

House Bill 1406

By: Representatives Murphy of the 120th, Barnard of the 166th, Thomas of the 100th, Williams of the 165th, and Howard of the 121st

A BILL TO BE ENTITLED
AN ACT

1 To amend Part 14 of Article 6 of Chapter 2 of Title 20 of the Official Code of Georgia
2 Annotated, relating to specific educational programs, so as to provide a short title; to provide
3 definitions; to require a recruiter of student-athletes residing in Georgia to provide
4 student-athletes with certain information relating to the institution's athletic program within
5 one week of initiating personal contact with the student-athlete; to require any scholarship
6 offer to be made in writing within one week of a verbal offer and prior to a student-athlete
7 signing an athletic scholarship agreement with an institution of postsecondary education; to
8 require the written agreement to include specified information relating to the institution's
9 athletic program; to provide for related matters; to provide for an effective date; to repeal
10 conflicting laws; and for other purposes.

11 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

12 style="text-align:center">**SECTION 1.**

13 This Act shall be known and may be cited as the "Student-Athletes Right to Know Act of
14 2010."

15 style="text-align:center">**SECTION 2.**

16 Part 14 of Article 6 of Chapter 2 of Title 20 of the Official Code of Georgia Annotated,
17 relating to specific educational programs, is amended by adding a new Code section to read
18 as follows:

19 "20-2-317.1.

20 (a) As used in this Code section, the term:

21 (1) 'Person' means an individual, corporation, business trust, estate, trust, partnership,
22 limited liability company, association, joint venture, firm, or any other legal or
23 commercial entity.

24 (2) 'Recruiter' means a person who attempts to induce, encourage, or reward a
25 student-athlete's application, enrollment, or attendance at a public or private institution

26 of postsecondary education in order to have the student-athlete participate in
27 intercollegiate sporting events, contests, exhibitions, or programs at that institution.

28 (3) 'Student-athlete' means a student at any public or private institution of postsecondary
29 education in this state or a student residing in this state who has applied, is eligible to
30 apply, or may be eligible to apply in the future to a public or private institution of
31 postsecondary education who engages in, is eligible to engage in, or may be eligible to
32 engage in any intercollegiate sporting event, contest, exhibition, or program.

33 (b) Beginning on and after January 1, 2011, within one week of any personal contact with
34 a student-athlete for purposes of recruiting the student athlete for an interscholastic athletic
35 program at an institution of postsecondary education, a recruiter shall provide in writing
36 to the student-athlete all of the following information:

37 (1) A description of the medical insurance policies that affect student-athletes, including,
38 but not limited to, terms of eligibility for medical insurance coverage; covered conditions
39 and events; medical insurance premiums, copayments, deductibles, and maximum
40 benefits; and the process for obtaining independent medical opinions;

41 (2) The total sum of medical payments, including, but not limited to, deductibles and
42 copayments, that the institution of postsecondary education did not pay for sports related
43 injuries incurred by members of each athletic team in each of the previous four years;

44 (3) Any scheduling conflict between the mandatory classes in majors offered at the
45 institution of postsecondary education and the schedule of the athletic team for which the
46 student athlete is being recruited, as well as the athletic program's policy for how the
47 conflict would be resolved;

48 (4) The number of student-athletes in each academic major;

49 (5) The number of student-athletes who changed majors and the names of their original
50 majors;

51 (6) Each athletic team's policy concerning the criteria for the renewal or nonrenewal of
52 an athletic scholarship, including circumstances in which a student athlete suffers a
53 temporary or permanent sports related injury, there is a coaching change, or a
54 student-athlete's athletic performance is deemed to be below expectations;

55 (7) The average percent of decrease in the dollar amount of a renewed one-year athletic
56 scholarship for a temporarily injured and a permanently injured student-athlete on each
57 athletic team for the previous four years;

58 (8) The number and percentage of student-athletes on each athletic team whose
59 scholarships were not renewed in each of the previous four years;

