Division I Amateurism and Eligibility

STEVE CLAR
JERRY VAUGHN

Agenda

- General Regulations
- Involvement with Professional Teams/Agents
- Student-Athlete Employment
- Promotional Activities
- Delayed Enrollment

Bylaw 12.1 – General Regulations
General Regulations

- Bylaw 12.1.1 – Certification of Amateur Status
- Bylaw 12.1.2 – Amateur Status ("Pay for Play")
  - Prohibited forms of pay.
  - Expenses, awards and benefits.
- Bylaw 12.1.3 – Amateur Status if Professional in Another Sport

General Regulations

Forms of Pay Impacting Amateur Status

- Educational Expenses;
- Competition Expenses;
- Training Expenses; and
- Preferential Treatment.

Forms of Pay Impacting Amateur Status, cont.

- Pre-Enrollment Educational Expenses:
  - May receive from any entity.
  - Other than an agent, pro sports organization or booster; and
  - Payment must be made directly to the educational institution.

- Post-Enrollment Educational Expenses:
  - Not permissible if based in any degree on athletics ability; and
  - Look to Bylaws 15.2.6.2 and 15.2.6.3 for assistance.
General Regulations

Forms of Pay Impacting Amateur Status, cont.

- Competition Expenses:
  - May receive actual and necessary expenses for competition.
  - Includes practice in direct preparation for competition.
  - Cannot come from an agent, pro sports organization or booster;
  - Does not include training expenses; and
  - Used to be permitted only from the sponsor of an event or team in which the individual represented in competition.

  *Bylaw 12.1.2.1.4.3*

---

General Regulations

Official Interpretation [Reference: 1/9/15, Item No. 4-8]

- An individual may receive actual and necessary expenses to attend an institutional camp or clinic from an outside sponsor (e.g., team, neighbor, business), provided the camp or clinic conducts organized competition in the sport.

---

General Regulations

Forms of Pay Impacting Amateur Status, cont.

- Training Expenses:
  - May receive expenses for developmental training.
    - Includes coaching, facility use, equipment, apparel, room, board, etc.
  - Must be approved and provided by the USOC, NGB or governmental entity.

  *Bylaw 12.1.2.4.7*
General Regulations

Staff Interpretation [Reference: 9/5/13, Item No. a]

• An individual is permitted to receive training expenses through a country's athlete-assistance program, provided the NGB or a governmental entity identifies the recipients and the use of such a program is one of the normal processes for distributing funds to cover training expenses.

General Regulations

Forms of Pay Impacting Amateur Status, cont.

• Preferential Treatment:
  ○ Treatment, benefits or services based on athletics reputation or skill are not permissible;
  ○ Unless the benefit or service is permitted under NCAA legislation; and
  ○ Distinguished from extra benefits.
    • Which are provided by institutional staff members.

Bylaw 12.1.2.1.6

General Regulations

Preferential Treatment Case Study

• Zach is a SA at Division I University.
• He is interviewed by a reporter for a story to run on the local newspaper’s Web site.
• During the interview, Zach told the reporter he’s a big fan of the recording artist Gramatik.
• The reporter said he had a connection, and would look into getting Zach an autograph.
### General Regulations

#### Preferential Treatment Case Study

**Question:** Is it permissible for the reporter to obtain Gramatik's autograph for Zach?

**Answer:** Yes. Provided the reporter would offer to obtain an autograph for any interview subject, including a nonstudent-athlete, the arrangement is permissible, and does not constitute preferential treatment.

### Involvement with Professional Teams/Agents

#### Professional Team Tryouts

- **Tryouts before enrollment are generally permissible.**
  - Some restrictions exist for men’s hockey and skiing.
- **Tryouts after enrollment are generally permissible.**
  - SAs cannot miss class.
  - Includes summer.
  - May self-finance longer tryouts.
  - Practice must satisfy the professional tryout requirements.

*Bylaw 12.2.1*

*By-Sport Enforcement Memos*
Involvement with Professional Teams/Agents

**Competition With and Against Professionals**

- May compete against professionals.
- May **not** compete on a professional team.
  - As defined in Bylaw 12.02.9.
  - Exception for tennis, golf, two-person sand volleyball and synchronized swimming teams.
  - Pre-enrollment exception.

