

**Responses to Questions for the Record**  
**Dan Radakovich, Director of Athletics, Clemson University**  
**U.S. Senate Committee on the Judiciary**  
**“Protecting the Integrity of College Athletics”**

Pursuant to the Committee’s request, I am submitting these responses for the record to questions posed by Senator Sasse regarding insurance protections for student-athletes. Additionally, during the hearing, Senator Booker asked me to amplify my testimony regarding the benefits provided to Student Athletes. I did not get to expound on these benefits in the time allotted during the hearing but have provided more fulsome information below on the benefits provided to student athletes at Clemson University.

**Questions from Senator Sasse:**

- 1. What is your best estimate of the number of college athletes who are covered by insurance policies in case of an injury that inhibits or prohibits their future earning potential as professional athletes?*

All student-athletes at Clemson are covered by medical insurance under a primary insurance policy. That policy is either held by the student individually or their parent/guardian, as it would be for any student at Clemson University. To the extent the student does not have a primary policy, Clemson will take out a primary medical policy for the student to ensure that the student is covered in the event they become sick or injured, regardless of whether they are injured while playing their sport.

All student-athletes at Clemson are also covered under the NCAA’s “Catastrophic Loss” policy. This coverage pays for medical expenses, disability, and accidental death where a student is injured in one of three scenarios: (1) while the student is participating in their sport; (2) while the student is training in a team-sponsored event or organized training/conditioning for their sport; or (3) while the student is traveling to a team-sanctioned event.

In addition to the primary and secondary coverage outlined above, some student athletes are covered under a specialized Permanent and Total Disability (“PTD”) policy. A PTD policy covers student-athletes who suffer an injury or illness that prevents them from continuing to compete in their sport.

PTD coverage has the option of two different riders: (1) Loss of Value (“LOV”) and (2) Critical Accident and Injury (“CI”). Currently, LOV coverage is less widely used as insurance companies are not willing to provide many of these policies due the excessive number of claim losses and lawsuits over the last five years. Its purpose is to provide the student-athlete with compensation if he or she were to suffer an injury or other event that diminishes his or her future professional value. For example, a football player who was covered under an LOV policy would be compensated if his projected position in the draft drops as a result of an injury suffered while playing or training. By contrast, CI coverage allows a student-athlete to receive a set amount of money if injured in any way that is explicitly covered under their policy. For example, a student-athlete covered under a CI policy could receive \$250,000 if the athlete suffers a complete ACL tear.

Insurance companies, however, do not provide PTD, LOV or CI coverage to all student-athletes. For their own business reasons, they only provide these coverages to those student-athletes the insurers deem to be the most elite – for example, in football, mostly potential first, second, or third round draft projections would be covered. Therefore, by the insurers' standards, many others who may become professionals will not be offered insurance; only those in the upper echelon will be covered. And, student-athletes that are not projected to be professionals are not eligible for these coverages (nor does it make sense for the student-athletes to pay to protect non-existent future earnings in professional sports).

While all student-athletes are covered under a primary medical policy and the NCAA's Catastrophic Loss policy, I estimate that approximately 275-300 student-athletes across the country are also covered by PTD, LOV or CI insurance each year.

2. *What is your best estimate of the breakdown by sport—and, if possible, position—of which college athletes are covered by such policies?*

Typically, I have been advised there are 6-7 student-athletes at Clemson that are covered by PTD and a subset of that may have LOV or CI coverage.

I do not have exact figures but as explained above, PTD, LOV and CI policies are limited by insurance companies to only the upper echelon of potential future professionals. Of the population of eligible student-athletes across the country, I have been advised that the following percentage of students are covered by one of the policies:

- Football – Approximately 50% of football players who are eligible for the NFL draft each year are covered by one of the 3 types of policies listed in question 1.
- Men's Basketball – Approximately 30% of men's basketball players who are eligible for the NBA draft are covered by one of the 3 types of policies listed in question 1.
- Baseball – Approximately 12% of baseball players who are eligible for the MLB draft are covered by one of the 3 types of policies listed in question 1.
- Men's Ice Hockey – Approximately 6% of men's ice hockey players who are eligible for the NHL draft are covered by one of the 3 types of policies listed in question 1.
- Women's Basketball – Less than 2% of women's basketball players who are eligible for the WNBA draft are covered by one of the 3 types of policies listed in question 1.

