I council, it has failed each time. One sports commentator argued that it failed because " ...in the current climate, if proposed legislation doesn't save schools money, benefit football or directly benefit what the NCAA refers to as the student-athlete experience, it stands little chance of passing."<sup>65</sup>

However, adding a fourth paid coach arguably would benefit the student-athlete experience. By having more hands-on deck, the coach to athlete ratio decreases allowing for more individualized attention and more productive practices. More productive practices would mean that coaches could get the same amount of work in, in a shorter period of time. Coaches could cut

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<sup>65</sup> Teddy Cahill, Third Assistant Coach Proposal Defeated By NCAA's Division I Council, *Baseball America* (April 19, 2019), <https://www.baseballamerica.com/stories/third-assistant-coach-proposal-defeated-by-ncaas-division-i-council/>.

practice hours and allow their student-athletes to spend more time on their academics.

Having another paid coach also opens the door for a more experienced coach. Right now, most volunteer assistant coaches are held by recently graduated student-athletes trying to garner the necessary experience to enter the coaching world. They are often people who have great athletic resumes chalked full of their achievements and accolades from playing college softball, but people who are also still working on their coaching resumes and learning how to teach what they know how to do. It is rare to find an experienced volunteer coach, because it is nearly impossible to convince someone with experience to work for free. That is exactly what volunteer coaches do. They are restricted from receiving income from the school or program directly. They cannot be given a stipend or benefits, nor can they be paid by boosters. The only money volunteer coaches make from working on a collegiate staff comes from camps. Very few schools make enough money off summer camps to pay their volunteer assistant a livable wage. Most volunteer assistants in the Southeastern Conference, which is considered the premier conference for women's college softball, only make around \$10,000 a year. Thus, the pool of people financially available to take the position are few and far between. Schools have to take who they can because of the amount of work they need to do. Having an additional more experienced coach can help players reach mastery over their skills in a shorter amount of time.

Student-athletes deserve more. They deserve to be coached by the best, so that they can become the best, both on and off the field. Thus, the NCAA should allow college softball teams to have a fourth paid coach if their respective school is willing to pay for one. Additionally, the NCAA should still allow teams to maintain a volunteer assistant coach. It is imperative that retired student-athletes have the opportunity to train under the tutelage of experienced coaches before being thrown into a full-time coaching position of their own. By keeping the volunteer position while still allowing for a fourth paid coach the players will benefit from more individualized instruction, and the head coach will be able to focus more on instruction and less on being able to delegate more of the administrative tasks to these assistants. Further, graduate

assistant managers should also be allowed to provide instruction to the girls so long as their respective head coach approves. If they have the ability to grow the game and help the players improve, they should not be limited by their age or label as a manager.

The more hands-on deck the better. Right now, there are too many tasks that need to be completed in order to run a program successfully. Adding more help not only increases the collective knowledge about the game, but also allows for the work load to be spread out so that the coaches are able to focus on the most important task: actual coaching. Coaches need to be able to focus on teaching softball skill sets and developing individual players instead of adopting cookie-cutter approaches because they just do not have time to get to know what each player personally needs and how to get through to them. Softball players deserve to have the same adequate support and a knowledgeable coaching staff that other sports have access to.

NCAA rules allow Football Bowl Subdivision (FBS) teams to have a head coach, ten assistant coaches, and four graduate coaches all permitted to do hands-on work with the players.<sup>66</sup> They're also allowed five strength and conditioning coaches.<sup>67</sup> This is not including "quality control" staffers, video coordinators, and a litany of other titles coaches invent to increase the number they have on staff.<sup>68</sup> Men's and Women's basketball are permitted four paid coaches and three additional institutional personnel (excluding any medical personnel or athletic trainers).<sup>69</sup> That is almost a one player to two staffer ratio.

Other sports are given the amount of support staff they need to be successful, and softball should be no different. The NCAA cannot hide behind team size, because softball rosters are bigger than basketball rosters, yet are given less personnel. They cannot

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<sup>66</sup> Barry Jacobs, In College Football, You Can't Have Too Many Assistant Coaches, *News Observer* (July 24, 2017), <https://www.newsobserver.com/sports/college/acc/article/163255778.html>.

<sup>67</sup> *Id.*

<sup>68</sup> Greg Johnson, D1 Council Introduces Football Staff Size Change, *NCAA.com* (Oct. 4, 2017), <https://www.ncaa.com/news/football/article/2017-10-04/di-council-introduces-football-staff-size-change>

<sup>69</sup> Rules Working Group: Bylaw 11 Conduct and Employment of Athletics Personnel, *NCAA*, <http://www.ncaa.org/governance/working-groups/rules-working-group-bylaw-11-conduct-and-employment-athletics-personnel>.

hide behind money, because softball is officially a revenue producing sport. They cannot hide behind the number of tasks, because softball has to do the same recruiting, filming, trip planning, travel arranging, visit scheduling, and coaching that every other sport has to do, and they have to do more of it. Softball and baseball play more games than football or basketball. They take more trips. They have to plan more meals. Yet they are understaffed and overworked. The person that football and basketball have on staff to be the head recruiter only has to worry about one job: recruiting. Yet the head recruiter on every softball team has to worry about recruiting, making practice plans, running the team, writing lineups...and so much more. It is time the NCAA treats softball programs the way they treat other revenue producing sports and allow them to hire adequate staff.

#### CONCLUSION

This article has explored the dynamics of Division I softball. Specifically, it has argued the NCAA has fallen short of their narrative claiming to put the student before the athlete. It is time the NCAA updates their long overdue policies and makes the necessary changes to ensure student-athlete succeed both on and off the field. They can start by revisiting the scholarship model and providing softball players with the same opportunity to have their education paid for as other athletes who play revenue-producing sports do. They should alter the game and travel schedule so that student-athletes can attend more class sessions than they do athletic competitions. They need to update the academic requirements in order to place a bigger priority on academic achievement. Finally, they need to allow schools to provide their softball program with a fourth paid coach so that these student-athletes can be trained by the best.

