



**To:** Chair Smith Warner and Members of the House Rules Committee

**From:** Oregon State University and the University of Oregon

**Subject:** Background on name, image, and likeness legislation and current benefits provided to Pac-12 student-athletes in Oregon

**Date:** June 15, 2021

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**Background on State and Federal Legislative Action:** On September 30, 2019, California Governor Gavin Newsom signed Senate Bill 206, also known as the 'Fair Pay to Play Act.' The law prohibits the NCAA, conferences or California-based schools from enforcing a rule that prevents a student-athlete from being compensated for the use of their name, image or likeness (NIL). SB 206 also allows a student-athlete to engage an agent.

Since that time, more than 30 states have introduced similar legislation and are considering these bills during their 2020, and 2021 legislative sessions. To date, eight states have passed bills related to NIL, two of which are scheduled to take effect on July 1<sup>st</sup>, 2021. It is worth noting that the state with the most aggressive implementation timeline, Mississippi, provided student-athletes and universities 90 days to prepare for the bill taking effect. Some states, namely New Jersey and California, have provided as much as 40 to 60 months for athletes and institutions to prepare.

Congress is currently considering six pieces of legislation related to student-athletes rights and name, image, and likeness. A federal bill is preferred in order to create a single national standard for NIL that applies uniformly to all student-athletes and higher education institutions.

**Current Benefits Provided to Student Athletes:** There are often claims that student-athletes are not benefiting from the effort they are putting in, and that all benefits are being realized by universities and athletic departments. While we certainly need to modernize rules to allow students to benefit from the use of their name, image, and likeness – any suggestion that current student athletes are not receiving significant benefits associated with their status as athletes is untrue. The reality is all students would benefit from the type of academic, medical and financial support that student-athletes currently enjoy.

Below is a non-exhaustive list of benefits currently being provided to UO and OSU student-athletes at the division one level.

### **Health and Wellness**

- Primary Care Physicians
- Orthopedic Physicians
- On site x-rays
- Specialty Trained Athletic Trainers
- Medical Testing
  - annual physicals, including ECG
  - concussion baseline testing
  - movement screening
- Injury/Illness Acute Care, Assessment, Rehabilitation
- Concussion Assessment/Management
- Behavioral/Mental Health Providers
- Medical Consulting
  - physical therapy
  - massage
  - acupuncture
- Injury Prevention
- Performance Team Model
- Athletic-related Injury Insurance – includes 4 years post-competition support
- Sport Performance Assessment and Support
  - Obtain baseline performance markers
  - Injury Prevention Methods
  - Workload Information
- Strength and Conditioning
- Nutrition Assessment and Support
  - Daily meals/snacks
  - Education

### **Academic Support**

- Academic Advising
  - Academic program planning
  - Priority registration
  - Referral to campus services as needed
  - Monitoring of continuing eligibility
  - Post eligibility degree advising and support
- Learning Specialist Appointments
- Individualized Tutoring
- Accessible Education Support (testing and referrals)
- Academic Mentoring
- Transition Programs (orientation, summer bridge and other classes)
- Parent Education
- Private/Group study rooms
- Technology Equipment and Support
  - Computers
  - Two computer labs with software and hardware
  - Computer and phone IT Support
- Academic Supplies
  - Pens, paper, notebooks, pads, exam notebooks, planners
  - Construction materials for presentations and projects
  - Printing

## **Student-Athlete Development**

- Sexual Violence Prevention Education
- Diversity and Inclusion Opportunities
- Women’s Symposium
- Mentorship Program
- Internship Opportunities
- Career Development and Coaching
- Leadership Education
- Service Learning Opportunities
- Service Abroad Trip
- Guest Speakers
- Community Engagement, including Campus Community
- Student-Athlete Advisory Committee
- Involvement in programming
- Direct communication with department leadership
- Voice in Pac-12 Governance Structure
- Networking Opportunities
- Dining Etiquette
- Site Visits
- Resume Writing
- Financial Education
- Annual Awards Ceremony
- Opportunities to attend conferences
- Student-Athlete Graduation
- Emergency Travel
- Financial assistance for Pell eligible student-athletes

## **Athletic Development**

- Sport-Specific Coaching/Training
- Highest Level Competition
- Strength & Conditioning/Physical Development
- Equipment
- Team Travel
- Logistics
- Foreign Team Trips/Tours
- World-Class Competition and Training Facilities
- Athletic Career/Agent Advising
- Family Travel (Recruiting/NCAA Final 4/CFP)
- Loss of Value/Disability Insurance (1<sup>st</sup> Round Draft Prospects)
- Video/Analytics
- Visibility/Personal Brand
- Sport Psychology/Mental Preparation