

# Evaluating the Issues of Fairness in College Athletics: A Policy Paper

Honors 301H: The Role of Knowledge & Critical Thinking in Developing Policy

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## Introduction:

It is not uncommon to run into student athletes on campus at Penn State. They are a part of the general student body and attend classes like a typical student, but are also readily identifiable. They clearly stand out with Nike backpacks monogrammed with their name and sport, navy blue Nike sweats, and sometimes a complimentary iPad to use in class. Personally knowing a student athlete can be a source of pride: students brag about having student athletes in their classes or at their THON organization's date auction. Some have been known to take "selfies" with the more prominent athletes as they eat meals in the dining halls, earning them fame on social media. The same goes for alumni, future Penn Staters, and Penn State fans of all ages that travel far and wide to fill Beaver Stadium or the Bryce Jordan Center on any given weekend during the school year.

Are student athletes considered local celebrities on college campuses? At some large universities, this seems to be the case. Student athletes enjoy many benefits from their status, but it comes at a price and with sacrifice. Students who chose to pursue athletics in college dedicate unquantifiable amounts of time and effort to their sport, and as a result relinquish some control on their personal lives. This can come in the form of demanding practice schedules, traveling to games, and especially in the form of signing various contracts put forth by the Penn State Athletics Department and the National Collegiate Athletic Association (NCAA), the largest, most prominent governing body of college athletics. In this sense, student athletes are not like normal college students at all; while maintaining their identity as a student committed to academics first and foremost, they also have loyalty to their team and university to win on the field or on the court.

Being a student athlete is a fine line to walk, especially with the plethora of NCAA regulations and university specific contracts with which they must comply.

Bearing this in mind, questions of fairness regarding student athletics and its governing bodies are raised. Who owns a student athlete's identity? Is the NCAA consistent in its intentions and actions? How can change be made to better regulate the NCAA and its member schools to best insure the success of student athletes on and off the field? Through research, interviews, and discussion, a team of six sophomores in the Presidential Leadership Academy at Penn State University set out to recommend policy and uncover the answers.

#### Background:

There has been a need for regulation in intercollegiate college athletics dating back to 1840 at the very first athletic events between Harvard and Yale Universities. To combat the issues of cheating and safety in sports, the Intercollegiate Athletic Association was created through efforts with the Federal Government, which eventually was renamed in the NCAA in 1910. The nationwide movement from 1840-1910 towards greater regulation of college athletics resulted in transfer of autonomy from loose student control to faculty oversight, from faculty oversight to the formation of conferences, and ultimately the establishment of a national entity, the NCAA, for governance purposes (Rodney, 2000).

Today, the NCAA states that it exists to support student athlete success “on the field, in the classroom, and for life” (NCAA.org, 2015). It outlines a number of core beliefs that include upholding a collegiate model of athletics, pursuit of excellence in

both academics and athletics, as well as instilling values of integrity, respect, and presidential leadership in student athletes (NCAA.org, 2015). Andy Banse, Director of Athletics Compliance at the Penn State Ethic's and Compliance Office agreed with these core values from a university level, stating that the NCAA holds academics and amateurism paramount to the student athlete (Banse, 2015). There are over 1,200 colleges and universities affiliated with the NCAA across the three divisions of college athletics (NCAA.org, 2015). These "member" universities drive the policies and decisions that the NCAA puts forth and regulates. Because the NCAA is fueled by the universities that support it, one would think that the NCAA is clear and just in its intentions and actions. However, this is not always the case. Although the NCAA has good conations, the transparency of its actions is often lost in translation, resulting in loopholes in its policies that do not promote their mission. For example, the NCAA recognizes that a very small percentage of college athletes will join the professional leagues upon graduation (see Table 1). The NCAA repeatedly states that it wants students to succeed "in life" by pursuing other ventures and career goals outside of athletics. However, at the same time, the NCAA has multiple policies in place that prohibit student athletes from aspiring towards interests that use their name, image, and likeness.

There are also a number of case studies that have made the news in recent years which showcase the dispute between student athletes and the NCAA, spanning from the infamous O'Bannon v. NCAA Supreme Court ruling to individual cases of student athletes such as Jeremy Bloom. These real life examples provide evidence to the issues of fairness that lie behind the interworking of the governing bodies of college athletics.

Table 1. Estimated Probability of Competing in Professional Athletics (NCAA.org, 2015).<sup>1</sup>

	NCAA Participants	Approximate # Draft Eligible	# Draft Slots	# NCAA Drafted	% NCAA to Major Pro*	% NCAA to Total Pro^
Football	71,291	15,842	256	255	1.6%	3.7%
M Basketball	18,320	4,071	60	47	1.2%	11.6%
W Basketball	16,319	3,626	36	32	0.9%	4.7%
Baseball	33,431	7,429	1,216	638	8.6%	--
M Ice Hockey	3,976	884	211	60	6.8%	--
M Soccer	23,602	5,245	76	72	1.4%	--

<sup>1</sup>“Estimated Probability of Competing in College Athletics Estimated Probability of Competing in College Athletics.” (2015): n. pag. Print.

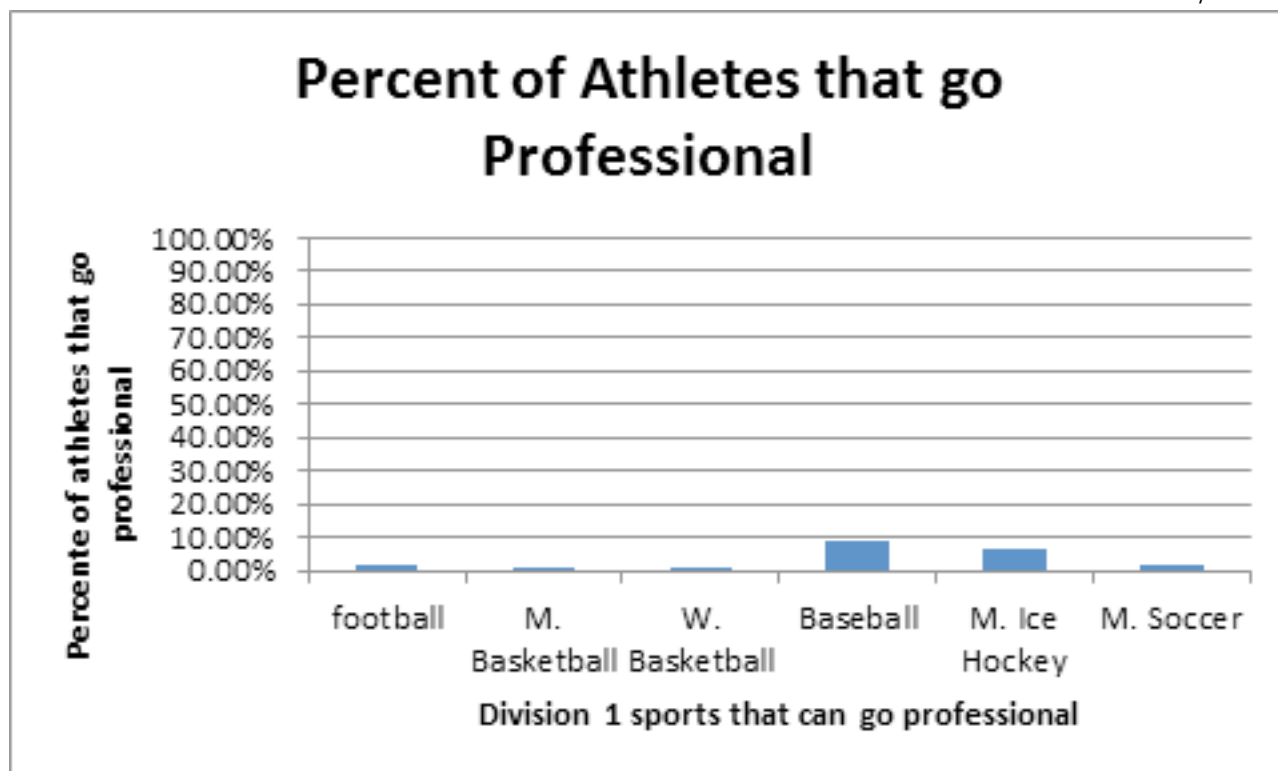


Figure 1. Graphical Representation of Estimated Probability of Competing in Professional Athletics (data from Table 1).

Perhaps the most symbolic example of athletes challenging the NCAA was Ed O'Bannon, a former U.C.L.A basketball star. In 2009, O'Bannon sued the NCAA for using his name, image, and likeness in TV Broadcasts and video games (Strauss, 2015). O'Bannon's legal team argued that student athletes should be compensated for usage of their name and likeness to promote their sport and university, as they are required to sign contracts, both through their university and the NCAA, that relinquishes control over this piece of their identity. On the other hand, the NCAA countered that student athletes must not be paid because student athletes are not professionals, saying, "anything amounting to pay-for-play will transform college sports into something unrecognizable" (Strauss, 2015). The original Supreme Court decision ruled in favor of O'Bannon, stating that the NCAA's currently policies violated antitrust laws. This outcome would allow universities to provide full cost of attendance to student athletes, and put up to \$5,000 per year of

eligibility into a trust fund that works as a deferred payment for players to use (Solomon, 2015). However, in March of 2015, the NCAA appealed this decision on the basis that Judge Wilken's ruling does not protect amateurism in college sports. The results of this appeal are yet to be revealed, but the nature of the case is a striking example of an issue of fairness in college athletics. Is it fair that student athletes give up part of their identity in the form of name, image, and likeness in support of their respective university and NCAA but get nothing in return? Is the only way to maintain amateurism in student athletes to withhold compensation? There are no right or wrong answers to these questions, although the elements of gray are certainly clear. It is important to remember that the NCAA exists to protect student athletes from exploitation by third parties, and their amateurism-focused policies are in place for good reason. Universally, it is challenging to strike a balance between protection and freedom in regulations.

Another issue of identity, related to policies of name, image, and likeness impacting career goals, came to light with student athlete Joel Bauman. In December of 2012, Joel Bauman released the song "Ones in the Sky". By February the YouTube video had over 47,000, and was also available for purchase on iTunes (Borzi, 2013). However, this success came at a huge cost to Bauman. Bauman was a student at the University of Minnesota where he was a redshirt sophomore for the wrestling team. He attended school on a partial wrestling scholarship while also planning on pursuing his passion for music. Bauman used his name and image for the song he released, and he also stated that he was a wrestler for the University of Minnesota. All three of these things violate the NCAA's current restrictions on using name and likeness for profitability. As a consequence, Bauman lost his eligibility for the current wrestling season. Furthermore, starting next



year he would lose his scholarship money if he remained unable to compete. Standard waivers were not able to solve the problem, since the NCAA is only willing to grant those in “extenuating circumstances”. As a compromise Joel Bauman offered to legally change his name back to his birth name Tre’Vaun Rashaad Stevenson. Doing so would turn Joel Bauman into a stage name, which is the requirement under NCAA regulations. However, this proposition was rejected as well and his eligibility was not restored (Borzi, 2013). If the NCAA is so adamant about preparing student athletes for life beyond a career in athletics, why were they simultaneously inhibiting Bauman’s passion and path to success?

