

## THE CONTINENTAL CONFERENCE

### THE ARGUMENT FOR CREATING FOOTBALL ONLY CONFERENCES IN FBS COLLEGE FOOTBALL

*Justin Campbell\**

Introduction .....	360
I. Realignment Problems Facing Conferences .....	362
A. T.V. Deals/Media Rights.....	363
B. Travel/Scheduling/Money.....	366
1. Travel.....	367
2. Scheduling.....	368
3. Money .....	369
C. Recruiting Quality Teams.....	370
II. Realignment Problems For Programs Who Lack Overall Athletic Success.....	371
A. Boise State .....	372
B. TCU .....	374
C. Southern Mississippi.....	374
III. Realignment Problems Facing Non-Revenue Programs.....	375
A. Missouri Wrestling .....	376
B. West Virginia Men's Soccer.....	377
C. Texas A&M Women's Equestrian Team.....	378
IV. Football Only Conference Affiliation: The Fix For Traditional Conference Realignment.....	380

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\* J.D. Candidate, May 2012. University of Mississippi School of Law. MISSISSIPPI SPORTS LAW REVIEW, Editor-in-chief 2011-12. The author would like to thank the sports law review for their comments and suggestions. The author also wishes to thank Professor Will Berry for his extraordinary help throughout the process of both writing this article and establishing the law review. His guidance and wisdom have been a tremendous asset to the author and the sports law review as a whole. Finally, the author wishes to thank his wife, Amy, for her continuous encouragement, tremendous patience, and unwavering love and support.

A. Football Only Conferences .....	381
1. A Hypothetical Football Only Conference .....	381
2. Benefits for Conferences .....	382
3. Benefits for Schools/Athletic Departments .....	383
4. Benefits for Student-Athletes.....	384
B. The Big East – A Hybrid Model .....	385
C. Other Options .....	386
Conclusion.....	387

## INTRODUCTION

The Boise State Broncos football team has been one of the most successful teams in FBS football over the past six years, compiling a record of 73-6, and losing more than one game in a year only once.<sup>1</sup> Despite their success on the field, Boise State has played in only two BCS bowls over that time span, and has never played in the Bowl Championship Series (BCS) National Championship Game.<sup>2</sup>

With payouts in excess of \$22 million for automatic qualifiers (conference champions of BCS automatic bid conferences) and \$6 million for at-large teams, BCS bowls offer significant financial rewards to participating teams. Left out of the BCS in four of six years, Boise State has switched conferences twice in three years in an attempt to position itself to play in one of these bowls.<sup>3</sup>

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<sup>1</sup> Indeed, in December 2011, the Broncos became the first program in FBS history to win fifty games in four years. Cripe, Chadd, *Boise State football notebook: Chris Petersen a \$2 million coach*. IDAHO STATESMAN available at <http://www.idahostatesman.com/2012/01/04/1938985/bsu-petersen-a-2-million-coach.html>. See also, <http://michigan-football.com/ncaa/f/boisesta.htm>

<sup>2</sup> During that time, several teams with one or more losses played in the national championship game (including Alabama (2011), Florida & Oklahoma (2008), LSU (2 losses, 2007), Ohio State (2007), Florida (2006), LSU & Oklahoma (2003), Nebraska (2001), Florida State (2000), & Florida State (1998)), and virtually all of the other one loss teams played in one of the BCS bowls. see, BCS History, <http://www.bcsfootball.org/news/story?id=4809942>

<sup>3</sup> Sean Keeley, *Boise State Requests Permission to Change Conference Affiliation, Big East Move Next*, SBNATION.COM, Nov. 3, 2001. <http://www.sbnation.com/ncaa-football/2011/11/3/2536220/boise-state-big-east-conference-permission-change-affiliation>

And they are certainly not the only school to make such maneuvers. The college football landscape is, in the view of many, in a state of disarray because of the enormous amount of realignment that has taken place in the last three years.<sup>4</sup> Despite the perceived financial advantages for individual schools, the overall consequences of realignment are unfavorable to the majority of FBS schools, conferences and student-athletes.<sup>5</sup> These disadvantages include lost revenue (from Bowl appearances to television contracts and deals), extended travel demands and costs, the loss of some sports entirely, and the loss of traditional rivalries.

Many different forces are shaping the current college football landscape, including media corporations like ESPN, CBS, and Fox Sports, and corporate bowl sponsors like Tostitos, Allstate, and Discover, who all want the most desirable matchups in order to sell their product, whether it be advertising credit cards or chips and salsa.<sup>6</sup>

Conferences want to attract as much media and sponsorship money as possible to distribute to their schools. The way to do that is to have the most sought after teams in the nation in a prospective conference. The brand recognition of the school is very important to conferences. The more brand recognition that a conference can bring to negotiations, the higher the payout is for that conference. Another major bargaining tool for a conference is the amount of television sets their “footprint” reaches. The current round of conference realignment has placed a strong emphasis on

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<sup>4</sup> Oliver, TeaMoe, *Conference Realignment: How Conferences Are Killing College Sports*, BLEACHER REPORT, Nov. 3, 2011, <http://bleacherreport.com/articles/923880-conference-realignment-how-conferences-are-killing-college-sports>

<sup>5</sup> The Football Bowl Subdivision (FBS) of Division I college football encompasses the teams and conferences that end their season by participating in a bowl game. In contrast the Football Championship Subdivision of Division I college football encompasses the teams and conferences that end their season in a playoff to determine their national champion. These distinctions replaced the Division I and Division IA classifications that were previously used by the NCAA.

<sup>6</sup> The BCS and its corporate sponsors are in the business of selling their product, which is what all business strive to do, however, of the 120 FBS or BCS eligible schools only 47 have played in at least one BCS game, and only 27 playing in more than one during the fourteen year period. Not only is the prestige of playing in one of these games afforded to very few, so is the enormous payout a school receives for participating.

the number of television sets, which plays a major role in who gets an invite to an expanding conference and who does not.<sup>7</sup>

Because of the problems identified above, schools and conferences should consider alternatives to the traditional conference realignment scheme. Indeed, some conferences should consider taking schools for their football teams only. Particularly for schools in a less stable or dominant conferences, considering a football-only conference model might allow schools to compete in football without sacrificing non-revenue sports.

This paper argues, then, for the adoption of football-only conferences as a remedy to the problems created by the recent realignments. Specifically, this article suggests that conferences like the Big East, the MWC, and Conference USA consider this approach, as it can benefit the conferences, the institutions, and the student-athletes at those schools.

Part I of this article discusses the problems created by “traditional” realignment. Part II illustrates the problems that traditional realignment causes for the majority of Division I athletic departments. Part III addresses the problems that traditional realignment causes for student athletes of non-revenue sports. Finally, Part IV advocates for an alternative avenue to conference realignment.

## I. REALIGNMENT PROBLEMS FACING CONFERENCES

While realignment and expansion does serve great benefits to some conferences, it also inflicts significant damage to those conferences that are not one of the top in the nation (i.e., SEC, Big Ten, Pac-12, and ACC).<sup>8</sup> Some of these hardships include diminished ability to negotiate adequate television and media deals (a major source of revenue), increased tension on traveling

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<sup>7</sup> See, John Pennington, *Expansion By The Numbers 2: Television Markets*, MRSEC.COM, (Sept. 30, 2011). <http://www.mrsec.com/2011/09/expansion-by-the-numbers-2-television-markets/>. Pennington lists 35 FBS programs, including the total number of top 40 television households within 200 miles of the campus, to show the importance this aspect has on a conferences decision to select a new program to invite.

