

Undergraduate Thesis Prospectus

Water Bottle Cooling Station

(technical research project in Computer Engineering)

“Amateur Athletics”: Exploring the Rights of Student-Athletes in America

(STS research project)

by

Micah Harris

December 10, 2019

technical project collaborators:

Robin Watkins

Everett Patterson, Jr.

Mac Baskin

On my honor as a University student, I have neither given nor received unauthorized aid on this assignment as defined by the Honor Guidelines for Thesis-Related Assignments.

signed: _____ date: _____

approved: _____ date: _____
Peter Norton, Department of Engineering and Society

approved: _____ date: _____
Harry Powell, Department of Electrical and Computer Engineering

Prospectus

General Research Problem

What factors are required to change enduring systems? Long-accepted systems are hard to change. Beverages are typically cooled with refrigerators, coolers, or ice. Cooling a beverage using a different medium will be hard for some accept. Restriction of college athletes' rights have been synonymous with amateur athletics for many decades. Like a new way to cool a beverage, change in college athletics will require openness to a new system.

Cooling Liquid in a Bottle Without Ice

How does one cool water in a bottle without ice? The project will be a capstone in the Computer Engineering department under the advising of Harry Powell in collaboration with EJ Patterson, Robin Watkins, and Mac Baskin. The goal of the project is to cool a beverage without using only thermoelectricity. Our capstone is only one semester; we have a lot of material to learn on our own to finish the capstone. Because of this, time will be a major constraint.

Portable Cooling

The current state of the art for beverage cooling is the Cooper Cooler (Mobelli, 2015). It requires ice cubes to cool and therefore does not operate well without them. We will build and test a prototype using circuit boards, computer-aided design, three-dimensional printing, and a heat sink. The heat sink will be used to cool the bottle placed on a cooling plate. The project will yield a thermoelectric cooling station that cools a water bottle placed on it to 55 degrees. The thermoelectric element of the cooling station eliminates the need for ice and large refrigerators in beverage cooling. The next innovation to our product would be

integrating thermoelectric cooling into a bottle.

“Amateur Athletics”: Exploring the Rights of Student-Athletes in America

How does California’s Fair Pay to Play Act impact amateur athletics? Except in California, it is illegal in the U.S. for college athletes to accept money for the use of their name, image, and likeness; however, other college students are permitted to do so. Many current and former amateur athletes believe it is unfair for student-athletes to play a college sport with no legal right to earn money for the use of their name, image, or likeness (Moore, 2016). The National Collegiate Athletic Association (NCAA) is registered as a non-profit organization and is the dominant governing body of college sports; California law now binds California colleges to permit college athletes to earn money for the use of their name, image, and likeness, despite NCAA regulations (Stadium, 2014). Fair play advocates, including some regulators, believe that schools in states where a bill like California’s is passed will have an unfair advantage over other schools (Letterman Row, 2019). State legislatures can force the NCAA to respond to new policy, for example by proposing laws that would jeopardize the NCAA’s status as a nonprofit organization (Kang, 2019). Advocates of athletes’ rights see name, image, and likeness as a civil rights and unfair labor issue (Murphy, 2019).

Maureen Weston states that college programs typically generate more than \$6 billion in revenue from “ticket sales, radio and television receipts, alumni contributions, guarantees, royalties and NCAA distributions” (2014). Before California’s law, there was no legislation entitling players to any of the profit they generate for institutions. During the September 2016-August 2017 school year, the NCAA generated over 1 billion dollars in revenue (Rovell, 2018). These revenues, coupled with the nature of college sports as a “colossal commercial enterprise,” endanger the NCAA’s status as a nonprofit organization (Meghamez,

2015).

On October 29, 2019, the NCAA Board of Governors “started the process to enhance name, image and likeness opportunities” (NCAA). Their press release states that “modernization should occur” within the guidelines of assuring similar treatment of student-athletes compared to students, maintaining education and the collegiate experience as priorities, ensuring transparent rules, distinguishing collegiate and professional opportunities, clarifying that compensation for athletics performance or participation is impermissible, and protecting the recruiting environment. The NCAA Board of Governors Federal and State Legislation Working Group, which includes University presidents, commissioners, athletics directors, administrators, and student-athletes, is credited for the “comprehensive recommendations” that led to the board’s action.

Many opponents of the Fair Pay to Play Act believe it will ruin the sanctity or integrity of amateur sports, consequently diminishing the passion of the players and fans of college teams. Will Cain, a talk show host for ESPN, believes that allowing athletes to profit off of their name, image, and likeness gives an advantage to the colleges that attract the most viewers. He calls it a “rich get richer” scenario where the top schools will consistently sign the top talent because of student-athletes’ hopes to become famous and maximize their profits (ESPN). Tim Tebow, a Heisman Trophy winner and former National Football League and University of Florida quarterback claims that allowing athletes to profit from the use of their name, image and likeness will turn college football into another version of the NFL, stating “players will go where they can get the most money” (ESPN College Football, 2019). Tebow asserts that players and fan bases would not be as passionate about college sports and the product of college football would not be as strong.