A related scenario involving compensation injustice involved student athlete Jeremy Bloom. Growing up in Keystone, Colorado, Jeremy Bloom was exposed to skiing at a very early age. By the age of fifteen he was on the U.S. Ski Team, and at nineteen he won his first world championship. He was also an avid football player, and earned himself a full ride to the University of Colorado on a football scholarship (Lichtenstein, 2002). Jeremy had earned many titles and awards as a skier, and as a result received endorsements and sponsorships. Of course, keeping these endorsements as a football player violated the amateurism requirements set forth by the NCAA. There was a long back and forth battle between Jeremy and the NCAA, but by the end of his sophomore year he had been ruled permanently ineligible to play football (Lichtenstein, 2002). This raised a different set of questions compared to the other cases because he had received money for other athletic activities outside of the collegiate setting (Pullen, 2013). Since the Bloom case, an exception was established that allows ice hockey players and skiers to remain eligible for NCAA competition even if they’ve profited from participation on a

professional team. This raises the question of why these two sports are given preferential treatment compared to other sports, and how this profitability can be justified using the NCAA's argument of amateurism being essential to the student athlete's identity.

While many people feel that the NCAA should allow athletes to be compensated, there are also those who feel compensation should remain banned. Regardless of personal views on the topic, there are definitely valid points as to why compensating college athletes would be harmful to their intended purpose. Looking at these arguments will provide better background and information and create a well-informed university community.

While not a sufficient reason alone, the tradition of amateur athletics at academic institutions is one reason why some believe athlete payment should remain forbidden. Colleges and universities did not create athletic programs with the intention of seeing how much revenue they could generate. Their intended purposes could be boiled down to two things, fitness and sportsmanship (Smith, 2000). University leaders saw no better way to promote physical activity and wellness then by turning sports into a competition. The presence of structured, organized sports also teaches the importance of good sportsmanship, which some argue has been lost among teams and competitions today. By adding paychecks and bonuses to the equation, the traditional values of fitness and sportsmanship will be lost as athletes work just to earn their next payout. Placing value on these traditions sets the framework for the NCAA to shed their reputation as an organization trying to steal money and identities from student athletes.

If athlete compensation were to be permitted, certainly more questions of fairness would be raised. Across the board, there would be unavoidable unfair competition

between those universities that make more money and those that make less. Penn State is a large university with a strong fan base capable of making millions of dollars in revenue through athletic programs. Almost no other school is capable of matching Penn State's athletic income, meaning Penn State would have much more money available to offer athletes. Financial aid is often a large determining factor in choosing which college to attend. One of the hardest decisions an incoming student athlete could be faced with is having to decide between multiple universities with varying scholarship offers, influencing students to choose a school that is a better athletic fit than academic. Both of these scenarios create an unfair situation for the student that encourages short-term financial success over long-term academic success.

Even more questions arise if athletes start to receive paychecks for playing college sports. Are all athletes paid the same amount? Is it a set amount for each sport? Do athletes negotiate with coaches? Are all athletes evenly paid? All of these questions and many more would need to be tackled if student athletes were to receive compensation.

After examining the sides of opposition to our argument, we agree that athletes should not be paid for their participation in college athletics because it results in a loss of their identity as an amateur. The tenet of amateurism in college athletics is crucial to student athletes' success as a student first and foremost. However, we feel that athletes should be on an equal, level playing field with their peers in that they can use their name and image to profit off of potential career goals that are not related to athletics, such as making music, modeling, acting, and selling real estate. This concept, among others, is

encompassed in the first prong to a three-part policy recommendation that is included later in this document.

#### Current Stance:

While the issues of fairness regarding college athletics are not black and white, a few things are clear: tensions surrounding these topics have been high for years, and tangible reform needs to be implemented at the public, university, and NCAA in order to bring justice to the legislative systems governing college athletics. Taking all of the extensive research, background knowledge, and conversations with key stakeholders in the Penn State community into account, our team's current standing on the issue of fairness in college athletics is as follows.

Although possessing good intentions, the main institution that governs college athletics, the NCAA, is impeding student athlete's success beyond their college athletic career through policies that compromise their identities. The current system in place promotes a lack of transparency in NCAA regulations, causing student athletes to transfer the use of their name and likeness to their respective university. This jeopardizes their rights to their identity, the ability to pursue a career outside of athletics, and leaves them prone to possible exploitation by their chosen university. Additionally, current NCAA policies significantly hinder student athletes' ability to pursue and possibly profit from their own hobbies and career goals, resulting in the manifestation of an unfair relationship between university and student-athlete.

In order to combat this injustice, we have drafted a new policy regarding a student athlete's pursuit of self-employment opportunities. This piece of legislature allows

student athletes to profit off of their name and likeness for non-athletic career ventures, as well as provides a mechanism for student athletes to receive compensation. After approval by the NCAA governmental body, it would be most effective if implemented at the NCAA level and enforced at all member universities. In addition, we advocate for an increased level of transparency and distribution in education about NCAA policies and regulations to better inform community members, administrators, and athletes themselves about this issue. Lastly, we endorse the notion for the Penn State University to standardize all athletic jersey sales to embody the “One Team” slogan, so no individual player’s number is likened to merchandise. We envision the implementation of these last two policies to occur at the university level, specifically at Penn State.

### Proposed Mechanisms for Student Athlete Compensation:

This proposal aims to increase the autonomy of student athletes as they attempt to become well-rounded students and to pursue professional careers after they graduate. In order to do so, this paper discusses the intent and rationale behind this proposal, outlining current and future legislation that could address this issue, and outlining the steps needed to implement this policy in the governing body of college athletics.

#### Intent and Rationale:

The explicit intent of this proposal is to increase the autonomy of student athletes as they attempt to become well-rounded professionals and pursue their careers as students and as graduates. In many ways, college athletes are put at a disadvantage when compared with regular students. College athletes receive many benefits from their universities, yet they often struggle to maintain their grades, social life, and professional network outside of their sport. In addition, they, unlike their non-athlete peers, are blocked from pursuing many form of professional development because of strict policies governing the behavior of student athletes. Since a very small percentage of college athletes become successful professional athletes, most of the students competing in college athletics are devoting a great deal of their time to an extracurricular activity that will not provide them with a reliable career in the future.

As one of the core values of any university ought to be securing the future career success of their students, one would expect institutions of higher education to provide college athletes, who already pour extraordinary amounts of their time into a sport that they most likely will not turn into a career, with every opportunity to pursue their other

professional interests. However, many rules and regulations that colleges put in place to protect the amateurism of student athletes-especially policies regarding the use of a student athletes name and likeness-actually hinder these very athlete's ability to develop professional skills in their chosen career field. Preventing athletes from creating a small business, producing music, or creating a modeling portfolio because of name and likeness regulations runs counter to the mission of higher education-to prepare students to excel outside of college, in whatever career path they choose.

Indeed, the governing body of college athletics, the National Collegiate Athletic Association (NCAA), disallows student athletes from profiting off of their name and likeness in any way, including preventing athletes from receiving compensation for any athletic or non-athletic endeavor where their name would be used.

Therefore, this proposal, through a combination of legislative changes and suggested administrative actions, seeks to place student athletes on equal footing with the general student population with respect to individual business ventures that are unrelated to athletics, as well as creating a system to allow student athletes to be compensated for athletic performance outside of their official college sport. The intent of these policies is to provide a greater measure of fairness to student athletes as they go through their college careers.

Although the intent of this proposal is simply to assist student athletes, any changes to the name and likeness regulations must be made only after due consideration has been given to the preservation of amateurism among college athletics. Current NCAA policy limits athlete's rights to their own name and likeness because one of the core values of the institution is to create an environment of amateurism. The idea is that if

athletes are not paid, then they are not professional athletes, ensuring that they pursue their responsibilities as a student first and as an athlete second. However, if college athletes are students first, they should be given the same opportunities to pursue career opportunities as other students. In addition, this proposal, while it does create mechanisms for college athletes to receive compensation for certain athletic activities, will not allow athletes who have received money for playing a sport to play that sport in the NCAA. Therefore, because amateurism is certainly an important aspect within the structure of college athletics, the measures proposed by this policy do not directly threaten the amateurism of college athletes, seeking only to ensure that they are permitted to profit off of their talents in the same way that their non-athlete peers are.

#### Current Legislation:

As previously stated, current NCAA policies do not allow athlete's to profit off of their name and likeness in any form. While schools and other institutions are allowed to sell and profit from media like athlete's jerseys, pictures, videos, etc. the athletes themselves are not permitted to receive any form of compensation. Again, the principle is to protect the amateurism of student athletes, and to ensure that they are students first and athletes second. The current policies within the NCAA that pertain to this proposal, are regarding amateurism of college athletes and the use of an athletes name and likeness. The current policies are quoted below, with the full text of the policies, as well as the relevant bylaws available in the appendix of this paper:

#### Amateurism – All Sports.

- a. You are **not** eligible for participation in a sport if you have ever:
  - (1) Taken pay, or the promise of pay, for competing in that sport.
  - (2) Agreed ... to compete in professional athletics in that sport. ...



(3) Played on any professional athletics team ...

(4) Used your athletics skill for pay in any form in that sport....

b. You are **not** eligible in a sport if you, or your relatives or friends, ever have accepted money, transportation, lodging, entertainment or other benefits from an agent or agreed to have an agent market your athletics ability or reputation in that sport.

c. You are not eligible in any sport if, after you become a student-athlete, you accept any pay for promoting a commercial product or service or allow your name or picture to be used for promoting a commercial product or service

d. You are not eligible in any sport if, because of your athletics ability, you were paid for work you did not perform, were paid at a rate higher than the going rate or were paid for the value an employer placed on your reputation, fame or personal following.

Relevant Bylaws to Amateurism Legislation: 12.1.2; 12.2.5.1; 12.1.2.4; 12.2.3.2.1; 12.02.5; 12.3.1; 12.5.2; 12.4

While current legislation does not allow for an athlete to be compensated monetarily, a policy has been proposed during the current legislative cycle of the NCAA's governing body that would significantly change these policies. This proposed proposal will be voted on in January of 2016 at the 2016 NCAA Convention in San Antonio, Texas, after a months-long opportunity for review and comment from all Division I members. It reads as follows:

Proposal Number: 2015-19

Title: AUTONOMY PROPOSAL -- AMATEURISM AND ATHLETICS  
ELIGIBILITY --  
SELF-EMPLOYMENT -- PROMOTION OF A NONATHLETICALLY  
RELATED BUSINESS

Intent: To specify that a student-athlete may use his or her name, picture or likeness to promote his or her own business, provided the business is not athletically related and the promotion does not include any reference to the individual's status as a student-athlete or affiliation with the institution's department of athletics.

Bylaws: Amend 12.4.4, as follows:

12.4.4 Self-Employment. [A] A student-athlete may establish his or her own business, provided the student-athlete's name, photograph, appearance or athletics reputation are not used to promote the business. Further, the student-athlete may use his or her name, picture or likeness to promote the business, provided it is not athletically related and the promotion does not include any reference to the individual's status as a student-athlete or affiliation with the institution's department of athletics. If the business is athletically related, the student-athlete's name, picture, likeness, appearance or athletics reputation shall not be used to promote it.

Source: Pac-12 Conference

Effective Date: August 1, 2016

Category: Amendment

Topical Area: Amateurism and Athletics Eligibility

Rationale: This proposal seeks to place student-athletes on equal footing with the general student population with respect to individual business ventures that are unrelated to athletics.

