



SENATE BILL 335: Study/Fair Treatment of College Athletes.

2017-2018 General Assembly

Committee:	House Rules, Calendar, and Operations of the House	Date:	June 28, 2017
Introduced by:	Sens. Daniel, Bishop, Tarte	Prepared by:	Brian Gwyn*
Analysis of:	PCS to First Edition S335-CSBE-29		Committee Co-Counsel

OVERVIEW: The 1st edition of Senate Bill 335 would create the Legislative Commission on the Fair Treatment of College Student-Athletes. The PCS would remove the requirement to study student athlete unionization. Additionally, it would create a three-year pilot program in which the State Board of Education would authorize up to two new educator preparation programs with proven track records in other states.

BILL ANALYSIS:

LEGISLATIVE COMMISSION ON THE FAIR TREATMENT OF COLLEGE STUDENT-ATHLETES

Senate Bill 335 creates the Legislative Commission on the Fair Treatment of College Student-Athletes (Commission) to examine the needs and concerns of college students participating in athletics on behalf of the constituent institutions of The University of North Carolina. The Commission would consist of 6 members of the Senate and 6 members of the House with political parties represented in proportion to the legislative makeup. The Lieutenant Governor would be an ex officio voting member and would serve as the chair of the Commission.

The Commission would study issues related to the provision of health insurance, sports injuries and non-sport injuries, and profit-sharing for student athletes. The Commission must consider:

- Health and safety concerns from participation in athletic competition or resulting from injuries sustained during athletic competition such as concussions and other life impacting injuries.
- Long term health issues from participation in athletic competition but not manifesting until later in an athlete's life, and the ability of former athletes to receive adequate long term treatment for these issues.
- The need for full time enrolled college students to have adequate time to devote to educational responsibilities separate and apart from time demands for athletic competition.
- Educational opportunities for choosing majors and classes consistent with the nonathletic participating students' opportunities at a constituent institution, including, but not limited to, academic choices and extracurricular abilities to participate in internships and study abroad.
- The right to receive academic instruction from qualified faculty members at the constituent institutions and to be taught at an academic level consistent with the standards of accredited higher education institutions.
- The right to a fair and impartial hearing and the right to be independently represented before being disciplined for alleged eligibility rules violations by any school, conference, or membership association governing participation in college athletics.

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- In exchange for his or her participation on behalf of any constituent institution, a fair and adequate financial aid or scholarship assistance package to the extent financial aid or scholarship sources are provided to selected students in exchange for their participation on institutional athletic teams.
- Consideration of remuneration or profit sharing for student athletes for the use by institutional or commercial entities of the students' image, or other identifiable source, such as television rights or collegiate apparel that produce commercial profit for the institutions, membership associations, or commercial entities.
- The right of students participating in college athletics to be adequately represented by attorneys, agents, or financial advisors throughout their college careers (as do all other students) without being subject to losing their eligibility to participate in college athletics.
- A review of regulatory rules and punishments imposed on student athletes by any governing membership organization, including, but not limited to, the National Collegiate Athletic Association, that limits a student's ability to transfer between schools, or participate on college athletic teams by restricting the student's ability to engage in outside work or compensatory services.
- The obligation of the university to provide the means for a student athlete to finish their academic requirements to obtain an undergraduate degree after their athletic eligibility or athletic scholarship has expired.
- Any other issue the Commission deems relevant based on testimony or evidence presented to the Commission.

The Commission must submit an interim report by December 1, 2017 and a final report by April 1, 2018, including any proposed legislation to the General Assembly.

THREE-YEAR PILOT PROGRAM

Section 5 would create a three-year pilot program to allow up to two new educator preparation programs (EPPs) to operate in North Carolina, starting in the 2017-2018 school year. To continue operating beyond the pilot period, the EPPs would have to meet the same criteria as other EPPs. Pilot programs would have to meet the following criteria:

- Meet the criteria for approval established in G.S. 115C-269.15, G.S. 115C-269.20, and G.S. 115C-269.25.
- Have a demonstrated track record of success with clearly demonstrated results as an EPP in other states.
- Have Council for the Accreditation of Educator Preparation (CAEP) accreditation or be in the process of attaining CAEP accreditation in North Carolina or another state.

EFFECTIVE DATE: Section 5 of the bill (the pilot program) would be effective when SB 599 becomes law. The remainder of the bill would become effective July 1, 2017.

**Drupti Chauhan of the Legislative Analysis Division contributed substantially to this summary.*