INTRODUCTION

Purpose: To educate student-athletes and their parents/legal guardians as to UT’s policy regarding agents as well as the State of Tennessee Agent Laws and NCAA rules governing agents. This brochure has been created to assist in understanding the process and the steps to preparing for a career in professional athletics.

The brochure is designed to provide information about student-athletes’ NCAA eligibility with respect to solicitation by sports agents and professional sports teams.

Our intention is to protect the welfare of the student-athlete, his/her family, and our athletic programs from severe consequences that can be experienced from violation of UT policy, State of Tennessee law, and NCAA/SEC regulations regarding sports agents.

Please take a moment to familiarize yourself with the information contained in this brochure.

YOU WILL BE HELD ACCOUNTABLE FOR KNOWLEDGE OF ITS CONTENTS.

If you should have any further questions, please feel free to contact your head coach or The compliance office at (865) 974-3871.
State of Tennessee Definition of “Athlete Agent”

The State of Tennessee defines an “athlete agent” as anyone who directly or indirectly recruits or solicits a student-athlete to enter into an agency contract for compensation or anything of value. This includes promises of future representation or negotiation in order to obtain a professional contract.

“Athlete agent” includes, but is not limited to, actual agents, runners, managers, marketing representatives, financial advisors, or other persons acting on behalf of an agent. This would also include any individual authorized by a student-athlete to enter into an agreement or represents to the public that he or she is an athlete agent.

A student-athlete’s parent or legal guardian will be classified as an “athlete agent” if he or she accepts a financial benefit or gift on behalf of the student-athlete or for himself or herself in violation of the regulations and bylaws of the NCAA.

UNIVERSITY OF TENNESSEE ATHLETICS RULES AND POLICY REGARDING SPORTS AGENTS

- The University of Tennessee requires all agents to complete and submit an Agent Registration Form (attached to this brochure) prior to contacting any current student-athletes.

- Current student-athletes are not prohibited from having contact with agents. We ask that all in-person meetings be held in UT athletic facilities with advance notice being given to the head coach and compliance office.

- All mail received from agents or financial advisors will be directed to the head coach or director of operations in the appropriate sport.

- All sports have the option to establish team policies regarding agents that may be more restrictive than the University of Tennessee and NCAA policies contained in this brochure.

- The University of Tennessee encourages open and honest communication on your path to professional athletics. We will assist you in every way possible as long as proper University and NCAA procedures are followed.
• Be aware of “bird dogs” or “runners.” These are individuals who will attempt to befriend a student-athlete or the parents/legal guardians, but in reality they work for and represent the agent/financial adviser. Know who you are associating with.

• Be cognizant of the fact that agents or runners will attempt to contact you at any time and at any location. If they do not respect your request to be left alone until your eligibility has expired, then you do not want to have them work for you when you do require the services of any agent or financial adviser. If you or your parents/legal guardians need assistance in discouraging an over-aggressive agent, contact your head coach or the compliance office.

• You or your parents/legal guardians and other immediate family members should never accept any items or services of any type or monetary value from anyone outside of the Athletics Department. Accepting something as small as a soft drink and burger or a ride across campus could result in major NCAA violations and loss of your eligibility.

• We will conduct an agent education day each spring for football student-athletes (and their parents/legal guardians) who are concluding their eligibility. Information will be made available to you in advance of this event.

• You are the person who will hire the agent/financial adviser and they will work for you, not vice versa.