Current legislation limits a student-athlete's opportunities to successfully market or promote his or her own business ideas, even when they have no involvement with athletics. Providing entrepreneurial student-athletes with an opportunity to promote their own, non-athletically related businesses in the same manner as other students is a fair and appropriate outcome in a campus environment that is increasingly driven by innovation and creativity. As the proposal is carefully crafted to only allow this flexibility with the student-athlete's own business, individual institutions should be able to enforce this legislation with their

respective student-athletes by requiring documentation related to the business, including services provided or products produced, going rate for those services or products and any other relevant information.

Additionally, in order to avoid extra benefit violations, a student-athlete should be encouraged to specify whether any representatives of athletics interests are involved in his or her business.

Budget Impact: None.

Impact on Student-Athlete's Time (Academic and/or Athletics): None.

History

Sep 01, 2015: Submit; Submitted for consideration.

Policy:

The proposed NCAA legislation would be a step in the right direction to ensure that student athletes are treated fairly and on an equal level with their peers. However, in addition to receiving money for the use of their name and likeness, athletes should also not be barred from college athletics for receiving compensation for a sport not related to their current NCAA sport. For example, sponsorships from the Olympics and stipends received from teams or clubs outside of their college sport. Current policies bars athletes from playing at a college level if they have *ever* received significant monetary compensation for their athletic accomplishments, a standard which is unfair to certain athletes, such as Olympians, who receive monetary sponsorships. In order to address this problem, a new amendment to NCAA legislation has been created. It reads as follows:

Amateurism – All Sports.

- a. You are **not** eligible for participation in a sport if you have ever:
  - (1) Taken pay, or the promise of pay, for competing in that sport.
  - (2) Competed in professional athletics within that sport.
  - (3) Used your athletics skill for pay in any form in that sport.

- b. You are not eligible in any sport if, after you become a student-athlete, you accept any pay for promoting a commercial product or service or allow your name or picture to be used for promoting a commercial product or service
- c. You **are** still eligible for participation in a sport if you have received, or continue to receive, certain forms of pay or other compensation, including:
  - (1) Sponsorships and advertising deals from a sport other than the sport you play in the NCAA.
  - (2) Prizes or competition money in a sport other than the sport you play in the NCAA.
  - (3) Prior sponsorships, pay, or advertising deals received in a sport other than the sport you play in the NCAA.

Along with implementing the NCAA's current proposal allowing student athletes to profit off of their name and likeness for non-athletic business ventures, creating a mechanism for compensation from other sports would further ensure that college athletes are given the opportunity to control their own careers and maintain financial stability while in college. Because athletes who are paid for their specific sport (soccer, for example) before or during college are barred from playing that sport in college, the amateurism of NCAA athletes will be protected. It will not only allow athletes to pursue career opportunities not only within the business world, but also within other athletic endeavors (for example, skiing as opposed to soccer.) Most importantly, these policies will promote the fair treatment of student athletes.

#### Implementation:

To implement this proposal, the first step would be to propose this legislation to the NCAA using a pre-existing, internal process within their governance. In order to propose

legislation to the NCAA, specifically within Division I athletics, the following steps must be taken.

1. Recommending the proposal to relevant authorities

This step includes contacting Athletic Department Officials, coaches, conference offices, NCAA committee members, and athlete associations in order to gain support and recognition of our proposal.

2. Finding sponsorship

All NCAA legislative proposals must be sponsored by either an NCAA Division I Board of Directors, an NCAA Division I Council, or a Division I Conference.

Within the NCAA Division I Council, the following three subdivisions can independently sponsor legislation: the Student Athlete Advisory Committee, the Committee on Academics, and the Council Coordination Committee. (Deadline for sponsorship is September 1<sup>st</sup>.)

3. Drafting an official version of the proposal

Once the legislation has been sponsored by one of the appropriate organizations and the Council decides to propose the legislation (by a majority vote), the proposal will be written and codified in the Division I Council meeting report, specifying the intent and rationale of the proposal. (Deadline for draft is the October Division I Council meeting.)

4. Modification and official notice of proposal

The proposal is modified by the appropriate subcommittees and councils, finally being officially released to the public in its final form. (Official notice of proposal published on December 1<sup>st</sup>.)

5. Voted on during the NCAA National Convention and Board of Directors Meeting

During the January convention, the proposal will be discussed, debated and voted upon. Assuming that it receives a majority of votes, it will undergo a final modification and vote during the annual Board of Directors meeting in April. If the Board votes to adopt the proposal, it will then be implemented into the legislation of the NCAA.

Assuming that this proposal successfully passes through all of the steps listed above, it will then undergo a sixty day waiting period where it can be vetoed by a  $\frac{3}{4}$  majority of the Division I Council. Provided that it survives this period without a veto, it will then be implemented. The entire process, from the proposal of the policy any time before September 1st to the Board of Directors' final decision in April, will take upwards of 8 or 9 months. This means that the most optimistic projection of this proposal will have it being implemented in the 2017-2018 school year, starting on the first of August 2017.

Conclusion:

As stated in the introduction, the purpose of this policy proposal is to ensure that student athletes are treated fairly and on an equal level with their peers. The measures set forth in this paper attempt to do so by allowing for student athletes to profit off of their name and likeness for non-athletic business ventures, as well as creating a mechanism where athletes can receive compensation for participating in athletic activities outside of their NCAA sport. In order to implement this policy, concrete steps have been outlined above. Overall, this proposal aims to protect student athletes while simultaneously maintaining the amateurism of college athletics as a whole.

## Advancement of Fairness through Education of Key Parties

It is often said that education is essential to our future, a master key to solving the world's problems. It is ironic then that the solution to addressing the multitude of problems plaguing college athletics lies in better education of administrators, athletes, and the community alike. Here we have our nation's institutions, whose core missions' focus preparing young adults for the world around them through the distribution of knowledge, failing to properly educate the key stakeholders in the issues and regulations surrounding college athletics. This piece of policy is intended to address the issues of compliance with NCAA regulations and the relationship between students, student athletes, and their university by guiding Penn State and other universities in the pursuit of a more educated populous.

At present the Athletics Compliance Office, whose mission is accomplished through, "Educat[ing] student-athletes, fans, coaches, and staff" at Penn State and many universities across the country holds an educational seminar for student athletes to review NCAA, conference, and school regulations at the beginning of each year. Yet, such a forum is not required by NCAA rules (Banse, 2015). There are some universities who can and do elect to let the athletes teach themselves the regulations by navigating a complicated and confusing rulebook totaling almost 500 pages (NCAA, 2013). Lets change that. We propose that student athletes deserve a minimum 3 hour presentation at the beginning of each semester to review and remind them of the standards set forth by college sports governing body and school administrators.

However, the issues do not stop at miscommunication and under-education between administrators and student athletes. Rather, we must address the problem from all angles, including the student body and community aspect. In early October 2015, Penn State Intercollegiate Athletics released their Strategic Plan Framework for student and community input:

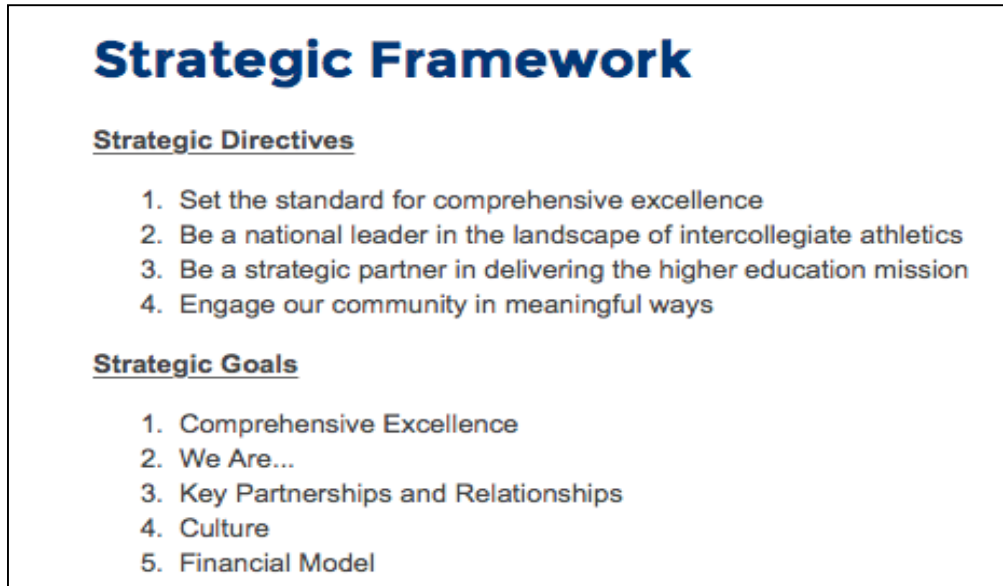


Figure 2. Penn State Intercollegiate Athletics Strategic Plan Framework (Penn State University, 2015).

In an open-forum with students to review and receive feedback on the plan, current Penn State Athletic Director Sandy Barbour made a point to emphasize Strategic Directive number four as a focal point to, “Engage our community in meaningful ways” (Barbour, 2015). We propose to tackle this issue by creating a second educational presentation, to be delivered by Sandy Barbour and her staff at Penn State Athletics, which will focus on educating non-athlete students at Penn State along with the



surrounding community on the regulations and responsibilities surrounding student athletes. This presentation will be made open to the public and will be held once at the beginning of each semester and can be found at the end of this document in handout form.

The presentation will focus on three key aspects. Its first goal will be to educate non-athletes on the rules and regulations of college athletics and the role they play in the compliance process. The second focal point will be to explain the commitments and responsibilities of a student athlete along with the benefits individual athletes receive. Lastly, the third key point of the presentation will be to educate the public on the value of college athletics to the institution as a whole.

The system that exists today is one where athletes and athletic departments are judged not on the facts but on the court of public opinion. Therefore, it is imperative that all parties know the truth at the center of debate. It is important to note that college athletic departments have their own operating budgets and are not in the business of making a profit. All revenues are funneled back into the department to aid less profitable sports and to provide for athletes on scholarship. Additionally, Penn State is one of very few institutions nationwide with a self-sustaining athletic department that does not pull on university funds to support their activities.

One example of how educating the public can help to create a more fair landscape across intercollegiate athletics is by eliminating rumors and misconceptions and providing hard facts to enhance and encourage open dialogue. For example, before meeting with Sandy Barbour our policy group had no idea that non-athlete students are granted aid based on Cost of Attendance (COA) figures (NCAA.com, 2015). Prior to

2015, COA adjustments were forbidden only for student athlete scholarships and the decision by the NCAA to allow COA payments this season going forward drew harsh criticism across the country (NCAA.com, 2015). However, if the critics had the facts and were aware that COA is a normal piece of college-aid, it is doubtful that they would be so up in arms over providing athletes with the same level of aid given to their solely academic counterparts.

In order to effectively and efficiently educate the mass population on an issue so easily misunderstood like college athletics, it is imperative to thoroughly inform the members of the university who have branched nationwide in order to sufficiently spread and enforce the terms and policies of the NCAA, the various conferences, and the school itself. As this specific issue of name and likeness within the realm of college athletics is very much a grey area, and a way in which to bring the spotlight upon an issue such as this is through clear as well as explicit education.

As stated by the Pennsylvania State University Athletic Compliance Office through their educational PowerPoint reserved for athletes at Penn State, the mission of the office is to, “ensure that the Penn State Athletic program operates in accordance with the rules and regulations set forth by the NCAA, the Big Ten, and the Pennsylvania State University” (Banse, 2015). While the education of all individuals involved is imperative to demystifying the smog surrounding the issue of name and likeness in college athletics, the knowledge of university officials as actors on behalf of the school athletics program, the respective conference, and the NCAA in general is vital to promoting a transparent atmosphere amongst its athletes, spectators, and employees.

