

BYLAW, ARTICLE 12

Amateurism

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12.01 GENERAL PRINCIPLES

12.01.1 Eligibility for Intercollegiate Athletics. Only an amateur student-athlete is eligible for intercollegiate athletics participation in a particular sport.

12.01.2 Clear Line of Demarcation. Member institutions' athletics programs are designed to be an integral part of the educational program. The student-athlete is considered an integral part of the student body, thus maintaining a clear line of demarcation between college athletics and professional sports.

12.01.3 "Individual" vs. "Student-Athlete". NCAA amateur status may be lost as a result of activities prior to enrollment in college. If NCAA rules specify that an "individual" may or may not participate in certain activities, this term refers to a person prior to and subsequent to enrollment in a member institution. If NCAA rules specify a "student-athlete," the legislation applies only to that person's activities subsequent to enrollment.

12.01.4 Permissible Grant-in-Aid. A grant-in-aid administered by an educational institution is not considered to be pay or the promise of pay for athletics skill, provided it does not exceed the financial aid limitations set by the Association's membership.

12.01.5 Compliance with Legislation for Emerging Sports. Beginning with the second year of a member institution's sponsorship of an emerging sport for women (see Bylaw 20.02.5) the institution shall comply fully in that program with all applicable amateurism legislation set forth in Bylaw 12. (Adopted: 1/10/95)

12.02 DEFINITIONS AND APPLICATIONS

12.02.1 Individual. An individual, for purposes of this bylaw, is any person of any age without reference to enrollment in an educational institution or status as a student-athlete.

12.02.2 Pay. Pay is the receipt of funds, awards or benefits not permitted by the governing legislation of the Association for participation in athletics.

12.02.3 Professional Athlete. A professional athlete is one who receives any kind of payment, directly or indirectly, for athletics participation except as permitted by the governing legislation of the Association.

12.02.4 Professional Athletics Team. A professional team is any organized team that:

- (a) Provides any of its players more than actual and necessary expenses for participation on the team, except as otherwise permitted by NCAA legislation. Actual and necessary expenses are limited to the following, provided the value of these items is commensurate with the fair market value in the locality of the player(s) and is not excessive in nature: (Revised: 4/25/02 effective 8/1/02 for those individuals first entering a collegiate institution on or after 8/1/02)
 - (1) Meals directly tied to competition and practice held in preparation for such competition;
 - (2) Lodging directly tied to competition and practice held in preparation for such competition;
 - (3) Apparel, equipment and supplies;
 - (4) Coaching and instruction;
 - (5) Health/medical insurance;
 - (6) Transportation (i.e., expenses to and from practice and competition, cost of transportation from home to training/practice site at the beginning of the season and from training/practice site to home at the end of season);
 - (7) Medical treatment and physical therapy;

(8) Facility usage; and

(9) Entry fees; or

(b) Declares itself to be professional.

12.02.5 Student-Athlete. A student-athlete is a student whose enrollment was solicited by a member of the athletics staff or other representative of athletics interests with a view toward the student's ultimate participation in the intercollegiate athletics program. Any other student becomes a student-athlete only when the student reports for an intercollegiate squad that is under the jurisdiction of the athletics department, as specified in Constitution 3.2.4.4. A student is not deemed a student-athlete solely on the basis of prior high-school athletics participation.

12.1 GENERAL REGULATIONS

An individual must comply with the following to retain amateur status. (See Bylaw 14 regarding the eligibility restoration process.)

12.1.1 Amateur 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; (*Revised: 4/25/02 effective 8/1/02*)

(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; (*Revised: 4/25/02 effective 8/1/02*)

(f) Subsequent to initial full-time collegiate enrollment, enters into a professional draft (see also Bylaw 12.2.4.2.1); or (*Revised: 4/25/02 effective 8/1/02*)

(g) Enters into an agreement with an agent. (*Adopted: 4/25/02 effective 8/1/02*)

12.1.1.1 Prohibited Forms of Pay. "Pay" as used in Bylaw 12.1.1 above includes, but is not limited to, the following:

12.1.1.1.1 Salary, Gratuity or Compensation. Any direct or indirect salary, gratuity or comparable compensation.

12.1.1.1.2 Division or Split of Surplus. Any division or split of surplus (bonuses, game receipts, etc.).

12.1.1.1.3 Educational Expenses. Educational expenses not permitted by the governing legislation of this Association (see Bylaw 15 regarding permissible financial aid to enrolled student-athletes).

12.1.1.1.3.1 Educational Expenses—Prior to Collegiate Enrollment. A prospective student-athlete may receive educational expenses (i.e., tuition, fees, room and board, and books) prior to collegiate enrollment from any individual or entity other than an agent, professional sports team/organization or a representative of an institution's athletics interests, provided such expenses are disbursed directly through the recipient's educational institution (e.g., high school, preparatory school). (*Adopted: 4/25/02 effective 8/1/02*)

12.1.1.1.3.2 Educational Expenses from Outside Sports Team or Organization—Subsequent to Collegiate Enrollment. Educational expenses provided to an individual subsequent to collegiate enrollment by an outside sports team or organization that are based in any degree upon the recipient's athletics ability [except as specified in Bylaw 15.2.5.4-(h)], even if the funds are given to the institution to administer to the recipient. (*Revised: 1/10/95, 4/25/02 effective 8/1/02*)

12.1.1.1.3.2.1 Educational Expenses—U.S. Olympic Committee. A student-athlete may receive educational expenses awarded by the U.S. Olympic Committee (or, for international student-athletes, expenses awarded by the equivalent organization of a foreign country) pursuant to the applicable conditions set forth in Bylaw 15.2.5.5. (*Adopted: 4/15/97, Revised: 11/1/00, 4/25/02 effective 8/1/02*)

12.1.1.1.3.2.2 Educational Expenses—U.S. National Governing Body. A student-athlete may receive educational expenses awarded by a U.S. national governing body (or, for international student-athletes, expenses awarded by the equivalent organization of a foreign country) pursuant to the applicable conditions set forth in Bylaw 15.2.5.5. *(Adopted: 10/28/97 effective 8/1/98, Revised 11/1/00, 4/25/02 effective 8/1/02)*

12.1.1.1.4 Expenses, Awards and Benefits. Excessive or improper expenses, awards and benefits (see Bylaw 16 regarding permissible awards, benefits and expenses to enrolled student-athletes).

