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**OPPORTUNITIES FOR CHANGE IN THE CURRENT
NBA 'ONE AND DONE' DRAFT SYSTEM**

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ABSTRACT

What is it that fuels the competitive nature and drive inherent in the National Basketball Association? Is the art of basketball reliant upon skills, experience, or pure raw talent? These questions have inundated the league and countless players, having arisen with the recent adoption of the “one-and-done” policy by the NBA in 2005. This controversial policy, shifting the age of draft eligibility up from 18 to 19 years of age, has been the subject of much debate and division amongst the sport’s players, owners, fans, and others in the league hierarchy. Changing the requirement to 19 years of age forces a player to enter the NCAA, play for one year, and then enter the NBA draft. This act is popularly referred to as “One-and-Done.” The debate gains depth and perspective with the entrance of the NCAA as its physically capable athletes aspire to enter one of the world’s most competitive basketball leagues at a young age.

The following paper sheds light upon the controversy and struggle between the ideals of the NBA and the NCAA. Although the above parties are dissatisfied with the current status quo, their visions for a new policy are different, thus preventing the necessary collusion required to develop a solution. The proposal will address the specific concerns of the aforementioned parties and seek common ground, a policy that will balance the NCAA’s desire for increased emphasis on academic prominence alongside the NBA’s pursuit of a more competitive league with seasoned players. The paper will continue on to analyze the policy and its effects on future players and others involved in the NBA drafting process. This analysis will incorporate an exploration of draft and eligibility policies of other North American professional sports associations.

All drafted players must enter draft within one year after high school graduation or after completion three years of a college education. If an athlete does not complete three years of

college education, they can enter the NBA draft at age of 22. This policy is introduced as the best alternative after examining the background of the controversy, perspectives of involved parties, and the pre-existing alternative solutions. The proposed policy combines elements from previously implemented NBA draft policies and the current MLB draft eligibility procedure. This policy will appease the concerns raised by the current one-and-done policy currently in the NBA. The Collective Bargaining Agreement needs to be changed in order to change the current structure to the proposed policy, eradicating one-and-done.

HISTORY OF NBA DRAFT

The National Basketball Association was founded in the year 1946 as two basketball leagues in the nation merged to create a larger more competitive league for the nation's top players. At the start of this association, players who were drafted to play for teams had to complete four years of college before being eligible to enter the draft. According to Henderson, throughout the history of the NBA, there have been players who went straight from high school to the NBA¹. These players who were drafted after high school graduation were those who excelled throughout their high school careers and proved to be talented, and physically capable of playing at the highest level. Only a small number of athletes made the high school to NBA transition. Most NBA players spent time playing college basketball before entering the draft. The time in college gave them the opportunity to further develop their fundamentals, improve their weaknesses, gain muscle, mature, and practice the game, thus becoming smarter players.

The first high school graduate to go straight to the NBA was Reggie Harding in 1962. Although Harding made it to the NBA straight out of high school, he never got playing time in his first year showing that he was not quite ready to compete at this level. The next players that NBA teams were interested in straight out of high school were Darryl Dawkins and Bill Willoughby in 1975. Surprisingly, the next high school draftee did not enter the NBA for the next 20 years, after which it became much more common. Kevin Garnett was the 5th draft pick overall in 1995 and demonstrated that some high school players really are ready. Garnett became an All-Star and played in eight consecutive playoff berths. After the NBA saw Garnett's success in 1995, at least one high school player was drafted into the NBA every year up until 2005. Other accomplished high school graduates drafted include Kobe Bryant in 1996, Rashard Lewis in 1998, LeBron James in 2003 and Dwight Howard in 2004. The new draft law went into effect in

2006 following the year that a record nine high school players were drafted. Although there were several success stories of high school to NBA players, many athletes would have benefited from time in college before going pro.

