Bylaw 10 – Ethical Conduct

- Unethical conduct is defined as the refusal to furnish information relevant to an institutional or NCAA investigation upon request, knowing involvement in fraudulent activities or knowingly providing prospective or enrolled student-athletes with improper inducements or “extra benefits.” [Bylaw 10.1]
- Sports wagering is defined as placing, accepting or soliciting a wager of any type with any individual or organization on any intercollegiate, amateur or professional team or contest. [Bylaw 10.02.1]
- Examples of sports wagering, include the use of a bookmaker or parlay card; Internet sports wagering; auctions in which bids are placed on teams, individuals or contests; and pools or fantasy leagues in which an entry fee is required and there is an opportunity to win a prize. [Bylaw 10.02.1]
- Athletic department staff members, nonathletic department staff members who have responsibilities within the athletic department, student-athletes and staff members of a conference office are prohibited from gambling on any NCAA sponsored sport at the collegiate or professional level. [Bylaw 10.3]
- Gambling activities such as placing bets on horse racing or poker/slot machines are not prohibited because such activities are not sponsored by the NCAA.

Bylaw 12 - Amateurism

Promotional Activities

- **Permissible:** Per Bylaw 12.5.1.1, 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
- **NOT Permissible:** Per Bylaw 12.5.2.1, after becoming a student-athlete, an individual shall not be eligible for participation in intercollegiate athletics if the individual:
  - Accepts any remuneration for or permits the use of his/her name or picture to advertise, recommend or promote directly the sale or use of a commercial product or service of any kind;
  - Receives remuneration for endorsing a commercial product or service through the individual's use of such product or service.
- **Promotional Activities Request Form** must be submitted and approved by the Compliance Office PRIOR to a student-athlete's participation in promotional activities.
- **Expenses:** A student-athlete may receive legitimate and normal expenses (e.g., travel, meal) during participation in a permissible promotional activity. It is NOT permissible for a student-athlete to receive any additional benefits (e.g., additional meals, free vacation, gifts) in conjunction with the promotional activity. [Bylaw 16.10.1.7 & 3/7/01, Official]
- **Use of Commercial Logos:** An institution may use a student-athlete’s name, picture or appearance to support activities considered incidental to the student-athlete’s participation in intercollegiate athletics, provided the specific activity or project in which the student-athlete participates does not involve cosponsorship, 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. Personal names, messages and slogans are prohibited. [2/15/02, Ed. Column] [12.5.1.1, (b)]
- **Commercial Items:** Any commercial items with names, likenesses or pictures of multiple student-athletes (other than highlight films or media guides per Bylaw 12.5.1.7) may be sold only at the member institution at which the student-athletes are enrolled, institutionally controlled (owned and operated)
outlets or outlets controlled by the charitable or educational organization (e.g., location of the 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. [12.5.1.1 (h)]

- **Sale of a Photograph of an Individual Student-Athlete Engaged in Practice or Competition:**
  It is permissible for an institution to sell a photograph of an individual student-athlete that is taken while he or she is engaged in practice or competition, provided the photograph is not included with or as a part of another commercial item (e.g., coffee mug, autographed photograph, T-shirt). An institution may NOT sell a photograph that is taken of an individual student-athlete in any other setting (e.g., photo shoot for media activities). [8/9/06, Staff]

- **Fundraising Activity:** A fundraising activity (e.g., auction, raffle) involving items that include the name, picture, or likeness of a student-athlete, must be treated in the same manner as a sale. It is NOT permissible for an institution to raffle a jersey with a name of a student-athlete affixed to it, even if other student-athletes sign the jersey. It is permissible for the jersey to be raffled if it does not bear the affixed name of an individual student-athlete and is signed by multiple student-athletes. [12/12/06, Official]

