

**Kristen F. Soares**  
PRESIDENT



June 18, 2018

The Honorable Ben Allen  
Chair, Senate Education Committee  
California State Capitol, Room 5072  
Sacramento, CA 95814

**RE: AB 2220 (Bonta and Gonzalez Fletcher): College Student Athlete Bill of Rights**  
**Position: Oppose, as amended May 25, 2018**

Dear Senator Allen:

On behalf of the Association of Independent California Colleges and Universities (AICCU), I am writing in opposition to AB 2220 by Assembly Member Bonta and Gonzalez Fletcher, which would, as proposed to be amended, remove the requirement that intercollegiate athletic programs at 4-year private universities that receive an average of \$10 million or more in annual revenue, derived from media rights, comply with the Student Athlete Bill of Rights (SABR), and instead apply the act to any institution that offers athletic scholarships, for certain provisions, and who generate \$10 million in “revenue” as reported under the EADA for other provisions.

AICCU and its campuses, that offer intercollegiate athletic programs, take the academic success, as well as mental and physical well-being of our student athletes, very seriously and strive to provide them with the most robust support systems.

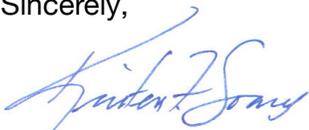
The primary reasons for AICCU’s opposition are summarized below:

- 1) This bill likely results in the creation of a new position on campus that would be responsible for initiating and concluding investigations in 60-days. If this were not possible, then the student athlete could ask the attorney general or a district attorney to file a civil action against us, and our employees, and finally they have an option to file a claim against the university and its personnel for both injunctive relief and damages. Simply dismissing a lawsuit without merit costs California colleges nearly \$100,000, so this new right is particularly worrisome.
- 2) This bill would require campuses to offer a replacement scholarship to injured students. While the author claims that these are promised to students, for those who play in Division II, multi-year scholarships are not allowed – recognizing the nature of smaller budgets.
- 3) For campuses that report over \$10 million in revenue, this bill would extend the equivalent scholarship provision for an injured student, from 5 to a potential 6 years. For students who are on a partial scholarship and who are Cal Grant eligible, their Cal Grant eligibility is only 4-years. Our campuses have a high 4-year graduation rate for our students, and Cal Grant students graduate at a higher rate than their peers. We work hard to encourage all of our students, including student athletes, to graduate in as timely a manner as possible, so that they maximize the use of grant monies. In addition, students on partial scholarships may not have the financial means to finish a year 5 or 6, and this will further stress limited financial aid funds.

- 4) The bill would extend the responsibility to pay the health premiums of each student athlete, who meets the requirements of Cal Grant A and who is injured during an athletic program, to every campus that reports over \$10 million in revenue. This will likely result in additional cost pressures at campuses that are tuition dependent in our sector.
- 5) Revenue generating sports (generally football and men's basketball) are used to fund women's sports, as well as non-revenue generating men's sports. The potential increased costs associated with expanding the scope of SABR, will very likely result in fewer athletic programs. If we have to reduce offerings, we will be forced to eliminate commensurate women and men's sports, in order to remain Title IX compliant.

For these reasons, we must respectfully oppose AB 2220. If you have any questions, please do not hesitate to contact Erica Romero, Vice President of External Relations, at [erica.romero@aiccu.edu](mailto:erica.romero@aiccu.edu) or 916-446-7626.

Sincerely,



Kristen F. Soares

Cc: Assembly Member Rob Bonta  
Members, Senate Education Committee  
Lynn Lorber, Chief Consultant, Senate Education Committee  
Kayla Williams, Consultant, Senate Republican Caucus