Assembly Bill No. 2079

CHAPTER 592

An act to add Section 67365 to the Education Code, relating to student athletes.

[Approved by Governor September 30, 2010. Filed with Secretary of State September 30, 2010.]

LEGISLATIVE COUNSEL'S DIGEST

AB 2079, Torlakson. Student athletes: scholarships.

Existing law prohibits any person from giving, offering, promising, or attempting to give any money or any other thing of value to any particular student athlete or member of the immediate family of the student athlete for purposes of inducing or encouraging the student athlete's application, enrollment, or attendance at a public or private institution of postsecondary education in order to have the athlete participate in intercollegiate sporting events, contests, exhibitions, or programs at that institution, except in accordance with the bylaws of the National Collegiate Athletic Association, as specified.

This bill, commencing January 1, 2012, would require a California postsecondary educational institution that offers athletic scholarships, or that provides, by any delivery method, written material regarding its athletic program to a student athlete, to provide specified information on its Internet Web site that describes, among other things, the institution's athletic program's policies concerning athletic scholarship issuance, renewal, release, and medical expenses.

The people of the State of California do enact as follows:

SECTION 1. Section 67365 is added to the Education Code, to read:

67365. (a) For purposes of this section, the following definitions shall apply:

(1) "Athletic program" means any intercollegiate athletic program from a postsecondary educational institution in the State of California that solicits student athletes to apply, enroll, or attend the postsecondary educational institution in order to have the student athlete participate in intercollegiate sporting events, contests, exhibitions, or programs at that institution.

(2) "Student athlete" means an individual who attends an elementary, junior high, high school, or postsecondary educational institution, and who participates in any interscholastic athletic program in California, including an individual who receives scholarship funds for his or her athletic

participation and an individual who does not receive scholarship funds for his or her athletic participation.

(b) Commencing January 1, 2012, a California postsecondary educational institution that offers athletic scholarships shall provide all of the following information on its Internet Web site:

(1) All of the following athletic scholarship information:

(A) The most recent cost of attendance expenses as published by the postsecondary educational institution's financial aid offices for the academic year and for the summer year.

(B) The sum of expenses identified in subparagraph (A) that are prohibited from inclusion in a full grant-in-aid athletic scholarship pursuant to the National Collegiate Athletic Association's (NCAA) rules and regulations.

(C) The policy of the postsecondary educational institution's athletic program as to whether student athletes will receive athletic scholarships for summer school, and, if so, whether these scholarships are proportional to athletic scholarships received during the regular academic school year.

(D) The average monthly full grant-in-aid athletic scholarship payment received by student athletes who live on-campus and off-campus, respectively, during the regular academic year and summer school session.

(E) The following information relating to NCAA scholarship rules: "Pursuant to NCAA rules, a verbal commitment is not binding on either the student athlete or the institution. The National Letter of Intent is a binding agreement between a prospective student athlete and an institution in which the institution agrees to provide a prospective student athlete who is admitted to the institution and is eligible for financial aid under NCAA rules athletics aid for one academic year in exchange for the prospective student athlete's agreement to attend the institution for one academic year. The National Letter of Intent must be accompanied by an institutional financial aid agreement. If the prospective student athlete signs the National Letter of Intent but does not enroll at that institution for a full academic year, he or she may be subject to specific penalties, including loss of a season of eligibility and a mandatory residence requirement."

(2) All of the following athletic scholarship renewal information:

(A) The NCAA's policy on scholarship duration.

(B) The policy of the postsecondary educational institution's athletic program concerning the renewal or nonrenewal of an athletic scholarship, including circumstances in which a student athlete in good standing suffers a temporary or permanent sports-related injury, there is a coaching change, or a student athlete's athletic performance is deemed to be below expectations.

(3) All of the following athletically related medical expenses information:

(A) The NCAA's policy on whether athletic programs are mandated to pay for athletically related medical expenses.

(B) The policy of the postsecondary educational institution's athletic program on whether it will pay for student athletes' athletically related medical expenses, including deductibles, copays, coinsurance, and whether

the program will pay for athletically related medical expenses that exceed any maximum insurance coverage limits.

(C) The policy of the institution's athletic program concerning who is required to pay for any required athletically related insurance premiums for student athletes who do not have such insurance.

(D) The duration of time the postsecondary educational institution's athletic program continues to pay for athletically related medical expenses after a student athlete's athletic eligibility expires.

(E) Whether or not an athletic program's medical policy covers expenses associated with attaining a second medical opinion for an athletically related injury from a medical physician who is not associated with the athletic program, and whether the athletic program provides coverage for services received by such a physician.

(4) All of the following athletic release information:

(A) The NCAA policy on whether an athletic program may refuse to grant an athletic release to a student athlete who wishes to transfer to another postsecondary educational institution.

(B) The policy of the postsecondary educational institution's athletic program concerning whether it may use any power to refuse to grant an athletic release for a student athlete who wishes to transfer to another postsecondary educational institution.

(c) Commencing January 1, 2012, a postsecondary educational institution that provides, by any delivery method, written material regarding its athletic program to a student athlete shall include a direct link to the institution's Internet Web page, where the student athlete shall be able to access all of the information regarding the institution's athletic scholarship program as described in subdivision (b).

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