Having a platform of educated university officials at the disposal of the schools, conferences, and the NCAA is a major player in how these various groups promote a positive message to prospective athletes and their families as well as those who are avid fans of college sports, thus placing education as one of the most capable and practical avenues to clarify the crux of the name and likeness debate within the athletic world. With this in mind, the dissemination of the information on behalf of these large organizations is imperative, and it is believed that the lack of transparency on the side of these larger institutions can lead to misinterpretation of events that occur within the world of college athletics. As a result, the repeated miscommunication can lead to incorrect facts and jaded opinions, which can culminate in a poor reflection on all parties involved. In order to avoid situations such as these as well as an attempt to clear the air in regards to the details and facts regarding college athletics, education is an effective tool to do so, and it can strengthen the base of university officials to minimize situations surrounding the misinterpretation of data.

In order to execute this successfully, a proposed idea is to reach out to the university officials from every school regardless of division. In a manner similar to the education of the college athletes about NCAA policies, rules, and restrictions, a link of regular communication will be established between administrators and NCAA compliance officers. This will be achieved by mandating monthly presentations or newsletters be sent to university administrators. Instead of the exact presentation shown to the athletes, a modified and more concise version would be created in order to illuminate the current mission, policies, and regulations of the NCAA while highlighting any changes in interpretation, wording, or concept. In addition, these communications

would be held monthly in order to keep all officials up to date on changes as well as develop a friendly relationship between the NCAA and the universities, thus creating an open space for growth and development.

While incorporating various NCAA regulations taken from the organization bulletin itself, another resource to be used as an added teaching tool is found on the NCAA website. As an attempt to reach a wider audience, the NCAA publicly published a selection of videos informing watchers about the NCAA policies, regulations, and explanations for the reasoning behind the rules in regards to Division III athletic programs. The videos are very hard to find, as they are poorly marketed and found on very obscure sections of the NCAA website. The videos themselves are well done and extremely educational, doing the NCAA a great service through their creation however not harnessing its full potential through mass distribution especially to those, like university officials, who need to be refreshed on these policies and regulations. We would like to expand this educational video program to cover the rules and compliance process of Division I and Division II athletics as well.

In order for these monthly presentations to be effective, a combination of the current presentations used for student athletes, information gathered from the NCAA regulation videos, and outlines of NCAA documents will need to be condensed and organized. Through monthly communication, university officials will be able to learn firsthand any changes that occur within the NCAA in regards to regulations as well as ask any questions they may have in regards to the process as well as certain restrictions that may fall upon the athletes. These forums must be open to all kinds of questions from different fields throughout the realm of college athletics, thus calling for a presenter who

is familiar in all subjects pertaining to the NCAA, conferences, and the university. In order to ensure this personalized style of education, it is vital that an NCAA-sanctioned presenter be assigned to a small area of schools. That way, it will be easier not only for the presenter who will be able to connect with the small number of schools it educates, but also for the university officials who can easily communicate with their assigned educator with any questions or concerns they may have.

When analyzing the core of name and likeness in college athletics, specifically whether or not the individual athlete has the right to pursue other interests that are outside of the NCAA, a large discrepancy in transparency was noted. As stated by Pittsburgh Post-Gazette editor David Shribman, “the best disinfectant is sunlight” (Shribman, 2015), and through this addition of specialized education for university officials, transparency can be increased while simultaneously decreasing miscommunication amongst the furthest branches of the NCAA, conference, and university organizations.

There are benefits linked to added education amongst university officials through monthly meetings with NCAA-sent officials. As some athletes are unfamiliar with what documents they are required to sign, educating university officials in order to increase communication amongst the prospective athlete and the university is vital to ensuring the freedoms of individual athletes are kept in tact. In addition, the amateur status of the NCAA will be maintained as it will outline, through its university officials, its various regulations and policies. As the student athletes are increasingly familiar with the NCAA through knowledge obtained by university officials educated through NCAA-regulated officers, the issue of transparency within the large expanse of college athletics is dispelled.

As more and more light through education is brought upon the issue of name and likeness, highlighting details and providing explanations, the sensationalism surrounding these issues will lessen while promoting an atmosphere conducive to communication and understanding. Starting on the ground, the NCAA will be able to gain feedback in an easier manner as it would be passed from university official to regional educational officer to the large conferences and, eventually, to the NCAA itself.

With these new and open channels for divulgence of information, a better sense of decision-making will be created with the NCAA. With its hand on the pulse of student athletes sentiments throughout college campuses nationwide, it will better be able to discern how to go about making decisions that could affect any aspect of college athletics, regardless of conference or school. This way, more educated choices, especially in tact with the thoughts and wishes of those within the realm of the NCAA, can be made to a better-informed population.

Through the use of an improved education system that is more personalized as well as better distributed, the NCAA will be able to make decisions that positively affect the universities and athletes under its care. In addition, an increased level of transparency will exist between the three institutions of the NCAA, the various conferences, and the universities themselves. In order to further enhance the sense of transparency within the NCAA as well as the university athletics compliance offices, a more personalized education system geared towards athletes, community members, and university officials will be enacted providing for increased fairness not just from institution to institution but for each athlete as an individual

### Proposed Changes to Penn State Athletic Jerseys:

In order to resolve the issue of universities and store owners profiting from an athlete's fame and number, without the athlete receiving any compensation, we propose that the number one be retired from all of Penn State's athletic teams, and store owners only sell jerseys with the number one on them and the phrase "One Team" on the back.

The NCAA prohibits storeowners from selling anything with an athlete's name and face on it, but they can however sell their jersey number. Schools and licensees argue that the school owns the number, and therefore, have the right to sell it because no licensee is selling anything with an athlete's name and number. However, this regulation is loosely monitored and puts athletes at an unfair disadvantage. The NCAA does not have any legal control over what the storeowners do. The only thing members are obligated to do is write a letter to the NCAA and divulge any information they may have of store owners selling merchandise with an athlete's name and picture on it.

Unfortunately, the storeowners do not have to listen because the NCAA has no legal basis. Not enough is being done to prevent storeowners from illegitimately profiting off an athlete's name and likeness, and while it is argued that their actions are permitted because they are only selling jerseys with numbers on them, we disagree. This is an unfair issue because the athletes do not see any money that the storeowners and universities are making off their identity and fame that they work hard to create.

On football game days, the streets of Penn State are a sea of number fourteen jerseys; and it is common knowledge that nobody is selling and buying number fourteen jerseys because it is a random number. Storeowners are selling them in hopes of earning the highest profit because they know the student population wants Christian

Hackenberg's jersey. Athletes work countless hours and sacrifice much of their time to earn their reputation and get to where they are. According to the New York Times, some players, such as the Northwestern football team, spend up to 50 hours a week on their sport (Nocera, 2015). That's a huge sacrifice and a huge time commitment that athletes give to earn their reputation. It is unfair that store owners and universities are using the reputations that athletes earn for themselves to better their franchise, without the athlete getting any compensation or having any right in what the store owners are selling. Athletes deserve to be compensated for the money they bring into the university and the money that storeowners get from selling something that is linked to their fame as an athlete.

In an interview with Sandy Barbour, she said "The job of the university and the athletics program is to set athletes up for life [beyond their sport]. The more the university does athletically that is inconsistent with the academy, the more they drive a wedge between athletes and the student body, and athletes and the campus," (Barbour, 2015). Penn State is founded on the principle that the university constitutes "One Team". If we, as a university community, truly believe that WE ARE united and supportive of one another, then we should all take action on an issue that is plaguing our school and fellow Penn Staters. Penn State needs to join forces and stand up against this injustice.

As members of this tight knit Penn State Community, there is a way that we can resolve this issue with the efforts of the University, storeowners, and Penn State students. We propose that the university sell a more generic number, such as the number one that symbolizes "One Team". The necessary steps that need to be taken for this proposal are as follows:



1. All coaches will first need to agree to retire the number one from their roster.  
This will allow the storeowners to freely sell this jersey without violating the rights of the player who wears the number one.
2. The University would need to agree to create and sell this jersey at the Penn State bookstore, which would be made possible with the licensing agreement that Penn State has with the bookstores.
3. This movement needs to be promoted through social media and universities need to help make it known to the student-body that these jerseys will be sold at a reasonable price at the bookstore and can be purchased using lion cash.

We recognized that some may not support this proposal because some may think that only selling number one jerseys may not be favorable with the student population. However, through our education policy, we believe that we can help the Penn State community understand the need for this proposal and elicit a desire within the student population to want to help out their fellow Penn Staters and uphold the moral values and traditions that Penn State has. Additionally, this move will further signify the tight, family bonds that Penn State has and bring the athletes and the rest of the student body together as one team. Lastly, other schools have already done something similar to this, and it proved to be successful and beneficial for their school.

As well as that, some of you may be hesitant to support this proposal because some argue that athletes already receive benefits and the sacrifices they make are warranted because it is their decision to be a college athlete. Although athletes do receive benefits, these benefits do not come without the countless hours and time that an athlete puts into their sport. Furthermore, most of these benefits are to offset the challenges of

balancing their academics and athletics, such as free tutors, priority scheduling and iPads that are used for educational purposes. Secondly, we agree some sacrifices an athlete makes are warranted because they chose to be a D1 athlete; however, they are some sacrifices an athlete should never have to make. They should never have to sacrifice they're right to control their identity and control who gets to use their identity. Lastly, there is the argument that the university can sell a players number because the university owns that number. However, what makes a players number desirable to sell and buy is the fame of that player that is linked with the university's number. Without Hackenberg's successes, work, and fame, the number fourteen would not be a desirable jersey to purchase. Therefore, although the university owns the number, the reason it is profitable merchandise is because of who Hackenberg is and what he does, and the same goes for all the other athletes. With these opposing views taken into consideration, we firmly believe the advantages of this proposal still outweigh any concerns the public may have.

This is a feasible and practical plan that Penn State students can participate in to help raise awareness for this issue and bring us one step closer to eliciting a change. First, we do not foresee that support from the athletic coaches will be problematic. One example that led us to believe this is when James Franklin restored a 125-year tradition by removing the player's names from their jersey when Penn State's sanctions were lifted in 2012. He stated that this was a move to "bring the family back together," (Wogenrich, 2015). This move shows that Franklin takes great pride in the family ties and traditions that Penn State has, and he cares deeply about his players, which we believe holds true for all the coaches at Penn State. Franklin also talked about the importance of holding onto our traditions and said, "There are programs that would give their right arms to have

the history and tradition we have," (Wogenrich, 2015). This proposal allows the university to preserve our school tradition of supporting each other as one team and uphold the principles that Penn State has in fighting injustice.

Secondly, the university should agree to this proposal because it's a move that will benefit the school, athletes, and student community. Penn State receives 12% of the storeowners profit regulated by the Collegiate Licensing Company (CLC), and would be given control in how and where the jerseys are sold. By eliciting student participation, the university will see minimal decrease in profits and will gain some profit from selling these jerseys. Furthermore, the majority of profit a store receives does not come from jersey sales; it comes mainly from universal symbols and phrases that represent the university, like the Nittany Lion. Therefore, selling generic jerseys with the number one of them and the phrase "One Team" will not cause a substantial decrease in profits, and it will further promote unity within Penn State.

Lastly, the integral part of this proposal comes from the actions of the student body. In order for this proposal to take effect, the student community needs to be informed and encouraged to participate and join in on purchasing and wearing these jerseys. I believe that Penn State students have the full capacity to support this proposal and make it known to the public. Athletics is a huge part of Penn State pride and the event many students plan their weekends around. Therefore, participation for this proposal is practical because jerseys are already a commonly sold and purchased item by the Penn State community. Secondly, with the help of Sandy Barbour and social media, this proposal can be broadcasted to encourage participation. It should be made known to the public why this proposal is being implemented so the public understands the issue and

the need for this proposal. Furthermore, they should be made aware of the logistics of the proposal, such as where to buy the jerseys, how much they will cost, and that they can be purchased with lion cash. These specifics make the proposal more appealing because many people go to the bookstore for various purposes and regularly use lion cash to make a purchase. Therefore, this proposal provides a simple, accessible way for college students to obtain these jerseys.

Overall, this plan is practical and holds many benefits for Penn State. First, it is a move that will raise awareness for the unfair issue of storeowners and universities profiting from a players fame and number, and it will bring us closer to a solution. Members of the NCAA come from the athletics programs around the country, including Penn State. They listen to the concerns and issues that the student body has regarding athletics, and they have the ability to turn these unfair issues and concerns into working solutions by revising and amending NCAA regulations. Therefore, this desired change has to start within the Penn State Community, and I believe our Athletic Director, Sandy Barbour is in a position to raise awareness and advocate for this proposal. As a well-established and high respected individual, her opinions carry much weight with the community and the athletic-world. Her voice and credibility can influence the public and the NCAA. If Penn State supports this proposal and participates in this movement, the NCAA will see that this is an issue the schools, students, and athletes feels needs attention and are attempting to change. The NCAA will be more inclined to review and revise their regulations if we become a voice that cannot be ignored.

Another advantage of this plan is that it will further promote a sense of family and unity within our school. Penn State feeds off of the principle of family and pride, which is

what this movement would symbolize. Penn State has already proven in the past that we are capable of coming together and rallying support for our athletes. In 1946, a time of racial segregation many football teams did not accept black players on their team.

However, Penn State went against that social norm, and was one of the only teams to have two black players on their team, Wally Triplett and Dennie Hoggard. When the University of Miami said they wouldn't play Penn State because they didn't want to play their black players, Penn State canceled the game. Then, two years later, when Penn State was to play Southern Methodist University in the cotton bowl, SMU said they wanted to discuss Wally Triplett staying home. Penn State, once again, canceled the game and said we will not leave Triplett behind because "We Are Penn State". This began the tradition of the "We Are" chant that was first chanted during the game against SMU, in which Triplett scored the game-tying touchdown. This bold stance that Penn State took in 1946 became a precedent to how Penn State would handle instances of injustice and unfairness. It became a part of what it means to be a Penn Stater. It became stepping-stones of moral principles, integrity, and fairness that built the foundation that Penn State stands sturdy on today (Hughes, 2012).

More recently, Penn State proved this after the Sandusky Scandal when we created the idea that we are "One Team". In this situation, Penn State came together to show that we are a school that does not waiver during unfairness, nor will be passive to it; instead we will rise above it and be proactive for justice. The entire student body supported the athletes and demonstrated to the NCAA and public the tight bonds of a family that would never be broken and the undying support that Penn State gives. This proves that Penn State is a school that supports one another. Now, we are asking you to

uphold this foundation that Penn State lives by and takes pride in by taking action, once again, to support the athletic community and help resolve a problem that is wreaking injustice.

Outside of the scope of Penn State, there are other schools that are enacting a proposal similar to this. Three schools, Texas A&M, Northwestern, and Arizona, have reported they are limiting their jersey sales by offering more generic numbers in order to resolve legal ramifications of selling jerseys with star player's numbers on them. According to the New York Times, Northwestern will only be selling number 51, the number head Coach Pat Fitzgerald had during his playing career, and Arizona will only sell number 14 to represent the year of 2014. Alongside them, it was also reported that Texas A&M will only be selling number 12 jerseys to represent their Aggie tradition of the "12<sup>th</sup> man" (Rovell, 2014). The head coach at Texas A&M took the number 12 out of their roster, and university store owners started selling only number 12 jerseys. Students at Texas A&M wear number 12 jerseys on football game days, representing that the entire university and fans are the 12<sup>th</sup> member of the football team. These actions show that the Texas A&M student-body is united in supporting their athletic teams, and that the university supports one another and fights for a victory together. In these valiant and motivational efforts that these three schools took, they chose to sell a number that was symbolic to them, and this is an act that Penn State can and should take. Penn State can rally off the principle of "One Team" and wear number one jerseys. This will help resolve the issue of storeowners illegitimately profiting from an athletes fame and number without the athletes giving consent or receiving compensation, and it will promote Penn State's values and traditions (Aggie Traditions – 12<sup>th</sup> Twelfth Man, 2009)

To conclude, we believe it is unfair that storeowners and universities are profiting from a players hard-earned reputation by selling their jersey number. To resolve this issue, we are proposing that the number one bet retired from Penn States roster, with the content of Coach Franklin, and the universities create and sell these jerseys at the Penn State bookstores, made possible with the licensee agreement. The universities would also need to help educate the public on why this proposal is being enacted and the issue it is aiming to resolve, as well as the logistics of where to purchase these jerseys. This proposal is beneficial and feasible, and will provide immense benefits for our school. We will be demonstrating the true values of Penn State and upholding the traditions and principles of “One Team”. Just as Northwestern, Texas A&M and Arizona have already done, we will be selling a more generic number that has symbolic meaning to our school to raise awareness for an unfair issue and further promote a sense of family within our school.

## Conclusion:

In conclusion, after observing unfair difference in the NCAA's mission statement and its actual policies toward athletes, our team created a three part policy to address the issues of fairness in college athletics, addressing three specific needs we believe lie at the core of this issue.

First, we proposed that athletes be able to profit off their name and likeness. Although we plan to adopt and support the current proposal that would allow college athletes to profit off of their name and likeness for certain non-athletic business ventures, we believe that this change in policy along would not be enough to ensure that athletes are treated on an equal level with their peers. Therefore, we drafted a second proposal that would allow student athletes to profit from athletic ventures, as long as they are not related to their specific NCAA sport.

Second, our team advocated for the education of all of the shareholders in college athletics, including athletes, coaches, administrators, and members of the community. Through an education initiative and an increased sharing of information among key players in college athletics, we plan to educate these shareholders about the inner workings of the NCAA in order to foster understanding and cooperation within the realm of college athletics.

Third, here at Penn State, we plan to change the jerseys of all athletic rosters to show solidarity with student athletes and prevent stores from profiting off of them by selling their jersey. Through this proposal, we believe that Penn State will send a national message that profiting of athlete's reputation is unfair and unacceptable, catalyzing a change in unfair policies toward student athletes throughout the Big 10 and the NCAA.



Sports, by their very nature, have issues of fairness built deeply into their foundations. Similarly, the NCAA as an institution strives to treat student athletes off of the field with the same rigorous attention to fairness that they receive on the field. As a team, we have identified a few key areas where the NCAA fails to meet their own standards of equitable treatment, and we truly believe that the policies we have created will address, and begin to fix, these issues of fairness within college athletics.

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## Appendix

This material is provided to supplement the information laid out in our policy paper and to assist the reader in understanding the more detailed legislation involved in the creation of our paper. In this appendix, we provide two links to resources and regulations that were instrumental in forming our project, but that are also too long to feasibly include in our paper. We recommend looking at them briefly to better understand the legislation surrounding our policy paper. In addition, we provide the proposed changes to the NCAA legislation during the upcoming year, as well as slides from the informative presentation we created to supplement the education portion of our policy proposal.

2015 NCAA Regional Rules Seminar Information:

<http://www.ncaa.org/about/resources/events/regional-rules-seminars>

List of Rules and Regulations for Division I Athletics:

<http://www.ncaapublications.com/productdownloads/D110.pdf>



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## **Summary of NCAA Eligibility Regulations – NCAA Division I**

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**For:** Student-athletes.

**Purpose:** To summarize NCAA regulations regarding eligibility of student-athletes to compete.

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**DISCLAIMER: THE SUMMARY OF NCAA REGULATIONS DOES NOT INCLUDE ALL NCAA DIVISION I BYLAWS. FOR A COMPLETE LIST, GO TO [WWW.NCAA.ORG](http://WWW.NCAA.ORG). YOU ARE RESPONSIBLE FOR KNOWING AND UNDERSTANDING THE APPLICATION OF ALL BYLAWS RELATED TO YOUR ELIGIBILITY TO COMPETE. CONTACT YOUR INSTITUTION'S COMPLIANCE OFFICE OR THE NCAA IF YOU HAVE QUESTIONS.**

### **TO: STUDENT-ATHLETE.**

This summary of NCAA regulations contains information about your eligibility to compete in intercollegiate athletics.

This summary has two parts:

1. Part I is for **all** student-athletes.
2. Part II is for **new** student-athletes only (those signing the Student-Athlete Statement for the first time).

If you have questions, ask your director of athletics (or his or her official designee) or refer to the 2015-16 NCAA Division I Manual. The references in brackets after each summarized regulation show you where to find the regulation in the Division I Manual.

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### **PART I: FOR ALL STUDENT-ATHLETES.**

This part of the summary discusses ethical conduct, amateurism, financial aid, academic standards and other regulations concerning your eligibility for intercollegiate competition.

#### **1. Ethical Conduct – All Sports.**

- a. You must act with honesty and sportsmanship at all times so that you represent the honor and dignity of fair play and the generally recognized high standards associated with wholesome competitive sports. [NCAA Bylaw 10.01.1]
- b. You have engaged in unethical conduct if you refuse to furnish or fail to provide accurate or complete information relevant to an investigation of a possible violation of an NCAA regulation when requested to do so by the NCAA or your institution. [Bylaw 10.1]

- c. You are **not eligible** to compete if you knowingly provide information to individuals involved in organized gambling activities concerning intercollegiate athletics competition; solicit a bet on any intercollegiate team; accept a bet on any team representing the institution or solicit or accept a bet on any intercollegiate competition for any item (e.g., cash, shirt, dinner) that has tangible value. [Bylaw 10.3]
- d. You are **not eligible** to compete if you knowingly participate in any gambling activity that involves intercollegiate, amateur or professional athletics, through a bookmaker, a parlay card or any other method employed by organized gambling. [Bylaw 10.3]

## 2. Amateurism – All Sports.

- a. You are **not eligible** for participation in a sport if you have ever:
  - (1) Taken pay, or the promise of pay, for competing in that sport. [Bylaw 12.1.2 and 12.1.2.1]
  - (2) Agreed (orally or in writing) to compete in professional athletics in that sport.
    - **Exception:** Prior to collegiate enrollment, in sports other than men's ice hockey and skiing, you agreed to compete on a professional team provided the agreement did not provide for more than actual and necessary expenses and you did not receive more than actual and necessary expenses. [Bylaws 12.1.2 and 12.2.5.1]
  - (3) Played on any professional athletics team as defined by the NCAA in that sport.
    - **Exception:** Prior to enrollment, in sports other than men's ice hockey and skiing, you competed on a professional team provided you did not receive more than actual and necessary expenses. [Bylaws 12.1.2 and 12.2.3.2.1]
  - (4) Used your athletics skill for pay in any form in that sport. [Bylaws 12.1.2 and 12.1.2.4]
    - **Exceptions:**
      - i. Prior to collegiate enrollment, in sports other than tennis, you accepted prize money based on place finish or performance in an athletics event from the sponsor of the event and the amount of prize money did not exceed \$300

above your actual and necessary expenses to participate in the event; or [Bylaws 12.02.5, 12.1.2 and 12.1.2.4.1]

