



General Assembly

Substitute Bill No. 5415

January Session, 2011

* _____HB05415HED___031611_____*

**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) A verbal commitment is not binding on either the student athlete or
37 the institution; (ii) the National Letter of Intent is a binding agreement
38 between a prospective student athlete and an institution of higher
39 education in which the institution agrees to provide a prospective
40 student athlete, who is admitted to the institution and is eligible for
41 financial aid under NCAA rules, athletics aid for one academic year in
42 exchange for the prospective student athlete's agreement to attend the
43 institution for one academic year; (iii) the National Letter of Intent
44 must be accompanied by an institutional financial aid agreement; and
45 (iv) if the prospective student athlete signs the National Letter of Intent
46 but does not enroll at that institution for a full academic year, such
47 student athlete may be subject to specific penalties, including loss of a
48 season of eligibility and a mandatory residence requirement.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

Statement of Legislative Commissioners:

In section 1(b)(1)(E)(i), the phrase change "Pursuant to NCAA rules, a" was changed to "A" for clarity and consistency.

HED Joint Favorable Subst.-LCO