12.1.1.1.4.1 Cash or Equivalent Award. Cash, or the equivalent thereof (e.g., trust fund), as an award for participation in competition at any time, even if such an award is permitted under the rules governing an amateur, noncollegiate event in which the individual is participating. An award or a cash prize that an individual could not receive under NCAA legislation may not be forwarded in the individual's name to a different individual or agency. *(Revised: 4/25/02 effective 8/1/02)*

12.1.1.1.4.1.1 Exception—Prospect's Educational Institution. A financial award may be provided to a prospect's educational institution in conjunction with the prospect being recognized as part of an awards program in which athletics participation, interests or ability is a criterion, but not the sole criterion, in the selection process. Such an award must also include nonathletics criteria, such as the prospect's academic record and nonathletics extracurricular activities and may not be based on the prospect's place finish or performance in a particular athletics event. In addition, it is permissible for an outside organization (other than a professional sports organization) to provide actual and necessary expenses for the prospect (and the prospect's parents or other relatives) to travel to a recognition event designed to recognize the prospect's accomplishments in conjunction with his or her selection as the recipient of a regional, national or international award. *(Adopted: 10/28/99)*

12.1.1.1.4.1.2 Operation Gold Grant. An individual (prospective student-athlete or student-athlete) may accept funds that are administered by the United States Olympic Committee pursuant to its Operation Gold program. *(Adopted: 4/26/01 effective 8/1/01)*

12.1.1.1.4.2 Expenses/Awards Prohibited by Rules Governing Event. Expenses incurred or awards received by an individual that are prohibited by the rules governing an amateur, noncollegiate event in which the individual participates.

12.1.1.1.4.3 Expenses from Outside Team or Organization. Expenses received from an outside amateur sports team or organization in excess of actual and necessary travel, room and board expenses, and apparel and equipment (for individual and team use only from teams or organizations not affiliated with member institutions, including local sports clubs as set forth in Bylaw 13.12.2.3) for competition and practice held in preparation for such competition. Practice must be conducted in a continuous time period preceding the competition except for practice sessions conducted by a national team, which occasionally may be interrupted for specific periods of time preceding the competition. *(Revised: 1/10/90, 1/10/92)*

12.1.1.1.4.3.1 Expenses/Benefits Related to Olympic Games. It is permissible for members of an Olympic team to receive all nonmonetary benefits and awards provided to members of an Olympic team beyond actual and necessary expenses, including entertainment, equipment, clothing, long distance telephone service, Internet access, and any other item or service for which it can be demonstrated that the same benefit is available to all members of that nation's Olympic team or the specific sport Olympic team in question. *(Adopted: 11/1/00)*

12.1.1.1.4.3.2 Operation Gold Grant. An individual (prospective student-athlete or student-athlete) may accept funds that are administered by the United States Olympic Committee pursuant to its Operation Gold program. *(Adopted: 4/26/01)*

12.1.1.1.4.4 Unspecified or Unitemized Expenses. Payment to individual team members or individual competitors for unspecified or unitemized expenses beyond actual and necessary travel, room and board expenses for practice and competition.

12.1.1.1.4.5 Expenses from Sponsor Other Than Parents/Legal Guardians or Nonprofessional Sponsor of Event. Actual and necessary expenses or any other form of compensation to participate in athletics competition (while not representing an educational institution) from a sponsor other than an individual upon whom the athlete is naturally or legally dependent or the nonprofessional organization that is sponsoring the competition.

12.1.1.1.4.6 Expenses for Parents/Legal Guardians of Participants in Athletics Competition. Expenses received by the parents or legal guardians of a participant in athletics competition from a nonprofessional organization sponsoring the competition in excess of actual and necessary travel, room and board expenses, or any entertainment expenses, provided such expenses are made available to the parents or legal guardians of all participants in the competition. *(Adopted: 1/16/93, Revised: 1/11/97)*

12.1.1.1.5 Payment Based on Performance. Any payment, including actual and necessary expenses, conditioned on the individual's or team's place finish or performance or given on an incentive basis, or receipt of expenses in excess of the same reasonable amount for permissible expenses given to all individuals or team members involved in the competition. *(Revised: 4/25/02 effective 8/1/02)*

12.1.1.1.5.1 Operation Gold Grant. An individual (prospective student-athlete or student-athlete) may accept funds that are administered by the United States Olympic Committee pursuant to its Operation Gold program. *(Adopted: 4/26/01)*

12.1.1.1.6 Preferential Treatment, Benefits or Services. Preferential treatment, benefits or services because of the individual's athletics reputation or skill or pay-back potential as a professional athlete, unless such treatment, benefits or services are specifically permitted under NCAA legislation. *(Revised: 1/11/94)*

12.1.1.1.7 Prize for Participation in Institution's Promotional Activity. Receipt of a prize for participation (involving the use of athletics ability) in a member institution's promotional activity that is inconsistent with the provisions of Bylaw 12.5 or official interpretations approved by the Management Council.

12.1.1.2 Use of Overall Athletics Skill—Effect on Eligibility. Participation for pay in competition that involves the use of overall athletics skill (e.g., "superstars" competition) constitutes a violation of the Association's amateur-status regulations; therefore, an individual participating for pay in such competition is ineligible for intercollegiate competition in all sports. (See Bylaw 12.5.2.3.3 for exception related to promotional contests.) *(Revised: 4/25/02 effective 8/1/02)*

12.1.1.3 Road Racing. "Road racing" is essentially the same as cross country or track and field competition and cannot be separated effectively from those sports for purposes of Bylaw 12. Therefore, a student-athlete who accepts pay in any form for participation in such a race is ineligible for intercollegiate cross country or track and field competition. *(Revised: 4/25/02 effective 8/1/02)*

