

FS Athletics Committee Meeting – 03/29/2021

Attending: James Williams, Bonnie Ownley, James Chyz, Andrew Donovan, Matt Harris, Greg Kaplan, Katy Locke, Sarah Lamb, Harrison Meadows, Joe Scogin, Rachelle Scott

On February 19-20, 2021 committee members were invited to attend the annual meeting of the Coalition on Intercollegiate Athletics (COIA) to learn more about various topics that are impacting Intercollegiate athletics across the USA. Speakers were from various universities, NCAA, the Drake Group, and the National Athletics Trainers' Association. The theme of the virtual meeting was Student-Athlete Health.

The FS Athletics Committee met on March 29 to discuss updates on Name, Image, and Likeness; transfer portal, proposed legislation in Tennessee that might affect intercollegiate athletics; update on impact of the pandemic on student-athletes, and goals for next year.

Name, Image, and Likeness

- The Athletics Department has worked with the UT Government Relations Office on a State bill on NIL. [Update: bill was not pursued in favor of waiting for federal legislation to be passed]
- The NCAA has delayed a vote on NIL to wait for a ruling by the Supreme Court (SCOTUS) on an anti-trust case, *Alston vs. NCAA*. If the NCAA wins the case, they will likely sue all states that have passed NIL laws.
- Athletics Departments need guidelines and guard rails. They want to make sure they are preparing student-athletes to take best advantage of NIL opportunities. They are working with the Haslam College of Business on branding.
- They are also taking an interdisciplinary approach to an entrepreneurship minor, that involves business and law.
- Question: What are the 'can' and 'can't do' items around NIL?
 - The 'can't do' list is mainly about institutional involvement. UT cannot facilitate or introduce student-athletes to NIL opportunities.
 - Student-athletes cannot engage in NIL offers that involve tobacco, alcohol, adult-entertainment.
- Question: How will the NCAA determine the value of the NIL?
 - The NCAA is collecting data to determine fair market value because they need guard rails.
- The Athletics Department has a third party partner who has evaluated NIL opportunities and talked about "in kind" work, like restaurants comping your meal. There are probably a range of opportunities.
- Question: What happens if a student-athlete is paid to do a commercial, and that work conflicts with schoolwork? Will there be some time, place, and manner restrictions?
 - NCAA will have restrictions.
- Question: How will a \$50K endorsement for one player impact the team? Will it impact the student-athletes willingness to listen to coaches? How will it impact the locker room dynamic?
 - Opportunities for significant money are probably low. If high amounts are paid, then we may have slipped into pay for play.
- Question: What about taxes incurred? Student-athletes may want to host camps.

- The Athletics Department will probably create a baseline course on NIL. But if they have to teach many courses related to NIL, they will need help.
- There have been wide swings in federal legislation on NIL, but the UTK Athletics Department already provides student-athletes with some of the mandates, such as tutoring, career development, and post college medical, which is included in legislation.
- The greatest areas of concern are revenue-sharing mandates. Pay for play will limit participation in some sports. The US Olympic Committee and the NCAA worked on structure outside of the collegiate model, which is not as effective.

Transfer portal

- Publicity on the transfer portal has informed student-athletes about their options. It was intended to be a way for students to indicate their intent to transfer, but it has become more of a free agent situation. This opportunity is provided to all student athletes. They may vote to give students immediate eligibility.
- Question: What happens when student-athletes transfer within a conference?
 - Currently they have to wait out a year for in-conference transfers.
- Question: Is there a quota for new players due to transfer losses?
 - Football has 85, and there are only 25 scholarships. They will not be at full capacity after the coaching change. Coaches would rather take a new student than a risk student. Coaches tend to leave spots open and use the portable. New coaches ask for waivers, but they do not get them.

Legislation on transgender student-athletes

- Do State laws preclude NCAA rules?
 - No. The State bills proposed in Tennessee are aimed at high school transgender student-athletes, and they apply to transgender women and not transgender men.

Update on impacts of Covid-19 on student-athletes

- Fall of 2020 was difficult due to large numbers of students in quarantine. Over a 1,000 Covid-19 tests a week were administered. Student-athletes who needed additional support were identified. Many of them used the Thornton Center for online classes, even though the area was at reduced capacity. They had to balance Covid-19 safety with student need. They learned how to do virtual tutoring and learned that virtual appointments will work to create efficiencies when student-athletes travel. The students did well academically in fall 2020 semester, and UTK faculty were supportive and flexible.
- Students who were proactive benefitted and students who lacked technical skills struggled more.
- The Athletics Department learned that they needed to make the best decision at the time, and adjust as needed.

Goals for 2021-2022

- Among the likely topics/goals for updates and discussion next year are impacts of NIL on student-athletes, the Athletics Department, faculty, and the university; activities/events to foster greater understanding between faculty and Athletics Department members to learn more about the programs in place for student-athlete success, especially in academics; and racial equity and free speech for student-athletes.