

**XAVIER UNIVERSITY  
DEPARTMENT OF ATHLETICS  
ATHLETE AGENT POLICY AND INFORMATION**

***INFORMATION FOR STUDENT-ATHLETES AND PARENTS/LEGAL  
GUARDIANS***

**Introduction**

The Department of Athletics of Xavier University strongly believes in the importance of educating student-athletes and their parents/legal guardians on the issues surrounding a future career in professional athletics. Mr. Mike Bobinski, Director of Athletics, is firmly committed to providing any assistance you may need. To continue our efforts, the Department has provided this information to assist our student-athletes and their parents/legal guardians to better understand how to prepare for a professional athletics career.

This synopsis is designed to provide information about a student-athlete's NCAA eligibility with respect to solicitation by agents and professional sports teams. This material covers the Department of Athletics' rules for sports agents/financial managers. Also included is a "QUESTION AND ANSWER" section to help answer some of the common questions student-athletes and their parents/legal guardians may have regarding agents. Our intention is to protect the welfare of the student-athlete, his or her family, and our University.

Please take a moment to read this information carefully. If you have any further questions, please feel free to contact Mr. George Rathman, Compliance Coordinator, (513) 745-3727.

**NCAA Rules About Sports Agents**

NCAA legislation on sports agents and professional sports teams seeks to preserve the amateur status of collegiate student-athletes. The following NCAA rules apply to the student-athlete, his or her parents/legal guardians, and relatives:

**NCAA Bylaw 12.3.1** stipulates that 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.

**NCAA Bylaw 12.3.1.1** indicates further that an individual shall be ineligible per 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.

**NCAA Bylaw 12.3.1.2** states that an individual shall be ineligible 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.

Based on the above NCAA bylaws, it is important to keep the following points in mind:

1. Although it is not an NCAA rule, student-athletes, their parents/legal guardians, and relatives should have no contact with an agent or financial manager until the student-athlete's eligibility has expired.
2. A sport agent or financial manager is as any individual or agency that represents a student-athlete for the purpose of marketing his or her athletics ability or reputation.
3. Student-athletes, their parents/legal guardians, and relatives should not accept any items or services of monetary value from anyone outside of the Department of Athletics or your family.
4. When agents call parents/legal guardians or relatives, you should request that they not contact you or the student-athlete until the season has concluded.
5. Agents will attempt to contact you at any time and at any location. They may try to recruit you into a professional sport or financial services contract that pledges or attempts to secure employment with a professional sports team.
6. Be aware of "runners". Runners are individuals who attempt to befriend a player, but in reality represent agents/financial managers.
7. Upon receiving approval from the student-athlete, we will hold all mail from agents/financial managers. At the conclusion of each season, we will forward all mail to the student-athlete.
8. There is nothing agents can do to enhance your status with professional athletics. You should concentrate on having a great season and avoiding all unnecessary distractions.

9. After a student-athlete has completed his or her eligibility, the Department of Athletics can provide valuable assistance in selecting an agent. The Department is familiar with many agents and financial managers. It can also arrange consultation with university personnel who can provide insight into the complexities of professional sports contracts.

### **Questions and Answers**

**Q:** Before and after the draft, agents wishing to represent me have contacted me. Can I reach an agreement with an agent to represent me without jeopardizing my eligibility?

**A:** If you or your parents/legal guardians reach any type of oral or written agreement with an agent, you will forfeit all remaining NCAA eligibility.

**Q:** Some people have told me it is permissible to have an advisor/legal counsel, but not an agent. Is this true? If so, what is the difference between an advisor/legal counsel and an agent?

**A:** You are correct. It is permissible for you to have an advisor/legal counsel (but not an agent) without jeopardizing your eligibility. 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/legal counsel does not represent you directly in negotiations for the contract. Before obtaining the services of an advisor/legal counsel, please contact the Department of Athletics about NCAA regulations involving these proceedings.

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

**A:** No. You will be ineligible if you, your parents/legal guardians, or relatives accept any items or services of monetary value from anyone who wishes to represent you in the marketing of your athletics ability. This rule does not prohibit you from having a meeting with someone who wishes to represent you in your negotiations. However, you must pay for any personal expenses associated with this meeting (e.g., transportation, meals).

**Q:** May I enter into any type of agreement with a professional sports team and still retain my eligibility?

**A:** No. If you establish an oral or written agreement with a professional sports team, you will forfeit all remaining eligibility. No matter how vigorously an individual may attempt to persuade you that it is permissible to reach an oral agreement with a professional sports team, be assured that NCAA regulations do not permit any such agreement.

**Q:** Can I accept any items of value from a professional team that drafted me without jeopardizing my NCAA eligibility?

**A:** No. The receipt of any items or services of value will jeopardize your eligibility.

**Q:** What services can university personnel provide in regard to sports agents?

**A:** University personnel can provide guidance in the selection or screening of agents, review proposed professional sports contracts, and assist in securing tryouts with professional teams.