

ASSOCIATED STUDENTS OF THE UNIVERSITY OF HAWAI‘I AT MĀNOA
2465 Campus Road, Campus Center 211A
Honolulu HI 96822

Senate Resolution 02-16

IN SUPPORT OF EXTERNAL FUNDING SOURCES TO FUND THE STUDENT ATHLETE STIPEND PROGRAM

BE IT ENACTED BY THE UNDERGRADUATE SENATE:

WHEREAS, the Associated Students of the University of Hawai‘i at Mānoa (ASUH) Senate is the elected body representing approximately 14,000 full-time classified undergraduate students; and,

WHEREAS, the University of Hawai‘i at Mānoa (UH Mānoa) is home of the Hawaii Athletics teams of Rainbow Wahine and Rainbow Warriors which offers a diverse NCAA Division I athletics program to approximately 450 student athletes who compete on 20 men’s, women’s, and coed varsity teams in affiliation with the Big West Conference, Mountain West Conference, Mountain Pacific Sports Federation and the Pacific Coast Intercollegiate Yacht Racing Association; and,¹

WHEREAS, the National Collegiate Athletic Association (NCAA) is a non-profit association which regulated athletes of 1,281 institutions; conferences; organizations; and individuals, including those of Hawaii Athletics; and,

WHEREAS, the NCAA has traditionally adopted amateurism rules to ensure the students’ priority remains on obtaining a quality educational experience and that all of student-athletes are competing equitably; and,

WHEREAS, this indicated that students were not eligible to do the followings such as to receive prize money above actual and necessary expenses in the form of stipends, receive benefits from an agent or prospective agent, or come into an agreement to be represented by an agent; and,²

WHEREAS, on August 7, 2014, the NCAA voted to allow 65 teams from the Big 5 power conferences to allow more greater autonomy in their own rule making; and,³

WHEREAS, on August 8, 2014, in a case brought in 2009 by former UCLA basketball star Ed O’Bannon, U.S. District Court Judge Claudia Wilken ruled in an antitrust case that NCAA rules prohibiting payments “unreasonably restrain trade,” and ruled

¹ <https://manoa.hawaii.edu/athletics/>

² <http://www.ncaa.org/amateurism>

³ <http://time.com/3089288/ncaa-college-athletes-pay/>

APPROVED BY THE 103RD SENATE ON JULY 8, 2015

that basketball and football players can earn money from the use of their likenesses; and,⁴

WHEREAS, this ruling introduced a system where student athletes were now able to be compensated for a limited share of revenues generated under their own name, image, and likeliness in addition to a full grant-in-aid; and,

WHEREAS, on January 17, 2015, athlete representatives from the NCAA's five wealthiest conferences voted 79-1 to expand what Division I schools can provide under an athletic scholarship; and,⁵

WHEREAS, this ruling redefined an athletic scholarship to not only cover basic student expenses such as tuition, room, board, books, and fees, but to also incidental costs of attending college in the form of a stipend; and,

WHEREAS, recently, the UH athletics department has made it clear that it will be introducing the student athlete stipend program as soon as this upcoming school year; and,⁶

WHEREAS, the introduction of the student athlete stipend will not only assist our student athletes, but it will also help attract many new talented athletes here to Hawaii; and,

WHEREAS, in its preliminary estimates, the UH athletics department has projected that it will have to spend nearly an additional half a million dollars to fund the program; and,⁷

WHEREAS, this cost will be added on top of the UH athletics department deficit which is currently estimated to be more than \$4 million annually; and,

WHEREAS, as an alternative, external funding sources such as an endowment or sponsorships from private entities will not have to impose any additional financial burdens to the university; and,

BE IT RESOLVED, the ASUH would like to recognize the great deal of effort our student athletes commit to their respective sports to help make our school a better place; and,

BE IT RESOLVED, the ASUH would like to also recognize that student athletes do have a right to be compensated for their talent or for the effort they commit in their respective

⁴ <http://fortune.com/2014/08/08/judge-deals-major-blow-to-ncaa-by-ruling-athletes-can-be-paid/>

⁵ <http://www.usatoday.com/story/sports/college/2015/01/17/ncaa-convention-cost-of-attendance-student-athletes-scholarships/21921073/>

⁶ <http://www.bizjournals.com/pacific/news/2015/05/22/university-of-hawaii-to-offer-expanded-student.html>

⁷ <http://khon2.com/2015/06/23/uh-plans-to-spend-extra-500000-on-athletic-stipends/>

sports and would like to commend the new NCAA rules for helping achieve this;
and,

BE IT RESOLVED, the ASUH supports the idea of student athletes being compensated in the form of stipends under the condition that the expenses shall not come from the general student body population or from the state legislature and shall instead be appropriated from an endowment fund or from private sponsors; and,

BE IT RESOLVED, the ASUH recommends the UH athletics department to secure external funding sources before implementing the student athlete stipend program; and,

NOW, THEREFORE, BE IT FINALLY RESOLVED, that copies of this resolution shall be sent to The National Collegiate Athletic Association (NCAA), the University of Hawai‘i President David Lassner, the UH Board of Regents Randy Moore and members, UH Mānoa Chancellor Bley-Vroman, UH Athletics Director David Matlin, UH Mānoa Interim Vice Chancellor for Students Lori Ideta, UH Mānoa Vice Chancellor for Administration, Finance & Operations Kathy Cutshaw, the Honolulu Star Advertiser, and the Ka Leo o Hawai‘i.

Roll Call:

Aye(s): Vice President Kamoshida, Treasurer Takara, Secretary Tagaban, Seantor-at-Large Callihan, Dela Cruz, Mitsui, Nishihara, Senators Barrow, Baxa, Cheung, Hinshaw, Kim, Lao, Lawi-an, Sevilla, Simeroth, Shon **[16]**

Naye(s): [0]

Abstentions:[0]

Introducer: Sean Mitsui, Senator-at-Large, Chairperson of Investments and Long Range Planning Committee