REPORT OF THE
NCAA DIVISION I AMATEURISM CABINET
SEPTEMBER 29 and 30, 2010, MEETING

***KEY ITEMS*.**

1. **Agent/Advisor Discussion**. The cabinet continued their discussion of the agent/advisor issue and specifically focused on the creation of a national professional sports counseling panel that could assist with providing reliable information to those student-athletes interested in pursuing a professional sports career.

2. **Promotional Activities – Use of a Student-Athlete's Name or Likeness.** The cabinet agreed to modify this proposal to clarify that if institutions individually or collectively agree to authorize or license the use of a student-athlete's name or likeness to a third party as part of a commercial product (e.g., video game), the activity shall be considered an institutional promotion and thus subject to the provisions of 12.5.1.1.

***ACTION ITEMS*.**

- None.

***INFORMATIONAL ITEMS*.**

1. **Legislative Informational Items.**

   a. **Modification to NCAA Proposal No. 2010-26 (Amateurism– Promotional Activities – Use of a Student-Athlete's Name or Likeness).** The cabinet modified this proposal to clarify that if institutions individually or collectively agree to authorize or license the use of a student-athlete's name or likeness to a third party as part of a commercial product (e.g., video game), the activity shall be considered an institutional promotion and thus subject to the provisions of 12.5.1.1. The cabinet noted that the provisions of 12.5.1.1 would require the student-athlete's approval to use his or her name or likeness prior to use in the commercial product.

   b. **Proposal No. 2010-24 – Amateurism – Involvement with Professional Teams – Professional Basketball Draft – Four-year College Student-Athlete – Men's Basketball.** The cabinet opposes Proposal No. 2010-24, which would specify in men's basketball, that the date by which a student-athlete must request that his name be removed from a professional league's draft list in order to retain his eligibility shall be the day before the first day of the spring National Letter of Intent signing period for the applicable year. The cabinet noted that the current rule requiring a student-athlete to withdraw his name by May 8 has only been in effect for one year and that the current rule needs further evaluation. The cabinet further noted that reducing the current time period might put student-athletes at a disadvantage by not allowing them sufficient time to gather adequate information as well as taking away opportunities for student-athletes to participate in pre-draft workouts. Finally, the cabinet noted that there is no evidence of an academic impact on student-athletes under the current timeline.

c. **Proposal No. 2010-25 – Amateurism and Awards, Benefits and Expenses – Use of Agents – Benefits, Gifts and Services – Career Counseling and Internship/Job Placement Services.** The cabinet opposes Proposal No. 2010-25, which would allow a student-athlete to use career counseling and internship/job placement services available exclusively to student-athletes, provided the student-athlete is not placed in a position in which the student-athlete uses his or her athletics ability. The cabinet noted the opportunity for student-athletes to use internship/job placement services available to students generally at any time. The cabinet further noted that current legislation and interpretations permit institutions and outside entities to provide career counseling services that are educational in nature and to provide other educational benefits exclusively to student-athletes. Finally, the cabinet noted the additional monitoring associated with internship/job placement services as well as the potential for placement based exclusively on athletics reputation.

d. **Proposal No. 2010-109 – Executive Regulations – Administration of NCAA Championships – Restricted Advertising and Sponsorship Activities -- Professional Sports Organizations or Teams.** The cabinet supports Proposal No. 2010-109, which would eliminate the prohibition on sponsorship of NCAA championship activities or promotions by professional sports organizations and teams. The cabinet agreed with the sponsor's rationale. However, the cabinet recommended that the sponsor consider eliminating the prohibition for conference championships as well. The cabinet agreed that this opportunity would increase the exposure of conference championship events.

2. **Nonlegislative Informational Items.**

a. **Agent and Advisor Discussion.** The cabinet discussed the agent/advisor issue and received reports from the National Association of Basketball Coaches (NABC), Division I Men's Ice Hockey coaches, NCAA Baseball Committee, and the NCAA/NFL/NFLPA/ AFCA/CCA Task Force. The cabinet specifically focused their discussion on the creation of a national professional sports counseling panel that could assist with providing reliable information to those student-athletes interested in pursuing a professional sports career. The cabinet asked the staff to obtain additional information from the National Association of Athletics Compliance (NAAC), coaches associations and Division I Student-Athlete Advisory Committee (SAAC). Additionally, the cabinet suggested that the staff contact former student-athletes who went through this decision-making process to gather information regarding resources they used and individuals they trusted throughout the process. The cabinet was not supportive of allowing prospective or enrolled student-athletes to receive benefits from agents/ advisors.

b. **Earmarked Fundraised Dollars for Athletics Participation**. The cabinet continued its discussion related to various types of fundraising activities in which prospective student-athletes had jeopardized their amateur status by directly accepting expenses for athletics participation from outside sources or accepting expenses donated to an amateur team or organization specifically earmarked for the prospect's use. The cabinet did express

concern about boosters and agents providing funding that would be contrary to current amateurism and recruiting legislation. The cabinet reviewed feedback from NAAC on the issue and agreed that NAACs feedback was supportive of proposing more flexible legislation related to fundraising activities for prospective student-athletes. The cabinet requested the staff to draft legislative concepts and prepare it for discussion at its next in-person meeting.

c. **Expenses Provided to Prospective Student-Athletes from Professional Teams.** The cabinet examined areas of Bylaw 12 that prohibit a prospective student-athlete from accepting expenses from a professional team without jeopardizing his or her amateur status. The cabinet noted that current legislation addresses the prohibition of educational expenses and general training expenses from a professional team. The cabinet further noted that current legislation exists related to camp or academy expenses from a professional team. The cabinet recommended that the adoption of Proposal No. 2009-22 should not impact these bylaws or other existing Bylaw 12 legislation that prohibit expenses from professional teams.

d. **Eligibility Center Update.** The Eligibility Center (EC) staff provided an overview of its new case management system that was activated spring 2010. The new system greatly enhances the EC's ability to use data to improve efficiencies and ultimately provide helpful information to the membership (e.g., data related to international prospective student-athletes, case duration, amateurism case/penalty information sorted by institution or conference). The EC also shared data from the current certification season (e.g., total number of penalties, active cases remaining, trends in types of violations). The EC staff also discussed several amateurism-related initiatives, including the conference-contact program, the creation of resources for the membership providing information relating to international sport structures (by sport) and the progress being made in forging strong relationships with outside constituencies that will help to improve the amateurism certification process (e.g, domestic and international NGBs and other sports associations, coaches associations). Lastly, the EC staff reviewed the progress made in handling high-profile reviews in light of the recommendations made by the Amateurism Task Force in 2009. Specifically, the EC staff informed the cabinet that high-profile, time-intensive reviews are very limited in number and when necessary, it has been possible to conduct timely reviews in situations in which the enforcement staff is involved with related issues without compromising either staff policies or procedures.

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Cabinet Chair: Mike Rogers, Baylor University, Big 12 Conference
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