

STATEMENT OF  
JEFFREY P. LONG  
UNIVERSITY OF KANSAS  
BEFORE THE  
SENATE COMMERCE COMMITTEE  
FOR A HEARING ON  
SENATE BILL 474

PRESENTED  
March 4, 2020  
8:30 a.m.

Good morning, Chairwoman Lynn, members of the committee. My name is Jeff Long, and I am honored to serve as the Director of Athletics at the University of Kansas.

Thank you for giving me the opportunity to address you this morning in support of Senate Bill 474.

Today, college athletics is in uncharted territory and the future competitiveness of our University intercollegiate athletic programs in the state of Kansas could be at risk unless we take protective action. The Fair Pay to Play Act in California is altering the landscape of college sports and has focused the spotlight on student-athletes' potential to profit from their name, image and likeness – also known as N.I.L. The California law brings potential unintended consequences and Kansas must be prepared to enact this bill to address this complex matter and allow our universities to remain competitive by preserving the integrity of the sports that each institution offers.

College athletics is on the verge of a new day and it is critical that the intercollegiate athletics teams in our state remain competitive. While the NCAA is working through its legislative process to enact rules allowing the monetization of a student-athlete's name, image and likeness, that process may not be complete before many state bills go into effect. And if Congress fails to preempt these individual state laws, Kansas universities will be left to abide by the outdated and changing NCAA rules. This would then allow universities in states that already have enacted their own bills regarding name, image, and likeness to recruit according to their state's laws while they

wait for the outcome of the Federal process, if indeed there is one forthcoming. Each state bordering Kansas already has similar N.I.L. bills pending, so it is with this in mind we respectfully request your help. SB 474 will permit each Kansas college or university competing across all three NCAA divisions the opportunity to remain on relatively equal recruiting and competition grounds. And for KU, that means each of our 18 sports would not be put at an unfair disadvantage.

Approximately 2% of college student-athletes go on to become professional athletes. That means 98% of student-athletes do not turn professional in their sport. Student-athletes benefit greatly from the education and resources they access while participating as a member of their teams. A college education, and ultimately a college degree, is overwhelmingly the most likely outcome of student-athletes competing in intercollegiate athletics.

Lost in the discussion of the opportunity for student-athletes to monetize from their N.I.L. is the tremendous benefits that are currently extended to student-athletes. In addition to offering scholarships to cover tuition, room, board, books and fees, as well as academic support services, tutoring, mental and physical health and wellbeing, we also take great efforts to support our student-athlete's personal growth and development through KU Leads life skills program. KU Leads is a student-athlete development unit focused on leadership training, community engagement, and professional development, all to enhance the student-athlete experience while in school and to foster successful graduates after college. The mission of KU LEADS is to develop committed student-athlete leaders who represent the University of Kansas and its intercollegiate athletic programs with pride, integrity, and the competitive spirit.

While providing student-athletes the opportunity to monetize their name, image and likeness, this bill also helps to preserve the advances that have been made through Title IX. I believe SB 474 and other bills like it will help us fend off those who advocate for student-athletes becoming employees of the institutions. If student-athletes become employees, it is my belief that this would lead to a dramatic reduction in the number of sports institutions could sponsor. Not only would college athletics become unrecognizable, it would have a disastrous impact on our U.S. Olympic model because 80% of our Olympic athlete's matriculate through the collegiate system.

Kansas Athletics is conscious of college athletics' evolving landscape and we accept that we must change with it. As the director of athletics, my most important responsibility is to ensure the health, safety and well-being of our student-athletes. There are many facets that go into this responsibility, including addressing the N.I.L. issue.

Chancellor Girod testified before Congress last month in Washington D.C. and stated:

“No matter what processes or solutions we pursue and ultimately choose, there are two ironclad principles that should inform us every step of the way: 1) we must continue to prioritize what is in the best interests and welfare of our student-athletes; and 2) we must preserve and protect the collegiate athletic model.”

In order to preserve those principles, we ask for your support of SB 474 in order to allow us to compete on relatively similar footing as other states with enacted bills on name, image and likeness. If the NCAA cannot garner enough support for a national rule that covers all 50 states, or if the U.S. Congress chooses not to act or is unable to do so in time to preclude the individual state bills from going into effect, then we must be prepared with this bill.

While we sincerely believe there will be a NCAA solution supported by Congress, we must not let there be a lapse in time between the effective dates of NCAA rules or Federal Legislation. SB 474 will ensure colleges and universities within our state are not placed at a disadvantage.

Thank you for the opportunity to testify before you today and I look forward to your questions at the appropriate time.