Occasionally an Olympic sport athlete (i.e. track and field, swimming, etc.) will have one of the 3 types of policies. Policy offerings are made by the insurance companies and based off the earning potential of the student-athlete as a professional. Therefore, sports with lower earning potential are less likely to be offered policies by the insurance companies than athletes playing a sport with a higher earning potential.

3. *To the best of your knowledge, how often have these policies paid out?*

Thankfully, disability claims are few and far between. Out of the 275-300 coverages estimated above there are typically 1 to 2 PTD claims a year. In years past, there were approximately 2-4 LOV claims per year. I do not have much, if any, visibility into how often

CI claims are paid out. This type of coverage is newer; last year was the first year the coverage was offered.

4. *What are the obstacles to more widespread use of these policies?*

I believe there are three main obstacles to the widespread use of the three types of policies. First, and most importantly, the insurance companies are not willing to insure every student-athlete. The insurance offerings are based on the earning potential of the student-athlete as a professional player.

The second obstacle is the overall cost of the disability insurance premiums. The vast majority of student-athletes are unable to cover the premiums for these policies on their own. As I explain in more detail below, if the policies were widely available, it is unlikely that the universities would be able to cover the premium costs for each student-athlete. A breakdown of the cost of each policy are as follows:

- Permanent and Total Disability Coverage: I have been advised the premiums for these policies range between \$5,500 and \$7,857 per million of insurance coverage.
- Loss of Value Coverage: I have been advised the premiums for these policies range between \$14,418 and \$33,000 per million of insurance coverage.
- Critical Accident and Injury Coverage: I have been advised the premiums for these policies cost on average \$25,000 per \$250,000 of insurance coverage.

Finally, the third obstacle is a funding limitation for these policies that the NCAA rules limit how these policies may be purchased for student-athletes. The NCAA rules allow universities to purchase these disability policies, so long as the universities do so from funds allocated for each university in the Student Assistance Fund (SAF) provided by the NCAA. This fund is intended to be used to assist all student athletes with special financial needs, and the amount available in the fund each year is largely driven by the NCAA's revenue in the preceding year. Given the high premium costs, the allotment from the NCAA's SAF does not allow institutions to cover every student-athlete who is offered disability insurance the maximum coverage. The more money that each university spends on these high-premium disability policies for a handful of student athletes, the less money that is available for the general student-athlete population. One additional way that Clemson uses these SAF funds is to provide clothing and shoe stipends for student-athletes who qualify for Pell grants. There are some student athletes who are eligible for these policies who the university might not have the funds in the SAF to cover. To the extent Clemson is not able to secure or pay for these policies for a player, there is an option for the player to seek this coverage through a policy from the NCAA's Exceptional Student-Athlete Disability Program, or to seek these policies on their own and use loans where needed to cover the premium.

5. *In your opinion, should the premiums on these policies be paid by universities or student athletes in an ideal world?*

I believe most student-athletes would not be able to afford the costs of the premiums for the 3 types of policies, which is why many institutions, including Clemson, cover at least a portion of the insurance if available. Insurance companies charge high premiums for these policies and only offer them to a handful of student-athletes who the insurance companies determine are likely to be highly drafted to play their sport at the professional level. At Clemson, we cover a portion of the premiums for these policies for eligible student-athletes and seek to protect the student-athletes who obtain these policies against unscrupulous actors. While some student-athletes might be able to afford their premiums, it is incredibly difficult to determine which student-athletes should have their premiums covered by the university and which have the means to pay their premiums on their own. As the Athletic Director at Clemson University, I strive to ensure that every decision I make is one that is in the short-term and long-term best interest of all student-athletes at Clemson. Therefore, we use the funds in the SAF to cover as many student-athletes as possible under these disability policies, while also ensuring there are funds available to assist other student-athletes in other ways when needed.