- ii. After collegiate enrollment, you accepted prize money based on place finish or performance in an athletics event from the sponsor of the event and the amount of prize money did not exceed \$300 above your actual and necessary expenses to participate in the event. [Bylaws 12.02.6, 12.1.2 and 12.1.2.4.1]
- b. You are **not eligible** in a sport if you, or your relatives or friends, ever have accepted money, transportation, lodging, entertainment or other benefits from an agent or agreed to have an agent market your athletics ability or reputation in that sport. [Bylaw 12.3.1 and 12.3.1.2]
- c. You are **not eligible** in any sport if, after you become a student-athlete, you accept any pay for promoting a commercial product or service or allow your name or picture to be used for promoting a commercial product or service. [Bylaws 12.5.2.1 and 12.5.2.2]
- d. You are **not eligible** in any sport if, because of your athletics ability, you were paid for work you did not perform, were paid at a rate higher than the going rate or were paid for the value an employer placed on your reputation, fame or personal following. [Bylaw 12.4]

### 3. Financial Aid – All Sports.

- a. You are **not eligible** if you receive financial aid other than the financial aid that your institution distributes. However, it is permissible to receive:
  - (1) Money from anyone on whom you are naturally or legally dependent;
  - (2) Financial aid that has been awarded to you on a basis other than athletics ability; or
  - (3) Financial aid from an entity outside your institution that meets the requirements specified in the Division I Manual. [Bylaw 15.01]
- b. You must report to your institution any financial aid that you receive from a source other than your institution. However, you do not need to report financial aid received from anyone on whom you are naturally or legally dependent.

#### 4. Employment Earnings – All Sports.

- Earnings from your on- or off-campus employment that occurs at any time is exempt and is not counted in determining your full grant-in-aid or in the institution's financial aid limitations, provided:
  - (1) Your compensation does not include any remuneration for value or utility that you may have for the employer because of the publicity, reputation, fame or personal following that you have obtained because of athletics ability;
  - (2) You are compensated only for work actually performed; and
  - (3) You are compensated at a rate commensurate with the going rate in that locality for similar services. [Bylaws 12.4 and 15.2.7]

#### 5. Academic Standards – All Sports.

##### a. Eligibility for Competition.

- (1) To be **eligible to compete**, you must:
  - (a) Have been admitted as a regularly enrolled, degree-seeking student according to the published entrance requirements of your institution;
  - (b) Be in good academic standing according to the standards of your institution; and
  - (c) Be enrolled in at least a minimum full-time baccalaureate degree program (not less than 12-semester or quarter hours) and maintain satisfactory progress toward that degree, be enrolled in a full-time graduate or professional degree program (as defined by the institution) or be enrolled and seeking a second baccalaureate degree at your institution. [Bylaws 14.01.2 and 14.2.2]
- (2) If you are enrolled in less than a full-time program, you are **eligible to compete** only if you are enrolled in the last term of your degree program and are carrying credits necessary to finish your degree. [Bylaw 14.2.2.1.3]
- (3) You are **eligible to compete** during the official vacation period immediately preceding initial enrollment, provided you have been accepted by your institution for enrollment in a regular, full-time program of studies at the time of your initial participation, you are no longer



enrolled in your previous educational institution and you are eligible under all institutional and NCAA requirements. [Bylaw 14.2.2.1.1]

- (4) You are **eligible** to **compete** between terms if you are continuing enrollment, provided you have been registered for the required minimum full-time load at the conclusion of the term immediately preceding the date of competition, or if you are either continuing enrollment or beginning enrollment, provided you have been accepted for enrollment as a regular full-time student for the regular term immediately following the date of competition. [Bylaw 14.2.2.1.2]

b. Practice.

- (1) You must be enrolled in a minimum full-time program of studies leading to a baccalaureate or equivalent degree as defined by the regulations of the certifying institution to practice. [Bylaw 14.2.1]
- (2) You may practice during the official vacation period immediately preceding initial enrollment, provided you have been accepted by your institution for enrollment in a regular, full-time program of studies at the time of your initial participation, you no longer are enrolled in your previous educational institution and you are eligible under all institutional and NCAA requirements. [Bylaw 14.2.1.1]
- (3) You may practice if you are enrolled in the final semester or quarter of a baccalaureate program while enrolled in less than a minimum full-time program of studies and your institution certifies that you are carrying (for credit) the courses necessary to complete the degree requirements, as determined by the faculty of the institution. [Bylaw 14.2.1.3]

c. Continuing Eligibility – All Sports.

- Your eligibility for competition shall be based on:
  - (a) Having successfully completed 24 semester or 36 quarter hours of academic credit prior to the start of the institution's third semester or fourth quarter following the student-athlete's initial full-time enrollment (hours earned during the summer may be used to fulfill this requirement);
  - (b) Having successfully completed 18 semester or 27 quarter hours of academic credit since the beginning of the previous fall term or since the beginning of the certifying institution's preceding regular two semesters or three quarters (hours earned during the summer may not be used to fulfill this requirement); and

- (c) Six semester or quarter hours of academic credit the preceding regular academic term (e.g., fall semester, winter quarter) in which the student-athlete has been enrolled at any collegiate institution. [Bylaw 14.4.3]
- (d) If you are entering your second year of collegiate enrollment, you must present a cumulative grade-point average that equals at least 90 percent of the institution's overall cumulative grade-point average required for graduation (based on a 4.000 scale). [Bylaw 14.4.3.3]
- (e) If you are entering your third year of collegiate enrollment, you must have completed successfully at least 40 percent of the course requirements in your specific degree program and you must present a cumulative minimum grade-point average (based on a 4.000 scale) that equals at least 95 percent of the institution's overall cumulative grade-point average required for graduation. For this purpose, a student-athlete's grade-point average will be certified on a term-by-term basis. [Bylaws 14.4.3.3.2 and 14.4.3.2]
- (f) If you are entering your fourth year of collegiate enrollment, you must have completed successfully at least 60 percent of the course requirements in your specific degree program and you must present a cumulative grade-point average (based on a 4.000 scale) that equals at least 100 percent of the institution's overall cumulative grade-point average required for graduation. For this purpose, a student-athlete's grade-point average will be certified on a term-by-term basis. [Bylaws 14.4.3.3.2 and 14.4.3.2]
- (g) If you are entering your fifth year of collegiate enrollment, you must have completed successfully at least 80 percent of the course requirements in your specific degree program and you must present a cumulative grade-point average (based on a 4.000 scale) that equals at least 100 percent of the institution's overall cumulative grade-point average required for graduation. For this purpose, a student-athlete's grade-point average will be certified on a term-by-term basis. [Bylaws 14.4.3.3.2 and 14.4.3.2]

d. Freshmen.

- (1) You are referred to as a qualifier and are eligible to practice and compete in your sport and to receive financial aid (institutional and athletically related) during your first academic year, under Bylaw 14.02.10.1, if you:
  - (a) Graduate from high school;

- (b) Attain a minimum high school grade-point average as specified in Bylaw 14.3.1.1.2 (based on a 4.000 scale) in a successfully completed core curriculum of at least 16 core courses; and Bylaw 14.3.1.1.
    - (c) Achieve a corresponding sum ACT or SAT score as specified in Bylaw 14.3.1.1.2.
  - (2) You are referred to as a nonqualifier if you fail to meet the criteria above. In addition to being ineligible for practice and competition during the first academic year in residence, a nonqualifier is not permitted to receive any institutional financial aid, except as stated below. [Bylaws 14.02.10.2 and 14.3.2.1.1]
- e. As a Nonqualifier.
  - (1) You are eligible to receive nonathletics institutional financial aid based on need only, consistent with institutional and conference regulations; and
  - (2) You will have three seasons of eligibility after your first academic year in residence. You may earn a fourth season of competition provided you complete 80 percent of your baccalaureate degree before beginning your fifth academic year of enrollment and you are within five years of your initial, full-time collegiate enrollment. [Bylaw 14.3.3]

## 6. Other Regulations Concerning Eligibility – All Sports.

- a. You are **not eligible** to participate in more than four seasons of intercollegiate competition in any one sport. [Bylaw 12.8]
- b. You are **not eligible** if five calendar years have passed from the date you first registered as a full-time student at a collegiate institution and attended your first day of classes for that term, except for time spent in the armed services, on official church missions or with recognized international aid services of the U.S. government and extensions that have been approved in accordance with NCAA legislation. [Bylaw 12.8.1]
- c. You are **eligible** at an institution other than the institution from which you have received or satisfied the requirements for a baccalaureate degree or an equivalent degree, if you meet the conditions of the one-time transfer exception [Bylaw 14.5.5.2.10] and you have eligibility remaining as set forth in Bylaw 12.8.1. [Bylaw 14.6.1]

- d. You are **eligible** for championships, certified bowl games or the National Invitation Tournament that occur within 60 days of the date you complete the requirements for your degree. [Bylaw 14.6.3]

**7. Outside Competition - All Sports Other Than Basketball.**

- You are **not eligible** in your sport for the remainder of the year and the next academic year if, during the academic year, you competed as a member of any outside team in any noncollegiate, amateur competition. You may compete outside of your declared playing and practice season as a member of an outside team in any noncollegiate, amateur competition during any official vacation period published in your institution's catalog. Competing in the Olympic Games tryouts and competition and other specified national and international competition is permitted. [Bylaw 17.31.1]
- **Exception:** In men's and women's soccer, women's volleyball, field hockey and men's water polo, you may compete on outside amateur teams during the spring outside of the institution's playing and practice seasons, provided such participation occurs no earlier than May 1 and the remaining provisions of Bylaw 17.31.1.3 are met.

**8. Outside Competition - Basketball Only.**

- a. You are **not eligible** if, after you become a student-athlete, you participate in any organized basketball competition except while representing the institution in intercollegiate competition. Competing in the Olympic Games tryouts and competition and other specified national and international competition is permitted. [Bylaws 17.31.2]
- b. It is permissible to participate as a member of a basketball team in an NCAA-sanctioned summer basketball league or event during the period between June 15 and August 31 or the institution's opening day of classes, whichever comes earlier, provided the student-athlete has written permission from the institution's athletics director. [Bylaw 17.31.4]

**9. Transfer Students Only.**

- a. You are a transfer student if:
  - (1) The registrar or admissions officer from your former institution certified that you officially were registered and enrolled at that institution in any term in a minimum full-time program of studies and you were present on the opening day of classes; or

- (2) The director of athletics from your former institution certified that you reported for the regular squad practice that any staff member of the athletics department of your former institution announced before the beginning of any term. [Bylaw 14.5.2]
- b. If you are a transfer student from a four-year institution, you are **not eligible** during your first academic year in residence unless you meet the provisions of one of the exceptions specified in Bylaw 14.5.5.2 or one of the waivers specified in Bylaw 14.7.2.
- c. If you are a transfer student from a two-year institution, you are **not eligible** during your first academic year in residence at your new institution unless you meet the academic and residence requirements specified in Bylaw 14.5.4 or the exceptions specified in Bylaw 14.5.4.6.
- d. If you transferred from a four-year college to a two-year college and then to your new institution, you are **not eligible** during your first academic year in residence at your new institution unless you meet the requirements specified in Bylaw 14.5.6.

