



News for Immediate Release

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Governor Corbett Accuses NCAA of Illegal Sanctions against Penn State

Harrisburg – Governor Tom Corbett today announced that he is suing the National Collegiate Athletic Association (NCAA), calling its sanctions against Penn State University arbitrary and illegal, saying they would result in irreparable economic damage to the university, the commonwealth and its citizens.

“Penn State football has played a major role, not only as a focus of campus life, but as a generator of revenue for a proud university, a leading tourist attraction and a creator of jobs in the state,” Corbett said.

“In the wake of this terrible scandal, Penn State was left to heal and clean up this tragedy that was created by the few. The students, the alumni, the board, the administration and faculty all came together at that moment and began to rebuild.

“At that same time, while the healing was taking place, the NCAA piled on, choosing to levy, in their words, ‘unprecedented sanctions’ against Penn State and its football program,” Corbett said.

“While what occurred at Penn State was both criminal and heinous,” Corbett said, “the conduct for which Penn State was sanctioned consisted of alleged failures to report criminal activity on campus that did not impact fairness or integrity on the playing field.”

“These punishments threaten to have a devastating, long-lasting and irreparable effect on the state, its citizens and its economy,” Corbett said.

The governor, on behalf of Pennsylvania’s citizens, asked the court to throw out all of the NCAA’s sanctions, including the \$60 million fine, and asked that the court declare the consent agreement illegal.

After months of research and deliberation, as well as discussions with alumni, students, faculty, business owners and elected officials, Corbett said he has concluded that the NCAA’s sanctions were “overreaching and unlawful.”

“The only logical conclusion is that the NCAA did it because they benefited from the penalties and because the leadership of the NCAA believed they could. And that’s wrong,” Corbett said.

"These sanctions are an attack on past, present and future students of Penn State, the citizens of our commonwealth and our economy. As governor of this commonwealth, I cannot and will not stand by and let it happen without a fight."

The lawsuit, to be filed today in U.S. District Court in Harrisburg, also accuses the NCAA of forcing Penn State president Rodney Erickson into silent compliance with its sanctions by threatening to impose even more debilitating sanctions to the football program.

Corbett called NCAA's application of enforcement "arbitrary and capricious" with the intent of crippling Penn State football and harming the citizens of Pennsylvania who benefit from a successful football program at Penn State.

Such benefits, the governor added, range from a college student waitressing at a State College restaurant and local business owners, to its tremendous financial contribution to the university and the state.

The NCAA is a trade association whose major purpose is to set the rules for competition in intercollegiate athletics and exists by mutual consent of its members.

"However, the NCAA leadership can't make up its own rules," Corbett said. In this case, "a handful of top NCAA officials simply inserted themselves into an issue they had no authority to police and one that was clearly being handled by the justice system."

The fact that the alleged actions of those involved in the tragic events at Penn State were criminal, and that no violation of NCAA rules had been identified, would not dissuade Mark Emmert, NCAA president, from seizing upon the international publicity to make a show of unprecedented and aggressive discipline.

The NCAA simply informed Penn State what the punishments would be, threatening that if Penn State did not waive its right to due process and accept the sanctions offered, the NCAA would impose the "death penalty" for four years, which would forbid the football team from all competition.

The type of "complete cooperation" Emmert advised Penn State was clear: Accept unprecedented sanctions and ignore the NCAA's flagrant disregard of its own procedures in issuing such sanctions or Penn State would wish it had.

Penn State had no practical alternative but to accept the sanctions, including releasing players from their commitment to play in State College.

The additional four-year ban on bowl games will result in a drastic reduction in scholarships for a football team consisting of coaches and players who had nothing to do with the criminal conduct.

"They wiped out the wins for football alumni – who proudly wore the Penn State uniform and represented the university well during their time in school," Corbett added.

Penn State's football program is more than just a success on the playing field, it perennially boasts one of the highest graduation rates among Division I football programs and has been a significant economic driver of the university, playing an important role in enabling the university to offer a variety of first-rate programs through resources other than student tuition.

In addition:

- It was the second most profitable collegiate athletic program in the nation in 2010-11, earning more than \$50 million, and was the most profitable program among its immediate competitors in the Big Ten Conference.
- It was the most valuable contributor to intercollegiate expenses for all student-athletes at the university, providing 37 percent of revenue for athletic programs in the 2011 fiscal year. At the same time, the football program amounted to only 15 percent of athletics expenses.

"The university is an economic engine, creating jobs, not only university-related jobs, but jobs in the hotel, restaurant and tourism industry and generating hundreds of millions of dollars for businesses of all sizes in the commonwealth."

Specifically, Penn State's football program:

- Brings in an estimated 15 percent of visitors to Penn State football games from outside the state;
- Generated \$161.5 million to business volume impact in 2009, with \$90 million benefitting Centre County alone;
- Spent \$16 million in Pennsylvania on goods and services with contractors and vendors in 2009 – essentially pumping money back into the state's economy;
- Creates about 2,200 jobs - both direct jobs, such as box office and concession staff, and indirect jobs, such as shopkeepers to restaurant and hotel staff; and
- Generates more than \$5 million in tax revenue and supports a number of community programs run through and in conjunction with football and student athletics.

"The NCAA and its president, Mark Emmert, seized upon the opportunity for publicity for their own benefit to make a showing of aggressive discipline on the backs of the citizens of our commonwealth and Penn State University," Corbett said, "and this is why I have chosen to fight this in the courts."

"These sanctions did not punish Sandusky for his despicable and criminal action. Nor did they punish the others who have been charged criminally. Rather, they punished the past, present and future students, current and former student

athletes, faculty members, local businesses and the citizens of Pennsylvania who have come to cherish this great university.”

To view the lawsuit, visit:

http://www.portal.state.pa.us/portal/server.pt/document/1309300/psulaw_pdf

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