6. *If you had to choose between universities paying for these policies or allowing student athletes to monetize their NIL, which would you choose and why?*

I support student-athletes being allowed to monetize their NIL through payments from third parties, if it is done in a way that ensures protections and continued support for all student-athletes and does not professionalize college athletics. As the Athletic Director at Clemson University, I strive to ensure that every decision I make is one that is in the best interest of all student-athletes at Clemson.

Ultimately, NIL is separate from disability policies. The entire student-athlete population could be able to monetize their NIL to varying degrees. Some student-athletes may be able to generate income from their NIL, even a small amount, despite having no professional prospects. I do not believe that NIL benefits for a broader group can be juxtaposed against the insurance for the select few in the upper echelon of their sport. It cannot be viewed as “either or” – posing a choice that we will never be presented with because it is comparing two different groups of student-athletes. The pool of student-athletes who will be eligible for this disability coverage is minimal compared to the overall student-athlete population that might monetize their NIL (even at a very low level). Of the small group of student-athletes who would be able to monetize their NIL, an even smaller subset, is likely to be able to afford to pay the full premium amount without a loan.

Finally, while it is possible that the upper echelon eligible for these insurance policies might also be among those student-athletes who can *substantially* monetize their NIL (the projected “superstar”), there are variations even among that upper echelon. Using football as an example, two projected first round draft picks could have varying degrees of likeability and charisma that might affect their NIL prospects. Both may want to protect the same level of future earnings but only one of the two may generate enough money from NIL to afford the premiums. Therefore, it is difficult to determine whether and how student-athletes should be

responsible for paying these premium amounts. I suspect the majority of student-athletes will not be able to monetize their NIL enough to cover the premium cost.

## **Benefits Provided to Student Athletes at Clemson:**

### *Scholarships*

Under NCAA rules, a Student-Athlete is permitted to receive an athletic scholarship in the amount up to full “cost of attendance” at his or her particular institution. A full cost of attendance scholarship covers tuition and fees, room and board, books and miscellaneous expenses as determined by the institution using federal financial aid regulations. Each institution determines the amount of athletic scholarship dollars awarded to each student-athlete. At Clemson, a full cost of attendance scholarship is \$45,056 for in-state students and \$75,756 for out of state students per year. This scholarship amount includes tuition and fees, room and board, books, summer school costs, as well as an allowance for miscellaneous expenses, such as travel and clothing (these are explained in the *Stipends* section below).

Each scholarship amount is determined by the specific sport. In some sports, most scholarships will be below the cost of attendance (a partial scholarship) to allow more student-athletes to receive a scholarship. Generally, football and basketball student-athletes receive full cost of attendance scholarships. Regardless of the sport where a student athlete receives a cost of attendance scholarship, that amount is the same across all sports.

The length of an athletic scholarship is determined by the institution and may differ from student-athlete to student-athlete. An athletic scholarship can be for no less than one year but can be a multiple-year agreement to cover a student-athlete’s athletic career at the institution. During this period of award<sup>1</sup>, an athletic scholarship cannot be canceled for any athletic-related reason, including poor performance or injury. While some may argue that injured student-athletes have their scholarships revoked or cancelled, that is not the case at Clemson, and I have found that this is not the case in the A5. First, NCAA rules preclude an athletic scholarship from being cancelled before the period (i.e. length) of the award expires and, second, since 2015, A5 institutions have been precluded from reducing or failing to renew an athletic scholarship after the period of the award for any athletics reasons, including poor performance or injury. Further, an informal tally of a segment of ACC institutions shows that all injured student-athletes who returned to the institution, in a multitude of sports, had their scholarships continued through graduation despite their injury and inability to play.