<sup>8</sup> When discussing major conferences, the author has chosen to use these examples because they are the major conferences that have not had teams defect them in the most recent round of realignment. The Big 12 and Big East could also be viewed as major conferences but they have lost members recently to other conferences.

and scheduling, and the inability to find adequate replacements when their conference is raided by a power conference.

These problems indicate the need to take a different approach to conference realignment, especially for those conferences outside of the power conferences.<sup>9</sup> As explained below, these conferences will find that through other creative means, they can maximize the resources that they have and better compete with the larger, more prestigious athletic conferences.

#### *A. T.V. Deals/Media Rights*

The television and media arms race that is currently overtaking the college landscape started approximately thirty years ago with the Supreme Court's decision in *NCAA v. Board of Regents*. Before that decision, the NCAA controlled the televising of college football games. The NCAA was concerned that televising college football games would have an adverse effect on actual attendance.<sup>10</sup> The NCAA felt that unless the situation was brought under control college athletics would be seriously threatened; therefore, they made themselves the only agent for negotiation for college football. Under their system, networks televised only six to eight college games per weekend. The 1981 plan raised that number to fourteen games nationally per season.<sup>11</sup> Football teams were only allowed to appear on television twice a season. This plan continued from 1951 up until the Supreme Court's decision in 1984.

Beginning in 1979, the College Football Association "CFA", a group made up of five major conferences and the nation's elite independents, began advocating for a greater voice in the formulation of the NCAA television plan.<sup>12</sup> In 1981, the CFA took this one step further by negotiation and receiving a contract offer from National Broadcasting Company "NBC".<sup>13</sup> The NCAA threatened to place sanctions on all athletic departments that complied with the NBC/CFA contract.<sup>14</sup> On September 8, 1981, the

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<sup>9</sup> See *supra*, note 7.

<sup>10</sup> *NCAA v. Board of Regents*, 468 U.S. 85 (1984).

<sup>11</sup> *Id.* at 92.

<sup>12</sup> *Id.* at 94.

<sup>13</sup> *Id.* at 95.

<sup>14</sup> *Id.* at 95.

CFA received a preliminary injunction in federal district court against the NCAA from initiated disciplinary proceedings. The litigation worked its way through the federal court system, until finally reaching the U.S. Supreme Court.

In *Board of Regents*, the Supreme Court affirmed the District Court's holding that, "the controls exercised by the NCAA over the televising of college football games violated the Sherman Act."<sup>15</sup> The Supreme Court also stated, "that by curtailing output and blunting the ability of member institutions to respond to consumer preference, the NCAA has restricted rather than enhanced the place of intercollegiate athletics in the Nation's life."<sup>16</sup> The decision allowed conferences to negotiate their own television contracts,<sup>17</sup> which significantly increased the number of football games televised per weekend. In addition, the cost of the television rights exploded from the \$131,750,000 CBS and ABC paid for a four-year deal with the entire NCAA in 1981 to the 3 billion dollar deal the Pac-12 conference signed with Fox and ESPN.<sup>18</sup>

Indeed, the pre-*Board of Regents* limitations on television of college football are foreign to the current reality in 2012. On a fall afternoon in 1981, the University of Oklahoma played a football game against the University of Southern California, both historically strong programs and ranked in the top five during the telecast. ABC chose to televise this game regionally along with televising Appalachian State and The Citadel regionally.<sup>19</sup> All four schools received the exact same amount of money for the rights to televise their games.<sup>20</sup>

While the Court's decision in *Board of Regents* rightfully allowed schools and conferences to negotiate their own media contracts, it has created several unfortunate problems for conferences that lack the national notoriety of the power

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<sup>15</sup> *Id.* at 95.

<sup>16</sup> *Id.* at 120.

<sup>17</sup> *Id.*

<sup>18</sup> Scott M. Reid, *Pac-12 lands richest NCAA TV deal*, THE ORANGE COUNTY REGISTER, May 4, 2011, <http://www.oregister.com/sports/pac-299130-deal-big.html>.

<sup>19</sup> *Id.* at 108. In terms of football tradition and notoriety Appalachian State and The Citadel are light-years away from the University of Oklahoma and the University of Southern California.

<sup>20</sup> NCAA, 468 U.S. 85 at 108.

conferences. This makes it difficult for weaker conferences to negotiate lucrative television contracts when the major media companies would rather spend their money on conferences with more appealing schools and matchups. To make matters worse, these media deals make up a large portion of conferences' revenue. With diminished access to revenue, smaller conferences operate at a severe financial disadvantage.

Another issue for some conferences is that, while they may have a couple of nationally recognized teams, the rest of their conference has schools of smaller athletic stature. A media group might actively pursue the handful of games that those two power teams play, but they will not be as interested, if at all, in the games between the other schools. Because television networks typically structure arrangements with the conference as a whole, those smaller schools and less prominent games can reduce the value of the television contract for the entire conference.

An alternative approach would be for a conference to start its own network, similar to the Big Ten Network that started four years ago.<sup>21</sup> Conferences have realized that these networks can be profitable and provide many more options to highlight sports beyond football and basketball.<sup>22</sup> Many of the larger conferences have begun this process. The University of Texas has even taken on the task of making its own network. The Longhorn Network, partnered with ESPN, is worth about \$15 million dollars annually to the University of Texas.<sup>23</sup>

Not all conferences, however, can take advantage of this potential opportunity. In order for a conference network to be feasible, a significant amount of households must watch the games. Many conferences cannot generate the necessary numbers or establish a large enough viewer footprint<sup>24</sup> to persuade advertisers to use their network.

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<sup>21</sup> Big Ten Network, WIKIPEDIA.COM, [http://en.wikipedia.org/wiki/Big\\_10\\_network](http://en.wikipedia.org/wiki/Big_10_network).

<sup>22</sup> The Big Ten Network on any given night could show a women's volleyball matchup between Nebraska and Penn. St. or a hockey game between Minnesota and Michigan State.

<sup>23</sup> Pete Thamel, *In Conference Realignment, Colleges Run to (Pay)daylight*, THE NEW YORK TIMES, Sept. 19, 2011, <http://www.nytimes.com/2011/09/20/sports/ncaafootball/in-conference-realignment-colleges-run-to-paydaylight.html?pagewanted=all>.

<sup>24</sup> Pennington, *supra*, note 7.

Many conferences thus cannot capture this additional revenue. Without additional revenue, schools are less likely to upgrade their facilities and will have increased difficulty competing in the ongoing college athletics arms race. Over time, failure to get a significant piece of the television revenue could threaten the existence of football at some Division I schools.

Some analysts have suggested that media corporations continue to have significant influence in the conference realignment decision-making of different institutions.<sup>25</sup> Some have made claims that ESPN, along with other media outlets, have helped persuade conferences to go with one team over another because it benefits their current conference deals.<sup>26</sup> Boston College's Athletic Director, Gene DiFilippo, told the Boston Globe, "TV—ESPN—is the one that told us what to do."<sup>27</sup> DiFilippo retracted that statement the following day and stated, "I spoke inappropriately and erroneously regarding ESPN's role in conference expansion."<sup>28</sup> Even with the retraction, this is a startling revelation for smaller conferences. They must now realize that if ESPN or Fox sees no additional value in their conference, it will be very hard for them to negotiate a media contract that is remotely comparable to those of the more prominent conferences.