60 (9) The number of and rate at which student-athletes with remaining athletic eligibility
61 did not return to each athletic team in the previous four years;

- 62 (10) The number of and rate at which student-athletes from any athletic team with
63 remaining athletic eligibility transferred to another school;
- 64 (11) The number of student-athletes from any athletic team who were denied an
65 intercollegiate transfer request in the previous four years;
- 66 (12) The average length of time it took to grant an intercollegiate transfer request for any
67 student-athlete from any athletic team in the previous four years;
- 68 (13) The sum of expenses included in the cost of attending the institution of
69 postsecondary education that are not included in a full grant-in-aid athletic scholarship
70 for the current year and the previous three years;
- 71 (14) A summary of the intercollegiate athletic program's use of funds that may be used
72 toward assisting student-athletes with expenses that are not included in a full grant-in-aid
73 scholarship;
- 74 (15) The average monthly payment received for an on-campus and off-campus full
75 scholarship student-athlete enrolled in classes in each sport during the regular academic
76 and summer sessions in each of the previous four years;
- 77 (16) The results of an anonymous annual student-athlete survey concerning
78 student-athletes' opinions about the safety of their workout environment, their academic
79 support, and their coaches;
- 80 (17) The number of rescinded written scholarship offers for each athletic team in each
81 of the previous four years;
- 82 (18) Institutional policies that may restrict the athletic eligibility of a student-athlete who
83 wishes to transfer to another institution of postsecondary education; and
- 84 (19) The number of full-scholarship student-athletes on each athletic team who enrolled
85 in summer school in each of the previous four years.
- 86 (c) Beginning on or after January 1, 2011, any scholarship offer shall be made in writing
87 within one week of a verbal offer and prior to a student-athlete signing an athletic
88 scholarship agreement with an institution of postsecondary education. The written offer
89 shall include all of the following information:
- 90 (1) Any specific academic qualifications that will guarantee the student-athlete's
91 enrollment in the institution of postsecondary education;
- 92 (2) A description of the medical insurance policies that will affect the student-athlete,
93 including, but not limited to, terms of eligibility for medical insurance coverage; covered
94 conditions and events; medical insurance premiums, copayments, deductibles, and
95 maximum benefits; and the process for obtaining independent medical opinions;
- 96 (3) Each athletic team's policy concerning the criteria for the renewal or nonrenewal of
97 an athletic scholarship, including circumstances in which a student-athlete suffers a

- 98 temporary or permanent sports related injury, there is a coaching change, or a student
 99 athlete's athletic performance is deemed to be below expectations;
- 100 (4) The number and percentage of student-athletes on each athletic team whose
 101 scholarship was not renewed in each of the previous four years;
- 102 (5) Which expenses, if any, will be paid for by an athletic grant or scholarship, including
 103 summer school expenses;
- 104 (6) Expense items included in the cost of attendance that will not be paid for by the
 105 institution of postsecondary education including summer school expenses;
- 106 (7) A summary of the intercollegiate athletic program's use of funds that may be used
 107 toward assisting student-athletes with expenses that are not included in a full grant-in-aid
 108 athletic scholarship;
- 109 (8) Which, if any, meals the intercollegiate athletic program regularly makes available
 110 during the regular academic year and during the summer;
- 111 (9) The average monthly deduction, if any, that is deducted from a full-scholarship
 112 student-athlete's payment to pay for meals that the intercollegiate athletic program
 113 regularly makes available during the regular academic year;
- 114 (10) The terms and the amount of any death benefit provided by the institution of
 115 postsecondary education in case of sports related death; and
- 116 (11) Whether or not an athletic scholarship offer will expire.
- 117 (d) Nothing in this Code section shall be construed to require a institution of postsecondary
 118 education to revise athletic scholarship contracts entered into prior to January 1, 2011."

119 **SECTION 2.**

120 This Act shall become effective upon its approval by the Governor or upon its becoming law
 121 without such approval.

122 **SECTION 3.**

123 All laws and parts of laws in conflict with this Act are repealed.