

BEFORE THE SENATE SELECT COMMITTEE ON GAMING

**SENATOR KIRK SCHURING
CHAIR**

**TESTIMONY
OF
BRUCE JOHNSON
PRESIDENT
INTER-UNIVERSITY COUNCIL OF OHIO**

MARCH 17, 2021

The Public Universities of Ohio

The University of Akron
University of Cincinnati
Miami University
Ohio University
Wright State University

Bowling Green State University
Cleveland State University
Northeast Ohio Medical University
Shawnee State University
Youngstown State University

Central State University
Kent State University
The Ohio State University
The University of Toledo

Chairman Schuring and members of the Senate Select Committee on Gaming, thank you for the opportunity to testify before you today on behalf of the state's fourteen public universities, all of which are members of the Inter-University Council of Ohio (IUC). My name is Bruce Johnson and I am the President of the IUC.

The IUC was established in 1939 as a voluntary educational association of Ohio's public universities. It is committed to ensuring affordable opportunities for the more than 300,000 students attending our member institutions without sacrificing the quality of their education or experience.

I am testifying today as an interested party because Ohio's public universities have no position on the state's prerogative to adopt of legislation to legalize, regulate, and tax sports gaming and sports gaming businesses. However, what Ohio's public universities do have an opinion on is the designation of collegiate athletics as a permitted form of sports gaming. Last General Assembly two bills were introduced, one in the House and one in the Senate, that permitted wagering on any professional or collegiate sport or athletic event, any motor race event, or any other special authorized event; on the individual performance statistics of athletes or participants in such an event; or on a combination of those. The IUC has concerns with permitting sports wagering on collegiate athletics. Those concerns also were addressed in a letter to the 133rd General Assembly signed by Ohio's public and private university presidents. That letter is attached to my testimony.

We are concerned with this activity for different reasons, but primarily because of the many regulatory and administrative challenges associated with legalized betting on what are, fundamentally, amateur sports. Most of these challenges are related to maintaining the integrity of the individual student athlete, coaching staff, the integrity and cohesion of the team, and the sport itself. Gambling, whether it be on collegiate athletics or on anything else, also is often a point of entry into other problematic behaviors.

For many years, the National Collegiate Athletic Association (NCAA) has had bylaws restricting sports wagering and for good reason. On its website, the NCAA clearly states that NCAA rules prohibit participation in sports wagering activities and from providing information to individuals involved in or associated with any type of sports wagering activities concerning intercollegiate, amateur, or professional athletics competition and that sports wagering has the potential to undermine the integrity of sports contests and jeopardizes the well-being of student-athletes and the intercollegiate athletics community. It also demeans the competition and competitors alike by spreading a message that is contrary to the purpose and meaning of "sport." We believe that it jeopardizes the welfare of student-athletes and the intercollegiate athletics community.

If wagering on collegiate athletics is permitted, it would not take a great leap of logic to conclude the risk of student athletes soliciting and accepting payments to influence the outcome of games may increase. While we would like to believe that our student athletes are men and women of impeccable integrity, and most are, it would be naïve and irresponsible to simply dismiss or ignore that the temptation to compromise performance or trade on information in exchange for financial gain becomes increasingly real and significant with legalized sports wagering on college athletics. Unfortunately, it is human nature.

In this environment, information now becomes a very valuable commodity. A roommate, friend, or associate may be aware of a publicly undisclosed injury, have access to play designs, or other intelligence that may be of value to someone placing a bet on the outcome of a game and could solicit or accept payment in exchange for that information. To avoid those situations and to protect the integrity of the game, sports wagering would likely subject student athletes to heightened invasions of privacy, including publicly releasing injury reports or lists of players who are injured or unavailable for each game.

To guard against the negative affect of sports wagering, universities would need to invest in expanded training and monitoring programs to support our student athletes, coaches, staff, faculty, and the broader campus community. Ohio universities would have to create costly comprehensive compliance programs for student athletes, students, boosters, coaches, all personnel associated with gamedays, broadcast partners, medical staff, the public, faculty, and staff to deter misconduct relating to sports wagering laws and to monitor these activities.

Permitting collegiate sports gambling in Ohio poses risks of increased incidents of problem gambling. This, in turn, creates excessive and unnecessary threats to the mental and financial well-being of our student populations. Ohio's public universities are already facing a mental health care crisis on campus. Nationally, over one third of counseling centers report having a waitlist for services. The demand for service on campus is overwhelming the ability to serve. Unfortunately, those services come at a significant cost – which is often viewed as “administrative bloat.” Adding to that cost is a shortage of workers – including counselors, clinical psychologists, doctors, nurses, and others – on campus that most of our institutions are experiencing. Adding to this cost, yet again, by creating a new pool of potential problem gamblers does not seem like good public policy.

In addition to creating costly regulatory and compliance challenges, we believe that expanding sports wagering on collegiate athletics has the potential to intensify a trend of problem gambling and correlated risky behavior among the age demographic of our student populations -- as many have the resources, proximity, and desire to become involved. According to the “Report on Problem Gambling Services SFY 2017-2018” released by the Ohio for Responsible Gambling Coalition, and available on the Ohio Casino Control Commission's website, younger adults, specifically males ages 18-44, are more at-risk for problem gambling. According to the same report, the two activities most likely to be associated with at-risk/problem gambling were gambling in a racino/casino and sports gambling.