## 10. Drugs – All Sports.

- a. If the NCAA tests you for the banned drugs listed in Bylaw 31.2.3.1 and you test positive (consistent with NCAA drug-testing protocol), you will be **ineligible** to participate in regular-season and postseason competition for one calendar year (i.e., 365 days) after your positive drug test, and you will be charged with the loss of a minimum of one season of competition in all sports in addition to any seasons already used per the legislation. If you test positive for a "street drug," you shall be withheld from competition for the next 50 percent of a season in all sports (i.e., the next contests/dates of competition equal to 50 percent of a season).  
  
Further, prior to returning to competition, you must test negative and have your eligibility restored by the NCAA Division I Committee on Student-Athlete Reinstatement. [Bylaw 18.4.1.5.1 and 18.4.1.5.2]
- b. If you test positive a second time for the use of any drug, other than a "street drug" as defined in Bylaw 31.2.3.4, you will lose all remaining regular-season and postseason eligibility in all sports. [Bylaw 18.4.1.5.6]
- c. If you test positive for the use of a "street drug" after having tested positive for the use of a "street drug," you shall be charged with the loss of one additional season of competition in all sports and also shall remain ineligible for regular-season and postseason competition for one calendar year (i.e., 365 days). [Bylaw 18.4.1.5.6]

- d. If you are in breach of the NCAA drug-testing program protocol (e.g., no-show) you shall be considered to have tested positive for the use of any drug other than a "street drug" and you are subject to the same penalty for testing positive for the use of a banned drug other than a "street drug." [Bylaw 18.4.1.5.3]
- e. If you are involved in a case of clearly observed tampering with an NCAA drug test sample, as documented per NCAA drug-testing crew member, you shall be charged with the loss of a minimum of two season of competition in all sports. Further, prior to returning to competition, you must test negative and have your eligibility restored by the NCAA Division I Committee on Student-Athlete Reinstatement. [Bylaw 18.4.1.5.3.1]

**11. Non-NCAA Athletics Organization Positive Drug Test – All Sports.**

- a. If you test positive for banned substances by a non-NCAA athletics organization, you must notify your director of athletics regarding the positive drug test. You also must permit the NCAA to test you for the banned drugs listed in Bylaw 31.2.3.1.
- b. If the result of the NCAA drug test is positive, you are subject to the same penalty as established in Bylaw 18.4.1.5.1.
- c. The director of athletics must notify the NCAA chief medical officer in writing regarding a student-athlete's disclosure of a previous positive drug test administered by any other athletics organization.
- d. If you transfer to a non-NCAA institution while ineligible and compete in collegiate competition within the 365-day period at a non-NCAA institution, you will be ineligible for all NCAA regular-season and postseason competition until you do not compete in collegiate competition for a 365-day period. Further, prior to returning to competition, you must test negative and have your eligibility restored by the NCAA Division I Committee on Student-Athlete Reinstatement. [Bylaw 18.4.1.5.5]
- e. A student-athlete under a drug-testing suspension from a national or international sports governing body that has adopted the World Anti-Doping Agency code shall not participate in NCAA intercollegiate competition for the duration of the suspension. [Bylaw 18.4.1.5.8]
- f. The institution and student-athlete shall be held accountable for all drugs within the banned-drug classes regardless of whether they have been specifically identified. [Bylaw 31.2.3.1]

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## **PART II: FOR NEW STUDENT-ATHLETES ONLY.**

This part of the summary contains information about your recruitment, which is governed by Bylaw 13 of the Division I Manual.

- **Recruitment.**

- a. Offers – All Sports.

- (1) You are **not eligible** if, before you enrolled at your institution, any staff member of your institution or any other representative of your institution's athletics interests provided or offered to you, your relatives or your friends any financial aid or other benefits not permitted under NCAA legislation. [Bylaw 13.2.1]
    - (2) It was permissible for your institution to arrange educational loans, provided the loan were not made prior to the completion of your senior year in high school. The loans must have been from a regular lending agency and based on a regular repayment schedule. [Bylaw 13.2.4]
    - (3) It was permissible for your institution to arrange summer employment or employ you provided the employment did not begin prior to the completion of your senior year in high school. [Bylaw 13.2.3.3]

- b. Contacts – All Sports.

- (1) For purposes of this section, contact means "any face-to-face encounter" between a prospect or the prospect's parent or legal guardian and an institutional staff member or athletics representative during which any dialogue occurs in excess of an exchange of a greeting. Any such face-to-face encounter that is prearranged or that takes place on the grounds of the prospect's educational institution or at the site of organized competition or practice involving the prospect or the prospect's high school, preparatory school, two-year college or all-star team shall be considered a contact, regardless of the conversation that occurs. [Bylaw 13.02.4]
    - (2) Staff members at your institution should not have:
      - (a) Contacted you, your relatives or your legal guardians in person, off your institution's campus before July 1, July 7 (women's ice hockey) or July 15 (women's gymnastics) following completion of your junior year in high school; before the opening day of your junior year in high school (men's basketball); before September 1 at the beginning of your junior year in high school (women's basketball); or before June 15 at the completion of your sophomore year in high school (men's ice hockey). [Bylaw 13.1.1.1]

- (b) Contacted you prior to any athletics competition in which were participating during the day or days of competition. [Bylaw 13.1.6.2]
  - (3) Contacted you, your relatives or your legal guardians in person, on or off your institution's campus while you were enrolled in your first year of a two-year college if you were a nonqualifier. [Bylaw 13.1.1.2]
  - (4) Contacted you, your relatives or your legal guardian in person, on or off your institution's campus, unless they were authorized institutional staff members. [Bylaw 13.1.2.1]
- c. Publicity – All Sports.
  - (1) Your institution was not allowed to publicize a visit that you made to its campus before you signed a National Letter of Intent or its written offer of admission and/or financial aid or before the institution received your financial deposit in response to its offer of admission. [Bylaw 13.10.2.4]
  - (2) You were not allowed to appear on a radio or television program that involved a coach or another member of the staff of the athletics department at your institution prior to your enrollment at the institution. [Bylaw 13.10.2.2]
- d. Letter-of-Intent Signing.
  - A staff member of your institution was not allowed to be present while you were signing, at an off-campus site, a National Letter of Intent or an acceptance of a financial aid offer from your institution or your conference. [Bylaw 13.1.5.8]
- e. Sports Camps.
  - You are **not eligible** if you were a winner of any athletics participation award in high school (includes ninth grade level), preparatory school or junior college and, before you enrolled at your institution, the institution, members of its staff or a representative of its athletics interests employed or gave you free or reduced admission to its sports camp or clinic. [Bylaw 13.12.1.7]
- f. Visits, Transportation and Entertainment – All Sports.
  - (1) You are **not eligible** under Bylaws 13.5, 13.6 or 13.7 if, before you enrolled at your institution, any of the following occurred:



- (a) You accepted expense-paid visits to more than five NCAA institutions or more than one expense-paid visit to one member institution;
  - (b) Your one expense-paid visit to the campus lasted longer than 48 hours;
  - (c) Your institution paid more than the actual round-trip cost by direct route between your home and the campus when you made your one expense-paid visit;
  - (d) Your institution paid for you to visit during your first year in a junior college, and you were not a qualifier; or
  - (e) Your institution entertained you, your parents (or legal guardians) or your spouse outside a 30-mile radius of the campus during your expense-paid visit.
- (2) In sports other than basketball, you may not have received an expense-paid visit prior to, the first day of classes of your senior year in high school. [Bylaw 13.6.2.2.1]
- (3) Prior to your expense-paid official visit, you must have:
  - (a) Presented the institution with a score from a PSAT, SAT, PLAN. An international prospect who requires a special administration of the PSAT, SAT, PLAN (or PACT Plus) or ACT, may have presented such a score on the approval of the NCAA Division I Academic Cabinet or the NCAA Division I Initial-Eligibility Waivers Committee. [Bylaw 13.6.3]
  - (b) Presented the institution with a high school (or college) academic transcript. [Bylaw 13.6.3]
  - (c) Registered with the NCAA Eligibility Center. [Bylaw 13.6.3]
- (4) You are **not eligible** if, at any time that you were visiting your institution's campus at your own expense, your institution paid for anything more than the following:
  - (a) In sports other than football, three complimentary admissions for you and those individuals who came with you to an athletics event on campus in which your institution's team practiced or competed. [Bylaw 13.7.2.1]

- (b) Transportation, when accompanied by a staff member, to see off-campus practice and competition sites in the prospect's sport and other institutional facilities located within a 30-mile radius of the campus. [Bylaw 13.5.1]
- g. Precollege or Postgraduate Expense – All Sports.
  - You are **not eligible** if your institution or any representative of its athletics interests offered you money, directly or indirectly, to pay for any part of your educational expenses or other expenses during any period of time before you enrolled at your institution. This applies to your postgraduate education, as well. [Bylaw 13.15.1]

## PENN STATE ATHLETICS COMMUNITY FORUM

Penn State Athletics and You



## THE PENN STATE VALUES



### THE PENN STATE VALUES

**INTEGRITY:** We act with integrity and honesty in accordance with the highest academic, professional, and ethical standards.

**RESPECT:** We respect and honor the dignity of each person, embrace civil discourse, and foster a diverse and inclusive community.

**RESPONSIBILITY:** We act responsibly, and we are accountable for our decisions, actions, and their consequences.

**DISCOVERY:** We seek and create new knowledge and understanding, and foster creativity and innovation, for the benefit of our communities, society, and the environment.

**EXCELLENCE:** We strive for excellence in all our endeavors as individuals, an institution, and a leader in higher education.

**COMMUNITY:** We work together for the betterment of our University, the community we serve, and the world.

### ROLE OF THE ACO

Our mission is to ensure that The Penn State Athletic program operates in accordance with the rules and regulations set forth by the NCAA, the Big Ten, and The Pennsylvania State University.

**This mission is accomplished through...**

#### EDUCATION

The ACO educates student-athletes, fans, coaches, and staff on applicable NCAA & B1G rules.

#### INTERPRETATION

The ACO provides interpretations and explanations of NCAA and B1G rules to assist with the application of the rules.

#### WAIVERS

The ACO researches and submits waivers on behalf of student-athletes to the NCAA and B1G in certain situations.

#### MONITORING

The ACO monitors all areas of athletics to ensure compliance with applicable NCAA, B1G and Penn State standards.

#### INVESTIGATE & REPORT

The ACO investigates situations conveyed to the office or discovered through monitoring systems and reports violations to the NCAA or B1G to ensure institutional control.

## ELIGIBILITY

### 3 LEVELS OF ELIGIBILITY

1. NCAA
2. B1G
3. PENN STATE

## ELIGIBILITY

### FULL-TIME ENROLLMENT

- To be permitted to practice, a student-athlete must be enrolled in a full-time program of studies leading to a Bachelor's degree.

### Definition of Full-Time

- Being enrolled full-time means that you are enrolled in 12 or more hours as a student who is in "registered" status.
- Being in "scheduled" status is not considered full-time and means that your University bill has not been paid. You may not practice or compete while in scheduled status. Classes you are "waitlisted" for do not count toward full-time status.
- Please confirm your enrollment in E-Lion, if you have not done so already.