12.1.1.4 Exceptions to Amateurism Rule

12.1.1.4.1 Exception for Prize Money Prior to Full-Time Collegiate Enrollment. Prior to full-time collegiate enrollment, an individual may accept prize money based on his or her place finish or performance in an open athletics event. Such prize money may not exceed actual and necessary expenses and may be provided only by the sponsor of the open event. *(Adopted: 4/25/02 effective 8/1/02)*

12.1.1.4.2 Exception for Insurance against Disabling Injury or Illness. An individual may borrow against his or her future earnings potential from an established, accredited commercial lending institution exclusively for the purpose of purchasing insurance (with no cash surrender value) against a disabling injury or illness that would prevent the individual from pursuing a chosen career, provided a third party (including a member institution's athletics department staff members, its professional sports counseling panel or representatives of its athletics interests) is not involved in arrangements for securing the loan. The student-athlete shall report all such transactions and shall file copies of any loan documents associated with disability insurance with the member institution, regardless of the source of the collateral for the loan. The student-athlete also shall file copies of the insurance policy with the member institution, regardless of whether a loan is secured to purchase the insurance policy. *(Revised: 1/16/93, 1/14/97 effective 8/1/97)*

12.1.1.4.3 Exception for Institutional Fund-Raising Activities Involving the Athletics Ability of Student-Athletes. Institutional, charitable or educational promotions or fund-raising activities that involve the use of athletics ability by student-athletes to obtain funds (e.g., "swim-a-thons") are permitted only if:

- (a) The money is contributed directly to the institution by the donor;
- (b) The student-athletes receive no compensation or prizes for their participation; and
- (c) The provisions of Bylaw 12.5.1 are satisfied.

12.1.1.4.4 Exception for USOC Elite Athlete Health Insurance Program. An individual may receive the comprehensive benefits of the USOC Elite Athlete Health Insurance Program. *(Adopted: 1/10/90)*

12.1.1.4.5 Exception for Training Expenses. An individual (prospective or enrolled student-athlete) may receive actual and necessary expenses [including grants but not prize money, whereby the recipient has qualified for the grant based on his or her performance in a specific event(s)] to cover developmental training, coaching, facility usage, equipment, apparel, supplies, comprehensive health insurance, travel, room and board without jeopardizing the individual's eligibility for intercollegiate athletics, provided such expenses are approved and provided directly by the U.S. Olympic Committee (USOC) or the appropriate national governing body (NGB) in the sport (or, for foreign student-athletes, the equivalent organization of that nation). *(Adopted: 1/10/91, Revised: 4/27/00)*

12.1.1.4.6 Exception for Family Travel to Olympic Games. A commercial company (other than a professional sports organization) or members of the local community may provide actual and necessary expenses for an individual's spouse, parents, legal guardians or other relatives to attend the Olympic Games in which the individual will participate. *(Adopted: 1/11/94)*

12.1.1.4.7 Exception for Payment of Initial-Eligibility Clearinghouse Fee. A high-school booster club (as opposed to specific individuals) may pay the necessary fee for prospects at that high school to be certified by the Initial-Eligibility Clearinghouse, provided no particular prospect(s) is singled out because of his or her athletics ability or reputation. *(Adopted: 1/11/94)*

12.1.1.4.8 Exception for Camp or Academy Sponsored by a Professional Sports Organization. An individual may receive actual and necessary expenses from a professional sports organization to attend an academy, camp or clinic, provided: *(Adopted: 1/10/95, Revised: 11/1/01 effective 8/1/02)*

- (a) No NCAA institution or conference owns or operates the academy, camp or clinic;
- (b) No camp participant is above the age of 15;
- (c) The professional sports organization provides to the participants nothing more than actual and necessary expenses to attend the camp or clinic and equipment/apparel necessary for participation;
- (d) Athletics ability or achievements may not be the sole criterion for selecting participants; and
- (e) Academy participants must be provided with academic services (e.g., tutoring).

12.1.1.4.9 Exception for Receipt of Free Equipment and Apparel Items by a Prospective Student-Athlete. It is permissible for prospects (as opposed to student-athletes) to receive free equipment and apparel items for personal use from apparel or equipment manufacturers or distributors under the following circumstances: *(Adopted: 1/11/97)*

- (a) The apparel or equipment items are related to the prospect's sport and are received directly from an apparel or equipment manufacturer or distributor;
- (b) The prospect does not enter into an arrangement (e.g., open account) with an apparel or equipment manufacturer or distributor that permits the prospect to select apparel and equipment items from a commercial establishment of the manufacturer or distributor; and
- (c) A member institution's coach is not involved in any manner in identifying or assisting an apparel or equipment manufacturer or distributor in determining whether a prospect is to receive any apparel or equipment items.

12.1.1.4.10 Expenses for Participation in Olympic Exhibitions. An individual may receive actual and necessary expenses from the U.S. Olympic Committee (USOC), national governing body (NGB) or the nonprofessional organizations sponsoring the event to participate in Olympic tours or exhibitions involving Olympic team members and/or members of the national team, provided that if the individual is a student-athlete, he or she misses no class time, and the exhibition does not conflict with dates of institutional competition. *(Adopted: 10/28/97 effective 8/1/98)*

12.1.1.4.11 Commemorative Items for Student-Athletes Participating in Olympic Games, World University Games, Pan American Games, World Championships and World Cup Events. It is permissible for student-athletes to receive commemorative items incidental to participation in the Olympic Games, World University Games, Pan American Games, World Championships and World Cup events through the applicable national governing body. These benefits may include any and all apparel, leisure wear, footwear and other items that are provided to all athletes participating in the applicable event. *(Adopted: 11/1/00 effective 8/1/01)*

12.1.2 Amateur Status if Professional in Another Sport. A professional athlete in one sport may represent a member institution in a different sport. However, the student-athlete cannot receive institutional financial assistance in the second sport unless the student-athlete:

- (a) Is no longer involved in professional athletics;

- (b) Is not receiving any remuneration from a professional sports organization; and
- (c) Has no active contractual relationship with any professional athletics team. However, an individual may remain bound by an option clause in a professional sports contract that requires assignment to a particular team if the student-athlete's professional career is resumed.

12.1.2.1 Professional at Later Date. If the individual later becomes involved in professional athletics while still a student-athlete with remaining eligibility, the individual would be considered to have violated the principles of ethical conduct per Bylaw 10, thus rendering the individual ineligible for intercollegiate competition.

