The General NCAA Principles

The NCAA establishes a “clear line of demarcation” when defining college athletics and professional sports. An institution’s athletics program, is designed to be an integral part of the student-athlete’s educational experience. In addition, the NCAA defines a professional athlete as one who receives any kind of payment, directly or indirectly, for athletics participation except as permitted by the governing legislation of the NCAA.

This guide will take you through the basic steps so you do not jeopardize your eligibility as a student-athlete.

A student ceases to be an amateur by committing any of the following acts:

- Participating in any athletic competition under an assumed name, or otherwise with intent to deceive.
- Directly or indirectly receiving money or other remuneration for participation in any competition in any sport. In accordance with NCAA rules, prospective student-athletes may have received prize money up to level of actual and necessary expenses in any one event.
- Engaging for money or other benefits in any occupation, business transaction or advertising promotion wherein that money or benefits is dependent on your athletic ability or reputation.
- Signing a contract with, practicing with, or playing on a professional team in any sport.
- Entering your name into a professional draft other than as provided by NCAA rules.

A student-athlete who is willing to give up eligibility in one sport may retain eligibility in other sports under the following guidelines:

- You **may** do the following:
  1. Sign with an agent for representation in the one sport, as long as you receive no money.
  2. Assemble clippings, photographs, etc. for use by the agent.
  3. Enter your name into that sports draft.
  4. Travel to a professional team’s location in that sport to have a physical examination and to be tested, as long as you pay your own way.

- You **may not** do the following:
  1. Receive any compensation, including any pay for any expenses involved in traveling to be tested by a professional team.
Amateurism Do’s and Don’ts:

Do’s

If you have remaining eligibility, you may engage in the following activities without jeopardizing your eligibility in that sport:

- You may seek counseling about a future professional athletic career through your head coach or the University at Albany Office of Compliance Services. They may contact agents and professional teams or organizations on your behalf.
- You may request information from a professional team or organization concerning your professional market value.
- You, your parents/legal guardians, or the University at Albany Office of Compliance Services may negotiate with a professional team.
- You may secure advice from an attorney concerning a proposed professional contract, provided they do not represent you in negotiations for that contract. The attorney may not have direct contact with the professional team on your behalf.

Don’ts

If you have remaining eligibility in a sport, you may jeopardize your eligibility in that sport if you engage in any of the following activities:

- You may not agree, either orally or in writing, to be represented by an agent or runner until after your eligibility has ended, including your team’s postseason competition or for the purpose of marketing your athletic ability or reputation.
- You, your relatives or friends may not accept benefits from an agent, runner, or financial advisor. These benefits include (but are not limited to) transportation, money and gifts.
- Once an agreement (oral or written) has been made with an agent or to compete in professional athletics, you are ineligible for participation, regardless of the legal enforceability of the contract.
- You may not receive preferential benefits or treatment because of your reputation, skill or payback potential as a future professional athlete.
- You may not retain professional services (legal advice) for personal reasons at less than the standard rate for such services.
- You may not be awarded institutional financial aid when you are under contract to receive, or are currently receiving, compensation from a professional sports organization.

Where to Seek Advice and Guidance

Office of Compliance Services and Head Coaches

Athletic staff members and coaches are not permitted to represent you (directly or indirectly) in the marketing of your athletic ability, and may not receive any compensation or gratuity for such services.
Student-Athlete - Agent Guidelines

Office of Compliance Services - University at Albany

The Office of Compliance Services and your Head Coach may contact and communicate with agents, professional teams, or organizations on your behalf provided no compensation is received for such services. The Head Coach must consult with and report his or her activities on your behalf to the Office of Compliance Services.

The Office of Compliance Services and Head Coach may advise you on numerous issues, which include the following:

- Whether, or when, to terminate amateur status;
- Whether, or when, to select an agent;
- How to select a professional sports agent;
- Advise, negotiate, and review a contract with a professional sports agent and/or a professional sports team;
- Advise how to avoid improper relationships between a professional sports agent and a student-athlete and his or her family;
- Determine student-athlete’s market value (e.g., potential salary, draft status, etc.);
- Communicate directly (e.g., via telephone, in-person, etc.) with a professional athletics team to assist in securing a tryout with that team; and
- Invite outside consultants to advise a student-athlete (e.g., an attorney).

If you, while you still have eligibility remaining, are contacted by an agent or his runner, you should:

- Advise the agent that you (and your family) will not have any contacts with agents until your eligibility is exhausted.
- Request his/her name and address and advise him/her to contact the University at Albany Office of Compliance Services to register with the Athlete Agent Program.
- Submit all written correspondence from agents to the Office of Compliance Services.
- Advise the agent that you will schedule interviews when your eligibility is exhausted.

Draft and Tryouts

There are two ways for you to make the roster of a professional sports team: being selected in the draft or by signing as a free agent. Without affecting your amateur status, you may inquire about your eligibility for a professional-league player draft. The first step is to determine if and when you will be drafted. This information may be obtained by contacting the player personnel staff of professional teams, as well as professional scouting services.

Bylaw 12.2.4.2 – Draft List. After initial full-time collegiate enrollment, an individual loses amateur status in a particular sport when the individual asks to be placed on the draft list or supplemental draft list of a professional league in that sport, even though:

- The individual asks that his or her name be withdrawn from the list prior to the actual draft;
- The individual’s name remains on the list but he or she is not drafted; or
- The individual is drafted but does not sign an agreement with any professional athletics team.
EXCEPTION: Bylaw 12.2.4.2.1.1 – Men’s Basketball – In men’s basketball an enrolled student-athlete may enter a professional league’s draft each year during his collegiate career without jeopardizing eligibility in that sport provided:

- The student-athlete requests that his name be removed from the draft list and declares his intent to resume intercollegiate participation not later than 10 days after the conclusion of the professional league’s draft combine. If the professional league does not conduct a draft combine, the student-athlete must request that his name be removed from the draft list not later than the end of the day before the first day of the spring National Letter of Intent signing period for the applicable year.
- The student-athlete’s declaration of intent is submitted in writing to the institution’s director of athletics; and
- The student-athlete is not drafted.

EXCEPTION: Bylaw 12.2.4.2.1.2 – Women’s Basketball – In women’s basketball an enrolled student-athlete may enter a professional league’s draft one time during 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 her intention to resume intercollegiate participation within 30 days after the draft. The student-athlete’s declaration of intent shall be writing to the institution’s director of athletics.

EXCEPTION: Bylaw 12.2.4.2.3 – Football – In football an enrolled student-athlete (as opposed to a prospective student-athlete) may enter the National Football League draft one time during his collegiate career without jeopardizing eligibility in that sport, provided the student-athlete is not drafted by any team in that league and the student-athlete declares his intention to resume intercollegiate participation within 72 hours following the National Football League draft declaration date. The student-athlete’s declaration of intent shall be in writing to the institution’s director of athletics.

EXCEPTION: Bylaw 12.2.4.2.4 – Sports Other than Football and Basketball – An enrolled student-athlete in a sport other than basketball or football may enter a professional league’s draft one time during his or her collegiate career without jeopardizing his or her eligibility in the applicable sport, provided the student-athlete is not drafted and within 72 hours following the draft he or she declares his or her intention to resume participation in intercollegiate athletics. The student-athlete’s declaration of intent shall be in writing to the institution’s director of athletics.

For more information please contact:

University at Albany Department of Athletics
Office of Compliance Services
1400 Washington Avenue
Compliance Suite
3rd Floor, Physical Education Building
Albany, NY 12222