### *B. Travel/Scheduling/Money*

In many instances, conferences are inviting teams that are nowhere near their geographical base in order to gain a school with brand notoriety. This not only causes problems with the school's fan bases,<sup>29</sup> from the loss of in-state rivalries, but it also affects the other sports that the conference sponsors.

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<sup>25</sup> Kelly McBride., *Poynter Review Project: ESPN in the middle of college realignment*, ESPN.COM, Oct. 25, 2011, [http://espn.go.com/espn/story/\\_id/7149965/espn-middle-college-realignment](http://espn.go.com/espn/story/_id/7149965/espn-middle-college-realignment).

<sup>26</sup> *Id.*

<sup>27</sup> *Id.*

<sup>28</sup> *Id.*

<sup>29</sup> Many long held traditions have recently been lost due to the large amount of conference realignment. Among those traditional 'rivalry' lost are Texas v. Texas A&M, Missouri v. Kansas, and Nebraska v. Oklahoma just to name a few. Oklahoma head coach, Bob Stoops, stated that it he did not think the Red River Rivalry was necessary. Ben Kercheval, *Bob Stoops doesn't think Red River Rivalry is necessary*, NBC SPORTS,



### 1. Travel

College football games occur once a week, typically on Saturdays. NCAA rules stipulate that those teams cannot leave their campus more than forty-eight hours before kickoff for an away game.<sup>30</sup> This means that teams will miss one or two days of class for each away game. FBS football teams typically play four to six road games a year.<sup>31</sup> At most, a college football athlete will miss twelve days of school during a football season. Compare this to a student-athlete who plays basketball, baseball/softball or wrestling, which play multiple matches or games per week, and the importance of minimizing travel becomes quite evident. By adding schools that are many miles away, the conference is adding additional missed academic days to an already busy calendar year for these athletes.

The economic cost of travel can also increase days missed for non-revenue sports. While an athletic department may have the resources to fly its football team to games, many of the other smaller sports take buses to and from games. Driving across three or more states multiple times a season to compete in wrestling matches or swim meets will cost a student-athlete considerable amounts of class time.

Missed class time, ironically, is one of the chief arguments used by opponents of a Division 1 college football playoff.<sup>32</sup> College

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Sept. 6, 2011, <http://collegefootballtalk.nbcsports.com/2011/09/06/bob-stoops-doesnt-think-red-river-rivalry-is-necessary/>. These traditions also stretch to other sports. Syracuse will lose long-time basketball rivals Villanova and Georgetown when they officially move to the Atlantic Coast Conference. Thamel, *supra*, note 23.

<sup>30</sup> NCAA rule 16.7.2 (Departure/Return Restrictions) states, "it is not permissible for a team to depart more than 48 hours prior to or to remain more than 36 hours after an event or to transport the team to another area for entertainment purposes."

<sup>31</sup> Small schools play more road games because the payout they receive from playing at a top-notch school is more than they can make during a home game. (*e.g.*, The University of Tennessee paid The University of Montana (a Div 1 AA or FCS School) \$500,000 to play in its opener in Neyland Stadium this year. Gribble, Andrew, *UT paying 4 non-conference teams \$3.1 million dollars to play at Neyland*, GOVOLSXTRA.COM, Aug. 30, 2011, <http://www.govolsxtra.com/news/2011/aug/30/ut-to-pay-teams-31m/>. Bigger schools play more home games because each home game represents millions of dollars in additional revenue.

<sup>32</sup> Michael Rosenberg, *March Madness is must-watch TV, but also exposes NCAA hypocrisy*, SPORTS ILLUSTRATED, March 11, 2011, [http://sportsillustrated.cnn.com/2011/writers/michael\\_rosenberg/03/11/march.madness/index.html](http://sportsillustrated.cnn.com/2011/writers/michael_rosenberg/03/11/march.madness/index.html).

presidents and athletic directors are creating a double standard by allowing realignment that exposes conferences, schools, and student-athletes to additional travel rigors and missed class, while steadfastly standing by the notion that a college football playoff will create a missed class epidemic.

For instance, the Big East recently added Houston, SMU, and Central Florida to participate in all conference-sponsored sports, and they added Boise State and San Diego State to participate in football only.<sup>33</sup> While Houston and SMU are only 248 miles apart, Houston is 969 miles away from its next closest conference opponent, the University of Louisville.<sup>34</sup> The Cougars' farthest conference opponent for football is the University of Connecticut at 1,786 miles away, and the farthest non-football opponent is Providence College, in Providence Rhode Island, at 1,824 miles away.<sup>35</sup>

## 2. Scheduling

The enormous distances, among other factors, create problems as conferences attempt to schedule athletic events. While such problems clearly affect fans, schools, and athletes, they also have an indirect but extremely prevalent effect on the conferences themselves. Sports other than football will tend to shoulder most of the troubles with this scheduling issue.

One of the main concerns with creating a conference schedule is making sure there is a competitive balance for all teams. The conference must work to keep teams from making long trips to Houston or Dallas, with a quick turnaround to a school like Connecticut. A longer-than-normal conference trip could result in the loss of a rest day and subject a team to an unfair disadvantage where they are not ready to play due to the extra travel.

Another scheduling concern has been the replacement and/or removal of some out-of-conference games from football schedules. As was the case with the SEC when the conference added two new schools, conferences must take into account prior non-conference

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<sup>33</sup> Andy Katz, *Big East Introduces 5 New Schools*, ESPN.COM, Dec. 8, 2011 [http://espn.go.com/college-sports/story/\\_id/7327683/big-east-conference-introduces-boise-state-broncos-san-diego-state-aztecs-houston-cougars-smu-mustangs-ucf-knights](http://espn.go.com/college-sports/story/_id/7327683/big-east-conference-introduces-boise-state-broncos-san-diego-state-aztecs-houston-cougars-smu-mustangs-ucf-knights).

<sup>34</sup> *Mapquest.com*, MAPQUEST, [www.mapquest.com](http://www.mapquest.com).

<sup>35</sup> *Id.*

commitments. Indeed, many schools have had to pay significant buyouts to non-conference opponents in order to allow for the addition of new conference teams to their schedules.<sup>36</sup>

Realignment also may affect the intra-conference divisions. Some conferences tend to stick to geographical splits even though the distinction is quite pointless.<sup>37</sup> The Big East has stated that it will have an east and a west division. It is possible that the east division would only contain schools in the Eastern Time Zone, but the Western division could encompass the three remaining time zones.

### 3. Money

The central question for expanding conferences like the Big East is whether the additions of these new schools will generate enough additional revenue to offset the costs they are creating by spreading their conference footprint so far. Those costs include moving championship games, scheduling conflicts, and to a lesser degree transporting conference administrators, referees, and teams.

Longer travel and a more rigorous schedule will result in fewer fans attending away games, which will likely take money out of both the conference and the school's pocket. Home football games serve as a major revenue generator for many schools. If the University of Cincinnati usually accommodates several thousand visiting fans, but only several hundred travel from a distant school such as Houston or Boise State, the University of Cincinnati and the Big East will suffer.

