



Higher Education & Employment Advancement Committee Public Hearing

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Testimony

by

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Co-Chairs, Ranking Members, and Members of the Committee, my name is David Benedict and I am the Athletic Director at the University of Connecticut.

I would like to thank the Committee for its ongoing support of UConn and for this opportunity to provide testimony regarding Senate Bill 306, *An Act Concerning Student Athletes at Institutions of Higher Education*.

UConn is supportive of student-athletes being allowed the opportunity to benefit from the use of their name, image and likeness (NIL), under certain parameters, and is looking forward to the outcome of the National Collegiate Athletic Association's (NCAA) process to determine how we can move forward in a thoughtful way to ensure reform is achieved without sacrificing ethical standards. The landscape of collegiate athletics has changed significantly over the last several decades and the NCAA definition of a student-athlete needs to be modernized. If a student-athlete has the capacity to benefit financially from his or her NIL, this should in no way jeopardize his or her amateur status or eligibility to participate in intercollegiate sports.

College athletes have more opportunities today than ever before, but there are valid concerns about the fairness of the current collegiate athletics framework. The NCAA and its member institutions are currently evaluating reforms to give athletes opportunities to take advantage of their own NILs. These efforts will take time as the NCAA tries to ensure that student-athletes benefit from their NILs while preserving the underlying mission of intercollegiate athletics to provide students with the opportunity to excel on the field, in the classroom and in life in way that is equitable and fair.

The NCAA is grappling with how to permit student-athletes the opportunity to benefit financially from the use of their NILs, yet remain consistent with the values of intercollegiate athletics—including and especially the principle of amateurism. What makes college sports different from professional sports is that college athletes are participating in a sport they love as part of their educational experience. The vast majority of student-athletes will not play professional sports and will need to rely on their education to successfully transition into the workforce. Amateurism helps keep athletic programs and student-athletes integrated within the larger educational mission, promotes competitive balance among schools, and creates a fairer system for recruiting and retaining top talent. Without uniform rules, the highest-resourced schools would use their greater financial resources to attract the most promising

student-athletes, depriving other schools of the ability to build strong teams and decreasing competitive opportunities for many student-athletes.

It is the University's strong preference that the NCAA be allowed to develop rules and regulations on NIL. Doing so would allow NCAA member institutions to collectively develop thoughtful, fair and uniform guidelines. UConn is also in favor of Congressional efforts that could provide a national framework for NIL, enabling all collegiate athletic programs in each state to operate under the same set of rules.

The University is also extremely concerned about a situation where disparate state laws are adopted in numerous states creating confusion and an uneven playing field for schools across the country.

UConn was asked to provide suggestions on what model legislation could look like. We are appreciative of the Committee's efforts to include some of our recommendations in SB 306. We believe that it is critical that student-athletes' compensation be based on fair market value. In order to preserve the student-athlete experience and prohibit unfair recruiting practices, we believe it is essential that student-athletes not be compensated for their NIL until after they have participated in collegiate athletics for a full year.

However, we believe the language in section 1(b) should be modified to allow a student athlete to have fair market value employment opportunities that are not related to their athletic ability as soon as they are enrolled.

We would also like to work with the Committee on including appropriate sunset provisions as the legislation progresses. If the NCAA adopts guidelines that are in conflict with Connecticut law, our state's student athletes would either be ineligible to participate in NCAA competitions or would leave to go to states where NIL rules are more beneficial. In either case, Connecticut collegiate athletic programs would be at a severe disadvantage when recruiting or retaining student athletes.

Any NIL system which is implemented will require our staff to develop processes to effectively monitor, regulate and report activity.

In conclusion, please know that while we may differ on how to best address this important issue, UConn looks forward to the day where all collegiate student athletes can benefit from their NILs equitably in a way that preserves the core values of college sports.

Thanks so much for your continued support of the University and for this opportunity to provide feedback. I would be happy to answer any questions.