Though the opponents believe there is a responsibility to maintain the structure of amateur athletics by denying student-athletes the right to make a profit off of their athletic

abilities, supporters of the Fair Pay to Play Act believe it is a responsibility to ensure the athletes have rights to profit off of their abilities, especially because their schools and other major businesses do. LeBron James, a current National Basketball Association player and human rights' activist, hosted the signing of the California bill on his HBO show, "The Shop." James, who was drafted to the NBA out of high school, discusses how he and his mother did not have much money while he was in school; if LeBron went to college as the number one high school player in the nation, no profits from the sales of his jersey by his college would have gone to him or his mother (ESPN, 2019). Instead, James was selected number one in the 2003 NBA Draft out of his high school, signing a 3 year, 12.96 million dollar deal with the Cleveland Cavaliers and a deal with Nike worth just under 100 million dollars. Drafting high school players to the NBA was prohibited in 2006, however, and is still illegal. Jay Bilas, a former Duke basketball player and current ESPN analyst, noted how his daughter was able to sell her art in college though student-athletes cannot profit from their abilities. He mentions that the treatment of the players is unethical, and that the only spending control in college athletics is the restrictions on athletes' abilities to profit off of themselves (ESPN, 2019). Bilas considers the talk of "unintended consequences" from the Fair Pay to Play Act to be excuses that have no factual backing given the amount of money currently changing hand in college sports between coaches, colleges, TV programs, and apparel companies.

There are many questions that the press release does not answer. There is no specification for what the collegiate model is that the NCAA name, image, and likeness pans to adhere to. The NCAA's three divisions are tasked with "immediately considering modifications of their rules" and "creating any new rules before January 2021." There are no new laws written ascertaining the name, image, and likeness issue from this board action, only a notice that it is being considered. There is also no timeline given for the

implementation of the changes (Dwyer, 2019).

References

- [Cain]. (2019, Oct 29). Rich programs will stay rich with athletes profiting from their names. <http://www.espn.com/high-school/video/clip?id=27958825>.
- Dwyer, C. (2019). NCAA Plans to Allow College Athletes to Get Paid for Use of Their Name, Images. <https://www.npr.org/2019/10/29/774439078/ncaa-starts-process-to-allow-compensation-for-college-athletes>.
- [ESPN]. (2019, Sep 11). Jay Bilas Talks California's "Fair Pay to Play Act" w/Rich Eisen | Full Interview | 9/11/19. <https://www.youtube.com/watch?v=iSydk8vXOss>.
- [ESPN]. (2019, Sep 30). LeBron James honoured to be involved with California law defying NCAA | ESPN. <https://www.youtube.com/watch?v=QTVf5A4hhxk>.
- [ESPN College Football]. (2019, Sep 13). Tim Tebow rails against the California amateurism law | First Take. <https://www.youtube.com/watch?v=KKpm4jwMi8o>.
- Kang, I. (2019). Gov. Gavin Newsom on Why He Wants College Athletes to Get Paid [New York Times]. <https://www.nytimes.com/2019/10/01/us/college-sports-gavin-newsom.html>.
- [Letterman Row]. (2019, Oct 1). Gene Smith: Ohio State AD on California law about NCAA name, image, and likeness reform. https://www.youtube.com/watch?v=IXSR9_Y.
- Meghamez, J. A. (2015). An All-Encompassing Primer on Student-Athlete Name, Image, and Likeness Rights and How O'Bannon v. NCAA and Keller v. NCAA Forever Changed College Athletics. https://digitalcommons.liberty.edu/cgi/viewcontent.cgi?article=1175&context=lu_law_review.
- [Mobelli Furniture + Living]. (2015, Feb 16). Cooper Cooler rapid beverage cooler review. https://www.youtube.com/watch?v=M8YFcr_iwus.
- Moore, M. (2016). Ben Simmons rips NCAA in new doc, was reportedly 'offered a Bentley' at LSU. <https://www.cbssports.com/college-basketball/news/ben-simmons-rips>.
- NCAA. (2019, Oct 29). *Board of Governors starts process to enhance name, image and likeness opportunities* [Press Release]. <http://www.ncaa.org/about/resources/mediacenter/news/boardgovernors-starts-process-enhance-name-image-and-likeness-opportunities>.
- [Stadium]. (2014, Jan 13). The Seth Davis Show | Mark Emmert On Paying Student Athletes (pt 2) | CampusInsiders [Video file]. <https://www.youtube.com/watch?v=dtBnZ4Uw>.

Rovell, D. (2018). NCAA tops \$1 billion in revenue during 2016-17 school year. https://www.espn.com/college-sports/story/_/id/22678988/.

Weston, A. M. (2014). Gamechanger: NCAA Student-Athlete Name & Likeness Licensing Litigation and the Future of College Sports. <https://mssportslaw.olemiss.edu/files/2014/06/MSLR-3.1-Weston.pdf>.