Along with the lost revenue from home games, the conference as a whole will see more of its allotted cash used by schools to provide travel arrangements for its players and coaches. As less prestigious conferences find it harder to generate extra income, they must also consider whether adding a team in the attempt to add name recognition will actual benefit the conference or will

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<sup>36</sup> Bud Elliot, *Report: West Virginia Looking To Back Out Of 2012 Game At Florida State*, TOMAHAWKNATION.COM, Jan. 5, 2012, <http://www.tomahawknation.com/2012/1/5/2684816/west-virginia-back-out-2012-game-florida-state>.

<sup>37</sup> The Big Ten decided to stay away from geographically label districts and decided to go with the much-maligned Legends and Leaders categories.

cause the conference and the new school to spend more money than the new relationship would provide.

As discussed throughout, the Big East is an interesting case study, and it may play a big role in whether other conferences follow suit. Conferences must consider the effects that adding new teams have on the travel, scheduling, and monetary aspects of the conference.

### *C. Recruiting Quality Teams*

In the last twelve months, the Mountain West Conference (MWC), has had its two major players on the national college football scene, TCU & Boise State, purloined from it by BCS automatic bid conferences. The MWC relied heavily on these two schools for football income; both schools had recently participated in BCS bowls that offer a sizably larger payout than the bowls typically played in by MWC schools. As in most conferences, the member schools share the bowl payouts, so not only does the conference miss out, but so does each school remaining in the conference.

A major concern for schools moving during this realignment period is long-term security. Many of the schools want assurances that the conference they are joining will be stable for many years. Smaller schools continue to jump from conference to conference, looking for that same security in the most prestigious conference possible.

For example, TCU agreed to move from the Mountain West Conference to the Big East in 2011, but moved again to the Big 12 in 2012, before it ever became a part of the Big East.<sup>38</sup> TCU likely saw more long-term stability in the Big 12, particularly in light of

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<sup>38</sup> See generally, Richard Durrett, *TCU to join Big East Conference*, ESPN DALLAS/FORT WORTH, Nov. 30, 2011, <http://sports.espn.go.com/dallas/ncf/news/story?id=5862368>; Andrea Adelson, *TCU leaves for Big 12 as expected*, ESPN.COM, Oct. 10, 2011, [http://espn.go.com/blog/bigeast/post/\\_id/24805/tcu-leaves-for-big-12-as-expected](http://espn.go.com/blog/bigeast/post/_id/24805/tcu-leaves-for-big-12-as-expected). TCU was a member of the Big East for about 10 months and left as quickly as they came in. TCU has been struggling to find a successful conference affiliation since it was left out of the formation of the Big 12 when the Southwestern conference dissolved in the 1994. Because of this series TCU quickly jumped at the possibility to join the Big 12. While having its own problems the Big 12 is still viewed as a more successful conference than the Big East at this point.

the move of three schools from the Big East to the ACC<sup>39</sup> and the possible loss of the Big East's status as a BCS automatic qualifier.<sup>40</sup>

The problem for less prestigious conferences is circular: they want their teams to be successful and play for the best bowls possible because that means a larger payout for the conference, but as programs get better, they become more attractive to the more prestigious conferences. These conferences have more to offer a school, and, typically, the school leaves for the better opportunity and to obtain long-term security.

In order for conferences to retain prominent teams, they must demonstrate to these schools that they are a long-term successful option for them. This is why conferences outside of the power conferences must produce a creative new approach in how they build and market their conference. One of those options, as discussed below, is to form a football-only conference or merge with another smaller conference to generate the necessary revenue.

## II. REALIGNMENT PROBLEMS FOR PROGRAMS WHO LACK OVERALL ATHLETIC SUCCESS

The problems of realignment not only affect the conferences, but they also have a large effect on the schools involved. Over the past two seasons, schools have jockeyed for an invite to one of the power conferences. The benefits of joining a conference like the SEC or the Big Ten are numerous. For the football program, it means the possibility of obtaining a bid to a BCS bowl via a conference championship. The benefits for the school as a whole is a portion of the extremely large media contracts that these leagues have, the biggest of those being the twelve-year, three billion dollar deal between the Pac-12 and ESPN and Fox.<sup>41</sup>

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<sup>39</sup> Thamel, *supra*, note 23.

<sup>40</sup> Stewart Mandel, *In realignment circus, desperate Big East will likely lose AQ status*, SPORTS ILLUSTRATED, Oct. 11, 2011, available at [http://sportsillustrated.cnn.com/2011/writers/stewart\\_mandel/10/10/big.east.automatic.qualifier.status/index.html](http://sportsillustrated.cnn.com/2011/writers/stewart_mandel/10/10/big.east.automatic.qualifier.status/index.html).

<sup>41</sup> Ted Miller, *Pac-12 networks are taking shape*, ESPN.COM, Nov. 21, 2011, [http://espn.go.com/blog/pac12/post/\\_id/30157/pac-12-networks-are-taking-shape](http://espn.go.com/blog/pac12/post/_id/30157/pac-12-networks-are-taking-shape).

While the benefits are astounding, the problems are just as big of an issue for some schools. Several universities field extremely successful football programs but lack the overall athletic success to warrant an invite from a major conference. Conferences look at an athletic department as a whole, and if their other sports are not competitive, chances are they will not receive an invite.

Other issues include, as discussed above, the additional travel placed on an athletic program by a potential move and the costs associated with that travel. An athletic program must also consider whether it is better to be a dominant power in their current conference or face stiffer competition in a more prominent, powerful conference. Finally, schools must assess what a move means for their long-term security.

The final 2011 Associated Press football poll ranked four teams from non-AQ conferences in the top twenty-five: Boise State (#8), Texas Christian University (#14), University of Houston (#18), and the University of Southern Mississippi (#20).<sup>42</sup> The major problem, though, for these four schools is that the rest of their athletic teams are not at the same competitive level that their football teams have achieved.

#### A. *Boise State*

Boise State joined Division I football approximately fifteen years ago<sup>43</sup>, moving up from FCS, formerly Division I-AA. Since that move, their rise to national prominence has almost been meteoric. Five years ago, under first year head coach Chris Peterson, the Boise State Broncos finished the season undefeated and earned a spot in the Fiesta Bowl to play Oklahoma.<sup>44</sup> Boise's last second trick-play win helped establish them as a prominent

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<sup>42</sup> 2011 NCAA Football Rankings – Postseason, AP Top 25, ESPN.COM, Jan, 12, 2012, available at <http://espn.go.com/college-football/rankings>. The University of Northern Illinois also received a considerable amount of votes in the poll and would have been ranked number twenty-eight had the rankings went that far.

<sup>43</sup> George Schroeder, *Boise State's rise is astonishing, but it didn't happen overnight*, SPORTS ILLUSTRATED, Sept. 6, 2010, available at [http://sportsillustrated.cnn.com/2010/writers/george\\_schroeder/09/06/boise.state/index.html](http://sportsillustrated.cnn.com/2010/writers/george_schroeder/09/06/boise.state/index.html).

<sup>44</sup> *Id.*

program. The school's reputation now goes beyond its fluorescent blue turf.

Since joining Division I in 1996, Boise State has competed in three conferences (Big West, WAC, and MWC) and has agreed to join their fourth conference (Big East) next season. As the football program rose to national prominence, Boise State attempted to move their athletic program into the most beneficial conference affiliation. They have reached, however, the limit of taking their other sports with them. Boise State's other sports teams are moderately successful, but they lack the overall talent to compete in a conference that warrants Boise State's football talent. Because these talent levels do not match, Boise State is at a disadvantage in positioning itself to join a league like the Pac-12 or Big 12. Boise State's football team can compete in those leagues, which is evident by their wins over Oklahoma, Oregon, and Oregon State in the last five years, but their other programs cannot compete on the same level.