*Bylaws 12.2.3.1 and 12.2.3.2*

**Definition of an Agent**

- Does not include parents, legal guardians, athletics department staff members, former teammates; or
- Any individuals who have the best interest of the SA in mind.
- Provided they do not intend to profit for their assistance.

*Bylaw 12.02.1*

**Student-Athlete Employment**
Student-Athlete Employment Compensation:

- Must be for work actually performed.
- At the going rate in that locale for similar services.
- Pay cannot value to the employer based on the student-athlete’s notoriety as an athlete.

Bylaws 12.4.1 and 12.4.1.1

Student-Athlete Employment Case Study

Question: Can a SA to be paid to "dog-sit" for her coach for a weekend?
Answer: Yes, provided the arrangement meets the requirements of Bylaw 12.4.1.

Student-Athlete Employment Case Study, cont.

Question: Can the SA stay at the coach’s house for the weekend while "dog-sitting"?
Answer: Yes, provided it is normal practice for the coach to have a hired dog-sitter stay at her home and it is on an infrequent basis.
Promotional Activities

- Institutional, Charitable, Education or Nonprofit Promotions.
- Advertisements and Promotions After Becoming a Student-Athlete.
- Media Activities.

Institutional, Charitable, Education or Nonprofit Promotions

- Use of an SA’s name, picture or appearance to support:
  - Charitable or educational activities; or
  - Activities considered incidental to the SA's participation in intercollegiate athletics.
### Permissible Entities

- Member institution or conference.
- Recognized institutional entity.
- Noninstitutional charity.
- Noninstitutional educational entity.
- Nonprofit agency.

### Written Approval

- Written approval from director of athletics (or designee, not a coach).

### Co-sponsorship

- Only permissible co-sponsorship is sponsoring company’s officially registered regular trademark or logo.
  - May include emblem, name, address and telephone number.
  - Limited to one trademark or logo.
- No reproduction of product if commercial entity’s trademark or logo appears in promotion.

### NCAA Division I Proposal No. 2005-26

- Alternative to Bylaw 12.5.1.1.
- Allows more flexibility for co-sponsorship.
  - Not restricted to (one) regular trademark or logo.
  - Commercial product or logo limited to 25 percent of total activity.
  - May not directly encourage the use of the commercial product.
    - (e.g., drink this product).
  - Must explain the “commercial entity” affiliation.
    - (e.g., official sponsor of the institution or event).
Institutional, Charitable, Education or Nonprofit Promotions

- SA may not miss class.
- All moneys go directly to institution, conference or other permissible entity.
- SA may accept actual and necessary expenses.
- Name, picture or appearance may not be used to promote commercial ventures of nonprofit agency.
- SA and authorized representative of permissible entity must sign statement ensuring proper use of likeness or appearance.

Restrictions on the sale of commercial items.

- Noninformational items that include a single SA may not be sold.
- Noninformational items that include multiple SAs may be sold.
  - Institutionally controlled outlets or outlets controlled by other permissible entity.

Case Study

Western State University is holding its annual Basketball Gala.
Basketball team would like to raffle a team basketball signed by all members of the team as a fundraising gift.
No individual names will appear on the ball.

Question: Is this activity permissible?
Answer: Yes. Provided Bylaw 12.5.1.1 is satisfied.
Commercial Advertisements and Promotions

- After becoming an NCAA SA, an individual shall not be eligible for participation in intercollegiate athletics if:
  - Accepts any remuneration for or permits the use of his or her name or picture to promote directly the sale or use of a commercial product or service; or
  - Receives remuneration for endorsing a commercial product or service through the individual’s use.

*Bylaw 12.5.2.1*

---

Case Study

- Ricky Roe is Western State’s star power forward.
- Ricky is from a small farming family in rural Ohio.
- Ricky was selected because of his family’s connection to John Deere and athletics was not considered.

**Question:** Is it permissible for Ricky to promote John Deere?

**Answer:** No. After becoming a SA it is not permissible to promote a commercial product.

---

Media Activities

- During playing season:
  - Radio, television programs, writing projects.
  - May receive expenses.
  - No missed class time.

