



Purpose

This document outlines the Athlete-Agent Policy applicable to all student-athletes at The Georgia Institute of Technology [hereafter referred to as "GT"] in order to comply with NCAA Bylaw 12.3 (Use of Agents) and the State of Georgia Uniform Athlete Agents Act.

Philosophy

This policy is in place to ensure current GT student-athletes, their families, coaches, and staff members operate within a structured framework regarding contact with agents. The purpose of this policy is to provide specific guidelines for athlete agent contact with student-athletes in accordance with NCAA, State of Georgia, and Georgia Tech Athletic Association [hereafter referred to as "GTAA"] regulations. It is of the utmost importance to educate all parties involved in the agent selection process in order to protect the eligibility of current student-athletes while allowing them to gather information to make informed decisions concerning a potential professional career.

Definition of an Agent

The Uniform Athlete Agents Act of Georgia defines an athlete agent as a person who, directly or indirectly, recruits or solicits an athlete to enter into an agent contract or professional sports services contract with that person or who for a fee procures, offers, promises, or attempts to obtain employment for an athlete with a professional sports team. The term "athlete agent" does not include the owner, employee, or other representative of a professional sports team, provided that such owner, employee, or representative does not recruit or solicit such athlete to enter into an agent contract or professional sports services contract or for a fee does not procure, offer, promise, or attempt to obtain employment for such athlete with a professional sports team.

The NCAA defines an athlete agent as any individual who, directly or indirectly:

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

An agent may include, but is not limited to, a certified contract advisor, financial advisor, marketing representative, brand manager or anyone who is employed or associated with such persons.

Registration Process

All athlete agents interested in contacting or representing a student-athlete must be registered with the following:

1. Georgia Secretary of State

The registration process can be found by visiting the following website:

http://sos.ga.gov/index.php/licensing/online_licensure_applications

2. Georgia Tech Athletic Association – Compliance Office



A GTAA Agent Registration form must be completed and returned to the GTAA Compliance Office. The GTAA Agent Registration form can be found by visiting the following website:
<http://www.ramblinwreck.com/compliance/agents.html>

a. Registration Approval

Once an agent's registration has been approved, the agent's name and information will be included within the agent database maintained in the GTAA compliance office. All registered agents must examine the GTAA policy regarding contact with current student-athletes and their families.

b. Annual Renewal of Registration

Registration with the GTAA compliance office is valid during the academic year for which the application is approved. (e.g., September 1, 2011 – August 31, 2012).

All agents must submit an application to renew their registration with the GTAA compliance office at the beginning of each academic year.

3. Professional Sports Organization Requirements

a. Baseball Contract Agents

All baseball athlete agents must be registered and in good standing with the MLB Players Association (MLBPA) as a player agent.

b. Men's Basketball Contract Agents

All men's basketball athlete agents seeking to enter negotiations with an NBA team must be registered and in good standing with the NBA Players Association (NBPA) as a player agent.

c. Women's Basketball Contract Agents

All women's basketball athlete agents seeking to enter negotiations with a WNBA team must be registered and in good standing with the WNBA Players Association (WNBPA) as a player agent.

d. Football Athletic Agents and Financial Advisors

All football athlete agents must be registered and in good standing with the NFL Players Association (NFLPA) as a player financial advisor.

Contact With Current Student-Athletes and Their Families

Agents are prohibited from engaging in any contact (e.g., in person, by phone, in writing, electronically, through intermediaries such as runners, or any additional mediums) with current student-athletes and their families without prior approval from the GTAA compliance office and the appropriate coaching staff.

Agents registered with the compliance office may send written correspondence to current student-athletes, provided an exact copy of the materials sent is also sent to the compliance office.



Agents registered with the compliance office that wish to contact a current student-athlete by any other means other than mail must contact the compliance office and receive approval from the relevant coaching staff prior to contact with current student-athletes and their families.

If an agent is permitted to contact a current student-athlete and their family, he or she is prohibited from performing specific actions that violate NCAA and/or state regulations concerning student-athlete's eligibility.