Boise State has placed itself in a unique situation by joining the Big East in football only. The school will move its non-football sports from the Mountain West Conference back to the Western Athletic Conference where it was a member less than two years ago.<sup>45</sup> This will create less of a travel strain on the minor sports at Boise State and will offer the football program the opportunity to compete in a BCS conference.

The main concern for Boise State going forward is that if they ever intend to compete in a conference like the SEC, Big 12, or Pac-12, they must improve their other sports. As discussed below, their new Big East arrangement will allow the football program to make a considerable amount of revenue as an AQ program, but the University will not be spending as much money on travel and other costs, as they would if they were competing in the Big East with all sports. Boise State should be able to use this extra revenue to bring their other sports up to par with their football team. At that point, they will become an interesting prospect for major conferences.

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<sup>45</sup> Brian Murphy, *Boise State joins Big East in football, WAC in other sports*, IDAHO STATESMAN, Dec. 7, 2011, available at [http://voices.idahostatesman.com/2011/12/07/bmurphy/big\\_east\\_announce\\_invitations\\_boise\\_state\\_four\\_others\\_3\\_pm\\_wedne](http://voices.idahostatesman.com/2011/12/07/bmurphy/big_east_announce_invitations_boise_state_four_others_3_pm_wedne).

### B. TCU

Texas Christian University, like Boise State, has experienced a recent surge in their football program. TCU was once a national football power<sup>46</sup> but suffered mightily when the Southwestern Conference dissolved and they were unable to secure a spot in the Big-12. TCU, like Boise State, has participated in three conferences in the last twelve years.<sup>47</sup> Unlike Boise State, TCU has other sports that compete at a higher level. Indeed, TCU has won three national championships in the last thirty years in non-revenue sports.<sup>48</sup>

Like Boise State, TCU's football program has brought a considerable amount of notoriety to their school in recent years. Their participation in back-to-back BCS bowls in 2009 and 2010, including their Rose Bowl win over national power and Big Ten champion Wisconsin, have propelled the Horned Frogs into the national spotlight.<sup>49</sup> Along with this extra publicity came the possibility of TCU moving into a larger conference. TCU would like to continue playing in BCS bowls, and getting into a BCS bowl is significantly easier from an AQ conference.

### C. Southern Mississippi

Southern Mississippi is the one program on this list that has not already made a move. The recommendations made in this article stand to benefit them the most. The Southern Mississippi Golden Eagles compete in Conference USA.<sup>50</sup> The Golden Eagle football team had a very successful 2011 campaign. They finished the season 12-2 and defeated Virginia, Navy, seventh-ranked Houston in the C-USA title game, and Nevada in the Sheraton

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<sup>46</sup> *TCU Athletics*, WIKIPEDIA, *available at* [http://en.wikipedia.org/wiki/TCU\\_Horned\\_Frogs](http://en.wikipedia.org/wiki/TCU_Horned_Frogs). The football team won national titles in 1935 and 1938.

<sup>47</sup> TCU has competed in the WAC, Conference USA, and the Mountain West Conference before quickly joining and leaving the Big East to join the Big 12.

<sup>48</sup> *Id.* The Horned Frogs won national titles in Women's Golf in 1983, Women's Equestrian in 2008, and NCAA Rifle in 2010.

<sup>49</sup> BCS All-time Results, <http://www.bcsfootball.org/news/story?id=4809856>.

<sup>50</sup> *Conference USA – Member Schools*, *available at* <http://conferenceusa.cstv.com/ot/c-usa-members.html>.



Hawaii Bowl.<sup>51</sup> The program has a rich football history, including 10 bowl wins and 18 straight winning seasons.<sup>52</sup>

Southern Mississippi suffers from the same problem as Boise State and other mid-level athletic programs. Their non-revenue sports, while holding their own in Conference USA, cannot consistently compete in a larger conference. Southern Mississippi's football program has proven that they are worthy of the higher competition with wins over major conference programs.<sup>53</sup> The Golden Eagles have played schools from the ACC, SEC, and Big 12 in recent years; even without the victories, they competed at a high level, and the games were closer than most out-of-conference games for those schools. This demonstrates that with the right move and some additional revenue, Southern Miss could be extremely competitive in football nationwide. Unfortunately, Southern Mississippi cannot garner enough attention besides their football program to receive an invite to a more prestigious conference than C-USA.

The overall problem with these programs is that while their football programs are very competitive and warrant national attention, their other sports cannot compete at such a high level. Schools like Southern Mississippi must find a way to use their competitive football programs to generate extra revenue and use that revenue to increase the competitiveness of their entire athletic department. This also means making major contributions to the athletics arms race of new, better, and bigger facilities. The major conferences will not take those athletic departments seriously until they are able to prove that their entire department is talented enough to compete.

### III. REALIGNMENT PROBLEMS FACING NON-REVENUE PROGRAMS

As universities move from conference to conference, individual teams can unfortunately suffer. Certain conferences

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<sup>51</sup> *Southern Mississippi – 2011 Schedule/Results*, available at <http://www.southernmiss.com/sports/m-footbl/sched/smis-m-footbl-sched.html>.

<sup>52</sup> *Southern Mississippi Athletics – Football*, available at <http://www.southernmiss.com/sports/m-footbl/smis-m-footbl-body.html>.

<sup>53</sup> *Southern Mississippi - 2011, 2010, 2009 Schedule/Results*, available at <http://www.southernmiss.com/sports/m-footbl/sched/smis-m-footbl-sched.html>.

recognize sports that others do not, and while there is room for new conference member schools to add new programs, they must face the decision of what to do with programs that no longer have a conference home.

These decisions not only affect the programs but the athletes. NCAA rules stipulate that schools award scholarships on a year-to-year basis, meaning that schools can suddenly drop student-athletes from their scholarship.<sup>54</sup> The following section will highlight three successful programs that are in jeopardy because its school is changing conferences.

### *A. Missouri Wrestling*

One of the most successful athletics teams at the University of Missouri is its wrestling program.<sup>55</sup> Unfortunately, as the school moves to the SEC, they will have to find a new place for this program. The SEC dropped sponsorship of college wrestling in 1985.<sup>56</sup> The University has pledged to keep the program alive, presumably because of its successful pedigree.<sup>57</sup> As the university's statement noted, conferences must have six wrestling teams to garner automatic qualifier status into the NCAA Division I wrestling tournament.<sup>58</sup> Without a conference, the Tiger wrestling team would have to rely on an at-large bid every year to get into the tournament and would have to make up a schedule based solely on out-of-conference matchups with other teams.

Typically, when a school offers a sport that the conference does not offer, they must join a conference for that sport alone in order to be eligible for the NCAA Championships. Smaller

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<sup>54</sup> The NCAA along with selected conferences have begun signing their incoming classes of football players to four-year scholarships. This idea is still in its infancy and will take a few years to reach the non-revenue sports, especially those that split scholarships among players.

<sup>55</sup> As of Jan. 11, 2012, the Missouri wrestling program was ranked 9<sup>th</sup> in the nation. *No. 9 Wrestling earns top seed at Virginia Duals*, MISSOURI TIGERS ATHLETICS, Jan. 11, 2012, available at <http://www.mutigers.com/sports/m-wrestl/spec-rel/011112aaa.html>.