- **Public Service Announcement:** A commercial sponsor's official trademark or logo may appear on television or be identified on radio as part of a public service announcement that includes the name, picture or appearance of a student-athlete, provided there is no indication that the student-athlete is endorsing (expressed or implied) the commercial sponsor of the public service announcement (e.g., current United Blood Services promotion). If the announcement contains an audio portion, the content of the audio portion must be limited to identifying the commercial entity as a sponsor of the public service announcement. [10/2/02, Staff]

- **Nonprinted Promotional Items:**
  - It is permissible for a student-athlete's name or picture to appear on a nonprinted promotional item (e.g., autographed football) that also includes a commercial entity's trademark or logo, provided the only trademark or logo appearing on the item belongs to the commercial entity that manufactured the item, the commercial entity is NOT a cosponsor of the promotional activity and all other conditions of NCAA Bylaw 12.5.1.1 are satisfied. [5/17/00, Official]

  - **Question 1:** Can left over camp soccer balls with the Nike logo be signed by the soccer team and then be given away at a game?
    **Response 1:** No, per the 5/17/00 official interpretation above, because the camp soccer balls have a logo other than the manufacturers, they cannot include the name or picture of a student-athlete with eligibility remaining; however, there is no prohibition against giving away these balls with a coach's signature.

  - **Question 2:** Can we give away left over camp soccer balls with the Nike logo at games and announce an autograph signing session to be held after the game at which the give-away balls would be signed by members of the soccer team?
    **Response 2:** No, per the 5/17/00 official interpretation above, because the camp soccer balls have a logo other than the manufacturer's, they cannot include the name or picture of a student-athlete with eligibility remaining; however, if we hold an autograph signing after a game (a game other than a ball give-away game) and kids bring their camp balls to be signed, there is nothing that says our student-athletes can’t sign the ball because it is not part of a SJSU promotion.

  - It is NOT permissible for institutional nonprinted promotional items (e.g., t-shirts, cups, bobble head dolls) that bear the name, picture or appearance of an enrolled student-athlete with remaining eligibility to include any commercial trademark or logo. [2/15/02, Ed. Column]
• **Congratulatory Advertisement:** It is NOT permissible for a student-athlete to directly or indirectly endorse a commercial product or service of any kind; therefore, an advertisement in which a student-athlete thanks a commercial entity for its support is NOT permissible. However, a commercial entity may use the picture of a student-athlete or team in an advertisement ONLY when the primary purpose of the advertisement is to publicize the sponsor's congratulations to the student-athlete or team. The advertisement cannot include a reproduction of an item with which the commercial entity is associated or any other item or description that identifies the entity other than a trademark or logo. [3/19/08, Ed. Column]

**Question:** Can we shoot a congratulatory message to a student-athlete to be aired on TV, radio or played on video board during games that says something like, “Wells Fargo would like to thank student-athlete name for his contribution to SJSU basketball over a stellar four year career,” or “(local restaurant) congratulates student-athlete name on breaking SJSU’s all-time scoring record.” If aired on TV, the ad would feature only the official trademark/logo of the commercial entity and the congratulatory statement, there would be no other promotion of the commercial entity. Also, can this type of advertisement be sold, like any other form of advertisement? And, is there any limit on the number of congratulatory advertisements that can be aired for a particular student-athlete? I ask this question because we’d like to air an ad after each game counting a particular student-athlete’s career point total until he breaks the SJSU record. Each ad would say something like, “Bank of the West would like to congratulate student-athlete name on his 20-point game tonight; he is now only 82 points shy of breaking the all—time SJSU scoring record.”

**Response:** Based on this example, this should be permissible and I did NOT find anything in the legislation that would indicate that there is a limit on the number of congratulatory advertisements.

