

A G E N D A

National Collegiate Athletic Association

Division I Academics/Eligibility/Compliance Cabinet

Subcommittee on Agents and Amateurism

National Collegiate Athletic Association
Indianapolis, Indianapolis

September 11, 2007

1. Welcome and introductions.
2. Review and approval of the June meeting report. [Attachment A]
3. Review legislative proposals.
4. Amateurism Certification Process update.

Background: The Eligibility Center staff will be providing an update on the status of the amateurism certification process.

Anticipated Action: None

5. Agent Information and Outreach.

Background. The staff will provide the subcommittee with an update on new agent educational materials as well as outreach efforts.

Anticipated Action. None

6. Other Business.
7. Adjournment.

The National Collegiate Athletic Association
August 6, 2007

AC:esb

REPORT OF THE JUNE 12, 2007,
NCAA DIVISION I ACADEMICS/ELIGIBILITY/COMPLIANCE CABINET
SUBCOMMITTEE ON AGENTS AND AMATEURISM

1. **ACTION ITEMS.**

• **Individual Legislative Items.**

a. **NCAA Division I Bylaw 12.5.1 – Amateurism – Permissible Promotional Activities – Co-sponsorship of Commercial Entity.**

- (1) Recommendation. The subcommittee recommends that the cabinet sponsor legislation to amend Bylaw 12.5.1. Specifically, the subcommittee recommends that Bylaw 12.5.1.1 be amended to specify that a permissible promotional activity may involve co-sponsorship by a commercial entity, as approved by the institution, subject to the following conditions:
- (a) The promotion must identify (e.g., via graphics, voice over, text) the commercial entity and explain its affiliation with the institution, conference or noninstitutional charitable, educational or nonprofit agency (e.g., entity is the official sponsor of the institution or event);
 - (b) The promotion may not include language or action (e.g. voice-over, use of product of services, product placement, text) which directly encourages the use or purchase of a commercial product or service;
 - (c) A co-sponsor's product or service may not be included in the promotional activity, except for the normal use of athletics equipment and apparel; and
 - (d) The promotion may not include co-sponsorship by a commercial agency that is involved in or promotes sports wagering activities.

The subcommittee also recommends the elimination of the requirement that all moneys derived from an activity go directly to the institution or conference or to the charitable, educational or nonprofit agency. In addition, the subcommittee recommends that Bylaw 12.5.1.1.2 be amended to allow promotional activities to occur at the location of a commercial establishment, which may be a cosponsor of the activity, provided the student-athlete does not promote the sale of a commercial product or service in conjunction with the fundraising activity. Finally, the subcommittee recommends that Bylaw 12.5.1.8 be amended to allow photographs of student-athletes to be sold in the same manner as is currently permissible for highlight videos and media guides.

(2) Rationale. The elimination of the requirement that the appearance of a commercial co-sponsor be limited to the reproduction of the sponsoring company's officially registered regular trademark or logo does not open the door to elaborate advertisements. It simply deregulates an outdated and often confusing standard. The current legislation addresses this limitation in the context of printed items. Interpretations were necessary to extend the limitation to other media. The key is the requirement that the relationship between the institution and the commercial cosponsor is explained in the promotional activity. It is important that the relationship or affiliation of the commercial co-sponsors with the institution, conference or noninstitutional charitable, education or nonprofit entity be explained as a part of the promotional activity. In activities that have multiple commercial co-sponsors, a common relationship or affiliation does not have to be explained separately for each commercial co-sponsor. The product or service of a cosponsor may not be included in the promotional activity, except for the normal use of athletics equipment and apparel. Athletics apparel and equipment manufacturers that support an institution's athletics program should be allowed to be recognized as sponsors when the apparel or equipment is in normal use in an athletics context.

(3) Effective Date. August 1, 2008.

(4) Budget Impact. None.

(5) Impact on Student-Athlete's Time. None.

b. Bylaws 12.5.1 and 12.5.2 – Amateurism – Permissible and Nonpermissible Promotional Activities – Competition Video, Audio Footage or Photographs.

(1) Recommendation. The subcommittee recommends that the cabinet sponsor legislation to amend Bylaws 12.5.1 and 12.5.2 to specify that an advertisement or promotion by a commercial entity (except for any entity that is involved in or promotes sports wagering) may feature competition video footage, competition audio or competition photographs involving a student-athlete with eligibility remaining, provided the following conditions are met: