



General Assembly

January Session, 2011

Committee Bill No. 5415

LCO No. 3889

03889HB05415HED

Referred to Committee on Higher Education and Employment
Advancement

Introduced by:
(HED)

**AN ACT REQUIRING FULL DISCLOSURE TO PROSPECTIVE
ATHLETES BEING RECRUITED TO INSTITUTIONS OF HIGHER
EDUCATION.**

Be it enacted by the Senate and House of Representatives in General
Assembly convened:

1 Section 1. (NEW) (*Effective July 1, 2011*) (a) For purposes of this
2 section:

3 (1) "Athletic program" means any intercollegiate athletic program of
4 an institution of higher education in this state that recruits student
5 athletes by soliciting them to apply to, enroll in or attend such
6 institution for purposes of participating in intercollegiate sporting
7 programs, events, contests or exhibitions at such institution.

8 (2) "NCAA" means the National Collegiate Athletic Association or
9 its successor.

10 (3) "Student athlete" means an individual who attends a primary or
11 secondary school program of education or an institution of higher
12 education and participates in any interscholastic athletic program in
13 this state, whether or not such individual receives scholarship funds

14 for such individual's athletic participation.

15 (b) Commencing January 1, 2012, an institution of higher education
16 that offers athletic scholarships shall provide a hyperlink entitled
17 "Student Athletes' Right to Know" on the front page of its official
18 athletic Internet web site, which shall be linked to a web page
19 containing all of the following information:

20 (1) Athletic scholarship information, including, but not limited to:

21 (A) The most recent cost of attendance expenses as published by the
22 institution of higher education's financial aid office for the academic
23 year and for the summer school session.

24 (B) The sum of expenses identified in subparagraph (A) of this
25 subdivision that are prohibited from inclusion in a full grant-in-aid
26 athletic scholarship pursuant to the NCAA's rules and regulations.

27 (C) The policy of the institution of higher education's athletic
28 program regarding whether student athletes will receive athletic
29 scholarships for summer school sessions, and, if so, whether such
30 scholarships are proportional to athletic scholarships received during
31 the regular academic year.

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

35 (E) The following information relating to NCAA scholarship rules:
36 (i) Pursuant to NCAA rules, a verbal commitment is not binding on
37 either the student athlete or the institution; (ii) the National Letter of
38 Intent is a binding agreement between a prospective student athlete
39 and an institution of higher education in which the institution agrees
40 to provide a prospective student athlete, who is admitted to the
41 institution and is eligible for financial aid under NCAA rules, athletics
42 aid for one academic year in exchange for the prospective student
43 athlete's agreement to attend the institution for one academic year; (iii)

44 the National Letter of Intent must be accompanied by an institutional
45 financial aid agreement; and (iv) if the prospective student athlete
46 signs the National Letter of Intent but does not enroll at that institution
47 for a full academic year, such student athlete may be subject to specific
48 penalties, including loss of a season of eligibility and a mandatory
49 residence requirement.

50 (F) The policy of the institution of higher education regarding
51 whether or not such institution may choose to sign more recruited
52 student athletes than it has available athletic scholarships and the
53 consequences to the athletic scholarship opportunities of recruited and
54 current student athletes in such situations.

55 (2) Athletic scholarship renewal information, including, but not
56 limited to:

57 (A) The NCAA's policy regarding scholarship duration.

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

64 (3) Athletically-related medical expenses information, including, but
65 not limited to:

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

68 (B) The policy of the institution of higher education's athletic
69 program regarding whether such program will pay for a student
70 athlete's athletically-related medical expenses, including deductibles,
71 copayments and coinsurance, or any such medical expenses that
72 exceed any maximum insurance coverage limits.

73 (C) The policy of the institution of higher education's athletic
74 program regarding who is required to pay for any required
75 athletically-related insurance premiums for student athletes who do
76 not have insurance coverage.

77 (D) The duration of time the institution of higher education's
78 athletic program will continue to pay for athletically-related medical
79 expenses after a student athlete's athletic eligibility expires.

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

85 (4) Athletic release information, including, but not limited to:

86 (A) The NCAA's policy regarding whether an athletic program may
87 refuse to grant an athletic release to a student athlete who wishes to
88 transfer to another institution of higher education.

89 (B) The policy of the postsecondary educational institution's athletic
90 program regarding whether it may refuse to grant an athletic release
91 for a student athlete who wishes to transfer to another institution of
92 higher education.

93 (c) Commencing January 1, 2012, an institution of higher education
94 that provides, by any delivery method, written material regarding its
95 athletic program to a student athlete shall include in such materials a
96 direct link to such institution's Internet web page, where the student
97 athlete shall have access to the "Student Athletes' Right to Know"
98 hyperlink and all of the information regarding the institution's athletic
99 scholarship program as provided in subsection (b) of this section.

This act shall take effect as follows and shall amend the following sections:

Section 1	July 1, 2011	New section
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Statement of Purpose:

To ensure that institutions of higher education recruiting student athletes provide such student athletes with athletic scholarship information, athletic scholarship renewal information and athletic release information.

[Proposed deletions are enclosed in brackets. Proposed additions are indicated by underline, except that when the entire text of a bill or resolution or a section of a bill or resolution is new, it is not underlined.]

Co-Sponsors: REP. DILLON, 92nd Dist.

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