• **Uniform/Jersey:** It is NOT permissible for an institution to provide to a commercial entity the uniform or jersey of a student-athlete with remaining eligibility to be used in conjunction with the promotion of a commercial product, including displaying jerseys in commercial establishments. [12/1/93, Official]

• **Commercial:** A commercial company may NOT produce a commercial that begins with the company’s identification, followed by footage of plays involving a student-athlete with remaining eligibility and that concludes with a promotion of the company’s product without jeopardizing the eligibility of the involved student-athlete. [11/17/93, Official]

• **Player/Trading Cards:** 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 distribute but may NOT sell player/trading cards that bear a student-athlete’s name or picture. [Bylaw 12.5.1.1.4]

• An institution may NOT include player/trading cards inside game programs that are sold to the general public. [12/15/93, Official]

• **Camp Brochure/Flyer:** An institutional or privately owned camp may use a student-athlete’s name, picture and institutional affiliate ONLY in the camp counselor section in its camp brochure to identify the student-athlete as a staff member. A student-athlete’s name or picture may not be used in any other way to directly advertise or promote the camp. [Bylaw 12.5.1.6]

• **Name-the-Player:** A student-athlete may NOT permit use of his or her name or picture in a "name-the-player" contest conducted by a commercial business for the purpose of promoting that business. [Bylaw 12.5.2.3.1]

• **Prizes:** Receipt of a prize for winning an institutional or noninstitutional promotional activity (e.g., making a half-court basketball shot, being involved in a money scramble) by a prospective or enrolled student-athlete (or a member of his or her family) does not affect his or her eligibility, provided the prize is won through a random drawing in which all members of the general public or the student body are eligible to participate. [Bylaw 12.5.2.3.3]

• **TV Coverage:** A television station is permitted to use a student-athlete's name or picture to advertise the station’s season coverage of an institution’s athletics team, provided the student-athlete does not promote the television station itself. [3/19/87, Official]
Corporate Co-Sponsorship/Promotion of Promotional Activities

- **Commercial Locations/Sponsors:** 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. [Bylaw 12.5.1.1.2]
  
  - **Example 1:** A commercial golf course that provides greens fees to student-athletes who are participating in an institutional, charitable or educational golf fund-raising tournament does not become a cosponsor of the event in doing so; therefore, a charitable or educational organization (including a member institution) may utilize the student-athlete’s appearance to promote its fund-raising activities at the commercial establishment (the golf course) provided the golf course does not promote the event, nor is it identified as a cosponsor in promotional materials. [3/10/89, Staff]
  
  - **Example 2:** A member institution’s athletics team is prohibited from appearing for promotional purposes at a movie theater (for the opening night of the showing of a commercial film) to raise money (through the sale of tickets to see the film) for a charitable organization, inasmuch as the theater initiated and advertised the involvement of the charitable organization and thus would be considered a cosponsor of the event. Under such circumstances the student-athletes’ attendance would constitute a promotion of a commercial product. [2/19/87, Official]
  
  - **Example 3:** An enrolled student-athlete may appear at a shopping mall to promote institutional season ticket sales in conjunction with a simultaneous live broadcast by the flagship station in the institution’s radio network, with the understanding that the shopping mall is not a cosponsor of the event, provided the mall does not advertise the event and the student-athlete does not promote the sale of a commercial product in conjunction with the fund-raising activities. [8/6/87, Official]

- **Distribution of Noncommercial Items:** A member institution may distribute noncommercial items that include names or pictures of student-athletes (items not for sale) at commercial establishments, provided the institution generally distributes such items to other commercial establishments in the community and the distribution of the items does not require the recipient to make a purchase at the commercial establishment. [Bylaw 12.5.1.1.3]

**Bylaw 13 – Recruiting**

- **Prospects:** A prospective student-athlete is a student who has started classes for the ninth grade. In addition, a student who has not started classes for the ninth grade becomes a prospective student-athlete if the institution provides such an individual (or the individual’s relatives or friends) any financial assistance or other benefits that the institution does not provide to prospective students generally. An individual remains a prospective student-athlete until one of the following occurs (whichever is earlier):
  a) The individual officially registers and enrolls in a minimum full-time program of studies and attends classes in any term of a four-year collegiate institution’s regular academic year (excluding summer);
  b) The individual participates in a regular squad practice or competition at a four-year collegiate institution that occurs before the beginning of any term;
  c) The individual officially registers, enrolls and attends classes during the certifying institution’s summer term prior to his or her initial full-time enrollment at the certifying institution; or
  d) The individual reports to an institutional orientation session that is open to all incoming students within 14 calendar days prior to the opening day of classes of a regular academic year term. [Bylaw 13.02.12]
Official Visit