<sup>56</sup> Tennessee and LSU were the last SEC members to drop wrestling in 1985, these schools dropped the sport in order to comply with Title IX regulations.

<sup>57</sup> *Statement on Missouri Wrestling*, MISSOURI TIGERS ATHLETICS, Nov. 6, 2011, available at <http://www.mutigers.com/sports/m-wrestl/spec-rel/110611aac.html>.

<sup>58</sup> *Id.*

Olympic sports, like wrestling, often work with very small budgets and even have to split scholarships. The added strain of competing in a conference apart from the rest of the school and traveling great distances for conference matches can be very detrimental to the program.

It is unlikely that the Big 12 would allow Missouri to leave their wrestling program in the Big 12, and it is also unlikely that another power conference like the ACC, which offers wrestling, would add Missouri for one sport only. The southeastern United States offers very few Division I options for wrestling; the smaller in notoriety Southern Conference (SoCon) and the aforementioned ACC. The only nationally successful member of the SoCon is the University of Tennessee-Chattanooga. UTC participates in the Southern Conference (SoCon) along with Gardner Webb (N.C.), Appalachian State (N.C.) and Davidson (N.C.) among others.<sup>59</sup> Missouri would not want its wrestling program to travel to eastern Tennessee, North Carolina, and South Carolina for all of its conference matches. The level of competition, outside of UTC, would fall far short of the competition Missouri enjoyed in the Big 12.

A different approach to conference realignment will help alleviate issues like those facing Missouri wrestling. There must be a creative measure taken to allow Missouri to have its revenue sports participate in the conference of their choice without placing such a heavy burden on the non-revenue, Olympic sports.

### *B. West Virginia Men's Soccer*

The 2011 season was very successful for the West Virginia Men's Soccer team. Ranked in the top 25 in attendance (for the fourth year in a row),<sup>60</sup> they upset the number one team in the nation, the University of Connecticut,<sup>61</sup> and they made it to the second round of the NCAA tournament. As the University of West

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<sup>59</sup> *Southern Conference Wrestling*, SOCONSPORTS.COM, available at [http://www.soconsports.com/SportSelect.dbml?DB\\_OEM\\_ID=4000&SPID=1783&SPSID=219](http://www.soconsports.com/SportSelect.dbml?DB_OEM_ID=4000&SPID=1783&SPSID=219).

<sup>60</sup> Grant Dovey, *Men's Soccer: WVU Ranked No. 23 in Attendance*, Jan. 20, 2012, <http://mnsportsnet.com/page.cfm?story=20390&cat=exclusives>.

<sup>61</sup> *Id.*

Virginia announced its plans to move to the Big 12, the soccer program suddenly lost its conference. The Big 12 conference does not sponsor or recognize men's soccer. The university administration has made a commitment to the program, as Missouri has with wrestling, but their conference options are limited.<sup>62</sup>

West Virginia is four states away from the Big 12. Travel for all sports will be impaired, but the men's soccer team will have to travel further to find conference competition. As is the case with Missouri wrestling, it is doubtful that the Big East will allow West Virginia to leave its soccer team in their conference, especially with the contentious legal issues that surrounded the negotiation of its exit date.<sup>63</sup>

The other conference options for the soccer program are Conference USA and the Mid-American Conference.<sup>64</sup> Conference USA fields teams as far away as Florida and Oklahoma,<sup>65</sup> and the Mid-American Conference fields teams from Florida to Michigan.<sup>66</sup> These conferences would potentially offer a home for the WVU men's soccer program, but the disadvantages would be the longer distance to travel and the diminished level of competition, as discussed earlier. Neither of those aforementioned conferences can offer competition to the level WVU was experiencing in the Big East.

### *C. Texas A&M Women's Equestrian Team*

The Southeastern Conference fields championship caliber programs in many different sports. Equestrian, however, is not one of them. The Texas A&M equestrian team is nine-time

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<sup>62</sup> John Terry, *West Virginia to explore conference option with Men's Soccer program*, THE DAILY ATHENAEUM, Oct. 30, 2011, available at <http://www.thedaonline.com/sports/west-virginia-to-explore-conference-options-with-men-s-soccer-program-1.2674869#.TxrWspHuHzI>.

<sup>63</sup> Andrea Adelson, *WVU settles suit, to join Big 12 in July*, ESPN.COM, Feb. 12, 2012, [http://espn.go.com/college-sports/story/\\_/id/7574104/west-virginia-mountaineers-join-big-12-july-big-east-lawsuit-settlement](http://espn.go.com/college-sports/story/_/id/7574104/west-virginia-mountaineers-join-big-12-july-big-east-lawsuit-settlement).

<sup>64</sup> *Id.*

<sup>65</sup> *Conference USA – Men's Soccer*, SOURCE, Date, available at <http://conferenceusa.cstv.com/sports/m-soccer/sched/c-usa-m-soccer-sched.html>.

<sup>66</sup> *Mid-American Conference – Men's Soccer*, SOURCE, Date, available at <http://www.mac-sports.com/Sports/SoccerM/ScheduleResults.aspx>.

national champions.<sup>67</sup> Over the last three years, the Big 12 has been in the process of bringing equestrian on as a sponsored sport.<sup>68</sup> They have held three conference championships, and Texas A&M has won one of them.<sup>69</sup>

Now the perennial pony power must find a new home conference to compete in at the same time the Big 12 is putting a considerable amount of support into their sport. A few SEC schools do field a team, but they must find competition outside the SEC. This excessive traveling not only takes a toll on the student-athletes but on the horses as well. All traveling done in this sport must be by road. The Texas A&M equestrian team will now have to split from the rest of the university to find a suitable conference home.

Another problem with this situation is that if Texas A&M were to cancel or disband its equestrian team, they would be in violation of the Title IX regulations. Title IX regulations stipulate that an athletic department must offer two additional women's sports to offset the extra amount of scholarships given through a football program.<sup>70</sup> Texas A&M currently has two more women's programs than men's programs; eliminating equestrian would drop that number.

The universities of Missouri, West Virginia and Texas A&M have very proud and storied athletic departments. These schools, however, are on the verge of cutting or severely disabling very successful sports at their respective schools. The individuals who really suffer from this problem are the student-athletes. Almost all student-athletes at these schools will be forced into a more difficult situation and some may even lose their program. From a student-athlete's perspective, there is nothing to gain from this move; the competition might be better on a nightly basis, but the

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<sup>67</sup> *Aggie Equestrian Joins NCEA*, AGGIEATHLETICS.COM, Jan. 10, 2012, available at [http://www.aggieathletics.com/ViewArticle.dbml?DB\\_OEM\\_ID=27300&ATCLID=205358911](http://www.aggieathletics.com/ViewArticle.dbml?DB_OEM_ID=27300&ATCLID=205358911).

<sup>68</sup> *2012 Big 12 Equestrian Championship*, BIG12SPORTS.COM, Date, available at [http://www.big12sports.com/ViewArticle.dbml?DB\\_OEM\\_ID=10410&ATCLID=2051774](http://www.big12sports.com/ViewArticle.dbml?DB_OEM_ID=10410&ATCLID=2051774) 17.

