



MEMORANDUM

March 15, 2017

VIA EMAIL

TO: Division I Directors of Athletics, Senior Compliance Administrators and Men's Basketball Head Coaches

FROM: NCAA Academic and Membership Affairs and Enforcement Staffs.

SUBJECT: Information regarding the 2017 National Basketball Association (NBA) draft and combine, agents and workouts.

The purpose of this document is to provide an educational resource you can share with your men's basketball student-athletes with eligibility remaining who may have a desire to "test the waters" as it relates to his pursuit of a potential professional basketball career. You are encouraged to talk through this document with those men's basketball student-athletes who are gauging their readiness for competition at the next level through a variety of methods, including tryouts with professional teams. These student-athletes will undoubtedly rely on a number of individuals to assist in the decision-making process.

At the end of this process, your men's basketball student-athlete may in fact reach the conclusion that it is not in his best interest to pursue a professional career at this time, but rather to continue athletics participation at the intercollegiate level while pursuing his academic degree. Involvement in activities during this process can affect his intercollegiate eligibility. The following information is designed to help him protect his eligibility while "testing the waters."¹

¹ It should be noted that NCAA bylaws are subject to change. This document is intended for educational purposes only and does not usurp or supersede the current rules of the NCAA. All student-athletes with specific questions relating to their NCAA eligibility should contact the NCAA compliance officer at their respective institution to ensure an accurate and correct interpretation of the bylaws. Any questions related to NBA rules, which are also subject to change, should be directed to the NBA.

National Collegiate Athletic Association

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Seven Points to Remember:

A men's basketball student-athlete will lose his eligibility IF:

1. He agrees orally or in writing to be represented by an agent or any individual acting on behalf of the agent (e.g., runner).²
2. He accepts any benefits from an agent, a prospective agent or any individual acting on behalf of the agent (e.g., runner).
3. He participates in a tryout with an NBA team that lasts longer than 48 hours, which he has not personally financed (exception for the draft combine).
4. If he uses an advisor throughout the process and does not pay the going rate for the advising services.
5. If he participates in a tryout with a professional team during the academic year and misses class (exception for the draft combine).
6. If he enters the draft AND does not take the appropriate steps to withdraw and declare his intention to resume intercollegiate participation.
7. If he enters the draft AND is drafted by a professional team.

² In January 2012, the NCAA Division I Legislative Council approved a rule that broadens the definition of agents to include third-party influences, including family members, who market student-athletes' athletics ability or reputation for personal financial gain. The rule includes individuals who either directly or indirectly:

- Represent or attempt to represent a prospective or current student-athlete in the marketing of his or her athletics ability or reputation for financial gain; or
- Seek to obtain any type of financial gain or benefit from securing a prospective student-athlete's enrollment at an institution or a student-athlete's potential earnings as a professional athlete.

The definition includes certified contract advisors, financial advisors, marketing representatives, brand managers or anyone who is employed by or associated with such individuals.

Key Dates:

April 14, 2017	NBA Undergraduate Advisory Committee, application deadline.
April 12-15, 2017	Portsmouth Invitational Tournament (Portsmouth, Virginia) (seniors only).
April 23, 2017 (11:59 P.M.)	NBA early-entry candidate application deadline.
April 25, 2017	NBA teams can begin conducting or attending workouts with early-entry players.
April 28, 2017	Draft combine invitations (and player questionnaires) sent to invitees. ³
May 9-14, 2017	NBA draft combine (Chicago).
May 24, 2017 (10 Days after the Combine.)	NCAA (post-combine) withdrawal deadline.
June 12, 2017	NBA early-entry withdrawal deadline.
June 22, 2017	NBA draft (New York).

Student-athletes who receive either type of invitation may workout with their coaches for a maximum of four hours per day and 20 hours per week from the date of receipt of the invitation until the date on which the student-athlete withdraws from the draft or 10 days after the conclusion of the draft combine, whichever is earlier.

The NBA will send a questionnaire to selected players who do not receive an invitation that asks whether they would participate in the draft combine, if invited. It is important to note that a questionnaire is not considered an invitation. As such, student-athletes with remaining eligibility who receive a questionnaire are not permitted to use the legislative exception that allows coaches to engage in countable athletically related activities (CARA) with student-athletes invited to the draft combine for up to four hours per day and 20 hours per week.

The NBA will notify directors of athletics, senior compliance administrators and head coaches of student-athletes who receive an invitation or questionnaire to help ensure that underclassmen are properly advised on what they need to do to retain their academic and amateur eligibility for participation at an NCAA Division I institution.

³ The NBA will send two types of invitations, (1) draft combine invitation without a requirement to participate in on-court basketball activities and (2) Draft combine invitation with a requirement to fully participate, including on-court basketball activities.