## ELIGIBILITY

### NCAA & B1G ADDITIONAL REQUIREMENTS

1. GPA
2. PERCENTAGE OF DEGREE
3. CREDIT HOUR REQUIREMENTS

## ETHICS & INTEGRITY

The purpose of intercollegiate athletics is to provide an opportunity for the student-athlete to obtain a college education and degree and to develop his/her potential by using sport as an avenue.

- **NCAA Bylaw 2.1 The Principle of Institutional Control and Responsibility**  
Penn State is responsible for controlling its athletics program in a manner consistent with NCAA fundamentals and values such as respect, fairness, civility, honesty and responsibility.
- **NCAA Bylaw 10.01.1 Honesty and Sportsmanship**  
All individuals associated with Penn State shall act with honesty and sportsmanship at all times so they represent the honor and dignity of fair play associated with competitive sport.
- **NCAA Bylaw 10.1 Unethical Conduct**  
Includes but not limited to: Being uncooperative with NCAA Investigators, arranging for fraudulent academic credit, not providing complete and accurate academic information to the NCAA or the Eligibility Center or to Penn State.

## ATHLETICS CODE OF CONDUCT

**Intent:** To confirm Penn State's expectations for conduct, integrity, and reporting of issues and rules compliance.

### Mandates of the Code

- ❑ Compliance with PSU Policy, ICA Policy, B1G and NCAA rules.
- ❑ Mandated reporting of potential breaches of policies, rules, laws, and the Code.
- ❑ Adherence to the PSU Student Code of Conduct\* and team rules.
- ❑ Non-retaliation – strict standards have been established to protect any individual taking an issue forward.

**\*PSU Student Code of Conduct** is a all-inclusive policy that covers areas from academic fraud to harassment to violations of law that occur on- or off-campus.

## PENN STATE POLICIES



## PENN STATE POLICIES

### AD20 – Computer and Network Security

Creates conditions for use of, and requirements for appropriate computer and network security. Establishes that accounts and computer and network access privileges are restricted to each person's own use. System users must not share their accounts, nor grant accounts to others.

### AD 67 – Disclosure of Wrongful Conduct and Protection from Retaliation

Encourages and enables any member of the University faculty, staff, or student body to make good faith reports of suspected wrongful conduct, and to protect such individuals from retaliation.

### AD73 – Accessing Athletic and Recreational Facilities

Establishes that athletics facilities are only accessible by athletes and athletic personnel during their normal hours of operation. A valid University ID card is required to gain access.

## PENN STATE POLICIES

### BS04 – Student Parking Rules and Regulations

Establishes the requirement that all students must register motor vehicles with the PSU Parking Office. Motor vehicles are defined as automobiles, motorcycles, motor bikes, and motor scooters. Also establishes the registration and fee schedule, and appropriate campus parking areas for registered vehicles.

### Intercollegiate Athletics Policy Manual

Sets forth the Athletics Department's requirements and expectations of student-athletes, staff and coaches. The policy is located at:  
[www.gopsports.com/compliance](http://www.gopsports.com/compliance)

To access all PSU policies, visit: [guru.psu.edu](http://guru.psu.edu)

## ATHLETICS COMPLIANCE STAFF

**Matt Stolberg**  
Associate Athletic Director for Compliance

**Bruce Ellis**  
Assistant Athletic Director for Compliance

**Andy Banse**  
Director of Compliance

**Teresa Covington**  
Assistant Director of Compliance

**Todd Moss**  
Financial Aid Coordinator



157 Bryce Jordan Center  
814-863-8048

## REPORTING RESOURCES

**Penn State University Police & Public Safety**  
• 911 or 814-863-1111

**Pennsylvania State Police**  
• 814-470-2238

**Sexual Assault & Relationship Violence Hotline**  
• 800-550-7575

**Penn State Office of Student Conduct**  
• 814-863-0342

**Penn State Affirmative Action Office**  
• 814-863-0471

**State of Pennsylvania Child Line**  
• 800-932-0313

**Penn State Counseling and Psychological Services**  
• 814-863-0395

**Athletics Integrity Officer – Julie Del Giorno**  
• 814-865-8391 [jad70@psu.edu](mailto:jad70@psu.edu)



## REPORTING RESOURCES

### Penn State Compliance and Ethics Hotline

[www.mycompliancereport.com/brand/psu](http://www.mycompliancereport.com/brand/psu)

OR

Dial: 800-560-1637

## GAMBLING



### Impermissible Gambling Activities Under NCAA Rules

- Gambling on any sport played at the college level (College Football Playoff, March Madness, Super Bowl, NHL Finals, etc.)
- Participating in a Fantasy League when there is a fee to play, including one-day fantasy leagues like FanDuel and Draft Kings
- Providing information to gamblers
- Changing the outcome of contests for gambling purposes

It does not matter if you are gambling legally (Nevada) or illegally, it is not permissible for you!

## LOCAL BUSINESSES & Athletes

### Student-athletes with eligibility remaining may not:

- Make guest appearances or sign autographs at business locations if the business is a sponsor of the event.
- Assist in arranging autograph sessions or obtaining autographed items for sale by other.
- Appear in advertisements or commercials, even for family owned businesses.
- Engage in modeling activities.
- Accept free or reduced cost goods or services. This includes waiver of cover charges and free meals from restaurants.
- Endorse or promote any product or service.
- Own / run their own sports camp.



## PROMOTIONAL ACTIVITIES

### LEND A HELPING HAND .... as long as:

- Prior written approval is received through the life skills or compliance office for any use of a S/A's likeness, which includes signed items and appearances.
- No payment or gifts beyond necessary expenses and an item of nominal value, such as a t-shirt are provided.



### Common Problems:

- Event promotes a business
- S/A misses classes to participate
- Event involves athletics activities at an impermissible time of the year



## AGENT EDUCATION & ASSISTANCE

### NCAA rules prohibit:

- Accepting benefits from agents, runners, or financial advisors. This includes friends and family.
- Verbal or written agreements with an agent, even if the agreement is not active until a future date.

### Athletics Compliance Office Services:

- Agent selection resources
- Market value/early departure resources
- Disability insurance quotes and coverage
- Agent education for student-athletes and parents
- Assistance with securing financing for disability insurance



Contact the Athletics Compliance Office with questions!

## EXTRA BENEFITS

Student-athletes and/or their parents may not receive any benefit based on their status as an athlete unless legislated by the NCAA or available to all students.

### BEST PRACTICES

- Never accept a benefit unless you know the source of the benefit and that it is a permissible benefit to accept.
- Be prepared to handle unsolicited benefits. It is your obligation to decline permissible benefits, even if you did not ask for the benefit in question.
- If you are unsure whether a benefit is permissible, Contact the Athletics Compliance Office or your coaches before you act.

### COMMON PROBLEMS

- Birthday Gifts
- Parental Travel Benefits (transportation, lodging, meals)
- Use of tickets for sports contests, concerts, and theater.

## AWARDS & MEMORABILIA

- Personalize autographed items when possible to prevent resale.
- People taking pictures of you while you sign plan to sell your signed items online, therefore, stop signing for them.
- Stores and individuals are not permitted to sell items signed by student-athletes.
- You may never sell, trade or exchange any equipment (helmets, bats), awards (rings, trophies) or apparel items (jerseys, shoes) provided by the University while you have eligibility remaining, even if you personally own the item.
- If you are selling items yourself or assisting others in selling items, you will lose eligibility in your sport.
- If you become aware of items that include your name or image being sold by others, you should inform your coaches or the Athletics Compliance Office.



## OCCASIONAL MEALS

- May only be provided by a Penn State faculty or staff member.
- Limited to three occasions per semester from all sources, including the coaching staff. The limit is applied from each student-athlete's perspective.
- Student-athletes should always let their coach know when an occasional meal is being provided from a source outside the Athletics Department.



## DRUG TESTING

### THREE LAYERS OF DRUG TESTING

1. NCAA
2. B1G
3. PENN STATE

Failure to report to a drug test is considered a positive test and will impact your eligibility.

**Nutritional Supplement Staff Contact:**  
Dr. Kris Clark – [klc5@psu.edu](mailto:klc5@psu.edu)

**Banned Substances / Drug Testing Staff Contact:**  
Dr. Phil Boshia – [pboshia@psu.edu](mailto:pboshia@psu.edu)



## OUTSIDE COMPETITION

### GENERAL RULE

Student-athletes are not permitted to be a member of an outside team during the regular academic year (Fall and Spring terms).

### SELECTED EXCEPTIONS TO THE GENERAL RULE

- National teams
- Institutional vacation periods when the PSU team is out-of-season
- May 1 – end of finals (Soccer, W. Volleyball, Field Hockey)

### B1G TEN RULE ALERT

Between the start of Fall classes and the end of final exams in the Spring:

- Prior approval is required for any outside competition, including unattached competition and national team competition



## EMPLOYMENT & FEE-FOR-LESSON

- Prior approval is required – please contact Bruce Ellis
  - 157 Bryce Jordan Center – [bee1@psu.edu](mailto:bee1@psu.edu) – 814.863.3403
- Not permissible for a student-athlete to use their name or image to promote lessons.
- Lessons cannot take place on the PSU campus.
- Lessons must be individual, not group.
- Logs must be kept documenting the following:
  - Date
  - Payment amount and type
  - Location
  - Name of the involved individual
- Income/rates must be at the going rate and cannot be based on status as a student-athlete.



## PRIZE MONEY

### ACCEPTING PRIZE MONEY OR EXPENSES BASED ON PLACE FINISH

An individual sport student-athlete may accept prize money based on place finish up to the amount of their actual and necessary expenses only from an event organizer.



## FINANCIAL AID

### New for 2015-2016!

**The definition of a full scholarship has changed to include up to a student's cost of attendance.**

Prior to 2015-2016, the elements of an athletics financial aid agreement could include the following:

- Tuition and Fees
- Room
- Board
- Required course related books

Beginning 2015-2016, the elements of an athletics financial aid agreement can include the following:

- Tuition and Fees
- Room
- Board
- Books
- Other expenses related to attendance, up to the cost of attendance established by PSU. This includes allowances for transportation home, course supplies, clothing, spending money, etc.

## The Value of Penn State Athletics

### **We are... One of only 5 self-sustaining programs in the country**

- Revenues: Approximately = \$117.6 million
- Expenses: Approximately = \$117,449,649
  - Profit: \$150,351
- All athletic revenues are redirected back into the Athletic Office to pay for athlete scholarships and support struggling sports.



## The Value of Penn State Athletics

### Why have Athletics anyway?

- Build community and school spirit
  - Athletics can rally diverse viewpoints to a common cause in support of the university
- Stress relief
  - Entertainment events allow students to take a short break from academics and studying
- Leadership development
  - Athletes go through rigorous training and trials that shape them into exceptional leaders
- Recruitment
  - University applications increase drastically after winning seasons
- Town & Gown relationships
  - Align town and university interests

## QUESTIONS?



## Resources

Banse, Andrew. "NCAA Compliance and Regulation." Message to the author. 30 Oct. 2015. E-mail.

"NACUBO." : *College Athletics: Necessary, Not Just Nice to Have*. N.p., n.d. Web. 12 Nov. 2015.

"Penn State Athletics Taking Steps to Remain Self-supporting Unit | Penn State University." *Penn State Athletics Taking Steps to Remain Self-supporting Unit | Penn State University*. N.p., 13 Feb. 2015. Web. 20 Nov. 2015.