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## Division III Amendments - Multiple Selection

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### AMATEURISM -- PROFESSIONAL TEAM -- DEFINITION

**Convention Year:** 2003

**Date Submitted:** 08-MAY-2002

**Effective Date:** 01-AUG-2003

**IPOPL Number:** na

**SPOPL Number:** 38

**Official Notice Number:** na

**Source:** NCAA Division III Presidents Council [Management Council (Amateurism Task Force)].

**Proposal Category:** President's Council

**Topical Area:**

**Status:** Ready for Convention Vote

**Intent:**

To specify that a professional team is an organized team that provides any of its players more than actual and necessary expenses, as specified, or declares itself to be a professional team.

**A Bylaws:** Amend 12.02.4 , page 51 , as follows:

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

**"(a) Is a member of a recognized professional sports organization. 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:**

**"(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 tied to competition or practice;**

**"(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 the season;**

**"(7) Medical treatment and physical therapy;**

**"(8) Facility usage; and**

**"(9) Entry fees; or**

*"(b) Is directly supported or sponsored by a professional team or professional sports organization, except as permitted in Bylaw 12.6.1.8 (see also Bylaw 12.6.1); Declares itself to be professional.*

*"(c) Is a member of a playing league that is directly supported or sponsored by a professional team or professional sports organization (see also Bylaw 12.6.1); or*

*"(d) Has an athlete receiving for his or her participation any kind of payment, directly or indirectly, from a professional team or professional sports organization (see also Bylaw 12.6.1.1)."*

**B Bylaws:** Amend 12.6.1.7 , page 63 , as follows:

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*"12.6.1.7 Youth Teams. An individual may participate on a youth team, including a team consisting of prospects, sponsored by a professional sports team or organization without jeopardizing intercollegiate eligibility in that sport, provided the following conditions are met:*

*"(a) The youth team must otherwise be an amateur team;*

*"(b) Sponsorship fees provided to the team are not earmarked for a particular individual; and*

*"(c) The team is not controlled, owned or operated to any extent by a professional team or organization."*

**Rationale:**

The current definition of a professional team has been used by the membership since 1974. This proposal amends the definition of a professional team for several reasons. First, the current reinstatement process handles cases involving "low" levels of amateur competition that result in a violation due to the team receiving funding indirectly from a professional team. For example, there are international youth teams in the sports of soccer and basketball that accept funding from professional teams and, thus, are considered professional teams under the current definition. Under the proposed definition, any participant's actual and necessary expenses no longer would be considered professional. Further, sophisticated amateur competition can escape the current definition of a professional team even if the amateur team provides pay to its players. This proposal would address this loophole.

