

# LETTER TO THE EDITOR

## EDUCATION



### Pursuing Paterno's Pay is a 'Hail Mary'

*Newspaper should pursue academic records to better expose the corruption in college athletics*

**BY MATTHEW R. SALZWEDEL**  
*Special to the Law Weekly*

On May 21, *Pennsylvania Law Weekly* reported on the oral argument before the Pennsylvania Supreme Court in *Pennsylvania State University v. State Employees' Retirement Board*.

The lawsuit arose out of the Harrisburg *Patriot-News'* attempt to obtain information from the board about Joe Paterno's salary. No doubt *The Patriot-News* wants this information so that it can publish another example of an overpaid college football coach. *The Patriot-News*, however, should stop wasting its time fighting for coaches' salary information; exorbitant coaches' salaries are a mere symptom of a much more pervasive problem at our colleges and universities – the institutional

academic corruption in college athletics.

Wouldn't it be more important (and interesting) for *The Patriot-News* to ask Pennsylvania's colleges and universities to disclose voluntarily, in cohorts sufficient to

expected to respond with the same, time-tested evasions: disclosure, even in redacted form, of students' courses, names of professors, final grades, and course GPAs would violate the students' right to priva-

Buckley Amendment.

But unknown to many, including, apparently, the news media, federal law expressly permits the release and public disclosure of cohorts of redacted academic records of members of student groups sufficient in number to protect the privacy of individual students (the Department of Education terms this "de-identified" information, see *Letter from Dep't of Education to Univ. Sys. of Georgia* (Sept. 25, 2003)). The colleges' and universities' concern over the release and public disclosure of de-identified student academic records, then, would not be a concern for their students' privacy or personal safety; it would be a concern that their faculty, administrators, and presidents would finally be held accountable for the college education that their students *actually* receive.

Making public redacted cohorts of students' academic transcripts without the names or other personally-identifiable information of individual students, but with the names of their professors, final grades, and course GPAs would not violate federal law, and would make clear that disclosure is directed neither at individual athletes nor to athletics as a whole, but rather to the academic integrity (or lack thereof) of the faculty, administrators, and presidents of Pennsylvania's colleges and universities.

Now that, not the disclosure of a legendary coach's salary, would be worth fighting for. ■



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protect the privacy of their individual students, redacted academic transcripts listing the courses – including names of professors, final grades, and course GPAs – taken by their students (who happen to play sports) during the past 10 years? In scouring this information, we all could learn whether the students are actually receiving a college education.

The colleges and universities can be

cy. We also could expect to hear, as Penn State just argued before the Supreme Court, that disclosure of this information even in redacted form would somehow compromise students' personal safety. And, in support of their argument against the release of the information, the colleges and universities would undoubtedly cite the federal Family Educational Rights and Privacy Act, commonly known as the



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