- An official visit is one that is financed in whole or in part by the member institution. [Bylaw 13.02.16.1]
- **3 Tickets:** During an official visit, a prospect may receive a maximum of three complimentary tickets to a home athletics event at a facility within a 30 mile radius of the campus, which must be issued through a pass list only to the prospect and those accompanying him/her on the visit. The prospect must present a valid ID in order to receive his/her tickets. The tickets may provide seating only in the general seating area of the facility. [Bylaw 13.6.7.2]
- **Nontraditional Family (e.g., divorce, separation):** If the prospect is a member of a nontraditional family the institution may provide up to two additional complimentary tickets to accommodate the parents accompanying the prospect for a home athletics event. [Bylaw 13.6.7.2.1]
- **Postseason Conference Tournament:** A member institution may NOT provide complimentary tickets to a prospect for a postseason conference tournament. Tickets must be purchased the same way as the general public. [Bylaw 13.6.7.2.2]
- **NCAA Championship or other Postseason Contest:** A member institution may NOT provide complimentary tickets to a prospect for a NCAA championship or other postseason contest. The prospect must buy tickets the same way as the general public. [Bylaw 13.6.7.2.3]
- **Reserve Tickets:** An institution may reserve tickets, only for the use of immediate family members accompanying a prospect during an official visit and for seat locations adjacent to the complimentary seats being provided to the prospective student-athlete. These tickets must be purchased at face value. [Bylaw 13.6.7.2.4]

Unofficial Visit

- An unofficial visit is one that is made at the prospect’s own expense. [Bylaw 13.02.16.2]
- **3 Tickets:** During an unofficial visit an institution may provide a prospect and those accompanying the prospect a maximum of three complimentary tickets to a home athletics event at any facility within a 30 mile radius of the institution in which the institution’s team practices or competes. The complimentary tickets must be issued through a pass list and must provide seating in the general seating area of the facility. The prospect must present a valid ID in order to receive his/her tickets. [Bylaw 13.7.2.1]
- **Nontraditional Family (e.g., divorce, separation):** If a prospective student-athlete is a member of a nontraditional family (e.g., divorce, separation), the institution may provide up to two additional complimentary admissions to the prospective student-athlete in order to accommodate the parents accompanying the prospective student-athlete (e.g., stepparents) to attend a home athletics event. [Bylaw 13.7.2.1.1]
- **Reserve Tickets:** An institution may NOT reserve tickets (in addition to the permissible complimentary tickets) to be purchased by the prospect or those accompanying the prospect. Tickets must be purchased the same as the general public. [Bylaw 13.7.2.1.5]
- **Postseason Conference Tournament:** A member institution may NOT provide complimentary tickets to a prospect for a postseason conference tournament. Tickets must be purchased the same as the general public. [Bylaw 13.7.2.3]
- **NCAA Championship or other Postseason Contest:** A member institution may NOT provide complimentary tickets to a prospect for an NCAA championship or other postseason contest. The prospect must buy tickets the same way as the general public. [Bylaw 13.7.2.4]
- **Visit Unrelated to Recruitment:** A prospect on a visit unrelated to recruitment (e.g., band trip, fraternity weekend, athletics team’s attendance at a sporting event with the high school coach) may receive free tickets to an athletic event on a group basis only, not on a personal basis. This is the only involvement the athletics department may have with the visit. [Bylaw 13.7.2.5]
High School, Prep School & Two-Year College Coaches

- **2 Tickets:** A high school, prep school, or two-year college coach or any other individual responsible for teaching or directing a prospect shall be limited to a maximum of two complimentary tickets to a home athletics event at a facility within a 30 mile radius of the campus. The complimentary tickets must be issued through a pass list and must be issued on a game by game basis. The individual must present a valid ID in order to receive his/her tickets. [Bylaw 13.8.1]