- Outside playing season:
  - All media activities.
  - Must be academically eligible.
  - May receive expenses.

*Bylaw 12.5.3*
Case Study

- Neon Bordeaux is a current basketball SA at Western State.
- Neon was recently selected as finalist for the National Player of the Year Award.
- A local radio station, WJLV, would like to interview Neon about the nomination.

**Question:** Is it permissible for WJLV to interview Neon?
**Answer:** Yes; provided Bylaw 12.5.3 is met.

**Question:** Can WJLV provide Neon with a meal and transportation to participate in the interview?
**Answer:** Yes; Neon may receive legitimate and normal expenses.

Delayed Enrollment

- **Sports Other Than Tennis, Ice Hockey and Skiing**
  - An individual may compete in organized competition for a one-year period after high school graduation:
    - Graduation date determined by the first year of high school enrollment.
    - One-year period extended to include next opportunity to enroll.
  - Competition beyond grace year result in legislative penalties:
    - Charged a season of eligibility for each calendar year; and
    - Academic year in residence.

  *Bylaw 12.8.3.2.1*
Case Study

- Butch McRae is a men's basketball PSA.
- Butch graduated high school in June 2015.
- Butch will attend Western State for 2016-17.
- Blue Chips Allstar tournament takes place in February 2016.

Question: Is it permissible for Butch to participate in the event without impacting his eligibility?
Answer: Yes. Competition during the grace period will not impact Butch’s eligibility.

Delayed Enrollment - Tennis

- An individual may compete in organized competition for six months (or first opportunity to enroll after six months have elapsed) after high school graduation.
- Competition beyond grace period result in legislative penalties:
  - Charged a season of eligibility for each calendar year; and
  - Academic year in residence.

Bylaw 12.8.3.2.2

Case Study

- John Walton wants to play men’s tennis at Western State.
- John’s expected graduation date is August 2015.
- John has been invited to represent his local club team in the Blue Chip Invitational in March 2016.

Question: Is it permissible for John to participate in the event without impacting his tennis eligibility?
Answer: Yes.
  - Competition is after his six-month grace period; but
  - First opportunity to enroll after grace period is August 2016.
### Matriculation After 20th Birthday

- Tennis only.
- Only applies if PSA does not trigger Bylaw 12.8.3.2.2
- Participation in any organized competition during each 12-month period after 20th birthday and prior to enrollment at certifying institution:
  - Charged a season of eligibility for each calendar year.
  - Includes participation at previous institutions.
  - Academic year in residence.
  - Exception: 24 hours of transferable degree credit.

*Bylaw 12.8.3.2.2*

### Case Study

- Phil Jackson graduated high school on June 19, 2015.
- Phil's 20th birthday is July 27, 2015.
- Phil enrolled at a two-year college for 2015 fall and will compete for the institution.
- Phil would like to participate in the Happy Holiday tournament September 5-7, 2015.

**Question:** If Phil competes for the two-year and participates in the tournament, how will it impact his eligibility?

**Answer:** Competition after 20th birthday so rule is triggered; however, Phil would only be charged one season.

### Participation After 21st Birthday

- Men's ice hockey and skiing only.
- Participation in any organized sports competition during each 12-month period after a prospect’s 21st birthday and prior to initial full-time enrollment:
  - One year of varsity competition in that sport.
- Competition during U.S. armed services exempted.

*Bylaw 12.8.3.5*
Case Study No.

- Joe Smith is a men's skiing PSA.
- Joe graduated high school in June 2015.
- Joe will enroll at Western State for 2016 spring.
- Joe would like to ski in the World Alpine Championships January 1, 2016.

Question: Can Smith ski in the event without impacting his eligibility?
Answer: No.
- No grace period for 21st birthday legislation.
- Competition is after 21st birthday.

Review

- General Regulations
- Involvement with Professional Teams/Agents
- Student-Athlete Employment
- Promotional Activities
- Delayed Enrollment

Questions
Division I Amateurism and Eligibility

STEVE CLAR
JERRY VAUGHN

Thank you for attending