At Clemson, it is my understanding that in the last 15 years, every scholarship student-athlete who has been injured and consequently unable to continue playing was financially

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<sup>1</sup> The “period of award” requirements are defined by the NCAA bylaws. Section 15.02.8 defines this term as: “The period of award begins when the student-athlete receives any benefits as a part of the student’s grant-in-aid on the first day of classes for a particular academic term, or the first day of practice, whichever is earlier, and continues until the conclusion of the period set forth in the financial aid agreement. The period of award of a multiyear grant-in-aid may include one or more academic years of no athletically related financial aid after the first academic year in which athletically related aid is provided, including the final year of the award (e.g., 50 percent in year one, zero percent in year two, 50 percent in year three; 50 percent in year one, zero percent in year two, zero percent in year three). An athletics grant-in-aid shall not be awarded in excess of the student-athlete’s five-year period of eligibility.”

supported by the university through the completion of their degree. Since the 2012-2013 academic year, 38 student-athletes were deemed medically unable to continue to participate in their sport by our team doctors, but 33 of these students have since graduated from Clemson and 4 are working on completing their degree at Clemson. One student did not maintain the academic requirements to remain at Clemson.

### *Academic Support (Tutoring, Laptops, Career Development, Etc.)*

In addition to scholarships, student athletes receive a number of academic support tools. This can include tutors, learning specialists, athletic advisors, testing assistance, career development, an iPad and/or a Macbook Pro, as well as the software for these devices. These tools are valued at approximately \$11,950 for student-athletes on a full scholarship at Clemson.

Student-athletes receive priority registration to ensure they can secure a spot in the courses required for their degree while still accommodating their athletic schedule.

Clemson also provides several academic support tools to our student-athletes: Student-athletes who are freshmen, transfer students, or are recommended by their athletic academic advisor participate in a structured academic support program that can include the use of mentors, tutors, learning specialist and independent study time, to ensure each student's academic success. Learning specialists assist the student-athletes with designing and implementing strategies for academic success. Mentors meet with students individually to reinforce study skills and time management techniques. Student-athletes can also request tutors for any subject they need assistance with.

### *Mentoring and Life Skills Development*

Recognizing the amateur nature of college athletics and that the vast majority of our student-athletes will not play professional sports after their time at Clemson, we seek to equip our student-athletes to excel after their time at Clemson in another career. Each year, student-athletes meet with a Student-Athlete Development staff member to outline their career goals and devise a plan for achieving these goals. These meetings assist student-athletes in locating and pursuing internships and jobs, finding job shadowing opportunities, planning for postgraduate education, and practicing mock interviews. Throughout the academic year, career programs are held that include guidance on degree and potential career selection, resume and cover letter writing, participation in mock interviews, graduate school education, networking events and career fairs, financial literacy, dining etiquette and how to transition from their sport to their career.

Clemson also has a dedicated non-profit organization called "One Clemson" that strives to enhance the student experience of each student-athlete and prepare the student-athletes for their careers after their time at Clemson. One Clemson connects student-athletes with potential employment opportunities in a number of ways: (1) by funding on-campus job internships to provide the relevant work experience that might otherwise be challenging for a student-athlete to receive with their time constraints; (2) identifying companies interested in hiring Clemson student-athletes; (3) assisting with business networking; and (4) creating community service opportunities for student-athletes. One Clemson also engages former student-athletes to mentor and advise current student-athletes. For example, one former Clemson football player has created an

organization called the P.A.W. Journey that focuses on equipping football players at Clemson in three areas: personal growth, life skills, and professional development. This organization provides a variety of service and internship opportunities for Clemson's student-athletes.

Additionally, this summer, twelve student athletes from Clemson participated in a six-week Professional Development Academy hosted by the ACC. This virtual academy was launched to provide student-athletes who had their summer plans impacted by Covid-19 with opportunities to engage in curriculum focused on learning core values, identifying and developing circles of influence, establishing effective communication and leadership skills, and charting their personal career paths. Student-athletes from each of the ACC member institutions participated in the summer academy.

