

NCAA Student Athletes and NIL Rights

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Kelis Barton - Student-Athlete

NIL- Why NIL is important to me

My name is Kelis Barton, Seattle, WA native and women's soccer player at Washington State University. I am proud to say that I recently graduated with a degree in journalism and multimedia production, and am pursuing my masters in communication alongside continuing my soccer career this fall. Throughout my time at WSU I have made change, as I hope to continue to do through this testimony. I am the founder of the Black Student-Athlete Association (BSAA), the director of communications for our Student-Athlete Advisory Committee (SAAC) and a Peer academic advisor/tutor. As it seems, the need for change within the world of college athletics is never ending, and that brings us here today. To discuss change. I have been asked to express my experience as a college athlete, and my story in relation to NIL rights, health and safety and a variety of other important topics. I would like to begin by discussing the importance of NIL rights.

Having the opportunity to play collegiate, D1-level soccer has truly been a dream come true. I will never be able to find the words to express my gratitude for the opportunities that sport has given me. Looking back on my youth career, there are some things I would warn the 6-year-old little girl that had the highest aspirations to play at the collegiate level about. I would tell her that college soccer will be intense and amazing, but when you want to give back to your community and train younger girls to make a side income you won't be able to. I would tell her that some things will just seem unfair, but you'll use your voice to change them

Thanks to the lack of NIL rights that college athletes have, the past three years I have struggled to make an outside income to support my family and myself.

As an entrepreneur at heart, I love using my assets to also financially support myself. What better way than teaching the sport that I do every single day? I have not been able to advertise using my name or university when looking to teach and train young players with a similar dream to mine all because of NIL rights. As a young, optimistic soccer player, I never thought I would not be able to use my OWN name for my personal income and benefit.

Myself, along with many other student-athletes I am speaking for, struggle to financially support themselves the way we envision. For example, while I am immensely grateful for my scholarship, because I am an in-state student-athlete my monthly stipend I receive to cover bills and living is much lower than the out-of-state athletes on the same amount of scholarship. With my 20+ hour weeks consumed with athletics, getting an outside job to make a more substantial amount of money seems nearly

impossible. Don't get me wrong, I would settle for working at the local Taco Bell if it meant I could make some extra money, but I would much rather get paid to do the things I love outside of soccer.

I am a multimedia content creator, journalist and podcaster, with strong passions and skills revolving around the social media world. I love practicing my work via internships and personal use but the main issue here is that I cannot even advertise my work, publications and creations using my actual name or title as an athlete. For the past 4 years I have watched my non-college athlete peers thrive within the small business industry simply by showcasing their hobbies and getting paid to do so. While a majority of the world flaunts that "student-athletes get everything handed to them," it seems as if we are always a couple steps behind.. This is not a University issue, this is a systemic issue. As we approach the July 1st date, a variety of states will have athletes benefiting over others. States with NIL rights will become a recruiting technique and asset if all states do not equally receive these rights.

I'm sure at this point everyone in the room has heard a mass amount of stories from athletics, whether it be the athletes or staff that have been fighting for these NIL rights. These are real experiences, real struggles and everyday concerns. Like mentioned earlier, I am extremely grateful for what I have, but am aware that at 20 years old, I should not have to give up my aspirations to play professional soccer just to work a full time job and have time to make extra money. So I ask kindly, please do not ignore our stories.

Health & Safety- Mental Health

I never thought I would be writing to Senator Cantwell, Ranking Member Wicker and the members of the Senate Commerce Committee, but now that I have your attention I hope you can hear this loud and clear.

March of 2020, following the rise of the pandemic, I lost a dear friend. This friend of mine was on the football team and his cause of death was labeled as an "accidental overdose of opioids." While the pandemic, as we know, was not in anyone's plans and caused a lot of disruption to the world. During this time a vast majority of the university was off-campus. In response to this tragic death, there were social media posts made, emails sent out and phone calls made between the athletes. As almost all athletes were able to come back to campus this past spring semester to train, we approached the one-year anniversary of his death and if I did not make a poster and bring flowers to the football building nothing in his honor would have happened. This is the second football player the program has lost in the time that I have been on campus. In response to his

death I would have hoped to see more education on opioid use and substance abuse within athletes tied into mental health. Student-athletes have a heightened risk for opioid misuse and abuse. Prescription painkillers can suddenly turn into the loss of another extremely talented athlete, without the proper knowledge. The NCAA issues a required sexual assault and abuse training every single year. Why are we not being taught and reissued information about substance abuse and misuse? It is so important and relevant, that we lost a fellow cougar to it. I would like to say that education of substance use needs to be implemented in our health and safety guidelines, if it was, I might still be able to see my friend.

At our university we are very blessed to have the resource of a clinical sports psychologist within our athletic department. In contrast, having only one available psychologist makes it really difficult for a department of over 500 student-athletes.

Another subtopic within health and safety guidelines and concerns would be our healthcare off campus. The Fall season of 2020 our team made a historic run to the college cup, the biggest game of our careers, a national semi-final. Prior to this game in the Elite 8, I tore my acl, lcl and mcl in my left knee. The season ending injury kept me out of the game I loved for 10 months. As I was about two months post operation and rehabbing on campus, we suddenly were told to not come back to school due to the pandemic. Now, on top of the mental and physical obstacles that knee surgery comes with, I was having to find a way to rehab and stay focused during the rising of a world-wide pandemic. I dug deep, and got creative every single day with what rehab in my front lawn was going to look like. With almost every physical therapy center and gym closed down, I was very lucky to finally find a training facility that would take care of me during the hectic times. While my insurance helped cover a lot of the costs, I would have to pay out of pocket twice a week in order to work with the strength and conditioning coach at the facility. I was vaguely checked on during my recovery back home, and while I was very aware that the pandemic created chaos in everyone's life, I knew if I had access to stay on campus (which we were not allowed to) that I would've had fully covered rehab and care.

As my mom always says "What's done in the dark, always comes to the light," and I believe that it is extremely important that Congress correct the NCAA's discriminatory actions and behaviors against women, health and safety, transfer rules and NIL rights.

While this is only a piece of our puzzle, I hope my voice is heard loud and clear, and can help make change. On behalf of so many collegiate student-athletes, who are still holding their stories sacred to them, I am imploring the members of this committee to do the right thing and make positive change, by July 1st.

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