

## **Amateurism**

Only an amateur student-athlete is eligible for intercollegiate athletic participation in a particular sport (NCAA Bylaw 12.01.1).

An individual loses amateur status and shall not be eligible for intercollegiate competition in a particular sport if the individual (NCAA Bylaw 12.1.1):

- Uses his or her athletics skill (directly or indirectly) for pay in any form in that sport;
- Accepts a promise of pay even if such pay is to be received following completion of intercollegiate athletics participation;
- Signs a contract or commitment of any kind to play professional athletics, regardless of its legal enforceability or any consideration received;
- Receives, directly or indirectly, a salary, reimbursement of expenses or any other form of financial assistance from a professional sports organization based upon athletics skill or participation, except as permitted by NCAA regulations;
- Competes on any professional athletics team and knows (or had reason to know) that the team is a professional athletics team (per NCAA Bylaw 12.02.4), even if no pay or remuneration for expenses was received;
- Enters into a professional draft or an agreement with an agent or other entity to negotiate a professional contract (NCAA Bylaw 12.2.4.2.1 for exception related to professional basketball draft)

### Prohibited Forms of Pay

"Pay" as used above includes, but is not limited to, the following:

- Salary, Gratuity or Compensation. Any direct or indirect salary, gratuity or comparable compensation.
- Division or Split of Surplus. Any division or split of surplus (bonuses, game receipts, etc.) Educational Expenses not received from parents or legal guardians, unless otherwise permitted by NCAA regulations.
- Educational expenses from an outside sports team or organization that are based in any degree upon the recipient's athletics ability even if funds are given to the institution to administer to the recipient.
- Excessive or improper expenses, awards and benefits.
- Cash or the equivalent thereof (e.g., trust fund) as an award for participation in competition at any time, even if such award is permitted under rules governing an amateur, non-collegiate event in which the individual is competing.
- Expense incurred or awards received by an individual that are prohibited by the rules governing an amateur, non-collegiate event in which the individual is competing.
- Expenses received from an outside amateur sports team or organization in excess of actual and necessary travel, room and board expenses, apparel and equipment for competition and practice held in preparation for such competition.
- Payment to individual team members for unspecified or unitemized expenses beyond actual and necessary travel, room and board expenses for practice and competition.
- Actual and necessary expenses or other form of compensation to participate in athletics competition (while not representing an educational institution) from a sponsor other than an individual upon whom the athlete is naturally or legally dependent or the nonprofessional organization that is sponsoring the competition.
- Any payment, including actual and necessary expenses, conditioned on the individual's or team's place finish or performance or given on an incentive basis, or receipt of expenses in excess of the same reasonable amount for permissible expenses given to all participants involved in the competition.
- Preferential treatment, benefits or services because of the individual's athletics reputation or skill or pay-back potential as a professional athlete, unless such treatments, benefits or services are permitted under NCAA regulations.
- Participation for pay in competition that involves the use of overall athletics skill

- (e.g., "superstars" competition) constitutes a violation of NCAA amateur status and would render the individual ineligible for intercollegiate competition in all sports (NCAA Bylaw 12.1.1.1).
- A student who accepts pay in any form for participation in "road racing" is ineligible for intercollegiate competition in cross country or track.

### **Professional in Another Sport**

A professional athlete in one sport may represent a member institution in a different sport. However, the student-athlete cannot receive institutional financial aid in the second sport unless the student-athlete (NCAA Bylaw 12.1.2):

- Is no longer involved in professional athletics
- Is not receiving any remuneration from a professional sports organization.
- Has no active contractual relationship with any professional athletics team

### Questions and Answers Related to Agents

Question #1: I have been contacted by agents who wished to represent me both before and after the draft. Can I reach an agreement with an agent to represent me without jeopardizing my further eligibility in collegiate athletics?

Answer: No. If you or your parents reach a verbal or written agreement with an agent, this will jeopardize your eligibility at an NCAA institution

Question #2: Is it true that it is permissible for a student-athlete to have an advisor, but not an agent? If so, what is the difference between an advisor and an agent?

Answer: It is permissible for a student-athlete to have an advisor (but not an agent) without jeopardizing further eligibility at an NCAA institution. Under NCAA regulations, a student-athlete and his or her parents are permitted to receive advice from an attorney or other individual concerning a proposed professional sports contract, provided the advisor does not represent the student-athlete directly in negotiations for a contract. In this regard, it is permissible for an advisor to discuss the merits of a proposed contract with a student-athlete and give suggestions about the type of offer the student-athlete should consider. However, an advisor may not be used as a link between the student-athlete and the professional sports team or organization. If the advisor makes direct contact with the professional team, the advisor shall be considered an agent and the student-athlete will have jeopardized future eligibility. For example, an advisor may not be present during discussions of a contract offer with a professional team or have any direct contact (i.e., by persons, telephone or mail) with a professional sports team on the student-athlete's behalf. Finally, the student-athlete must compensate the advisor at his or her normal rate for services rendered.

Question #3: May I receive any benefits (e.g., transportation or meals) from an agent or advisor without jeopardizing my eligibility?

Answer: No. A student-athlete will be ineligible if he or she accepts any transportation or other benefits from any person who wishes to represent him or her in the marketing of athletics ability. This rule does not prohibit a student-athlete from having a meal with someone who wishes to represent him or her, provided each pays for the actual cost of their meal and arranges for separate transportation.

Question #4: Am I permitted to negotiate directly with a professional sports team?

Answer: Yes. NCAA legislation was changed in 1992 to allow a student-athlete and his parents or legal guardians to negotiate directly with a professional team. A student-athlete is also permitted to have the institution's professional sports counseling panel negotiate on his or her behalf.

Question #5: May I reach any kind of agreement for a contract with a professional team and still retain eligibility?

Answer: No. If a student-athlete reaches a written or verbal agreement for any portion of the terms of a professional contract, he or she will have jeopardized future eligibility.

Question #6: What happens if a professional team offers to fly my parents and me to its city to watch a ballgame and meet with local media? Is a representative of the team permitted to take my parents and me to dinner or entertain us in any way?

Answer: In order to retain eligibility, a student-athlete is not permitted to receive any kind or entertainment expenses from the professional team. This includes a representative of a professional team purchasing a meal or paying expenses for a visit to the city of the team for any reason.

Question #7: Am I allowed to participate in a tryout with a professional team?

Answer: Yes, but only during the summer (beginning at the end of the academic year). Under these circumstances, a professional team is not permitted to provide any expenses for the tryout. Thus if a student-athlete decides to travel to a particular place to participate in a tryout during the summer, all expenses associated with the tryout must be provided by the student athlete. Accordingly, this means that a student-athlete will jeopardize eligibility if he or she participates in any professional league tryout camps that take place during the academic year.