CURRENT NBA DRAFT AGE REQUIREMENT

In 2005, the NBA and the National Basketball Player's Association (NBPA) painstakingly negotiated the terms of the 6-year Collective Bargaining Agreement (CBA). Issues such as drug testing, length of contract, and the minimum age to enter into the NBA were up for debate, and in an 11th hour concession by the Player's union the one-and-done policy was passed into existence². One-and-done is a practice that is a direct result of the change in the minimum draft age requirement in the 2005 CBA. The current age requirement in the NBA draft states that: "[a] player is or will be at least 19 years of age during the calendar year in which the Draft is held, and with respect to a player who is not an international player, at least one (1) NBA Season has elapsed since the player's graduation from high school (or, if the player did not graduate from high school, since the graduation of the class with which the player would have graduated had he graduated from high school)."²

In December 2011, the NBA and NBPA ratified a new 10-year Collective Bargaining Agreement after the six-month NBA lockout that surrounded the negotiations. Issues such as salary caps, sharing of basketball related income, and contract length overshadowed negotiations about the minimum draft age requirement, and this policy is set to continue until the reconsideration of the CBA in 2022. One-and-done is a product of the minimum draft age requirement that has been in place for the past seven years. What effects does the current age minimum have on the parties involved in player development and the drafting process?

Specifically, how does the current NBA draft eligibility requirement affect the NBA owners, the NBPA, the NCAA, and the players seeking NBA draft eligibility? There are winners and losers as the result of every negotiation, in order to better understand a solution to the current problems faced by the age eligibility requirement, it must first be understood who is benefiting from the current system.

The current eligibility requirements largely benefit the NBA business model and team owners. NBA commissioner David Stern did not shy away from the true purpose of the policy that has created one-and-done, "I'm not concerned about NCAA, and our rules are not social programs," Stern said. "We don't think it's appropriate for us to lecture kids as to whether they should or shouldn't go to school. ... [But] for our business purposes, the longer we can get to look at young men playing against first-rate competition, that's a good thing. Because draft picks are very valuable things [to NBA teams]."³ The current age requirement for the NBA draft removes much of the uncertainty and business risk that is associated with recruiting a player right out of high school.

This viewpoint is reflected by many of the owners and managers of the NBA teams. From a business perspective, it is very attractive to have one additional year to watch prospective draft picks compete in leagues such as the NCAA, the NBA development league ('D-league'), or international leagues that compete at a much higher levels of competition than high school teams and on a much more visible platform. Bryan Colangelo, the Toronto Raptors' president and general manager noted the difference in quality of the players they were recruiting after the minimum draft age was increased, "at the time of the rule change, and subsequent to that, it is absolutely better, as far as the maturity level both physically and socially, as far as the kids we're looking at."⁴ The NBA leadership and the team owners agree that an extra year to observe their

draft prospects decreases the uncertainty of recruiting and provides the team with more refined players exposed to, as Stern said, “first-rate competition”.

The NBA is not the only party benefitting from this new draft model. Each of the leagues that the draft prospects choose to play in benefit from the publicity created by the stand-out players they are able to recruit for this intermediate year. Of the options available to players interested in playing at the professional level, the NCAA offers the most visible platform for NBA recruitment after high-school, as well as the most development-intensive programs and best competition. This age minimum places the NCAA, and their strong commitment to academics, in an uncomfortable and hypocritical position. The NCAA currently benefits from the publicity created by the extremely talented one-and-done players as they pass through their programs. However, the integrity of the student-athlete commitment of the NCAA is at stake as these same players fulfill their one-and-done requirement without attending classes or working towards a college degree.

Some of the most vocal arguments against the one-and-done policy are not coming from the college professors and administrators as one might assume, instead it has been many of the coaches from the NCAA programs who have publicly voiced their concern over the effects of the one-and-done policy on their players’ education and the purpose of colleges as academic institutions. Hall of Fame coach Bob Knight, former coach of the Indiana Hoosiers expressed his frustration at the one-and-done mentality that has developed from the NBA’s current eligibility requirement. “Now you can have a kid come to school for a year and play basketball and he doesn’t even have to go to class...he would not have to attend a single class the second semester to play through the whole second semester of basketball. That, I think, has a tremendous effect on the integrity of college sports.”⁵ Former coach Knight is an extremely

respected figure in the NCAA, and says that he would not recruit players that he expected to be one-and-done, but he doesn't blame the coaches that do because it is perfectly within the current NBA and NCAA rules.