12.2 INVOLVEMENT WITH PROFESSIONAL TEAMS

12.2.1 Tryouts

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.

12.2.1.2 Tryout After Enrollment. A student-athlete shall not try out with a professional athletics team in a sport or permit a professional athletics team to conduct medical examinations during any part of the academic year (i.e., from the beginning of the fall term through completion of the spring term, including any intervening vacation period) while enrolled in a collegiate institution as a regular student in at least a minimum full-time academic load, unless the student-athlete has exhausted eligibility in that sport. The student-athlete may try out with a professional organization in a sport during the summer or during the academic year while not a full-time student, provided the student-athlete does not receive any form of expenses or other compensation from the professional organization. *(Revised: 1/10/92)*

12.2.1.2.1 Medical-Examination Exception. A single scouting bureau recognized by a professional league is permitted to conduct one medical examination per student-athlete during the academic year without jeopardizing the student-athlete's eligibility in that sport, provided the examination does not occur off campus. *(Adopted: 1/16/93)*

12.2.1.3 Outside Competition Prohibited. During a tryout, an individual may not take part in any outside competition (games or scrimmages) as a representative of a professional team.

12.2.1.4 Professional Team Representative at College Practice. A tryout with a professional team is not considered to have occurred when a representative of a professional team visits a member institution during the academic year and evaluates a student-athlete while the institution is conducting a regular practice session, physical education class or off-season conditioning program session that includes physical activities (e.g., speed trials, agility tests, strength tests), provided these activities are normally a part of and take place during regular practice, class or conditioning sessions.

12.2.2 Practice Without Competition. An individual may participate in practice sessions conducted by a professional team, provided such participation meets the requirements of NCAA legislation governing tryouts with professional athletics teams (see Bylaw 12.2.1) and the individual does not:

- (a) Receive any compensation for participation in the practice sessions;
- (b) Enter into any contract or agreement with a professional team or sports organization; or
- (c) Take part in any outside competition (games or scrimmages) as a representative of a professional team.

12.2.2.1 Prohibited Involvement of Institution's Coach. An institution's coaching staff member may not arrange for or direct student-athletes' participation in football or basketball practice sessions conducted by a professional team.

12.2.3 Competition

12.2.3.1 Competition against Professionals. An individual may participate singly or as a member of an amateur team against professional athletes.

12.2.3.2 Competition with Professionals. An individual shall not be eligible for intercollegiate athletics in a sport if the individual ever competed on a professional team (per Bylaw 12.02.4) in that sport. However, an individual may compete on a tennis, golf, two-person sand volleyball or two-person synchronized diving team with persons who are competing for cash or a comparable prize, provided the individual does not receive payment of any kind for such participation. *(Revised: 1/9/96 effective 8/1/96, 1/14/97, 4/25/02 effective 8/1/02)*

12.2.3.2.1 Professional Player as Team Member. An individual may participate with a professional on a team, provided the professional is not being paid by a professional team or league to play as a member of that team (e.g., summer basketball leagues with teams composed of both professional and amateur athletes).

12.2.3.2.2 Professional Coach or Referee. Participation on a team that includes a professional coach or referee does not cause the team to be classified as a professional team.

12.2.3.2.3 Amateur/Professional Leagues. An individual may participate as a member of an amateur team in a league in which one or more teams are professional, provided the league is not a member of a recognized professional sports organization or is not directly supported or sponsored by a professional sports team or organization.

12.2.3.2.4 Major Junior A Ice Hockey. Ice hockey teams in the United States and Canada, classified by the Canadian Amateur Hockey Association as major junior A teams, are considered professional teams under NCAA legislation.

12.2.3.2.4.1 Limitation on Restoration of Eligibility. An appeal for restoration of eligibility may be submitted on behalf of an individual who has participated on a major junior A ice hockey team under the provisions of Bylaw 14.12; however, such individual shall be denied at least the first year of intercollegiate athletics competition in the sport of ice hockey at the certifying institution and shall be charged with the loss of at least one season of eligibility in the sport of ice hockey. *(Revised: 1/11/89)*

12.2.3.3 Competition in Professional All-Star Contest. A student-athlete who agrees to participate in a professional (players to be paid) all-star game becomes ineligible to compete in any intercollegiate contest that occurs subsequent to that agreement. Thus, a senior entering into such an agreement immediately following the last regular-season intercollegiate contest would not be eligible to compete in a bowl game, an NCAA championship or any other certified postseason collegiate contest.

12.2.4 Draft and Inquiry

12.2.4.1 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.

12.2.4.2 Draft List. Subsequent to 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: *(Revised: 4/25/02 effective 8/1/02)*

- (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.

12.2.4.2.1 Exception—Professional Basketball Draft. An enrolled student-athlete (as opposed to a prospective student-athlete) in the sport of 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. *(Adopted: 1/11/94, Revised: 1/10/95, 1/14/97 effective 4/16/97)*

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. *(Adopted: 1/10/92)*

12.2.5 Contracts and Compensation. An individual shall be ineligible for participation in an intercollegiate sport if he or she has entered into any kind of agreement to compete in professional athletics, either orally or in writing, regardless of the legal enforceability of that agreement. *(Revised: 1/10/92)*

12.2.5.1 Nonbinding Agreement. An individual who signs a contract or commitment that does not become binding until the professional organization's representative or agent also signs the document is ineligible, even if the contract remains unsigned by the other parties until after the student-athlete's eligibility is exhausted.

12.3 USE OF AGENTS

12.3.1 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.

12.3.1.1 Representation for Future Negotiations. 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.

12.3.1.2 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: *(Revised: 1/14/97)*

- (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. *(Adopted: 1/14/97)*

12.3.2 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.

12.3.2.1 Presence of a Lawyer at Negotiations. 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.

12.3.3 Athletics Scholarship Agent. Any individual, agency or organization that represents a prospective student-athlete for compensation in placing the prospect in a collegiate institution as a recipient of institutional financial aid shall be considered an agent or organization marketing the individual's athletics ability or reputation.