Frequently Asked Questions:

1. Agents.

Question No. 1: What is an "agent" according to NCAA rules?

Answer No. 1: An agent is any individual who, directly or indirectly:

(1) Represents or attempts to represent an individual for the purpose of marketing his or her athletics ability or reputation for financial gain.

(2) Seeks to obtain any type of financial gain or benefit from securing a prospective student-athlete's enrollment at an educational institution or from a student-athlete's potential earnings as a professional athlete.

Question No. 2: May a student-athlete have any type of agreement with an agent?

Answer No. 2: **NO!** A student-athlete is not permitted to have a written or oral agreement with an agent, or anyone who is employed by or acting on behalf of an agent or sports agency (i.e., "runner").

Question No. 3: May a student-athlete have an "oral agreement" with an agent?

Answer No. 3: **NO!** An oral agreement occurs if the student-athlete verbally agrees to have an agent marketing his basketball skills on his behalf OR the student-athlete has knowledge that an agent is performing such services.

Question No. 4: Is an agent allowed to contact teams on behalf of a student-athlete to arrange tryouts?

Answer No. 4: **NO!** A student-athlete cannot have an agent arrange a tryout (or private workout) with an NBA team.

Question No. 5: Can a student-athlete's family members or other individuals who are associated with him as a result of playing basketball (e.g., high school coach, summer basketball coach, etc.) have an agreement with an agent to perform services on his behalf?

Answer No. 5: **NO!** Family members and other individuals are not permitted to enter into any agreements with an agent on a student-athlete's behalf.

Question No. 6: Is a student-athlete allowed to have an agreement with an agent if it is for future representation?

Answer No. 6: **NO!** A student-athlete is not permitted to agree to a future representation agreement with an agent.

Question No. 7: Is an agent allowed to provide a student-athlete any benefits?

Answer No. 7: **NO!** A student-athlete, his family or his friends are not permitted to receive any benefits from an agent. Examples of material benefits include money, transportation, dinner, clothes, cellphones, jewelry, etc. However, benefits may also include, but are not limited to, activities such as tryout arrangements with a professional team and coordinating tryout schedules.

Question No. 8: Who is considered an advisor?

Answer No. 8: An advisor is an individual who provides services including, but not limited to, advising a student-athlete about the likelihood of being drafted, and whom the student-athlete compensates in an amount equal to the services provided. An advisor may **not** contact teams on a student-athlete's behalf or assist in the arrangement of a private workout or tryout.

Question No. 9: May a student-athlete have an advisor during this process?

Answer No. 9: **YES,** provided the advisor does not market the student-athlete to NBA teams.

If the student-athlete is an undergraduate, he may also apply for an NBA Undergraduate Advisory Committee evaluation. This application must be filed with the NBA no later than April 14, 2017. (See Who to Contact Section)

2. *NBA Draft.*

Question No. 1: Is a student-athlete allowed to enter the NBA Draft early?

Answer No. 1: **YES!** A student-athlete may enter a professional basketball league's draft each year during his collegiate career without jeopardizing his eligibility, provided he is not drafted by any team and declares his intention to resume intercollegiate participation by May 24, 2017. This declaration must be in writing to his director of athletics.

However, the NBA Collective Bargaining Agreement only allows for an individual to remove his name from the draft a maximum of two times.

Question No. 2: May a student-athlete participate in the NBA draft combine in May?

Answer No. 2: **YES!** If invited, a student-athlete may participate in the NBA draft combine in May. (See key dates section.)

Question No. 3: Can the NBA pay for actual and necessary travel and room and board expenses associated with participating in the Draft Combine?

Answer No. 3: **YES!** A student-athlete may accept actual and necessary travel, and room and board expenses from the NBA to attend the draft combine.

Question No. 4: When is the deadline to withdraw from the draft?

Answer No. 4: In order to remain eligible to compete at a Division I institution in basketball, a student-athlete must withdraw his name from the draft by **May 24, 2017.**

However, the NBA allows for a student-athlete to wait until June 12, 2017, before he must withdraw his name from the draft.

3. *Workouts/Tryouts.*

Question No. 1: Can a student-athlete's college coach assist with the logistical issues associated with on-campus or off-campus workouts/tryouts (tryout) (e.g., arranging and scheduling of a professional team tryout) during the academic year?

Answer No. 1: **YES!** It is permissible for a student-athlete's institutional head coach to assist in the logistical arrangements for a student-athlete to engage in a professional tryout that occurs on or off campus; however, it is not permissible for a coach to direct or supervise such workouts/tryouts.

Question No. 2: Can an NBA team pay for a student-athlete's private tryout with the team?