Even, John Calipari, the famous head coach of the NCAA National Champions the Kentucky Wildcats, who is also famous for recruiting one-and-done players, does not agree with the current draft eligibility requirements. He stated in a PBS Newshour interview, "I don't think it's a good rule. And I hope we change it before this week is out so these guys all have to come back... But it is a rule. It's not my rule. It's a rule we have to deal with."⁶ The public may frown upon Calipari's recruiting decisions, but his actions bring a startling truth to light. The individual coaches do not have the power to reverse the negative effects of the NBA draft requirement, and the NCAA lacks the influence over NBA negotiations surrounding the future of one-and-done student athletes. The academic integrity of the NCAA and collegiate institutions around the country is at stake, and their fate lies in the hands of the NBA and NBPA leadership.

However, the integrity of collegiate institutions and commitment to student athletics is not a high priority compared to the business concerns of the NBA owners, therefore any solution must come from the pressure of the player's union. While David Stern and owners have pushed for an increased age limit, members and leaders of the NBA Player Association have openly dissented from that view and displayed their firm interests in allowing young players to come straight into the league.

In 2001, during the NBA All Star weekend the topic of draft eligibility was discussed when the age requirement was still 18. Billy Hunter, then-President of the NBA Player Association, fervently expressed his viewpoint in a 2001 interview at the 50th All-Star game. "I feel it's an issue of choice, and I don't think that any kid who can demonstrate the physical

ability and talent and the wherewithal to come and perform in the NBA, that he should be barred from doing it.”⁸ While other prominent players and ex-player of the game chimed in, such as Michael Jordan and Darius Miles, there were small differences in opinions spanning across the players but the overall assessment was the same. While individuals such as Jordan and Miles did like the possibility of an increased age limit because of the physical maturity it would provide with incoming older rookies, they did not wish to see the freedom of choice taken away from high school players⁸. These dissenting voices bring up a good argument regarding player choice versus player development in the professional league. Who should tell a future NBA All-Star that he must wait before beginning his lucrative professional career if he is ready to compete at a young age? Yet, a college education is helpful for many of those professional athletes with careers that do not span decades like Kobe Bryant’s and Michael Jordan’s.

To further compound the issue, the self-proclaimed business motivation of the owners highlights an important dichotomy that exists between the institutions of the NBA and the collegiate world. The National Basketball Association has motives based upon business and management of monetary margins while the role of collegiate institutions is to ensure the mental progression and advancement of maturity in all students, including student-athletes. Recognition of this dichotomy is paramount to present and future analysis of the NBA draft eligibility rule. With this dichotomy in mind, important questions must be posed. How do the NBA and collegiate institutions currently interact and how can their diverging motivations be reconciled? These two institutions maintain two distinct spheres of influence that rarely interact, the NBA has little control over NCAA policies and vice versa. While this is good due to their differing goals, it does make interactions and transitions much more complex for collegiate players vying to make the jump into the professional world. Even if a concrete and well-organized plan were

constructed, one of the biggest difficulties would lie in the area of implementation in two vastly different areas.

ANALYSIS OF ELIGIBILITY AND DRAFT POLICY OF OTHER PROFESSIONAL SPORTS

In revising the current draft policy of the NBA, it is important to examine decisions made by fellow professional sports leagues in regards to this issue. In the United States, the other three major leagues, the National Football League (NFL), Major League Baseball (MLB), and the National Hockey League (NHL), all have varying requirements for draft eligibility. While the circumstances behind each league's respective policies differ, their advantages and disadvantages can both contribute towards constructing a more feasible structure for the NBA.

Unlike the NBA's more flexible policy in reference to eligibility requirements, the NFL requires that all players entering the draft are three years removed from their high school graduation⁹. With the exception of a very distinct minority of players, most attend a university to continue the process of entering the NFL. Thus, while the NBA draft will feature players from all four classes (freshman, sophomore, junior, senior), the NFL will only feature juniors and seniors. Perhaps the most noticeable benefit to the NFL system is the athletic development of college football players. By using the resources of a major university for at least three years, including athletic trainers, state of the art training facilities, and rigorous workout programs, athletes are able to become physically fit to compete at the next level. Now, one must acknowledge that there is a difference between transitioning from college to the NBA and from college to the NFL. The three-year system is successful for the NFL because physical requirements are at a much higher level than that of the NBA. After all, almost all prospective draftees are analyzed based on their athletic prowess at the NFL Draft Combine. Despite this, there is evidence that suggests NBA

prospects would benefit physically just as much from an extended stay in college. When analyzing the first year of NBA players drafted out of school, only one, LeBron James, was able to maintain the same playing level that he had in high school. Fellow all-stars, Dwight Howard and Amare Stoudemire, both drafted out of high school, needed two to three years to reach their full potential.