12.3.3.1 Talent Evaluation Services and Agents. A prospect may allow a scouting service or agent to distribute personal information (e.g., high-school academic and athletics records, physical statistics) to member institutions without jeopardizing his or her eligibility, provided the fee paid to such an agent is not based on placing the prospect in a collegiate institution as a recipient of institutional financial aid.

12.3.4 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; *(Adopted: 1/16/93)*
- (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; *(Adopted: 1/11/94)*
- (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 *(Adopted: 1/11/94)*
- (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). *(Adopted: 1/11/94)*

12.3.4.1 Appointment by Chief Executive Officer. This panel shall consist of at least three persons appointed by the institution's chief executive officer (or his or her designated representative from outside the athletics department).

12.3.4.2 Composition. No more than one panel member may be an athletics department staff member. All other panel members must be selected by the institution from among its full-time employees employed outside the athletics department. No institutional staff member who is a sports agent may be a member of the panel. All panel members shall be identified to the NCAA national office. *(Revised: 1/11/94)*

12.4 EMPLOYMENT

12.4.1 Criteria Governing Compensation to Student-Athletes. All compensation received by a student-athlete must be consistent with the limitations on financial aid set forth in Bylaw 15. Compensation may be paid to a student-athlete:

- (a) Only for work actually performed; and
- (b) At a rate commensurate with the going rate in that locality for similar services.

12.4.1.1 Athletics Reputation. Such 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.

12.4.1.2 Employment on a Commission Basis. An employer, other than the student-athlete's institution, may employ a student-athlete on a commission basis only if:

- (a) The cost of any preliminary training program for such employees is borne by the student-athlete (i.e., such costs may not be paid by a member institution or a representative of its athletics interests);
- (b) The personnel so employed consist of both student-athletes and nonathletes;
- (c) The employment of student-athletes does not result in the company's use of athletics reputations of such individuals to promote the sale of the company's products; and
- (d) The company is able to document that employees who are nonathletes receive earnings from sales commissions at a rate generally equivalent to the commission rate realized by the student-athletes employed by the company.

12.4.2 Specific Athletically Related Employment Activities

12.4.2.1 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: *(Revised: 1/9/96 effective 8/1/96, 4/25/02 effective 8/1/02)*

- (a) Institutional facilities are not used; *(Adopted: 4/25/02 effective 8/1/02)*
- (b) Playing lessons shall not be permitted; *(Adopted: 4/25/02 effective 8/1/02)*
- (c) 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 *(Adopted: 4/25/02 effective 8/1/02)*
- (d) The compensation is paid by the lesson recipient (or the recipient's family) and not another individual or entity. *(Adopted: 4/25/02 effective 8/1/02)*

12.4.2.2 Broken-Time Payments. An individual may not receive "broken-time" payments except as authorized and administered by the United States Olympic Committee during the period immediately preceding and including actual Olympic competition. A permitted broken-time payment may cover financial loss as a result of absence from employment to prepare for or participate in the Olympic Games. Such compensation during any other period and payments administered independently of the USOC by other sports governing bodies (e.g., the United States Ski Association) are prohibited.

12.4.2.2.1 Exception When Individual Not Enrolled in Regular Term. An individual may receive broken-time payments administered by the United States Olympic Committee or the national governing body in the sport during a period when the individual is not enrolled (full or part time) in a regular term to cover financial loss as a result of absence from employment as a direct result of practicing and competing on a national team (defined in Bylaw 14.02.7), provided the amounts are consistent with the principles set forth in Bylaw 12.4.1 and do not exceed \$300 per week, and the payment period covers no more than the period from the date the individual begins practice with the national team following selection to that team to one week after the conclusion of the competition. *(Adopted: 1/10/90, Revised: 1/9/96 effective 8/1/96)*

12.4.2.3 Athletics Equipment Sales. A student-athlete may not be employed to sell equipment related to the student-athlete's sport if his or her name, picture or athletics reputation is used to advertise or promote the product, the job or the employer. If the student-athlete's name, picture or athletics reputation is not used for advertising or promotion, the student-athlete may be employed in a legitimate sales position, provided he or she is reimbursed at an hourly rate or set salary in the same manner as any nonathlete salesperson.

12.4.2.4 Goodwill Tour Commissions. A student-athlete representing the institution in a goodwill tour during summer months, in conjunction with the tour, may sell such items as jackets, blazers or similar institutional promotional items to booster groups or other friends of the institution on a salary, but not a commission, basis.

12.4.3 Camp/Clinic Employment, General Rule. 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 as a counselor, unless otherwise restricted by NCAA legislation (see Bylaw 13.13 for regulations relating to camps and clinics). Out-of-season playing and practice limitations may restrict the number of players from the same institution who may be employed in that institution's camp (see the specific sport in Bylaw 17 for these employment restrictions and Bylaw 13.13).

12.5 PROMOTIONAL ACTIVITIES

12.5.1 Permissible

12.5.1.1 Institutional, Charitable, Educational or Nonprofit Promotions. 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: *(Revised: 1/11/89, 1/10/91, 1/10/92)*

- (a) 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; *(Revised: 1/11/89, 4/26/01)*
- (b) 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. 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; *(Revised: 1/11/89, 1/10/91)*
- (c) 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; *(Adopted: 11/12/97)*
- (d) The student-athlete does not miss class; *(Revised: 1/11/89)*
- (e) All moneys derived from the activity or project go directly to the member institution, member conference or the charitable, educational or nonprofit agency; *(Revised: 1/11/89, 1/10/92)*
- (f) The student-athlete may accept legitimate and normal expenses from the member institution, member conference or the charitable, educational or nonprofit agency related to participation in such activity, provided it occurs within the state or, if outside the state, within a 100-mile radius of the member institution's campus; *(Revised: 1/11/89, 1/10/92)*
- (g) The student-athlete's name, picture or appearance is not utilized to promote the commercial ventures of any nonprofit agency; *(Adopted: 1/10/92)*
- (h) Any commercial items with names or pictures of 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 the charitable or educational organization, site of charitable event during the event); and *(Adopted: 1/16/93, Revised: 1/9/96)*
- (i) 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. *(Revised: 1/11/89, 1/10/92)*

12.5.1.1.1 Exception—Expenses Beyond 100 Miles. [*] A student-athlete may receive legitimate and normal expenses to participate in promotional activities related to a competitive event regardless of the distance from the member institution's campus, provided the following conditions are satisfied: *(Adopted: 1/14/97 effective 8/1/97)*

- (a) The student-athlete has been selected to participate in the competition and such competition is included in Bylaw 14.7.3.1 (e.g., Olympic Games, Pan American Games, World Championships, World Cup and national team tryouts and competition);
- (b) The promotional activity occurs no more than one calendar year prior to the start of the competition; and
- (c) All conditions set forth in Bylaw 12.5.1.1 [other than Bylaw 12.5.1.1-(f)] are satisfied.

