

AMENDED IN ASSEMBLY JANUARY 6, 2014

AMENDED IN ASSEMBLY MARCH 12, 2013

CALIFORNIA LEGISLATURE—2013–14 REGULAR SESSION

ASSEMBLY BILL

No. 475

Introduced by Assembly Member Brown

February 19, 2013

An act to amend Sections 67451 and 67452 of the Education Code, relating to student athletes.

LEGISLATIVE COUNSEL'S DIGEST

AB 475, as amended, Brown. Student athletes: scholarships.

Existing law provides for a system of postsecondary education in this state. This system includes 4 segments: the University of California, administered by the Regents of the University of California; the California State University, administered by the Trustees of the California State University; the California Community Colleges, administered by the Board of Governors of the California Community Colleges; and independent institutions of higher education.

Existing law establishes the Student Athlete Bill of Rights, pursuant to which, commencing with the 2013–14 academic year, intercollegiate athletic programs at 4-year institutions of higher education in this state, as defined, that receive, as an average, \$10,000,000 or more in annual revenue derived from media rights, as defined, for intercollegiate athletics, shall be required to comply with prescribed requirements.

This bill would define the term “licensing fees” for purposes of the Student Athlete Bill of Rights, and would instead make those provisions applicable to intercollegiate athletic programs at 4-year institutions of higher education in the state that receive, as an average, \$20,000,000

or more in annual revenue derived from media rights and licensing fees for intercollegiate athletics. The bill would require that, commencing with the 2015–16 academic year, an athletic scholarship given out by a public institution of higher education in the state be guaranteed for 5 academic years or for the completion of a student athlete’s eligibility if the student athlete maintains good standing with the institution he or she attends and continues his or her participation in the sport. The bill would ~~also~~ *also* require that, commencing with the 2015–16 academic year, a full athletic scholarship given out by a public institution cover the full cost of attendance for the institution the student athlete attends, and include an additional \$3,600 student athlete participation stipend. *The bill would also require, commencing with the 2015–16 academic year, if a student athlete decides to transfer from a 4–year university located in California, that the institution of higher education give the student athlete a “permission-to-contact letter,” as defined, and not place any restrictions or conditions on where the student athlete may transfer.*

Vote: majority. Appropriation: no. Fiscal committee: yes.
State-mandated local program: no.

The people of the State of California do enact as follows:

1 SECTION 1. Section 67451 of the Education Code is amended
2 to read:
3 67451. For purposes of this part:
4 (a) “Athletic association” means any organization that is
5 responsible for governing intercollegiate athletic programs.
6 (b) “Athletic program” means an intercollegiate athletic program
7 at any institution of higher education within the meaning of
8 subdivision (d).
9 (c) “Graduation success rate” means the percentage of student
10 athletes who graduate from that institution of higher education
11 within six years of their initial enrollment, excluding outgoing
12 transfers in good academic standing with athletic eligibility
13 remaining, and including incoming transfers. The rate is to be
14 calculated by combining the rates of the four most recent classes
15 that are available in the exact manner as the rate is calculated under
16 National Collegiate Athletic Association rules.
17 (d) “Institution of higher education” means any campus of the
18 University of California or the California State University, or any

1 four-year private university located in California, that maintains
2 an intercollegiate athletic program.

3 (e) “Licensing fees” means fees received by an institution of
4 higher education for the use of the likeness of the school or one
5 or more student athletes to market, promote, or advertise products,
6 jerseys, video games, events, literature, or signage.

7 (f) “Media rights” means the rights to media coverage of
8 intercollegiate athletics included in contracts that are entered into
9 by intercollegiate athletic conferences and television networks and
10 that generate monetary payments to individual institutions of higher
11 education.

12 (g) *“Permission-to-contact letter” means written permission*
13 *from the student athlete’s athletic director or designated athletic*
14 *administrator granting the student athlete permission to begin the*
15 *transfer process.*

16 ~~(g)~~

17 (h) “Student athlete” means any college student who participates
18 in an intercollegiate athletic program of an institution of higher
19 education, and includes student athletes who participate in
20 basketball, football, and other intercollegiate sports.