- **Postseason Competition:** An institution may NOT provide a complimentary admission to a high school, prep school, or two-year college coach or any other individual responsible for teaching or directing a prospect for any postseason competition. [Bylaw 13.8.1]

- **Reserve Tickets:** An institution may NOT reserve tickets (in addition to the permissible two complimentary tickets) for purchase by a high school, prep school, or two-year college coach. [Bylaw 13.8.1.4]

**Representative of Athletics Interests (Boosters) [Bylaw 13.02.14]:** A “representative of the institution’s athletics interests” is an individual, independent agency, corporate entity or other organization who is known by a member of the institution’s executive or athletics administration to:
- a) Have participated in or to be a member of an agency or organization promoting the institutions’ intercollegiate athletics program;
- b) Have made financial contributions to the athletics department or to an athletics booster organization of that institution;
- c) Be assisting or to have been requested (by athletics department staff) to assist in the recruitment of prospective student-athletes;
- d) Be assisting or to have assisted in providing benefits to enrolled student-athletes or their families; or
- e) Have been involved otherwise in promoting the institution’s athletics program

- **General Rule [13.1.2.1]:** All in-person, on- and off-campus recruiting contacts with a prospective student-athlete or the prospective student-athlete's relatives or legal guardians shall be made only by authorized institutional staff members. Such contact, as well as correspondence and telephone calls, by representatives of an institution’s athletics interests is prohibited

- **Contact and Evaluation Restrictions for Athletics Representatives [Bylaw 13.1.2.4]**
  - a) **Telephone Conversation.** An athletics representative of a member institution may speak to a prospective student-athlete via the telephone only if the prospective student-athlete initiates the telephone conversation and the call is not for recruiting purposes. Under such circumstances, the representative must refer questions about the institution's athletics program to the athletics department staff;
  - b) **Observing Prospective Student-Athlete's Contest.** An athletics representative may view a prospective student-athlete's athletics contest on his or her own initiative, subject to the understanding that the athletics representative may not contact the prospective student-athlete on such occasions;
  - c) **Evaluation of Prospective Student-Athlete.** An athletics representative may not contact a prospective student-athlete's coach, principal or counselor in an attempt to evaluate the prospective student-athlete; and
  - d) **Visiting Prospective Student-Athlete's Institution.** An athletics representative may not visit a prospective student-athlete's educational institution to pick up film/videotape or transcripts pertaining to the evaluation of the prospective student-athlete’s academic eligibility or athletics ability.

- **Expense Prohibition [13.1.2.8.2]:** An institution may not pay expenses (other than meals provided in the institution's home community) for representatives of its athletics interests to visit its campus for the purpose of becoming familiar with the institution's academic and athletics programs and campus
facilities in order to represent the institution better when recruiting prospective student-athletes. The provision of such expenses would be considered payment of costs incurred by athletics talent scouts.

- **Boosters, PSA, and Banquets** [Ed 2/5/1988]: a prospective student-athlete is permitted to attend an athletics banquet recognizing an institution's intercollegiate team even if athletics representatives are present at the event; however, an institution does so at its own risk and any contact between an athletics representative and a prospective student-athlete, other than incidental contact, is considered a violation; confirmed that any athletics banquet recognizing an institution's intercollegiate team in which prospective student-athletes are permitted to attend does not have to be open to the general public.

- NCAA Division I institutions should note that it is not permissible for a member institution or a member institution's booster club to sponsor or make a donation, directly or indirectly, to an outside sports club or training center (e.g., amateur club team, Olympic training center) that involves a student-athlete from that institution or any prospective student-athletes. Further, it is not permissible to provide the names of representatives of the institution's athletics interests to an outside sports club or training center participants for the purpose of soliciting donations. However, it is permissible for a representative of the institution's athletics interests to donate to an outside sports club or training center, provided the representative acts independently of the institution, the funds are distributed through channels established by the organization conducting the fundraising activity and the funds are not earmarked directly for a specific student-athlete or prospective student-athlete.