12.5.1.1.2 Promotions Involving 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 fund-raising 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 fund-raising 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. *(Adopted: 1/10/92)*

12.5.1.1.3 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. *(Adopted: 1/11/94 effective 8/1/94)*

12.5.1.1.3.1 Exception—Olympic/National Team. A national governing body may sell player/trading cards that bear the name or picture of a student-athlete who is a member of the Olympic/national team in that sport, provided all of the funds generated through the sale of such cards are deposited directly with the applicable Olympic/national team. *(Adopted: 1/6/96)*

12.5.1.1.4 Improper Use of Student-Athlete's Name or Picture. [*] If an institution, without the student-athlete's knowledge or consent, uses or permits the use of the student-athlete's name or picture in a manner contrary to Bylaw 12.5.1.1, the violation shall be considered an institutional violation; however, the student-athlete's eligibility shall not be affected. *(Adopted: 1/14/97)*

12.5.1.2 United States Olympic Committee/National Governing Body Advertisement Prior to Collegiate Enrollment. Prior to initial, full-time collegiate enrollment, an individual may receive payment for the display of athletics skill in a commercial advertisement, provided: *(Adopted: 1/11/94)*

- (a) The individual receives prior approval to appear in the advertisement from the U.S. Olympic Committee or the applicable national governing body;
- (b) The U.S. Olympic Committee or national governing body approves of the content and the production of the advertisement;
- (c) The individual forwards the payment to the U.S. Olympic Committee or national governing body for the general use of the organization(s); and
- (d) The funds are not earmarked for the individual.

12.5.1.3 Continuation of Modeling and Other Nonathletically Related Promotional Activities after Enrollment. If an individual accepts remuneration for or permits the use of his or her name or picture to advertise or promote the sale or use of a commercial product or service prior to enrollment in a member institution, continued remuneration for the use of the individual's name or picture (under the same or similar circumstances) after enrollment is permitted without jeopardizing his or her eligibility to participate in intercollegiate athletics only if all of the following conditions apply: *(Revised: 1/14/97)*

- (a) The individual's involvement in this type of activity was initiated prior to his or her enrollment in a member institution;
- (b) The individual became involved in such activities for reasons independent of athletics ability;
- (c) No reference is made in these activities to the individual's name or involvement in intercollegiate athletics;
- (d) The individual does not endorse the commercial product;
- (e) Any compensation received by the individual is consistent with applicable limitations on a student-athlete's maximum amount of financial aid; and
- (f) The individual's remuneration under such circumstances is at a rate commensurate with the individual's skills and experience as a model or performer and is not based in any way upon the individual's athletics ability or reputation.

12.5.1.4 Commercial Advertisement. It is permissible for a student-athlete's name or picture, or the group picture of an institution's athletics squad, to appear in an advertisement of a particular business, commercial product or service, provided:

- (a) The primary purpose of the advertisement is to publicize the sponsor's congratulations to the student-athlete or team;
- (b) The advertisement does not include a reproduction of the product with which the business is associated or any other item or description identifying the business or service other than its name or trademark;
- (c) There is no indication in the makeup or wording of the advertisement that the squad members, individually or collectively, or the institution endorses the product or service of the advertiser;

- (d) The student-athlete has not signed a consent or release granting permission to use the student-athlete's name or picture in a manner inconsistent with the requirements of this section; and
- (e) If the student-athlete has received a prize from a commercial sponsor in conjunction with participation in a member institution's promotional activities and the advertisement involves the announcement of receipt of the prize, the receipt of the prize is consistent with the provisions of Bylaw 12.5.2.3.3 and official interpretations approved by the Management Council.

12.5.1.4.1 Schedule Cards. An advertisement on an institution's wallet-size playing schedule that includes the name or picture of a student-athlete may include language other than the commercial product's name, trademark or logo, provided the commercial language does not appear on the same page as the picture of the student-athlete. *(Adopted: 1/10/92)*

12.5.1.5 Distribution of Institutional Items through Commercial Outlets. A member institution may distribute noncommercial items (i.e., 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. *(Adopted: 1/16/93)*

12.5.1.6 Educational Products Related to Sport-Skill Instruction. It is permissible for a student-athlete's name or picture to appear in books, articles and other publications, films, videotapes, and other types of electronic reproduction related to sport-skill demonstration, analysis or instruction, provided:

- (a) Such print and electronic media productions are for educational purposes;
- (b) There is no indication that the student-athlete expressly or implicitly endorses a commercial product or service;
- (c) The student-athlete does not receive, under any circumstances, any remuneration or expenses for such participation; and
- (d) The student-athlete has signed a release statement ensuring that the student-athlete's name or image is used in a manner consistent with the requirements of this section and has filed a copy of the statement with the student-athlete's member institution.

12.5.1.7 Summer Camps. An institutional or privately owned summer camp may use a student-athlete's name, picture and institutional affiliation only in the camp counselor section in its summer-camp brochure to identify the student-athlete as a staff member. However, a student-athlete's name or picture may not be used in any other way to directly advertise or promote the camp. *(Revised: 4/26/01 effective 8/1/01 for camps that occur during the 2001 academic year and thereafter, 4/17/02)*

12.5.1.8 Promotion by Third Party of Highlight Film, Videotape or Media Guide. Any party other than the institution or a student-athlete (e.g., a distribution company) may sell and distribute an institutional highlight film or videotape or an institutional or conference media guide that contains the names and pictures of enrolled student-athletes only if: *(Revised: 1/16/93)*

- (a) The institution specifically designates any agency that is authorized to receive orders for the film, videotape or media guide; *(Revised: 1/16/93)*
- (b) Sales and distribution activities have the written approval of the institution's athletics director;
- (c) The distribution company or a retail store is precluded from using the name or picture of an enrolled student-athlete in any poster or other advertisement to promote the sale or distribution of the film or media guide; and *(Revised: 1/16/93)*
- (d) There is no indication in the makeup or wording of the advertisement that the squad members, individually or collectively, or the institution endorses the product or services of the advertiser.