### *Post-Eligibility Scholarships*

In addition to the scholarships provided by Clemson during a student athlete's time at Clemson, former student-athletes, who do not complete their degree before their eligibility expired, are eligible to return to campus to complete their degree with financial assistance from the university. This program called "Tiger Trust" has assisted numerous student athletes. Over the last 7 years, 60 student athletes have enrolled in the degree-completion program, of which 46 have graduated and 11 are currently working on their degrees. These students are not responsible for covering the costs (tuition and fees) for completing their degree. One former student-athlete returned to Clemson to complete his degree 25 years after he left to become a successful professional athlete.

### *Nutritional Guidance, Unlimited Meals and Snacks*

All universities in the A5 provide unlimited nutritional support for all student-athletes, regardless of whether they receive athletic scholarship money. Student athletes at Clemson can receive approximately \$7,500 each year in nutritional support, including meals at the dining halls on campus, snacks, grab-and-go meals, smoothies and energy bars, as well as occasional meals at coaches' homes. Our student-athletes also have access to individual meal planning and nutrition coaching services, as well as team education on grocery shopping and cooking.

### *Medical Care*

All student-athletes at A5 universities must be provided with full medical care for athletically-related medical needs free of charge and may be provided with additional free medical care at the discretion of the university. While at Clemson, if a student-athlete is not covered under their own primary insurance policy, Clemson provides medical insurance that covers, dental, vision, rehabilitation for injuries, necessary procedures, and training room physical therapy. This is valued at \$5,000 annually.

### *Post-Eligibility Medical Care*

Student-athletes at A5 universities must be provided at least 2 years of medical care for athletically-related medical needs, free of charge, after their eligibility is completed. Some universities provide additional medical care above the minimum. To my knowledge, we have not had any instances where former student-athletes have requested Clemson cover these medical expenses within two years of their eligibility ending. If we were approached by a student-athlete to pay these bills outside of the two-year timeframe, that is something we would consider on a case-by-case basis.

### *Mental Wellness Support*

In addition to the mental health services provided on campuses, institutions annually distribute mental health educational materials and resources to student-athletes, coaches, administrators and other athletics personnel. This includes a guide to the mental health resources available at the institution and information regarding how to access them. At Clemson, our student-athletes have access to a dedicated team of mental health counselors who work directly with the Athletic department.

### *Elite-Level Sports Performance Tools (Strength and Conditioning Training)*

Student-athletes at Clemson receive access to a number of strength and conditioning tools specific to their sports. Different tools, specific to the student-athlete's particular sport are provided for each student-athlete. For example, tools for football players can include cryotherapy, massage therapy, float pods, infrared beds, stretch zones, and Normatec boots that facilitate faster muscle recovery. These tools are valued at \$6,350 annually for each football player.

In addition to the benefits outlined above, student-athletes receive gear and equipment for practice and game day that is unique to their particular sport. For the football team, student-athletes can receive practice gear and equipment as well as a tailored suit for interviews and game day that is valued at \$3,000 annually. Game day gear is provided in addition to this.

Student-athletes' travel and accommodation expenses for participation in away games and meets are covered by the university. Student-athletes at Clemson also can receive complimentary tickets for their games to share with friends and family, including tickets for play-off and championship games. The need for tickets and the value of such tickets depend on the sport. There are some sports where tickets are not required for spectators. For football, these tickets are valued at approximately \$4,200 annually.

### *Stipends*

In addition to all the above, student-athletes on a full cost of attendance scholarship at Clemson can receive a number of "in-hand" stipends to cover their cost of attendance. If a scholarship student-athlete (particularly an upper classman) is not living on campus, in lieu of the room and board funds paid on campus, they could receive a stipend to offset the cost of living



arrangements and meals off campus. Their stipend can also include \$300 when traveling for a Bowl game to pay for their miscellaneous travel and meal expenses, and \$200 to pay for their post-game meals. Finally, to cover the full cost of attendance a student-athlete can be given \$4,474 as determined by Clemson University to pay for miscellaneous expenses to cover things such as transportation, clothing and other personal expenses.