



House of Representatives

General Assembly

File No. 314

January Session, 2011

Substitute House Bill No. 5415

House of Representatives, March 31, 2011

The Committee on Higher Education and Employment Advancement reported through REP. WILLIS of the 64th Dist., Chairperson of the Committee on the part of the House, that the substitute bill ought to pass.

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*

The following Fiscal Impact Statement and Bill Analysis are prepared for the benefit of the members of the General Assembly, solely for purposes of information, summarization and explanation and do not represent the intent of the General Assembly or either chamber thereof for any purpose. In general, fiscal impacts are based upon a variety of informational sources, including the analyst's professional knowledge. Whenever applicable, agency data is consulted as part of the analysis, however final products do not necessarily reflect an assessment from any specific department.

OFA Fiscal Note

State Impact: None

Municipal Impact: None

Explanation

There is no fiscal impact in requiring the constituent units of higher education with intercollegiate athletic programs to disclose certain information to recruited student athletes as the units already maintain websites which can be altered to contain the required information.

The Out Years

State Impact: None

Municipal Impact: None

OLR Bill Analysis

sHB 5415

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

SUMMARY:

This bill requires Connecticut colleges and universities with intercollegiate athletic programs to disclose certain information to recruited student athletes. Beginning January 1, 2012, any institution with an intercollegiate athletic program that recruits student athletes by soliciting them to apply to, enroll in, or attend the institution for the purpose of participating in intercollegiate athletics must (1) provide a hyperlink entitled "Student Athletes' Right to Know" on the front page of its official athletics website and (2) include a direct link to its web page in any written materials regarding the athletic program that are provided to student athletes. The hyperlink must link to a web page that contains information regarding (1) athletic scholarships, (2) the renewal of and release from scholarships, and (3) sports-related medical expenses.

The bill defines student athletes as individuals who attend a primary or secondary school program of education or an institution of higher education and participate in any interscholastic athletic program in Connecticut, regardless of whether or not they receive a scholarship for doing so.

EFFECTIVE DATE: July 1, 2011

SCHOLARSHIP INFORMATION

With respect to athletic scholarships, the bill requires the "Student Athletes' Right to Know" website to include:

1. the institution's most recent cost of attendance for the academic year and summer school session, as published by its financial aid office, and the amount of the cost prohibited by the National Collegiate Athletic Association (NCAA) from being covered in a full scholarship (see BACKGROUND);
2. the institution's policy on providing scholarships for summer school sessions and whether they are proportional to those provided for the regular academic year;
3. the average monthly full scholarship payment received by all student athletes who live on campus during the academic year and off campus during summer school session; and
4. the institution's policy on signing more recruited student athletes than there are available scholarships and how that affects scholarship opportunities for recruited and current student athletes.

The website must also include information on NCAA rules regarding the National Letter of Intent (NLI), including that:

1. it is a binding agreement under which the institution agrees to provide athletics aid for one academic year in exchange for the prospective student athlete's agreement to attend the institution for one academic year;
2. it must be accompanied by an institutional financial aid agreement; and
3. signing an NLI and not enrolling at the institution for a full academic year may subject a student athlete to specific penalties, including loss of a season of eligibility and a mandatory residence requirement.

The website must also state that, per NCAA rules, a verbal commitment is not binding on either the student athlete or the institution.

Renewal and Release

The bill requires the website to contain the institution's policy regarding the renewal or nonrenewal of athletic scholarships, specifically as it applies to (1) a temporary or permanent sports-related injury suffered by a student athlete in good standing, (2) a coaching change, and (3) athletic performance that is below expectations. The website must also contain the NCAA's policy regarding scholarship duration.

With respect to an athletic release, the website must include NCAA and institution policies concerning whether an institution may refuse to grant a release to a student athlete who wishes to transfer.

SPORTS-RELATED MEDICAL EXPENSES

The website must include the following information concerning sports-related medical expenses:

1. the NCAA's policy regarding whether athletic programs must pay for such expenses and the institution's policy concerning whether it will pay for such expenses, including deductibles, copayments, and coinsurance, or any expenses that exceed maximum insurance coverage limits;
2. the institution's policy concerning who must pay for required sports-related insurance premiums for student athletes without insurance coverage;
3. how long an institution will pay for sports-related medical expenses after a student athlete's athletic eligibility expires; and
4. whether an athletic program's medical policy covers services provided by a physician not associated with the program, including the provision of a second opinion for a sports-related injury.

BACKGROUND***Value of Full Scholarship***

The NCAA defines a “full grant-in-aid” (i.e., a full scholarship) as financial aid that consists of tuition, fees, room, board, and required course-related books (Bylaw 15.02.5). It does not include other items typically used by an institution to calculate the cost of attendance, such as transportation and miscellaneous personal expenses. An institution may only provide financial aid to student-athletes for such expenses if the provision of aid is unrelated to athletic ability (Bylaw 15.1).

COMMITTEE ACTION

Higher Education and Employment Advancement Committee

Joint Favorable

Yea 20 Nay 0 (03/15/2011)