NFL owners also benefit from the three-year requirement as players have more time in college to be exposed to a national audience. In fact, the best-selling NFL jersey of April 2010 belonged to Tim Tebow out of the University of Florida, who was not drafted until April 22. His jersey was on sale for merely a week, yet it shattered existing rookie jersey sales records. For further proof that this resulted from his collegiate followers, 30% of those who purchased his new Denver Broncos jersey had home addresses in Florida¹⁰. A major issue with college basketball under the current format is that they have little time to develop a real fan base. College football players become almost as widely known as their NFL counterparts, while only a handful of college basketball players are household names.

Perhaps the most noticeable concern with an NFL-style system is that it still does little to appease academic concerns. Many players do not view their time in college as an academic experience, but rather as a “minor league” for the NFL. Although they are enrolled for three years, they have diminished course loads and hardly focus a tremendous amount of time towards a challenging degree. In a September 2011 interview with ESPN, Georgia Tech offensive lineman Jay Finch explains why he chose to enroll in the Management major: “I wanted to dedicate myself more towards football. Yeah, I did take a little bit of the easier road.”¹¹ Despite this, players are still progressing well towards obtaining degrees and remain well ahead of their

basketball counterparts. Of course, three years of a college education is much better than one-and-done.

In Major League Baseball (MLB), players are given the freedom to choose whether or not to enter the MLB draft after graduating from high school, or to commit to a university for at least three years. A hybrid of the previous NBA draft policy and the current NFL draft policy, this format seems to be a fine balance for all parties involved. When players choose to go to college, they realize they are making a commitment for three years and thus are much more likely to value their education than a football player who lacks the choice. However, the MLB system has proven successful primarily because of its association with an extensive minor league structure. Every MLB team has anywhere from 6 to 8 affiliate teams in the minor leagues. In fact, an overwhelming majority of players drafted do not even play a single game in their career in the major leagues. Only 31 of 53 **first round** draft picks made an appearance in MLB. Of those 31, only 13 have appeared in more than 100 games¹². Interestingly, college players are 50% more likely to reach the majors throughout their career than high school players¹³. The NBA might benefit from adopting a similar system, yet it should first consider enhancing its own minor league structure. This will provide a similar safety net to its players and diminish the reliance on universities to be “minor league” organizations. By reducing the risk of an unsuccessful career, this would drive down the overwhelming size of the league’s entry-level contracts so that they would be more comparable with MLB. With less guaranteed money for drafted players, the hope is that this will encourage a stronger focus on academic pursuits.

Lastly, the National Hockey League’s (NHL) eligibility policy is unique in that it is solely age based. A player must be between the ages of 18 and 20 in order to be drafted. Perhaps even more intriguing is that players are drafted either before or during their collegiate careers.

After being drafted, college players' rights are owned by an NHL organization. The team that drafts them has up until 30 days after their college graduation to sign them to an entry-level contract or risk the player becoming an unrestricted free agent¹⁴. Similar to MLB, the system works because of an extensive minor league system as well as the small size of entry-level contracts. These less valuable contracts encourage a player to spend all four years at college and complete a degree. The graduation rate for NCAA division 1 men's hockey players is 88.5%, 12% higher than the average for all men's sports¹⁵. While players are free to enter the NHL directly from high school, this is a rare occurrence as they will either sign with a Canadian junior team or play at the collegiate level.

Unfortunately, this policy would not translate well into the structure of the NBA for a few reasons. First, basketball players require far less physical development and thus would have little incentive to remain at the collegiate level after being drafted. Second, unlike in the NHL, NBA teams have little leeway in terms of keeping players within their organization. Teams will be quick to sign players immediately after drafting them, making them an NBA player instantly. Lastly, basketball and hockey players come from fairly different socio-economic backgrounds. The incentive of playing professionally and helping their families financially would be too great to give up.

