

Professionalism and Agents

An individual is not eligible for participation in an intercollegiate sport if that individual ever has been a professional in that sport. An individual becomes a professional if s/he [Bylaw 12.1.2]:

- (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.

NCAA Bylaw 12.1.3 Amateur Status if Professional in Another Sport

A professional athlete in one sport may represent a member institution in a different sport and may receive institutional financial assistance in the second sport.

Information Regarding Tryouts, Drafts and Agents

NCAA Bylaw 12.2.1.1 Tryout Before Enrollment

A student-athlete remains eligible in a sport even though, prior to enrollment in a collegiate institution, the student-athlete may have tried out with a professional athletics team in a sport or received not more than one expense-paid visit from each professional team (or a combine including that team), provided such a visit did not exceed 48 hours and any payment or compensation in connection with the visit was not in excess of actual and necessary expenses. A self-financed tryout may be for any length of time.

NCAA Bylaw 12.2.1.1.1 Exception for Predraft Basketball Camp

In basketball, prior to full-time enrollment in a collegiate institution, a prospective student-athlete may accept actual and necessary expenses from a professional sports organization to attend that organization's predraft basketball camp regardless of the length of the camp.

NCAA Bylaw 12.2.1.2 Tryout After Enrollment

After initial full-time collegiate enrollment, an individual who has eligibility remaining may try out with a professional athletics team (or participate in a combine including that team) at any time, provided the individual does not miss class. The individual may receive actual and necessary expenses in conjunction with one 48-hour tryout per professional team (or a combine including that team). The 48-hour tryout period shall begin at the time the individual arrives at the tryout location. At the completion of the 48-

hour period, the individual must depart the location of the tryout immediately in order to receive return transportation expenses. A tryout may extend beyond 48 hours if the individual self-finances additional expenses, including return transportation. A self-financed tryout may be for any length of time, provided the individual does not miss class.

12.2.1.2.1 Exception for Predraft Basketball Camp

In basketball, a student-athlete may accept actual and necessary travel, and room and board expenses from a professional sports organization to attend that organization's predraft basketball camp regardless of the duration of the camp. [See Bylaws 14.7.3.2-(e) and 16.10.1.9 for more information on predraft basketball camps.]

NCAA Bylaw 12.2.4.1 Draft and Inquiry

An individual may inquire of a professional sports organization about eligibility for a professional-league player draft or request information about the individual's market value without affecting his or her amateur status.

NCAA Bylaw 12.2.4.2 Draft List

After initial full-time collegiate enrollment, an individual loses amateur status in a particular sport when the individual asks to be placed on the draft list or supplemental draft list of a professional league in that sport, even though:

- (a) The individual asks that his or her name be withdrawn from the draft list prior to the actual draft;
- (b) The individual's name remains on the list but he or she is not drafted; or
- (c) The individual is drafted but does not sign an agreement with any professional athletics team.

NCAA Bylaw 12.2.4.2.1 Exception—Professional Basketball Draft—Four-Year College Student-Athlete

An enrolled student-athlete in basketball may enter a professional league's draft one time during his or her collegiate career without jeopardizing eligibility in that sport, provided the student-athlete is not drafted by any team in that league and the student-athlete declares his or her intention to resume intercollegiate participation within 30 days after the draft. The student-athlete's declaration of intent shall be in writing to the institution's director of athletics.

NCAA Bylaw 12.2.4.2.2 Exception—Professional Basketball Draft—Two-year College Prospective Student-Athlete

A prospective student-athlete enrolled at a two-year collegiate institution in basketball may enter a professional league's draft one time during his or her collegiate career without jeopardizing eligibility in that sport, provided the prospective student-athlete is not drafted by any team in that league.

NCAA Bylaw 12.2.4.2.3 Exception—Football [FBS/FCS]

In football, an enrolled student-athlete (as opposed to a prospective student-athlete) football may enter the National Football League draft one time during his collegiate career without jeopardizing eligibility in that sport, provided the student-athlete is not drafted by any team in that league and the student-athlete declares his intention to resume intercollegiate participation within 72-hours following the National Football League draft declaration date. The student-athlete's declaration of intent shall be in writing to the institution's director of athletics.

NCAA Bylaw 12.2.4.2.4 Exception—Sports Other Than Basketball and Football

An enrolled student-athlete in a sport other than basketball or football may enter a professional league's draft one time during his or her collegiate career without jeopardizing his or her eligibility in the applicable sport, provided the student-athlete is not drafted and within 72 hours following the draft he or

she declares his or her intention to resume participation in intercollegiate athletics. The student-athlete's declaration of intent shall be in writing to the institution's director of athletics.