21 SEC. 2. Section 67452 of the Education Code is amended to
22 read:

23 67452. (a) Commencing with the 2013–14 academic year, an
24 athletic program shall comply with all of the following:

25 (1) If an athletic program does not renew an athletic scholarship
26 of a student athlete who suffers an incapacitating injury or illness
27 resulting from his or her participation in the athletic program, and
28 the institution of higher education’s medical staff determines that
29 he or she is medically ineligible to participate in intercollegiate
30 athletics, the institution of higher education shall provide an
31 equivalent scholarship that, combined with the total duration of
32 any previous athletic scholarship or scholarships received by the
33 student athlete, will be provided for a total of up to five academic
34 years or until the student athlete completes his or her undergraduate
35 degree, whichever period is shorter. Additional years may be
36 provided at the discretion of the institution of higher education.

37 (2) If a student athlete takes a temporary leave of absence from
38 an institution of higher education, the duration of that leave of
39 absence shall not count against the five-year limit on eligibility
40 for an equivalent scholarship imposed by paragraph (1).

1 (3) An athletic program shall provide an equivalent scholarship
2 to a student athlete who was on an athletic scholarship and is in
3 good standing, but has exhausted his or her athletic eligibility, for
4 up to one year or until the student athlete completes his or her
5 primary undergraduate degree, whichever is shorter, except that
6 an athletic program with a graduation success rate that is above
7 60 percent, disaggregated by team, shall not be subject to the
8 requirements of this paragraph.

9 (4) A student athlete whose athletic scholarship is terminated
10 for cause by an athletic program shall receive no benefits under
11 this part, but may appeal this decision within the institution of
12 higher education attended by the student or within the athletic
13 conference or association of which that institution of higher
14 education is a member, as appropriate.

15 (b) Commencing with the 2015–16 academic year, an athletic
16 scholarship given out by a public institution of higher education
17 in the state shall be guaranteed for five academic years or for the
18 completion of a student athlete’s eligibility if the student athlete
19 maintains good standing with the institution he or she attends and
20 continues his or her participation in the sport.

21 (c) Commencing with the 2015–16 academic year, a full athletic
22 scholarship given by a public institution of higher education shall
23 cover the full cost of attendance for that institution and shall
24 include an additional three-thousand-six-hundred-dollar (\$3,600)
25 student athlete participation stipend.

26 *(d) Commencing with the 2015–16 academic school year, if a*
27 *student athlete decides to transfer from a four-year university*
28 *located in California, the institution of higher education shall give*
29 *the student athlete a permission-to-contact letter, and not place*
30 *any restrictions or conditions on where the student athlete may*
31 *transfer.*

32 ~~(d)~~

33 (e) Each athletic program shall conduct a financial and life skills
34 workshop for all of its first-year and third-year student athletes at
35 the beginning of the academic year. This workshop shall include,
36 but not be limited to, information concerning financial aid, debt
37 management, and a recommended budget for full- and
38 partial-scholarship student athletes living on or off campus during
39 the academic year and the summer term based on the current
40 academic year’s cost of attendance. The workshop shall also

1 include information on time management skills necessary for
2 success as a student athlete, and academic resources available on
3 campus.

4 ~~(e)~~

5 (f) An institution of higher education shall grant a student athlete
6 the same rights as other students with regard to any and all matters
7 related to possible adverse or disciplinary actions, including, but
8 not necessarily limited to, actions involving athletically related
9 financial aid.

10 ~~(f)~~

11 (g) An athletic program shall respond within seven business
12 days with an answer to a student athlete's written request to transfer
13 to another institution of higher education.

14 ~~(g)~~

15 (h) An institution of higher education that receives, as an
16 average, less than twenty million dollars (\$20,000,000) in annual
17 income derived from media rights and licensing fees for
18 intercollegiate athletics shall not be subject to the requirements of
19 this section.

20 ~~(h)~~

21 (i) An institution of higher education to which this section
22 applies shall rely exclusively on revenue derived from media rights
23 and licensing fees for intercollegiate athletics to defray any costs
24 accrued under this section.

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