In 2018, a study entitled “A Meta-analytical Synthesis and Examination of Pathological and Problem Gambling Rates and Associated Moderators Among College Students, 1987-2016” determined that an estimated six percent of college students were found to be pathological gamblers and the proportion of problem gamblers was calculated to be at just over ten percent. Compared to non-gambling counterparts, college students who gamble also have reported higher incidents of other risky behaviors including binge drinking, marijuana use, cigarette use, illicit drug use, and unsafe sex after drinking

Chair Schuring and members of the committee, for these reasons and on behalf of the 5,916 student athletes that participated in more than 240 sanctioned sports on Ohio's public university campuses, the IUC respectfully requests that as you consider moving forward with new sports wagering legislation this General Assembly, that you specifically prohibit collegiate sports gaming or wagering in Ohio. In the previous version of the legislation under consideration by the Ohio House of Representatives, House Bill 194, there was language that exempted a sport or athletic event for primary or secondary school students that is conducted or sponsored by a primary or secondary school or by another person. We would ask for the same consideration in any new legislation introduced this year.

Thank you, Mr. Chairman. I am happy to answer any questions the committee may have.



October 15, 2019

The Honorable Larry Obhof
President, Ohio Senate
Statehouse
Columbus, Ohio 43215

The Honorable Larry Householder
Speaker, Ohio House of Representatives
77 S. High Street
Columbus, Ohio 43215

Dear President Obhof and Speaker Householder,

As the Ohio General Assembly continues its work on the legalization and regulation of sports betting, Ohio's public and independent university presidents strongly encourage you to exempt collegiate sports from the proposals under consideration. Permitting collegiate sports gambling in Ohio will impose a costly new compliance mandate on all institutions. Betting on collegiate sports in Ohio also could potentially compromise the integrity of university athletic programs, lead to an increase in problem and underage gambling, and put additional pressure on the mental and financial well-being of our student populations.

To responsibly guard against these significant risks, universities will need to develop and invest in expanded training, counseling, and monitoring programs to both ensure compliance and support our student athletes, coaches, and other athletics staff. Compliance programs created to deter misconduct related to sports wagering laws will have to be constructed in consideration of not only student athletes and athletic staff, but also boosters, personnel associated with gamedays, broadcast partners, medical staff, faculty, and the broader campus community. These additional programs and services will be complex and comprehensive and, as a result, expensive.

Further, "collegiate sports" is not well-defined in either piece of legislation and, as drafted, could include programs beyond National Collegiate Athletic Association (NCAA) Division I. Under the current definition, all of the following could be subjected to sports wagering: NCAA Division II and III, National Association of Intercollegiate Athletics programs, club sports, and emerging sports, such as the

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rapidly growing market of e-sports, that are more lightly regulated by collegiate sports associations, if at all. This overly broad definition of “collegiate sports,” while creating unnecessary and undue hardships for all institutions, will be particularly burdensome for the smallest colleges, which already lack the capacity to identify how to respond to even the *possibility* of betting on their institution’s athletic competitions. For example, Ohio has a Division III football powerhouse that is perennially in the national championship and very likely would be included in sportsbooks. However, the institution is small and does not have the overhead to dedicate full-time staff to oversee gambling regulations or ramifications.

Ohio for Responsible Gambling found that adult males ages 18-44 are more at-risk for problem gaming. A study out of Medaille College in Buffalo found that in 2018 an estimated six percent of college students were found to be pathological gamblers. When Ohio voters allowed casinos into Ohio there was a precedent set in that specific money was set aside to help combat gambling addiction. Out of the same concern, we recommend that any legislation moving forward on sports betting should include specific set asides for higher education institutions to help Ohio’s most vulnerable population, 18-44-year-old males, regardless of whether collegiate sports betting is permitted.

Ohio does not need to look far for realistic solutions to mitigating these risks. On June 3, 2019, Illinois passed sports-betting legislation similar to Ohio’s proposal but prohibited bettors from wagering on any of Illinois’s collegiate sports teams. New Jersey law also does not include collegiate betting on New Jersey teams or any collegiate event that is taking place in New Jersey. We ask for similar consideration in Ohio.

In summary, subjecting Ohio public and private university collegiate athletics to sports wagering creates more detriments for our post-secondary institutions and athletes than benefits. From increased regulatory and educational costs to an increased risk of compromised performance or trading on information in exchange for financial gain, the risks associated with wagering on what are still considered to be amateur sports, should preclude designation of collegiate athletics as a permitted form of sports gaming in the pending House and Senate legislation. Thank you for your consideration of our concerns.

Sincerely,

Ohio’s Independent and Public University Presidents

Signature Pages Attached

Cc: All members, Ohio Senate

All members, Ohio House of Representatives

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Lieutenant Governor Jon Husted

Chancellor Randy Gardner, Ohio Department of Higher Education



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