Answer No. 2: **YES!** In addition to being able to participate in the NBA draft combine in May, a student-athlete may also participate in a tryout with an NBA team, provided he does not miss class. The student-athlete may receive actual and necessary expenses from the NBA team in conjunction with one 48-hour tryout per team. The 48-hour tryout period begins when he arrives at the tryout location. At the completion of the 48-hour period, the student-athlete must depart the location of the tryout immediately in order to receive return transportation expenses.

Question No. 3: Can an NBA team pay for a student-athlete's training in preparation for my tryout with the team?

Answer No. 3: **NO!** A student-athlete and his family are responsible for paying all expenses associated with any training in preparation for a tryout with a team.

Question No. 4: Can any other individual (e.g., agent, runner or "advisor") pay for a student-athlete's tryouts or training in preparation for his tryouts with NBA teams?

Answer No. 4: **NO!** Unless an NBA team pays for your expenses in conjunction with a tryout, a student-athlete and his family are responsible for paying all expenses associated with any tryouts as they are incurred.

Question No. 5: Can a student-athlete pay for his own tryouts with NBA teams?

Answer No. 5: **YES!** A tryout may extend beyond 48 hours if the individual self-finances additional expenses, including return transportation. A self-financed tryout may be for any length of time, provided the student-athlete doesn't miss class.

4. *Athletics Scholarship.*

Can an institution cancel a student-athlete's athletics scholarship if he has an agreement with an agent?

YES! An institution is permitted to rescind a student-athlete's athletics scholarship if he has an agreement with an agent.

5. *Securing a Loan.*

May a sports agent or booster play a role in securing a loan?

NO! A student-athlete may not allow a third party (including a sports agent, his institution's athletics department staff members or boosters) to be involved in any arrangement for securing a loan. For example, a student-athlete may not allow a third party to play a role in securing a personal loan or a loan to pay for disability or loss of value insurance.

Helpful Tips:

- A student-athlete should keep his head coach and compliance coordinator informed of all activities during this process.
- A student-athlete should coordinate all activities himself in conjunction with his head coach or athletics department staff at his institution. He may receive the assistance of his family members, provided they are not working with any individual who is marketing the student-athlete's athletics ability (e.g., contacting NBA teams, setting up tryouts with NBA teams).
- A student-athlete should remain enrolled in school and complete academic courses while "testing the waters."

Who to Contact:

1. Apply to the NBA draft as an early entrant:

- Erika Ruiz
National Basketball Association
645 Fifth Avenue, 15th Floor
New York, NY 10022

OR

- Email to DraftMailbox@nba.com.

The letter must be received by 11:59 p.m. Eastern time Sunday, April 23, 2017. As there is no mail delivery over the weekend, please be sure that it arrives sooner.

Be sure that you date and sign your letter, and include your return address, school(s) that you play(ed) for, current year (i.e., sophomore, junior), date of birth and daytime contact information (including cellphone number and e-mail).

If the letter is not signed by hand, it will not be accepted.

Once your letter has been received, an application will be sent to you, which should be promptly returned to Ms. Ruiz along with a clear photocopy of your proof of date of birth (i.e., driver's license, passport, birth certificate).

2. Withdraw from the NBA draft:

- Mr. Adam Silver
Commissioner, National Basketball Association
Attention: Erika Ruiz
645 Fifth Avenue, 15th Floor
New York, New York 10022

OR

- Email to DraftMailbox@nba.com.

All underclassmen who submitted their early-entry declaration must submit a written statement by 5 p.m. Eastern time, June 12, 2017, indicating the following:

Per NCAA legislation, the deadline to withdraw from the NBA draft and retain your eligibility to play at a Division I institution is May 24, 2017.

"I, {Student-Athlete, of NCAA college/university}, officially notify the NBA of my request to withdraw my name from consideration in the 2017 NBA Draft."

In addition to the above information, please include contact information and date of submission. Contact Erika Ruiz at the NBA offices (212-407-8233) if you have further questions.

3. NBA Undergraduate Advisory Committee:

Chigozie Umeadi (NBA) at 212-407-8733 or cumeadi@NBA.com.

The NBA Undergraduate Advisory Committee is composed of NBA team executives who will provide a confidential projection of a potential draftee's likely draft position.

4. Division I institutions with interpretive questions regarding the NBA draft and combine, agents and tryouts:

- Jobrina Marques, associate director of academic and membership affairs, at jmarques@ncaa.org.
- Submit an interpretation request in Requests/Self-Reports Online (RSRO).

5. Questions regarding the NBA draft and combine process/logistics:

- Charnele Kemper, director of academic and membership affairs, at ckemper@ncaa.org.
- Jeremy McCool, director of enforcement, at jmccool@ncaa.org.
- Chris Clunie (NBA) at 212-407-8155 or cclunie@nba.com or Wes Harris (NBA) at 212-407-8073 or wharris@nba.com.

JTM:jcd

CC: Selected NCAA Staff Members.