Other than adopting the policies of other professional sports leagues, many have proposed enforcing contracts within scholarships that require a recruit to stay in school for a certain amount of time. Every university would be granted one basketball scholarship per year where the rule would not apply. All other basketball scholarships would commit players to at least two or three seasons with the school. This would make the academic commitment greater and would likely bring more parity to college basketball. From an NCAA perspective, however,

this might not be ideal as bigger schools will not be in favor decrease control over recruiting. Lastly, the NBA could simply return to its pre-2005 policy of allowing players to enter the league right after their high school graduation, with one alteration. After all, it can be argued the league requires the least amount of physical development and yet it is only one of two leagues that do not allow players to enter the draft following high school. To address the concerns of “life skill” development, the league has already implemented a mandatory rookie transition program¹⁶. Should they revert to their old policy, this program would need expansion with greater emphasis on money management skills.

In analyzing alternative options, the NBA needs to establish a hybrid format, incorporating many of the elements that the other professional leagues have in place, but simultaneously enhancing their own structure.

RECOMMENDATION

After analyzing the age requirements of other professional sports leagues, this proposed policy best suits the needs of both the NBA players and the NBA owners. The proposed policy for the NBA age requirement and the eligibility requirements for the NBA Draft is as follows:

“All drafted players must enter draft within one year after high school graduation or after completion three years of a college education. If an athlete does not complete three years of college education, they can enter the NBA draft at age of 22.”

This proposed policy addresses many of the problems of the current draft structure specifically in the areas of player's freedom of choice, NCAA team stability, scouting and player development, and protecting the integrity of collegiate academic institutions.

First and foremost our policy acknowledges the rigidity of the 2005 draft eligibility requirements, a point of contention for the NBPA, because it restricts the ability of players to freely choose when to enter the league. The proposed policy recognizes the right of players to make individual career choices. Just as an eighteen year old can choose to forgo college and enter directly into the workplace so too can a physically-able player choose to enter into a career in professional sports.

In addition to providing players with alternatives to higher education, the proposed policy will ensure and improve the stability of current NCAA basketball programs. The imminent departure of the starting line-up of the NCAA National Champion Kentucky Wildcats includes three Freshman and two Sophomores. Their departure from the team will place a strain on team chemistry and force the University to focus more resources on recruiting an entire starting line-up to replace these vacancies.

The three-year stipulation in the proposed policy filters out players who have no intention to continue their collegiate athletic careers after one season. Interestingly, this part of the policy would enable a transition from a focus on all-star recruiting to player development which is more consistent with the alleged mission of the NCAA.

From the NBA's perspective, the proposed policy is beneficial in that it increases the ease at which players are scouted and drafted into the NBA. Acknowledging the league's previous eligibility policy, reverting back to high school scouting would not be a strenuous process. The current policy was established, partly due to the expressed concern of NBA owners at the

elevated uncertainty of recruiting players directly from high school. The proposed policy recognizes their concerns by balancing the risks of failed high school scouting with the increased level of certainty in recruiting players after three years of college. After three years of development, both physically and mentally, NBA managers and owners can be fairly confident of the type of player that they are drafting.

Lastly, of utmost importance to the collegiate institutions, and the central aim of the proposed policy, is the emphasis of high academic standards for student athletes. The current draft structure shows a complete disregard for maintaining the integrity of a college education. NBA commissioner David Stern has openly expressed the one-sided business interests of his league. Stern has stated in multiple interviews that it is not the NBA's jurisdiction to enforce players' commitment to education³. Acknowledging that the NCAA has very little leverage in negotiations with the NBA any substantive change to the current policy will have to come from the latter. Accordingly, the proposed policy, similar to that of its MLB counterpart, enables players to choose, forcing them to make a strong commitment to an education should they decide to enter college.

