

AMATEURISM

AMATEURISM STATUS

An individual loses amateur status and thus shall not be eligible for intercollegiate competition in a particular sport if the individual:

- (a) Uses his or her athletics skill (directly or indirectly) for pay in any form in that sport;
- (b) Accepts a promise of pay even if such pay is to be received following completion of intercollegiate athletics participation;
- (c) Signs a contract or commitment of any kind to play professional athletics, regardless of its legal enforceability or any consideration received;
- (d) 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 rules and regulations;
- (e) Competes on any professional athletics team per Bylaw 12.02.4, even if no pay or remuneration for expenses was received;
- (f) Subsequent to initial full-time collegiate enrollment, enters into a professional draft (see also Bylaws 12.2.4.2.1 and 12.2.4.2.3); or
- (g) Enters into an agreement with an agent.

Process

Prospective student-athletes (both international and domestic) initially enrolling at an NCAA Division I institution on or after August 1, 2007 must complete the amateurism certification process established by the NCAA Eligibility Center.

International student-athletes must complete the NCAA General Amateurism and Eligibility form prior to participating in intercollegiate athletics at UD.

Enrolled student-athletes must sign amateurism paperwork at the beginning of each academic year

PROMOTIONAL ACTIVITIES

A member institution or recognized entity thereof (e.g., fraternity, sorority or student government organization), a member conference or a noninstitutional charitable, educational or nonprofit agency may use a student-athlete's name, picture or appearance to support its charitable or educational activities or to support activities considered incidental to the student-athlete's participation in intercollegiate athletics, provided the following conditions are met:

The student-athlete receives written approval to participate from the director of athletics (or his or her designee who may not be a coaching staff member), subject to the limitations on participants in such activities as set forth in Bylaw 17;

- A. The specific activity or project in which the student-athlete participates does not involve co-sponsorship, advertisement or promotion by a commercial agency other than through the reproduction of the sponsoring company's officially registered regular trademark or logo on printed materials such as pictures, posters or calendars. The company's emblem, name, address and telephone number may be included with the trademark or logo. Personal names, messages and slogans (other than an officially registered trademark) are prohibited;
- B. The name or picture of a student-athlete with remaining eligibility may not appear on an institution's printed promotional item (e.g., poster, calendar) that includes a reproduction of a product with which a commercial entity is associated if the commercial entity's officially registered regular trademark or logo also appears on the item;
- C. The student-athlete does not miss class;
- D. All moneys derived from the activity or project go directly to the member institution, member conference or the charitable, educational or nonprofit agency;
- E. The student-athlete may accept actual and necessary expenses from the member institution, member conference or the charitable, educational or nonprofit agency related to participation in such activity;
- F. The student-athlete's name, picture or appearance is not utilized to promote the commercial ventures of any nonprofit agency;
- G. Any commercial items with names, likenesses or pictures of multiple student-athletes (other than highlight films or media guides per Bylaw 12.5.1.8) may be sold only at the member institution at which the student-athlete is enrolled, institutionally controlled (owned and operated) outlets or outlets controlled by the charitable or educational organization (E.g., location of charitable or educational organization, site of charitable event during the event). Items that include an individual student-athlete's name, picture or likeness (e.g., name on jersey, name or likeness on a

bobble-head doll), other than informational items (e.g., media guide, schedule cards, institutional publications), may not be sold; and

- H. The student-athlete and an authorized representative of the charitable, educational or nonprofit agency sign a release statement ensuring that the student-athlete's name, image or appearance is used in a manner consistent with the requirements of this section.
- I. A member institution or a charitable, educational or nonprofit organization may use the appearance, name or picture of an enrolled student-athlete to promote generally its fundraising activities at the location of a commercial establishment, provided the commercial establishment is not a cosponsor of the event and the student-athlete does not promote the sale of a commercial product in conjunction with the fundraising activity. A commercial establishment would become a cosponsor if the commercial establishment either advertises the presence of the student-athlete at the commercial location or is involved directly or indirectly in promoting the activity.

