

Honorable Senator Maria Cantwell
Chair
U.S. Senate Committee on Commerce,
Science, And Transportation
Washington, DC 20510-6125
June 15, 2021

Thank you for the opportunity to testify before the Senate Committee on Commerce, Science & Technology Hearing on NCAA Athlete NIL Rights. It is an honor to have been asked to do so and the written statement below has been prepared in connection to my oral remarks.

My name is Sari Cureton I am a recent graduate from Georgetown University where I was a walk-on for the Georgetown women's basketball team. It is my hope that through this written testimony this committee will learn more about the lived experiences of student-athletes to supplement the data and facts that have previously been discussed.

The issue of name, image, and likeness has become especially pressing because of the new legislation that will be coming into effect in various states on July 1st. Throughout my time at Georgetown I have witnessed the difficulty in navigating the current NCAA NIL policies. During the 2019-2020 season a teammate of mine sought to revitalize a non-profit she had started in high school called Rose from the Concrete. Her goal was to create a mentorship program for middle and high school students in Washington DC. However, before she embarked on this journey, she had to meet with our compliance office. There she was told that in order to remain compliant she could use her name, but she could not use her status as an athlete with Georgetown University to help with promoting or fundraising for the organization. This created an additional obstacle to starting a non-profit that other college students would not have to face. Meanwhile the school is permitted to use our name, image, and likeness to promote their charitable activities within the community. This is the heart of the issue, student-athletes are looking for opportunities to monetize themselves in ways that their universities and the NCAA has already taken advantage of for their own benefit. Although race did not factor heavily into my personal encounters with this policy, as a Black woman I am also heavily aware of the racial component to this discussion. Therefore, I encourage the committee members to consider this issue through the lens of civil rights. The issue of name, image, and likeness is a pressing matter that deserves ample discussion; however, I would be remiss if I did not discuss other pertinent problems that impact the student-athlete experience.

One of these issues is the array of concerns regarding the health and safety of student-athletes. Throughout my time at Georgetown, I suffered an injury to my hip that led to me requiring surgery. I remember being fearful that my surgery would not be covered because I was a walk-on and my injury resulted from an underlying condition which athletics exacerbated but did not directly cause. Ultimately, I was told that the university would assist me financially with the initial procedure and not to worry. I share this story because it aligns with the expectation. I had an injury, I told my trainer, I was diagnosed, and then I received treatment. However, for some injured student-athletes this is an experience they dream of having. When discussing my story with others I was made aware that athletes at some universities are not given the opportunity to seek out second opinions unless they are willing to pay for it themselves. This would not be an issue if athletes could always be confident in their diagnosis but that is not the case. I have been told various stories of athletes being given one diagnosis by a team doctor only

to be given a completely different one when seeking out a second opinion. These issues not only pertain to injuries but basic care. A year ago, I witnessed a student-athlete complaint be repeatedly ignored when their symptoms began worsening after receiving treatment for an illness. They had to repeatedly ask for further assistance before receiving more medical attention. In my conversations with student-athletes there has also been widespread discussion about a failure to act in cases of sexual assault. In some situations, student-athletes have stated that they were aware of cases sexual assault that had occurred between teammates and had been reported to the coaching staff, but no action had been taken. There are other stories that I cannot share in this written statement that I have been witness to. This is because the affected individuals are fearful regarding what would happen if their respective university were to piece the information together and realize who I was speaking about. That fact alone speaks to just how vulnerable student-athletes are. If they are unwilling to share their stories in an anonymous format through someone else's voice how likely are they to report cases of negligence to the authorities within their own universities? How many departments actually offer their athletes enough information on who to report to?

Although the care that I received at Georgetown is likely to be seen as the standard I think it is time that we push the boundary on what we view as adequate care. In order to do so it is necessary to address the question of who cares for student-athletes once they graduate from college? Many athletes sustain injuries during their four years that require care after their collegiate careers end. This is not to say that schools need to be financially responsible for every health need of former students but should there not be system in place to assist those that have to deal with lingering injuries that are directly related to their collegiate careers?

Physical health is not the only concern that should be discussed. Currently, the ability of an athletic department to have its own sports psychologist is seen as a luxury. Georgetown has one sports psychologist on staff. Her role was created because the existing mental health care system within Georgetown University was not designed for long term care and was unable to meet the unique needs of student-athletes. However, her role is still not enough to meet needs of the over 700 students within the department. Imagine, then what it is like for those student-athletes whose departments have no in-house mental health services. The NCAA should provide greater assistance for universities that do not have the financial means to hire mental health professionals within athletic departments.

Student-athletes are not the only ones that need mental health professionals. They are also needed to help educate the coaches as well. Throughout my time at Georgetown, I have heard coaches tell players that they are only there for a basketball scholarship and without it they would not have been at Georgetown University. This can be detrimental for athletes of color that already feel like imposters on a predominately white campus. Coaches have made off-handed negative comments or "jokes" regarding the weight of student-athletes without any consideration for the impact that it could have on their mental health. The reality is that in the world of college sports these statements are not seen as "that bad" some might even struggle to see the fault in them. Therefore, for an athlete to complain about this would be viewed as being unappreciative or as not having thick enough skin. There is a culture within athletics that creates a dangerous mindset of how student-athletes view themselves which can impact them for long after they graduate. In order to make strides in changing this culture athletic departments need greater access to professionals within the field of mental health.

Conversations regarding health and safety intersect with discussions of Title IX. This past March during the men's and women's basketball tournaments there were photos that revealed

disparities between the facilities, the meals, and the gear given out to student-athletes¹. One issue that also arose was the difference in testing practices. The men were given PCR tests while the women were given antigen testing which the CDC has referred to as “less sensitive”² when it comes to detecting the COVID-19 virus. The testing disparity between the men’s and women’s tournaments is a demonstration of the ways in which women’s sports are treated as an afterthought. This issue is not just isolated to the sport of basketball. Softball coaches have been outspoken throughout the Women’s College World Series about the disparities between their tournament and the men’s tournament³. These examples are an illustration of a long-standing inequality that exists not only in collegiate sports but across the spectrum from youth programs to professional sports. We are given less resources and are treated as an afterthought with the expectation that we will continue to perform at a high level.

The issues that I have outlined here barely scratch the surface of the necessity for change within the current collegiate model. Student-athletes deserve to be better protected and they deserve to be treated as more than commodities. The experience of participating in collegiate sports is unparalleled and it is something that we as student-athletes are grateful for. However, we earned the positions on our teams, and we work hard to balance our athletics with our academics. Although we remain appreciative for the opportunities that have been afforded to us that does not mean we will not demand better for ourselves and for the next generation of student-athletes.

Thank you for the opportunity to share my thoughts.

Respectfully,
Sari Cureton

¹ On Her Turf. “Updated: Disparities at the 2021 NCAA Women’s Basketball Tournament,” March 25, 2021. <https://onherturf.nbcsports.com/2021/03/25/ncaa-womens-mens-basketball-weight-rooms-discrepancies/>.

² CDC. “Labs.” Centers for Disease Control and Prevention, February 11, 2020. <https://www.cdc.gov/coronavirus/2019-ncov/lab/resources/antigen-tests-guidelines.html>.

³ “College Softball Coaches Decry Treatment by NCAA: ‘What’s Lower than an Afterthought?’” *Washington Post*. Accessed June 16, 2021. <https://www.washingtonpost.com/sports/2021/04/23/ncaa-softball-college-world-series-disparities/>.