

STATEMENT OF

DOUGLAS A. GIROD, M.D.
UNIVERSITY OF KANSAS

BEFORE THE
U.S. SENATE SUBCOMMITTEE ON
MANUFACTURING, TRADE, AND CONSUMER PROTECTION

FOR A HEARING ON

“NAME, IMAGE, AND LIKENESS: THE STATE OF INTERCOLLEGIATE ATHLETE
COMPENSATION”

PRESENTED

February 11, 2020
10:00 am

Statement of Chancellor Douglas A. Girod
University of Kansas
Before the Subcommittee on Manufacturing, Trade and Consumer Protection
United States Senate
February 11, 2020

Good morning, Chairman Moran, Ranking Member Blumenthal, and Members of the Subcommittee. My name is Doug Girod, and I am the Chancellor of the University of Kansas.

The University of Kansas is a leading public research institution and a member of the Association of American Universities. We also are the proud sponsor of a robust NCAA Division I athletics program competing at the highest levels of intercollegiate athletics.

Thank you for the opportunity to appear in front of you today to discuss the impact of recently passed and pending state legislation around the country related to “Name, Image and Likeness.”

Senator Moran, I would like to begin by thanking you for your outreach during the past several months, not just to the University of Kansas, our student-athletes, the Big 12 Conference and to the NCAA — but to the community of stakeholders who hold dearly the value of collegiate athletic programs.

You have repeatedly stated that you are in a “fact-finding” mode to learn how the Name, Image and Likeness issue may impact college athletics. And honestly, we, too, are in a fact-finding mode. We join you and your colleagues on this Subcommittee and a growing voice of Members

of the House of Representatives to seek a working solution to the challenges brought by the patchwork of recently enacted (and pending) state legislation with varying degrees of Name, Image and Likeness provisions. It is clear to me that the imperative of national consistency, fairness, and equity requires a federal solution. Like all Division I universities, we compete across 50 states. Therefore, only a federal approach that creates a level playing field for competing athletes and universities makes sense.

KU acknowledges that it is a new day in college athletics, and if there is an opportunity for student-athletes to earn value from their Name, Image and Likeness, we should support them and provide reasonable guardrails that will protect them and the integrity of the game while maintaining successful educationally based athletic programs across the country.

This is a complicated policy matter, and none of us has all of the answers. That's why it is important that we are having these discussions. But no matter what solutions we pursue, there are two ironclad principles that should inform us every step of the way: 1) we must continue to prioritize what is in the best interests and welfare of our student-athletes; and 2) we must preserve and protect the collegiate athletic model.

As this process moves forward, we must not forget that more than 98% of student-athletes do not turn professional in their sport after graduation or have significant opportunity to earn income from NIL, yet they benefit greatly from the education and resources they access as student-athletes. We must be cautious not to risk losing what is so valuable for the 98% while addressing the specific needs of those blessed to take their athletic talents to the professional level. Additionally, we must preserve access for first-generation students and underrepresented minorities to an education through sports and continue to enhance gender equality in compliance with Title IX. The bottom line is, there are ways to allow student-athletes to benefit from Name, Image and Likeness while maintaining the benefits of the collegiate athletic model.

Additionally, Senators, please keep in mind the following: The actions we take on NIL have the potential to transcend athletics and impact every aspect of our university mission — from education, to service, to research. For better or worse, a major athletics department at a university like KU is inextricably linked with the entire university model and everything we do. For example, athletics is important to student recruitment, especially for Midwestern universities that rely on out-of-state student enrollment. Athletics is crucial to our engagement with donors, whose support is essential to our most important academic and research initiatives. And athletics enhances our work to improve access to education and campus diversity by enrolling students from diverse backgrounds. Again, the decisions we make on Name, Image and Likeness have implications that extend beyond the athletic playing field and into virtually every aspect of what we do as universities.

As a university chancellor, one of my responsibilities is to support opportunities for students while they are enrolled at KU — whether that is an internship, a chance to study abroad, or a chance to do research with a company in our region. Today, I want to support this new opportunity for those student-athletes who have the potential to earn money while competing at our institution. Like all new initiatives, there will be hurdles, and we will learn from them and

adapt. But let's work together to do what is right and support our student-athletes in these new opportunities.

Right now, students, student-athletes, parents, alumni and supporters of our universities are counting on us to do this fairly and correctly. Forming a comprehensive national plan for Name, Image and Likeness is a challenge that will take some time to implement. But we can do it together.

So let us partner – universities, Congress, our governing association and conferences, and other key stakeholders – to create a solution that ensures the interests of our student-athletes are front and center while also preserving the current collegiate athletic model to the benefit of all student-athletes.

Thank you.