<sup>69</sup> *Id.*

<sup>70</sup> Title IX plays a significant role in every athletic department in the country. See, Katie Thomas, *Facing Title IX Pressure, Cal May Restore the Teams it Cut*, THE NEW YORK TIMES, Feb. 8, 2011, <http://www.nytimes.com/2011/02/09/sports/09titleix.html?pagewanted=all>.

expanded travel and numerous missed classes can have a significant effect on the student aspect of their title.<sup>71</sup>

#### IV. FOOTBALL ONLY CONFERENCE AFFILIATION: THE FIX FOR TRADITIONAL CONFERENCE REALIGNMENT

The problems associated with conference realignment do not affect power schools like Alabama, Ohio State and Texas. They do, however, affect schools like Boise State, TCU and Southern Mississippi. The first three schools are safe in their respective conferences. The problem for these last three schools is that they are trying to generate more revenue for their program, grow their brand, and prepare for the future. The negative effects of realignment could be as damaging to the program as the positives are beneficial.

Conferences are also affected, especially those not named SEC, Pac-12, Big Ten or ACC. These other conferences are trying to attract the best possible competition for their league, and in turn generate the most viewership and media dollars that they can. The automatic qualifier status to the BCS has caused a great deal of instability to those conferences, but the AQ status also means guaranteed money from the bowls. The Big East, in particular, is making some very drastic moves in an attempt to attract quality teams and strengthen its shaky stance as an automatic qualifying conference with the BCS committee.<sup>72</sup>

Finally, this conference arrangement is taxing on the student-athletes involved. Not the football student-athletes, who will continue to fly to their games and miss no additional class time, but the student-athletes from the Olympic sports. The ramifications could also mean program cuts as schools move into conferences that do not compete in their sports. While Missouri

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<sup>71</sup> As the NCAA continues to demand more from schools in the form of higher APR's schools must consider the trade-off and determine if the additional revenue and higher notoriety is worth the potential drop in APR and reduction of scholarships that comes with it.

<sup>72</sup> Since its inception in 1998, the BCS National Championship game has only included a Big East team three times. (Virginia Tech (1999-2000) and Miami (2001-02, 2002-03). Both of these two teams no longer reside in the Big East, and every BCS AQ conference, except for the Big East and ACC, has had a representative in the national championship game since 2003. *See*, BCS Selections History, BCSFOOTBALL.ORG, Dec. 6, 2011, <http://www.bcsfootball.org/news/story?id=5528971>.

wrestling and West Virginia soccer will probably survive regardless of the move, schools will likely cut many other similar programs. This will lead to lost opportunity for student-athletes as well as lost scholarships.

The recommendations listed below are appropriate measures that conferences and schools should consider when relocating. These approaches are not traditional but could offer added control to less prestigious schools, as well as offer conferences the opportunity to be competitive with the SEC, the Big Ten and others.

#### *A. Football Only Conferences*

The following example addresses an opportunity in which a conference and schools can appropriately place their football programs in a revenue-generating situation without causing significant upheaval to their entire athletic program.

##### 1. A Hypothetical Football Only Conference

Imagine turning on your television on a Saturday in the fall to see matchups like Boise State v. Notre Dame, West Virginia v. TCU, and Pittsburgh v. Missouri. Those games would draw considerable ratings from across the country. The Continental Conference could consist of Boise State, Houston, Southern Miss, Notre Dame, TCU, Missouri, San Diego State, BYU, West Virginia, Pittsburgh, the Air Force Academy and Central Florida. The Continental Conference, would have East and West divisions (East: UCF, West Virginia, Pittsburgh, Southern Miss, Missouri, and Notre Dame) (West: San Diego State, BYU, Boise State, Houston, TCU, and the Air Force Academy). The conference would rotate the conference championship in some of the largest stadiums in the country, generating even more revenue. The first Continental Conference championship sponsored by Pepsi could take place at Cowboys Stadium in Dallas, Texas. The revenue generated from a conference championship game in a 100,000-seat stadium would be enormous.<sup>73</sup>

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<sup>73</sup> With the conference encompassing such a large footprint, the championship game locations are endless. The conference could continue to come to the middle of the conference and hold it in the Midwest or they could move from region to region.

## 2. Benefits for Conferences

One of the major problems facing smaller conferences during realignment has been aligning themselves with quality media partners.<sup>74</sup> This would not be the case with a football-only conference like this. A conference commissioner with these schools as partners would be able to garner a great deal of attention from ESPN, Fox, NBC, and CBS to telecast their games.<sup>75</sup> The conference would instantly generate revenue. These schools all bring recent football success without stealing a top power from another conference. In fact, with the exception of Notre Dame and BYU, which are already independent in football, these schools have all become nationally relevant in the last ten years.

Conferences would also not have to worry about losing quality teams<sup>76</sup> to other conferences as the benefits would be too great for these schools to pass up and would allow the conference to recruit the most profitable brands to their football division. This would help smaller conferences reach a level of competition on par with the power conferences. The Continental Conference could compete any weekend with the SEC or Big Ten, and would consistently place teams in BCS bowls.

Outside of the success and the ability to recruit quality teams, the new format also offers the ability to generate a significant amount of revenue with its football programs without having to spend a significant portion of that revenue on the smaller Olympic sports. In fact, the conference could realistically survive as football only and let the schools find another conference more geographically suitable for their other sports.

This would also eliminate the problems of scheduling and travel.<sup>77</sup> This new conference would not have to deal with the headache of making schedules for all sponsored sports; football teams travel by air and play only on Saturdays, laying out the schedule would be simple.

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<sup>74</sup> See *supra* section IA text and accompanying footnotes.

<sup>75</sup> The bidding war that would ensue for this conference lineup could dwarf the already massive Pac-12, 3 billion dollar deal signed last year. Matchups like those listed above would create guaranteed ratings on a weekly basis.

<sup>76</sup> See *supra*, section IC text and accompanying footnotes.

<sup>77</sup> See *supra*, section IB text and accompanying footnotes.



Conferences stand to gain much more than they will spend or lose through this new plan. The relief that this places on the scheduling and travel aspects of a traditional conference will make this plan a lucrative step forward for all parties involved.

### 3. Benefits for Schools/Athletic Departments

This new plan will provide a tremendous benefit for the schools and athletics departments involved. Schools with a significantly more successful football program than the rest of their athletic department, like Boise State,<sup>78</sup> will be able to compete in a top conference, thereby getting national exposure and a portion of a large media deal. In addition, schools will get a cut of any BCS money that comes into the conference, regardless of their appearance in the game.

The schools involved will keep their Olympic sports in a more geographically sensible conference. This will allow them to spend their additional revenue on making those sports competitive (with more money for recruiting and better facilities), instead of on additional travel, as would be the case with a full school move. This will alleviate any concern that might occur during traditional conference realignment with respect to money and additional travel costs.<sup>79</sup>

Another added benefit that this system creates is program exposure.<sup>80</sup> There will not only be added exposure for the football program but for the university as a whole.<sup>81</sup> Those opportunities would not be prevalent under the current form of realignment. Under this new plan, a national media partner would most certainly want to televise the Continental Conference nationwide, and people in North Carolina would be able to see San Diego State and people in Michigan would get to see Southern Mississippi and

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<sup>78</sup> See *supra*, section IIA text and accompanying footnotes.

<sup>79</sup> See *supra*, section IB text and accompanying footnotes.

<sup>80</sup> See *supra*, section IC text and accompanying footnotes.

<sup>81</sup> Universities always broadcast commercials for their schools during national football game telecasts; this would offer a tremendous opportunity for the school to highlight its top-notch engineering program or its top ten business school.

TCU.<sup>82</sup> The opportunities for interest and exposure are tremendous.