NCAA Bylaw 12.2.4.3 Negotiations

An individual may request information about professional market value without affecting his or her amateur status. Further, the individual, his or her legal guardians or the institution's professional sports counseling panel may enter into negotiations with a professional sports organization without the loss of the individual's amateur status. An individual who retains an agent shall lose amateur status.

Agents

NCAA rules do not prohibit meetings or discussions with an agent, but you would jeopardize your collegiate eligibility in a sport if you agree (orally or in writing) to be represented by an agent, regardless of whether the agreement becomes effective immediately or after your last season of collegiate eligibility. Additionally, the receipt of any benefits or gifts by you, your family, or friends from such an individual would jeopardize your intercollegiate eligibility in that sport.

If an individual attempts to contact you, your family or friends regarding the marketing of your athletics ability in any manner, you should be careful. If you have concerns regarding a player agent, please contact your coach, Assistant Athletics Director/Compliance or Director of Athletics.

Question and Answers Related to Agents

Question: Before and after the draft, agents who wish to represent me have contacted me. Can I reach an agreement with an agent to represent me without jeopardizing further eligibility for intercollegiate sports?

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

Question: 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 you to have an advisor (but not an agent) without jeopardizing further eligibility at an NCAA school. Under NCAA regulations, you and your parents are permitted to receive advice from a lawyer or other individual concerning a proposed professional sports contract, provided the advisor does not represent you directly in negotiations for a contract. In this regard, it is permissible for an advisor to discuss the merits of a proposed contract with you and give suggestions about the type of offer you should consider. In order to maintain eligibility at an NCAA school, however, the advisor may not be used as a link between you and the professional sports team or organization. If the advisor makes a direct contact with the professional team, the advisor shall be considered an agent and you will have jeopardized future eligibility at an NCAA school. 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 your behalf. Finally, it is important to note that in order to maintain eligibility at an NCAA school you must compensate the advisor at his or her normal rate.

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

Answer: No. You will be ineligible if you or your family or friends accept any transportation or other benefits from any person who wishes to represent you in the marketing of your athletics ability. This rule does not prohibit you from having a meal with someone who wishes to represent you, provided you and that individual each pays for the actual cost of your meals and arrange for transportation separately.

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

Answers: Yes. NCAA rules were changed in 1992 to allow you and your parents or legal guardians to

negotiate directly with a professional team. You also are permitted to have a representative of GW (e.g., sports counseling panel at an institution) negotiate on your behalf.

Question: What type of role can my head coach play in helping me review options under these regulations?

Answer: A head coach is not permitted to negotiate on your behalf, regardless of whether the coach is a member of the institution's professional sports counseling panel. However, the coach is allowed to help in determining your market value by assisting you in determining when or if you may be drafted and the compensation that may be offered. No coach, other than the head coach, can be involved in the review of your market value.

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

Answer: No. If you reach a written or verbal agreement for any portion of the terms of a professional contract, you will have jeopardized future eligibility at an NCAA school.

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

Answer: In order to retain NCAA eligibility, you are not permitted to receive any kind of entertainment expenses from the professional team. This includes a representative of a professional team purchasing a meal for you or your parents or paying expenses for a visit to the city of the team for any reason whatsoever.

Question: 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) OR during an academic year when you ARE NOT a full-time student. Under these circumstances, a professional team is not permitted to provide any expenses for the tryout. Thus, if you decide to travel to a particular place to participate in a tryout during the summer, you must provide all expenses associated with the tryout (this also precludes you or your parents/legal guardians from reimbursing the team for those expenses). Accordingly, this also means that you will jeopardize eligibility if you participate in any professional league tryout camps that take place during the academic year.

For additional information dealing with agents we recommend you review the following website:

http://www.ncaa.org/wps/portal!/ut/p/kcxml/04_Sj9SPykssy0xPLMnMz0vM0Y_QjzKLN4j3CQXJgFjGpvqRqCKOcAfj_zcVH1v_QD9gtzQiHJHRUUAc0tpTA!!/delta/base64xml/L3dJdyEvUUd3QndNQSEvNEIVRS82XzBfTFU!?CONTENT_URL=http://www2.ncaa.org/portal/legislation_and_governance/eligibility_and_recruiting/agents_and_amateurism.html