12.5.1.9 Promotion of NCAA and Conference Championships. A student-athlete's name or picture may appear in a poster that promotes an NCAA championship or a conference championship, provided the poster is produced by a member institution that hosts a portion of the championship or by the NCAA or the conference. *(Adopted: 1/11/89)*

12.5.1.10 Olympic, Pan American, World Championships, World Cup and World University Games. A student-athlete's name or picture may be used to promote Olympic, Pan American, World Championships, World Cup or World University Games as specified in this section. *(Adopted: 1/10/92, Revised: 1/9/96 effective 8/1/96)*

12.5.1.10.1 Sale and Distribution of Promotional Items. Promotional items (e.g., posters, postcards, film, videotapes) bearing the name or picture of a student-athlete and related to these events may be sold or distributed by the national or international sports governing body sponsoring these events or its designated third-party distributors. It is not permissible for such organizations to sell player/trading cards that bear a student-athlete's name or picture, except as noted in Bylaw 12.5.1.1.3.1. Promotional items may include a corporate sponsor's trademark

or logo but not a reproduction of the product with which the business is associated. The name or picture of the student-athlete may not be utilized by the distribution company or retail store on any advertisement to promote the sale or distribution of the commercial item. *(Adopted: 1/10/92, Revised: 1/16/93, 1/11/94 effective 8/1/94)*

12.5.1.10.1.1 Corporate Sponsors. A corporate sponsor may sell a promotional item related to these events that utilizes the name or picture of a team but not an individual student-athlete. *(Adopted: 1/10/92)*

12.5.2 Nonpermissible

12.5.2.1 Advertisements and Promotions Subsequent to Enrollment. Subsequent to becoming a student-athlete, an individual shall not be eligible for participation in intercollegiate athletics if the individual:

- (a) Accepts any remuneration for or permits the use of his or her name or picture to advertise, recommend or promote directly the sale or use of a commercial product or service of any kind, or
- (b) Receives remuneration for endorsing a commercial product or service through the individual's use of such product or service.

12.5.2.1.1 Exceptions. The individual's eligibility will not be affected, provided the individual participated in such activities prior to enrollment and the individual:

- (a) Meets the conditions set forth in Bylaw 12.5.1.3 that would permit continuation of such activities; or
- (b) Takes appropriate steps upon becoming a student-athlete to retract permission for the use of his or her name or picture and ceases receipt of any remuneration for such an arrangement.

12.5.2.1.2 Improper Use of Student-Athlete's Name or Picture. [*] If an institution, without the student-athlete's knowledge or consent, uses or permits the use of the student-athlete's name or picture in a manner contrary to Bylaw 12.5.2.1, the violation shall be considered an institutional violation; however, the student-athlete's eligibility shall not be affected. *(Adopted: 1/11/97)*

12.5.2.2 Use of a Student-Athlete's Name or Picture without Knowledge or Permission. If a student-athlete's name or picture appears on commercial items (e.g., T-shirts, sweatshirts, serving trays, playing cards, posters, photographs) or is used to promote a commercial product sold by an individual or agency without the student-athlete's knowledge or permission, the student-athlete (or the institution acting on behalf of the student-athlete) is required to take steps to stop such an activity in order to retain his or her eligibility for intercollegiate athletics. *(Revised: 1/11/97)*

12.5.2.3 Specifically Restricted Activities. A student-athlete's involvement in promotional activities specified in this section is prohibited.

12.5.2.3.1 Name-the-Player Contest. 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.

12.5.2.3.2 Athletics Equipment Advertisement. A student-athlete's name or picture may not be used by an athletics equipment company or manufacturer to publicize the fact that the institution's team utilizes its equipment.

12.5.2.3.3 Promotional Contests. Receipt of a prize for winning a promotional activity (e.g., making a half-court basketball shot, being involved in a money scramble) held in conjunction with a member institution's intercollegiate competition by a prospective or enrolled student-athlete (or a member of his or her family) does not affect a student-athlete's 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. *(Revised: 1/9/96 effective 8/1/96)*

12.5.2.3.4 Appearance in Commercial Films. Footage of an institution's intercollegiate game or event or of the individual performance of a student-athlete may not be used in a commercial movie unless all individuals appearing in the footage have exhausted their seasons of eligibility.

12.5.2.4 Other Promotional Activities. A student-athlete may not participate in any promotional activity that is not permitted under Bylaw 12.5.1. *(Adopted: 11/1/01)*

12.5.3 Media Activities.

- (a) **During the Playing Season.** During the playing season, a student-athlete may appear on local radio and television programs (e.g., coaches shows) or engage in writing projects when the student-athlete's appearance or participation is related in any way to athletics ability or prestige, provided the student-athlete does not receive any remuneration for the appearance or participation in the activity. The student-athlete shall not make any endorsement, expressed or implied, of any commercial product or ser-

vice. The student-athlete may, however, receive legitimate and normal expenses directly related to the appearance or participation in the activity, provided it occurs within a 30-mile radius of the institution's main campus. The institution also may provide such expenses for a student-athlete to appear on radio or television in the general locale of an institution's away-from-home competition. *(Revised: 1/16/93, 1/14/97)*

- (b) **Outside the Playing Season.** Outside the playing season, a student-athlete may participate in media activities (e.g., appearance on radio, television, in films or stage productions or participation in writing projects) when such appearance or participation is related in any way to athletics ability or prestige, provided the student-athlete is eligible academically to represent the institution and does not receive any remuneration for such appearance or participation. The student-athlete may not make any endorsement, expressed or implied, of any commercial product or service. The student-athlete may, however, receive legitimate and normal expenses directly related to such appearance or participation, provided the source of the expenses is the entity sponsoring the activity. *(Revised: 1/16/93, 1/14/97)*