Finally, this new plan offers security. Schools will be able to build a successful program and athletic department without worrying if the conference is going to dissolve. An added bonus would be the additional revenue the school should make through media deals and BCS tie-ins. While this model is a good fit for these schools and conferences, it is also a great alternative to traditional realignment for the student-athletes involved.

#### 4. Benefits for Student-Athletes

The wrestlers of Missouri and the men's soccer players of West Virginia would benefit greatly from this new plan.<sup>83</sup> As noted above, the Olympic sports would stay in their current conferences while the football teams moved to the Continental Conference. This would allow the Missouri wrestling to continue to compete in the Big 12 along with national powers Oklahoma State and Iowa State. The West Virginia men's soccer program would be able to continue playing in the Big East against national power Connecticut.

These programs would presumably also see an increase in their budget as the athletic department makes more money through its football deal. This would allow Missouri to expand its wrestling practice facility; West Virginia to add new seats to its soccer stadium and Texas A&M to build larger stables for its equestrian team.<sup>84</sup> This new plan would also eliminate any concern about these schools eliminating their programs due to new conference sponsorship; they remain where they are and continue competing against their rivals.

The plan will also not increase the travel or missed classes, above what they are now, for the Olympic sports, or the football team for that matter. This was a major concern with the traditional model as schools like TCU would be playing conference

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<sup>82</sup> In addition to the nationwide exposure, the national media partner would be attracted to the ability to broadcast live games in a variety of time slots due to the four different time zones the conference would encompass.

<sup>83</sup> See *supra*, section IIIA1&2 text and accompanying footnotes.

<sup>84</sup> See *supra*, section IIIC text and accompanying footnotes.

away games no less than 950 miles away and up to 1800 miles away.

The Continental Conference is a groundbreaking, game changing approach to Division I college football. It is a good fit for the conferences, the schools and the student-athletes. It also promotes equality among football programs around the country, and shrinks the gap between the haves and have-nots. Fans, coaches and analysts have argued for a playoff or more equitable approach for many years, and this conference plan can serve as the catalyst for that playoff approach. While it is not a playoff, it does allow successful teams, who have found it difficult to be involved, the opportunity to compete on the same level as the national powers and generate some notoriety and exposure for their respective schools.

### *B. The Big East – A Hybrid Model*

The Big East has taken a similar approach to the Continental Conference but has not embraced the model proposed entirely.<sup>85</sup> The Big East took a necessary step and got creative with expansion, as they were concerned about the long-term viability of their league and their coveted AQ position with the BCS.<sup>86</sup> Hopefully, this is the start of football-only conferences that will give mid-level schools the opportunity to compete. Boise State and San Diego State stand to gain considerably by keeping their other sports in smaller geographic conferences while putting their

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<sup>85</sup> Katz, *supra* note 33.

<sup>86</sup> In the past year, the Big East has added 8 programs. (Central Florida, Houston, Memphis, Southern Methodist University, Boise State, Navy, San Diego State and Temple) Some of those programs are for football only (Boise State, Navy [in 2015] and San Diego State). See, Mark Viera, *Big East is Poised to Add Five Teams for Football*, THE NEW YORK TIMES, December 6, 2011, <http://www.nytimes.com/2011/12/07/sports/ncaafotball/big-east-set-to-add-five-teams-for-football-in-2013.html>. See also, Kelly Whiteside, *Navy joins Big East Conference for football only*, USA TODAY, January 24, 2012, <http://www.usatoday.com/sports/college/football/bigeast/story/2012-01-24/navy-big-east-conference/52779434/1>; Joe Schad & Andy Katz, *Memphis joining Big East next year*, ESPN.COM, February 8, 2012, [http://espn.go.com/college-sports/story/\\_/id/7551260/memphis-tigers-joining-big-east-2013-14-season](http://espn.go.com/college-sports/story/_/id/7551260/memphis-tigers-joining-big-east-2013-14-season); Andy Katz and Andrea Adelson, *Temple football to Big East in 2012*, ESPN.COM, March 7, 2012, [http://espn.go.com/college-sports/story/\\_/id/7656299/temple-football-play-big-east-2012-season](http://espn.go.com/college-sports/story/_/id/7656299/temple-football-play-big-east-2012-season).

football programs on the national stage. They should generate substantial revenue from this move.

The real question is whether schools like Houston, SMU, and UCF will be prosperous and profitable in their move to the Big East. They are putting their football programs in a better position but they are doing it at a disadvantage to their other sports.

### *C. Other Options*

Building upon the Big East's move, other conferences have started to explore creative options that will make them more marketable and in turn generate more revenue and competition. The Pac-12 and Big Ten have recently agreed to schedule teams from each conference in every major sport once a year.<sup>87</sup> As is noted in the ESPN column, this partnership will allow "some of the benefits of expansion without the messiness of exit fees, litigation, and the loss of historic rivalries."<sup>88</sup> The arrangement also "could broaden the geographical, television and brand reach of both conferences."<sup>89</sup> This is a very creative and possibly quite lucrative conference idea, but chances are an idea that will only work with large, already prosperous conferences because they will feed off each other's notoriety in their respective region.

Less prestigious conference may follow the model that was considered by Conference USA and the Mountain West Conference. These two conferences were in discussions about dissolving both conferences and forming a single conference.<sup>90</sup> The options on the table were to combine the conferences outright or as this article's argument suggests forming a conference in football only. The results of this merger could have resulted in a conference with seventeen teams, the most of any conference in Division I FBS. This new conference would have stretched over

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<sup>87</sup> Gene Wojciechowski, *Big Ten, Pac-12 stretch partnership*, ESPN.COM, Dec. 28, 2011, available at [http://espn.go.com/college-sports/story/\\_/id/7396843/big-ten-pac-12-grow-scheduling-partnership](http://espn.go.com/college-sports/story/_/id/7396843/big-ten-pac-12-grow-scheduling-partnership).

<sup>88</sup> *Id.*

<sup>89</sup> *Id.*

<sup>90</sup> Doug Smock, *C-USA, MWC merger hits snags*, THE CHARLESTON GAZETTE, April 1, 2012, <http://wvgazette.com/Sports/201204010173>. While there is still a glimmer of hope that these two conferences will find a way to merge, it is becoming increasingly unlikely that they will do so.

fourteen states and five time zones.<sup>91</sup> The conference footprint would have been tremendous and the media negotiations would have turned considerably in this conference's favor. The travel distances that would occur from this merger, however, should persuade these conference officials to consider football-only and use that sport as their means to generate revenue. Even though the conferences have decided not to follow this model, the discussion should bring to light the incredible advantages to creating football-only conference. This is simply to illustrate that there are multiple options available, however, the model proposed by this article is the most advantageous to all parties involved.

#### CONCLUSION

Conference realignment has been one of the top stories in college athletics for almost a decade. The main decisions are made mostly with football in mind, but officials must stop and consciously think about the problems these moves are having or will have on the smaller Olympic sports at their school. The school and conference officials must also consider whether the benefits of moving conferences will actually outweigh the additional costs (largely in the area of travel, but in other sectors as well).

This article presents an alternative to this conference version of musical chairs. The football-only conference will benefit all parties involved and will allow conferences and schools to put the best product on the field without draining their entire budgets. Perhaps mid-level conferences and schools will generate creative alternatives, including the one presented, in order to bring these exciting football programs to the competitive and talent level of the top schools in the nation.

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<sup>91</sup> *Id.*

