

**Written Testimony**  
**Congressional Hearing**  
**Committee on Energy and Commerce**

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University of North Florida

**Summary:**

The following written testimony covers who I am, my thoughts on student athletes' use of name, image, and likeness, as well as how an employment model would negatively impact college athletics.

Chairman Bilirakis, Vice Chairman Fulcher, Ranking Member Schakowsky and distinguished subcommittee members: thank you for the opportunity to testify before you today. I am pleased to share my viewpoint on college athletics as well as my experience as a student athlete. Being a student athlete has impacted me significantly and has positively influenced my future.

My name is Ashley Cozad; I am currently a public high school English teacher in Jacksonville, Florida. Before starting my career in education, I was a five-year swimming student athlete at the University of North Florida (UNF). Throughout this time, I completed my Bachelor and Master of Arts in English Composition as well as a Bachelor of Arts in Communication Studies. Academics have consistently been a priority in my life alongside the sport of swimming. In the Fall of 2018, I committed as a walk-on to UNF having no idea how far my student athlete experience would take me. As a freshman, I quickly became involved with the Student Athlete Advisory Committee (SAAC) and held numerous positions at the institutional, conference, and national level. I was nominated in June of 2022 to serve as the Atlantic Sun Conference Division 1 SAAC Representative. After two years of service, I was elected Chair of the group for a one-year term. Being the student athlete voice for over 190,000 Division 1 student athletes changed my perspective on the importance of advocacy and sharing individual stories. Being one of two student athletes that served on the National Collegiate Athletic Association (NCAA) Division 1 Board of Directors, I knew how important it was to share my perspective as well as the thoughts and concerns of my peers. Throughout this experience, the same issues always resurfaced in conversation: student athlete employment status and name, image, and likeness (NIL).

My college experience is one of perseverance and resilience that would not have been possible without the University of North Florida taking a chance on me. I hope to shed light on

how name, image, and likeness have impacted me, as well as how an employment model would have decimated the opportunities I was fortunate enough to have.

### **Name Image and Likeness:**

Over the course of the five years that I was a student athlete, I watched NIL go from an illegal taboo to complete deregulation. Before the NCAA changed their bylaws surrounding NIL in July of 2021, I was part of numerous conversations and taskforces at the Conference and Institutional level that discussed the impact that NIL will have on college sports. Fast forward four years, and it is evident that NIL has had a positive impact on student athletes nationwide. Despite this, bad actors are consistently prevalent, and student athletes are continuously being taken advantage of. I am advocating for federal action that will diminish bad actors in the world of NIL and urge Congress to codify that federal law preempts state law surrounding NIL activities. Therefore, guarantee that student athlete contracts and obligations are met and student athletes can capitalize on their NIL regardless of what state their institution is located in.

Additionally, in the process of writing this testimony the House vs. NCAA settlement received approval from Judge Claudia Wilken. This approval will change the makeup of college athletics in numerous areas including NIL. Part of the agreement of the settlement is the NIL clearinghouse. Student athletes will be required to report any NIL deal/earnings over \$600 dollars to the clearinghouse. This will create transparency for institutions and student athletes across Division 1. However, having a hodge podge of state laws creates a recruiting nightmare. It is imperative to have federal guidelines surrounding NIL so that student athletes are on the same playing field across institutions over state lines.

Being in the Atlantic Sun, I competed in a Conference that has twelve institutions across seven different states. This created a unique competitive environment where we were not limited to only competing in the state of Florida. Furthermore, there are numerous Conferences that compete across states and some even across the country. By having federal NIL guidelines, the playing field will remain fair and competitive. Without this, we fear that college athletics will not maintain authenticity or any sort of amateurism.

### **Impacts of an Employment Model:**

While it is imperative to maintain that student athletes deserve the rights to their name, image, and likeness, it is also equally important that we are NOT classified as employees. It is essential to maintain that student athletes should not be employees of their institution. Student athletes are and always will be students first. The collegiate system prioritizes education, and it is crucial that student athletes receive special status to preserve the traditional collegiate experience. By recognizing the unique relationship between student athletes and their institutions, Congress can help ensure that the fundamental purpose of college sports is sustained. Non-employee status is vital for preserving collegiate sports because of the following reasons: (1) Educational Focus, (2) Workload and Time Commitments, (3) Amateurism and Fair Play, and (4) Financial Sustainability.

Having experienced a significant injury where I could not compete for several months, I learned the importance of adversity through my recovery. If an employee model were implemented, it is possible I would not have had the same support system from my coaches, athletic trainers, and teammates due to the fear of being 'fired.' If an employee model is implemented, this is a harsh reality student athletes could face. Congressional involvement is paramount to prevent situations like this from happening.

Thank you for giving me your time today. Your commitment to college athletics is essential to preserving the student athlete experience for future Ashley Cozad's and allowing institutions the opportunity to take a chance on more young people just like me. My life will forever be changed by college athletics, and I hope that others are given the same chance that I was. We serve the student athletes past present and future.