12.5.4 Use of Logos on Equipment, Uniforms and Apparel. A student-athlete may use athletics equipment or wear athletics apparel that bears the trademark or logo of an athletics equipment or apparel manufacturer or distributor in athletics competition and pre- and postgame activities (e.g., celebrations on the court, pre- or postgame press conferences), provided the following criteria are met. Violations of this bylaw shall be considered institutional violations per Constitution 2.8.1; however, they shall not affect the student-athlete's eligibility. *(Revised: 1/11/94, 1/10/95, 1/9/96 effective 8/1/96)*

- (a) Athletics equipment (e.g., shoes, helmets, baseball bats and gloves, batting or golf gloves, hockey and lacrosse sticks, goggles and skis) shall bear only the manufacturer's normal label or trademark, as it is used on all such items for sale to the general public; and *(Revised: 1/10/95)*
- (b) The student-athlete's institution's official uniform (including numbered racing bibs and warm-ups) and all other items of apparel (e.g., socks, head bands, T-shirts, wrist bands, visors or hats, swim caps and towels) shall bear only a single manufacturer's or distributor's normal label or trademark (regardless of the visibility of the label or trademark), not to exceed 2 1/4 square inches in area (i.e., rectangle, square, parallelogram) including any additional material (e.g., patch) surrounding the normal trademark or logo. The student-athlete's institution's official uniform and all other items of apparel shall not bear a design element similar to the manufacturer's trademark/logo that is in addition to another trademark/logo that is contrary to the size restriction. *(Revised: 1/11/94, 1/10/95, 2/16/00)*

12.5.4.1 Laundry Label. If an institution's uniform or any item of apparel worn by a student-athlete in competition contains washing instructions on the outside of the apparel on a patch that also includes the manufacturer's or distributor's logo or trademark, the entire patch must be contained within a four-sided geometrical figure (i.e., rectangle, square, parallelogram) that does not exceed 2 1/4 square inches. *(Adopted: 1/10/95)*

12.5.4.2 Pre- or Postgame Activities. The restriction on the size of a manufacturer's or distributor's logo is applicable to all apparel worn by student-athletes during the conduct of the institution's competition, which includes any pre- or postgame activities (e.g., postgame celebrations on the court, pre- or postgame press conferences) involving student-athletes. *(Adopted: 1/10/95)*

12.5.4.3 Outside Team Uniforms and Apparel. The provisions of Bylaw 12.5.4-(b) do not apply to the official uniforms and apparel worn by outside teams.

12.5.4.4 Title-Sponsor Recognition. Racing bibs and similar competition identification materials (e.g., bowl-game patches) worn by participants may include the name of the corporate sponsor of the competition, provided the involved commercial company is the sole title sponsor of the competition.

12.6 FINANCIAL DONATIONS FROM OUTSIDE ORGANIZATIONS

12.6.1 Professional Sports Organizations

12.6.1.1 To Noncollegiate Amateur Team. A noncollegiate amateur team or playing league shall not be considered a professional team or league, even if it receives financial support from a national amateur sports administrative organization or its equivalent that in turn receives developmental funds from a professional team or professional sports organization.

12.6.1.2 To Collegiate Event. A professional sports organization may not serve as a financial sponsor of collegiate competition without jeopardizing the eligibility of student-athletes (see Bylaw 12.1.1) competing in that event. *(Adopted: 1/10/92)*

12.6.1.3 Developmental Funds to NCAA. A professional sports organization may provide funds for intercollegiate athletics developmental purposes in a particular sport (e.g., officiating expenses, research and educational projects, the conduct of summer leagues, purchase of equipment). However, such funds shall be provided in an unrestricted manner and administered through the Association's national office.

12.6.1.4 To Institution, Permissible. A member institution may receive funds from a professional sports organization, provided:

- (a) The money is placed in the institution's general fund and used for purposes other than athletics; or
- (b) The money is placed in the institution's general scholarship fund and commingled with funds for the assistance of all students generally.

12.6.1.5 To Institution, Nonpermissible. A member institution shall not accept funds from a professional sports organization if:

- (a) The funds are for the purpose of recognizing the development of a former student-athlete in a particular sport. The receipt of such funds by an institution would make additional moneys available that could benefit student-athletes and thus result in student-athletes indirectly receiving funds from a professional sports organization;
- (b) The money, even though not earmarked by the donor, is received and credited to institutional funds for the financial assistance of student-athletes generally; or
- (c) The money is placed in the institution's general fund and credited to the athletics department for an unspecified purpose.

12.6.1.6 Revenues Derived from Pro-Am Events. The distribution of revenues from an event involving an intercollegiate athletics team and a professional sports team (e.g., a baseball game in which a member institution's team plays against a professional baseball team) or pro-am event (e.g., golf, tennis) that results in a member institution's receiving a share of receipts from such a contest is permitted, provided the institution has a formal agreement with the professional sports team regarding the institution's guarantee or share of receipts and the contractual terms are consistent with agreements made by the professional team or individuals for similar collegiate or non-professional competition.

12.6.1.7 Promotion of Professional Athletics Contests. A member institution may host and promote an athletics contest between two professional teams from recognized professional sports leagues as a fund-raising activity for the institution. *(Revised: 1/9/96 effective 8/1/96)*

12.6.2 Organizations (Nonprofessional Sports Organizations)

12.6.2.1 Individual Athletics Performance. A member institution shall not accept funds donated from a nonprofessional sports organization based on the place finish of a student-athlete or the number of student-athletes representing the institution in an event. However, the organization may donate an equal amount of funds to every institution with an athlete or team participating in a particular event.

12.6.2.2 Team Rankings. A member institution may accept funds donated to its athletics program from a nonprofessional sports organization based on the team's national or regional ranking.

12.6.2.3 Academic Performance. A member institution may accept funds donated to its athletics program from a nonprofessional sports organization based on an individual's or a team's academic performance (e.g., the number of academic all-American award recipients).