IMPLEMENTATION STRATEGIES

To reiterate, the proposed policy would change the NBA age requirement so that in order to declare for the NBA Draft, a player would have to be 18 years of age or have completed at least three years of college if the player decides to enroll in an academic institution. In other words, a player can jump right from high school to the NBA, but if he decides to go to college, he will have to stay for at least three years. This gives players the freedom of choice. In order to implement this policy, changes to the rule would have to go through the Collective Bargaining

Agreement (CBA). This agreement is made between the NBA owners and the NBA players and the agreement addresses things such as the rookie pay scale, working conditions in practices and games and the NBA age requirement. The most recent CBA was passed this past December in 2011. The next CBA will be passed in 2021. The policy could be implemented in the next agreement, but it is important to make the change as soon as possible. Revisions to the current CBA in regard to the NBA age requirement are the best course of action.

The best way to do this is to contact Derek Fisher, the president of the NBA Players Association, and request that he forms a special committee to discuss the NBA age requirement. The special committee would have the task of adopting the proposed policy and pressuring the NBA owners to adopt the policy as well. This active approach could ensure that a revision could be made to the CBA in the coming years. Both groups, the players and the owners, have to agree on the proposal before implementing the policy in the CBA. For the most part, the players agree with the proposed policy. The main challenge and milestone would be convincing the owners to adopt this policy.

They key with influencing the NBA owners is putting pressure on their mindset in regard to the NBA age requirement. Some owners have preconceived notions on how they think the league should be run. Most of them refuse to budge on the issues of the age requirement. If they are shown how the policy would benefit the league, the owners would start to realize why the proposed policy is sound. If superstars enter the NBA right out of high school, revenue increases because people buy tickets to see these sensational athletes. If players stay in college for three years, owners and talent evaluators get to see players develop and they know exactly what they are getting with their draft picks. The proposed policy is a win-win situation for both the owners

and the players. The special committee formed by the players will be able to make a revision to the current CBA to implement our change to the NBA age requirement.

In the best-case scenario, the special committee of the NBA Players Association will agree with the NBA owners to implement the policy in the coming years. However, the players and owners have a long history of having opposing views on policy. It is important to put pressure on the two parties to make a compromise. However if the pressure from a third party is unsuccessful, a third chance to implement the policy comes in the year 2017. The current CBA passed in 2011 is slated for 10 years.

Option one is waiting until 2021 to pressure the two parties to implement our policy in the new CBA. Option two, which is the best option, is to get the players to form a committee to implement our policy in the next few years. Option three is pressuring the two parties to implement our policy when the players and the owners have the chance to option out of the current CBA in the year 2017. This is five years from now and if interest in the policy is garnered with the owners and the players in the coming years, this year could be a great time to push the policy through. It is pretty likely that one side will option out of the CBA in 2017 in order to reopen labor negotiations. The current agreement greatly benefits the owners, so it is likely the players will option out of the agreement versus the other way around. When the players option out, the proposed policy idea will be part of their labor negotiations which increases the chance of getting the proposed policy into policy.

The proposed policy creates win-win situations for all key stakeholders. In order to ensure policy success, the policy would be evaluated and measured by case-study analysis. After about five years of implementation, there will be enough preliminary data that allows a special committee to evaluate the effectiveness of the policy and provide any recommendations or loop

holes necessary to be cleared up in order to provide the best policy for the parties involved. After ten years, there will be plenty of data from players who enter the draft after high school and enter the draft after three years of collegiate experience. The data would be analyzed and the policy would be reviewed to see if a better policy needs to be formulated. This method provides the best solution to finding finalized policy that benefits all stakeholders involved.

Conclusion

After observing the NBA draft process, it is evident that the current draft system could be improved and that changes should be made. Basketball players need to be provided with freedom of choice pertaining to when they feel ready to enter the professional league, however academic institutions need to be protected. The current “One and Done” policy encourages players to attend college but to leave early for the NBA which is changing the purpose of college to sports based rather than the opportunity for higher level academics and the chance to earn a degree. It is important to protect the student aspect of student athlete and keep the best interests of academic institutions in mind as well. The challenge of this policy is that there are numerous parties who would be affected by any changes. The NCAA teams, schools and athletes as well as the NBA all have connections to this issue and must be considered in any policy that is enforced. In order to develop the best policy to accommodate the interests of all parties involved, we examined the other professional league drafts to formulate a new draft system for the NBA. This made it clear what would work best and it seemed that modeling the NBA draft after the MLB draft would be the most effective system that all parties would be willing to compromise on and implement.

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