Process

The Marketing Office handles all requests for student-athlete participation in promotional activities. The required Promotional Activity Form is forwarded to the individual or organization conducting the activity. Completed forms are returned to the assigned staff member in the Marketing Office. The Compliance Office reviews the request with the Marketing staff to ensure the request is permissible within the NCAA guidelines. The Compliance Office approves all requests for promotional activities by signing the Promotional Activity Form. You can also find the form on the Dayton Flyers website at <http://www.daytonflyers.com/Donations.html>

AGENTS

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- (e) Competes on any professional athletics team per Bylaw 12.02.4, even if no pay or remuneration for expenses was received;
- (f) Subsequent to initial full-time collegiate enrollment, enters into a professional draft (see also Bylaws 12.2.4.2.1 and 12.2.4.2.3); or
- (g) Enters into an agreement with an agent.

GENERAL RULE

An individual shall be ineligible for participation in an intercollegiate sport if he or she ever has agreed (orally or in writing) to be represented by an agent for the purpose of marketing his or her athletics ability or reputation in that sport. Further, an agency contract not specifically limited in writing to a sport or particular sports shall be deemed applicable to all sports, and the individual shall be ineligible to participate in any sport.

An individual shall be ineligible per Bylaw 12.3.1 if he or she enters into a verbal or written agreement with an agent for representation in future professional sports negotiations that are to take place after the individual has completed his or her eligibility in that sport.

BENEFITS FROM PROSPECTIVE AGENTS

An individual shall be ineligible per Bylaw 12.3.1 if he or she (or his or her relatives or friends) accepts transportation or other benefits from:

- (a) Any person who represents any individual in the marketing of his or her athletics ability. The receipt of such expenses constitutes compensation based on athletics skill and is an extra benefit not available to the student body in general; or
- (b) An agent, even if the agent has indicated that he or she has no interest in representing the student-athlete in the marketing of his or her athletics ability or reputation and does not represent individuals in the student-athlete's sport.

Legal Counsel

Securing advice from a lawyer concerning a proposed professional sports contract shall not be considered contracting for representation by an agent under this rule, unless the lawyer also represents the individual in negotiations for such a contract.

A lawyer may not be present during discussions of a contract offer with a professional organization or have any direct contact (i.e., in person, by telephone or by mail) with a professional sports organization on behalf of the individual. A lawyer's presence during such discussions is considered representation by an agent.

Professional Sports Counseling Panel

It is permissible for an authorized institutional professional sports counseling panel to:

- (a) Advise a student-athlete about a future professional career;
- (b) Provide direction on securing a loan for the purpose of purchasing insurance against a disabling injury;
- (c) Review a proposed professional sports contract;
- (d) Meet with the student-athlete and representatives of professional teams;
- (e) Communicate directly (e.g., in-person, by mail or telephone) with representatives of a professional athletics team to assist in securing a tryout with that team for a student-athlete;
- (f) Assist the student-athlete in the selection of an agent by participating with the student-athlete in interviews of agents, by reviewing written information player agents send to the student-athlete and by having direct communication with those individuals who can comment about the abilities of an agent (e.g., other agents, a professional league's players' association); and
- (g) Visit with player agents or representatives of professional athletics teams to assist the student-athlete in determining his or her market value (e.g., potential salary, draft status).

Please contact the Compliance Office with any agent related questions.

STUDENT-ATHLETE EMPLOYMENT

All student-athletes are permitted to work during the academic year and vacation periods. There is no limit to the amount student-athletes may earn. Compensation may be paid to a student-athlete only for work actually performed and at a rate commensurate with the going rate in that locality for similar services. Compensation may not include any remuneration for value or utility that the student-athlete may have for the employer because of the publicity, reputation, fame or personal following that he or she has obtained because of athletics ability.

Specific Athletically Related Employment Activities

- A. Fee-for-Lesson Instruction: A student-athlete may receive compensation for teaching or coaching sport skills or techniques in his or her sport on a fee-for-lesson basis, provided:
- B. Institutional facilities are not used;
- C. Playing lessons shall not be permitted;
- D. The institution obtains and keeps on file documentation of the recipient of the lesson(s) and the fee for the lesson(s) provided during any time of the year; and
- E. The compensation is paid by the lesson recipient (or the recipient's family) and not another individual or entity.
- F. Instruction to each individual is comparable to the instruction that would be provided during a private lesson when the instruction involves more than one individual at a time.
- G. The student-athlete does not use his or her name, picture or appearance to promote or advertise the availability of fee-for-lesson sessions.

Camp/Clinic Employment: A student-athlete may be employed by his or her institution, by another institution, or by a private organization to work in a camp or clinic.

Process:

Student-Athletes asked to list past or potential employment opportunities in pre-season meetings, and the Compliance Office reviews for concerns or issues. Certain spot checking of employment may be conducted.