The following actions are deemed to be in violation of NCAA rules and will immediately jeopardize a current student-athlete's collegiate eligibility:

Providing benefits to a current student-athlete and his or her family, including, but not limited to, the following items:

- Free or discounted transportation (e.g., flights, car rides, and use of a vehicle), meals, clothing, lodging (e.g., use of home, hotels, etc.), tickets to sporting/entertainment events, parking passes, use of training facilities;
- Gifts or gift cards;
- Payment of a student-athlete's or family member's living expenses (e.g., rent, car payment, etc.);
- Securing and/or cosigning a loan for a student-athlete;
- Securing a written or verbal agreement with a current student-athlete for future representation and marketing of the student-athlete's athletics ability.

If an agent contacts a current student-athlete or their family in any manner (e.g., in person, by phone, in writing, electronically) without prior approval from the compliance office and the coaching staff, the current student-athlete should take the following steps:

- Advise the individual that they and their family have been advised to not have contact with agents unless permitted by the compliance office and coaching staff; request that the agent contact the compliance office for registration and policy information during the current academic year; speak with the coaching staff and the compliance office regarding approved communication with a prospective agent.

Former Student-Athletes

Student-athletes who have exhausted their eligibility and are represented by an agent or agency may not:

- Openly solicit the business services of his or her current agent to a current student-athlete; or
- Induce a current student-athlete to enter into an agreement with his or her current agent for future representation via the provision of extra benefits.

Coaches and Staff Members

Coaches and staff members are prohibited from providing Agents and/or their representatives with the following benefits:

- Complimentary admissions to collegiate sporting events via a sport's guest pass list;
- Access into team locker rooms when current student-athletes are present; and



- Media credentials, sideline passes, or bench passes which enable their holder to have direct access to current student-athletes.

Education

GT student-athletes will be educated about Athlete Agent issues at least once per year. This education will take place in conjunction with beginning of the year squad meetings. Additionally, Athlete Agent issues will be covered any time the compliance office deems necessary and also when any GT team qualifies for post-season play and must complete a required NCAA affidavit.

Former student-athletes that return to GT to use GTAA facilities will be educated on the prohibition on solicitation of current student-athletes when they sign the required institutional liability waiver.

State of Georgia Uniform Athlete Agents Act

<http://sos.georgia.gov/plb/agent/>

NCAA Bylaws

<http://www.ncaapublications.com/DownloadPublication.aspx?download=D113.epub>

Selected Bylaws Governing Interaction Between Student-Athletes and Agents

12.02: Definitions and Applications.

12.02.1 Agent. An agent is any individual who, directly or indirectly:

- a. Represents or attempts to represent an individual for the purpose of marketing his or her athletics ability or reputation for financial gain; or
- b. 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.

12.02.1.1 Application. An agent may include, but is not limited to, a certified contract advisor, financial advisor, marketing representative, brand manager or anyone who is employed or associated with such persons.

12.3.1 General Rule. An individual shall be ineligible for participation in an intercollegiate sport if he or she has ever agreed (orally or in writing) to be represented by an agent for the purpose of marketing his or her athletics ability or reputation in that sport. Further, an agency contract not specifically limited in writing to a sport or particular sports shall be deemed applicable to all sports, and the individual shall be ineligible to participate in any sport.

12.3.1.1 Representation for Future Negotiations. An individual shall be ineligible if he or she enters into a verbal or written agreement with an agent for representation in future professional sports negotiations that are to take place after the individual has completed his or her eligibility in that sport.



12.3.1.2 Benefits from Prospective Agents. An individual shall be ineligible if he or she (or his or her relatives or friends) accepts transportation or other benefits from:

- a. Any person who represents any individual in the marketing of his or her athletics ability. The receipt of such expenses constitutes compensation based on athletics skill and is an extra benefit not available to the student body in general: or
- b. An agent, even if the agent has indicated that he or she has no interest in representing the student-athlete in the marketing of his or her athletics ability or reputation and does not represent individuals in the student-athlete's sport.

12.3.2 Legal Counsel. Securing advice from a lawyer concerning a proposed professional sports contract shall not be considered contracting for representation by an agent under this rule, unless the lawyer also represents the individual in negotiations for such a contract.

12.3.2.1 Presence of a Lawyer at Negotiations. A lawyer may not be present during discussions of a contract offer with a professional sports organization or have any direct contact (i.e., in person, by telephone, by mail, or by e-mail) with a professional sports organization on behalf of the individual. A lawyer's presence during such a discussion is considered representation by an agent.