Autonomy 5 NIL Strategy Call

Participants

- Dr. Randy Woodson (NC State, ACC)
- Chancellor Kent Syverud (Syracuse, ACC)
- Commissioner John Swofford (ACC)
- Pres. Burns Hargis (Oklahoma State, Big 12)
- Dr. Victor Boschini, Jr. (TCU, Big 12)
- Commissioner Bob Bowlsby (Big 12)
- Pres. Wallace Loh (Maryland, Big Ten)
- Dr. Michael V. Drake (Ohio State, Big Ten)
- Commissioner Jim Delany (Big Ten)
- Commissioner Kevin Warren (Big Ten)
- Chancellor Phil DiStefano (Colorado, Pac-12)
- Pres. Michael Schill (Oregon, Pac-12)
- Commissioner Larry Scott (Pac-12)
- Pres. Jere Morehead (Georgia, SEC)
- Commissioner Greg Sankey (SEC)

Dr. Drake Notes

Welcome and Purpose of Call

- Member universities have followed the NIL issue carefully and the NCAA is embarking on making a rule change process to its bylaws around NIL
- There is a need for the 65 universities that make up the Autonomy 5 to take the lead on a collaborative approach

How We Work with the NCAA and Other Groups

- There are concerns about the NCAA's ability to lead this effort around NIL in Washington
- Why a coalition of the 65 Autonomy 5 universities makes the most sense:
    - The Autonomy 5 universities have the most significant stake in the outcome of any NIL legislation
    - There is real concern about the image and brand of the NCAA in Washington, "the Blue Disc is not well received by members of Congress and Senators"
    - The Autonomy 5 universities have the closest and best relationships with representatives in Washington
- "[W]e know the importance of collaborating with the NCAA. We also don't want the NCAA to feel threatened, and we don't want this to seem publicly or privately as a break away by the five conferences."

Foundational Principles and Messaging

- There have been discussions about principles and messaging among different leagues
- Commissioners have been discussing to see where there is alignment among the 5 conferences

Commissioners Messaging

Proposed Federal Legislative Action

- **The purpose of the Autonomy 5 is to build upon their "work together on [their] antitrust defense" and launch a coordinated strategy, communications, and outreach effort in Washington**
- The Autonomy 5 cannot have mixed messaging or multiple proposals from college sports it they want to have influence and responsible federal legislation
- Proposal → Autonomy 5 conferences jointly select a public affairs firm in Washington with the experience to scale and manage the project to serve as a "quarterback" and play a critical role in organizing and executing the campaign
- **There is urgency—while it is not clear if a bill could go forward this year, the forums are already being held and opinions are currently being shaped**
- "We need to be coordinated, and we need to be ready."

How We Will Work with the NCAA and Other Groups

- For reasons Dr. Drake mentioned, the Autonomy 5 should take the lead on this
- **This should not be branded as an Autonomy 5 effort—is is important for the NCAA and schools in other conferences to support the Autonomy 5**
- **"[W]e don't think Mark or the NCAA should be taking the lead in Washington."**
    - The feedback commissioners have heard is the NCAA doesn't have a good reputation with Congress
    - The presidents and gov't affairs leaders at Autonomy 5 universities have good working relationships with members of Congress
        - "These are the relationships that matter, and the Members and Senators care about their state universities and what they bring to their states and constituents much more than they care about our national trade association."
- We do not want the NCAA to feel threatened/sidelines

Foundational Principles and Messaging

- Big Picture Observations:
    - We realize the need to explore opening NIL rights, or what we prefer to call "collegiate licensing opportunities"
    - Change in messaging is important because no one really knows what NIL means and **it is important to frame it a licensing opportunities, not some inherent natural right**
    - NIL legislation must fit within the structure of college sports and have limits to not impact recruiting or create a pay-for-play conversation
    - In terms of scope of the bill → stick to collegiate licensing opportunities or expanding a bill to look at other issues in college sports, like salary caps
- Best path forward is to support narrow and focused legislation that fits the foundational principle to preserve in college sports
- Main Principle to Preserve:
    - New collegiate licensing regime cannot enable "booterism" or lead to pay-for-play
    - **Athletes cannot become employees—"they must remain students"**
    - College licensing regime cannot undermine equality that Title IX provides

- "Importantly, the bill will also have to give us and the NCAA the ability to enforce NCAA rules AND **keep us from facing numerous antitrust lawsuits**."

Source: Andy Wittry, Out of Bounds Blog