**Bylaw 16- Awards and Benefits**

- An extra benefit is any special arrangement that provides a student-athlete or student-athlete’s relative or friend a benefit not expressly authorized by NCAA legislation or not generally available to the rest of the student body. [Bylaw 16.02.3]
- Receipt of a benefit by student-athletes or their relatives or friends is not a violation of NCAA legislation if it is demonstrated that the same benefit is generally available to the institution's students or their relatives or friends. [Bylaw 16.02.3]
- Receipt of any extra benefit jeopardizes a student-athlete’s athletic eligibility and must be reported to the Athletic Director or Compliance Office.

**Student-Athletes**

**Permissible Procedures**

- **4 Tickets**: A student-athlete who participates (either practices or competes) for a sport may receive four complimentary tickets to home contests in that sport. Only student-athletes eligible for competition, and therefore travel, may receive four complimentary tickets to away contests. [Bylaw 16.2.1.1]
- **Pass List**: Complimentary tickets given to student-athletes must be provided through a pass list. [Bylaw 16.2.1.2]
- **Valid ID**: The student-athlete must present a valid ID to receive their complimentary tickets. [Bylaw 16.2.1.2.1]
- **Post Season Competition**: A student-athlete who is participating in or on a team participating in a conference championship, NCAA championship, or bowl game may receive **six complimentary tickets** for all athletics events at the site. [Bylaw 16.2.1.1.1]
- **Nonqualifier**: A nonqualifier in their year in residence may receive a complimentary ticket to all regular season home athletics events. [Bylaw 16.2.1.3.1]
- **Honored but not Participating**: An institution may provide a maximum of **four complimentary tickets** to a student-athlete for an institution's game or event during which a student-athlete is being honored but not participating. The complimentary tickets must be used by the student-athlete's parents, legal guardians and/or spouse. [Bylaw 16.2.1.3.2]
• **Special Seating:** An institution may provide such seating in a manner consistent with the institution's (or facility's) policies for seating any individuals with such an injury, illness or disability, when a student-athlete's family member requires special seating due to an injury, illness or disability. [3/5/08, Staff]

• **Celebratory Event:** An institution may provide complimentary admissions to all family members following a celebratory event; however an incidental waiver form must be completed and approved. [3/1/12, Ed. Column]

**Nonpermissible Procedures**

• **Resale:** A student-athlete and the individuals designated by the student-athlete to receive complimentary tickets may NOT sell or exchange their complimentary tickets for payment or an item of value. [Bylaws 16.2.2.1 & 16.2.2.2]

• **Additional Tickets:** Special arrangements may NOT be made by the institution to sell a student-athlete a ticket to an athletic event. Tickets must be purchased the same way as other students. [Bylaw 16.2.2.3]

• **Resale of Additional Tickets:** A student-athlete may NOT purchase a ticket for an athletic event and then sell it above face value. [Bylaw 16.2.2.4]

• **Pro Sports Contests:** An institution or booster may not purchase or obtain tickets to a professional sports event and make them available to student-athletes. [Bylaw 16.2.2.5]

**Institutional Awards Banquets**- An institution may conduct awards banquets to commemorate the athletics and/or academic accomplishments of its student-athletes.

• An institution may provide complimentary admissions to an institutional awards banquet for the family members of any student-athlete being honored at the banquet [Bylaw 16.6.1.6]

• An institution may provide the family members of a student-athlete with reasonable food and drinks in conjunction with educational meetings or celebratory events, and on occasional basis for other reasons. [Bylaw 16.6.1.5]

• One time per year, an institution's athletics booster club may finance an intercollegiate team's transportation expenses to a recognition banquet, provided all expenses are paid through the institution's athletics department, the location of the event is not more than 100 miles from the campus and no tangible award is provided to members of the team. [Bylaw 16.1.6.1]