

# NCAA Division I Amateurism

May 19, 2015

# Overview

- ▶ Promotional activities.
- ▶ Nonathletically related promotional activities after enrollment.
- ▶ Advertisements and promotions after enrollment.
- ▶ Crowdfunding.
- ▶ Questions.

The background features abstract, overlapping green geometric shapes, primarily triangles and polygons, in various shades of green, creating a modern and dynamic visual effect.

# Promotional Activities: Institutional, Charitable, Education or Nonprofit Promotions

# Institutional, Charitable, Education or Nonprofit Promotions

- ▶ Member institution or conference.
- ▶ Recognized institutional entity.
- ▶ Noninstitutional charity.
- ▶ Noninstitutional educational entity.
- ▶ Nonprofit agency.

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# Institutional, Charitable, Education or Nonprofit Promotions

## ► Use of an SA's name, picture or appearance to support:

- Charitable or educational activities; or
- Activities considered incidental to the SA's participation in intercollegiate athletics.

## ► Conditions:

- Written approval from director of athletics (or designee, not a coach).
- Only permissible sponsorship is sponsoring company's officially registered regular trademark or logo.

- May include emblem, name, address and telephone number.

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# Institutional, Charitable, Education or Nonprofit Promotions

## ► Conditions:

- No reproduction of product if commercial entity's trademark or logo appears in promotion.
- SA may not miss class.
- All moneys go directly to institution, conference or other permissible entity.
- SA may accept actual and necessary expenses.
- Name, picture or appearance may not be used to promote commercial ventures of nonprofit agency.

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# Institutional, Charitable, Education or Nonprofit Promotions

## ► Conditions:

- Restrictions on the sale of commercial items.
  - Noninformational items that include a single SA may not be sold.
  - Noninformational items that include multiple SAs may be sold.
- Institutionally controlled outlets or outlets controlled by other permissible entity.
- SA and authorized representative of permissible entity must sign statement ensuring proper use of likeness or appearance.

*NCAA Bylaw 12.5.1.1*

# Commercial Locations/Sponsors

- ▶ Activities may occur at the location of a commercial entity, provided:
  - The entity is not a cosponsor; and
  - SAs do not promote the sale of a commercial product.

*Bylaw 12.5.1.1.2*



The background features a series of overlapping, semi-transparent green triangles and polygons of various shades, creating a dynamic, abstract geometric pattern. The colors range from light lime green to deep forest green. The shapes are layered, with some appearing more prominent than others, creating a sense of depth and movement. The overall effect is modern and clean.

# **Modeling and Other Nonathletically Related Activities After Enrollment**

# Continuation of Modeling and Other Activities After Enrollment

- ▶ Involved before enrollment.
- ▶ Involvement is independent of athletics.
- ▶ No reference to name or involvement in athletics.
- ▶ No endorsement.
- ▶ Payment at a commensurate rate, not based on athletics.
  - ▶ Must have been receiving payment prior to enrollment

*Bylaw 12.5.1.3*

# Advertisements and Promotions After Enrollment

# Advertisements and Promotions After Enrollment

- ▶ Use of name or picture to promote sale or use of commercial product or service prohibited.
- ▶ No payment for endorsing commercial product or service through SA's use of such product or service.

*Bylaw 12.5.2.1*

# Recent Interpretation

## SA Providing Opinions on a Product or Service.

- ▶ SA may provide an opinion about a commercial product or service:
  - No individual associated in any manner with the commercial product or service is involved in directing the SA to issue the opinion.
  - SA does not receive any benefits from any source in conjunction with his or her opinion.

*Official Interpretation [Reference: 4/20/15, Item No. 1]*

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# Crowdfunding

# Crowdfunding

- ▶ Crowdfunding is the practice of funding a project or venture by raising monetary contributions from a large number of people, typically via the Internet.
- ▶ SA's name or picture cannot be used to promote or to solicit funds for a commercial product or service of any kind. This applies to traditional, brick-and-mortar businesses, commercial websites, for-profit crowdfunding sites and other online businesses that seek to use a SA's name, picture or likeness for any commercial purpose (e.g., promotion, generation of revenue).

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# Crowdfunding

- ▶ SA's eligibility would not be impacted until SA is aware that his or her name or picture appears on a crowdfunding website.
  - Once the SA or the institution become aware that the SA's name or picture is being used to promote a crowdfunding entity, SA (or the institution acting on behalf of the SA) is required to take steps to stop such an activity (e.g., send a cease and desist letter) in order to retain eligibility for intercollegiate athletics.
- ▶ SA cannot use athletics skill (directly or indirectly) in a sport for any form of pay or SA loses amateur status and is not eligible for intercollegiate competition in that sport.
- ▶ SA cannot accept the promise of pay, even if the funds will not be disbursed until after completion of intercollegiate athletics participation.
- ▶ SA cannot use his or her name, picture, athletics skill or reputation to earn pay in any form in the sport, including funds through a crowdfunding website for items of need (e.g., laptop, car, food, school supplies, etc.).



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Questions?