• It is a proven fact that the only person who has any input into your status as a professional athlete and has any control as to where or if you are drafted is you. An agent/financial adviser can do nothing to enhance your status in professional athletics. You should concentrate on having the best amateur career and guard against all unnecessary distractions from agents/financial advisers prior to the conclusion of your eligibility to enhance your future status as a professional. You will have an opportunity to select the proper professional person to represent you as an agent at the appropriate time after you have done all you can to enhance your career.
Disability Insurance is an insurance policy obtained by the exceptional student-athlete that provides the athlete the opportunity to protect against future loss of earnings as a professional athlete due to a disabling injury or sickness that may occur during the collegiate career. Student-athletes with remaining eligibility in football, men’s or women’s basketball, or baseball who have demonstrated they have professional potential are candidates for this insurance program. Contact your head coach or Condredge Holloway at (865) 974-1236 for detailed information on this program.
STATE OF TENNESSEE LAWS REGARDING AGENTS

TO DO BUSINESS IN TENNESSEE AS A SPORTS AGENT

REQUIRED BY LAW TO:

- Have a permit (license) issued by The Secretary of State.
  
  *Failure to register can result in the agent spending 6 years in prison in addition to paying a $25,000 fine.

- Provide proof of possession of a valid permit (license) to any student-athlete the agent might contact.

- Provide notice to the athletic department 48 hours in advance of planned contact with enrolled student-athletes or their families.

- Notify the athletic department of the existence of a representation contract or promise of future representation.

CANNOT BY LAW (PRIOR TO THE EXPIRATION OF YOUR ELIGIBILITY):

- Initiate contact with a student-athlete, family or friends, unless properly registered with the State of Tennessee.

- Provide anything of value to a student-athlete, family or friends.

- Give materially false or misleading information or make a materially false promise of representation.

- Fail to notify a student-athlete before signing an agent contract that authenticating the document may make him or her ineligible to continue participating in collegiate athletics.

- Predate or postdate an agency contract.
**NCAA RULES REGARDING AGENTS**

In order to protect your eligibility, you need to carefully read and understand the following NCAA rules.

**IMPERMISSIBLE:** An athlete may not agree, either orally or in writing, to be represented by an agent or organization in the marketing of his/her athletic ability or reputation until after completion of the athlete’s last intercollegiate contest, including postseason tournament, bowl or all-star games. This prohibition includes entering into an agreement that is “not effective” until after the last game.

**IMPERMISSIBLE:** An athlete or any representative of the athlete may not negotiate or sign a playing contract for any sport in which he/she intends to compete.

**IMPERMISSIBLE:** An athlete may not be asked to be placed on a professional league’s draft list, whether he/ she withdraws his/her name before the draft, whether he/she is actually drafted, and whether he/she signs a professional contract. Exception: the NBA Draft.

**IMPERMISSIBLE:** An athlete (or family member, friend, girlfriend, boyfriend, etc.) may not accept expenses or gifts of any kind (including meals and transportation) from an agent (or anyone associated with an agent) who wishes to provide service to the athlete.

**IMPERMISSIBLE:** An athlete may not receive preferential benefits or treatment (for example, loans on a deferred paycheck basis) because of the athlete’s reputation, skill, or payback potential as a professional athlete. Exception: A loan to buy disability insurance.

**IMPERMISSIBLE:** An athlete may not retain professional services for personal reasons at less than the normal charge. Must pay the going rate for financial and advising services.

**IMPERMISSIBLE:** A coach or other member of the athletics department may not represent, directly or indirectly, a student-athlete in the marketing of his/her athletic ability or reputation for a professional sports team or organization.
PERMISSIBLE: A student-athlete may consult with members of the athletics department for advice on pursuing a professional sports career.

PERMISSIBLE: A student-athlete may talk to an agent or financial adviser, providing he/she neither agrees to be represented nor accepts anything of any value. An adviser cannot speak to a professional team on your behalf.

PERMISSIBLE: A student-athlete may retain an attorney for matters of a personal nature, including evaluating the terms of a proposed professional contract, as long as the attorney is not involved in the contract negotiation.

PERMISSIBLE: A student-athlete may borrow against future professional earnings to purchase a no-cash value disability insurance policy, providing the athlete notifies the Compliance Office.

PERMISSIBLE: An athlete may compete professionally in sports in which he/she does not participate for the university (but signing a professional contract terminates eligibility for an athletic scholarship in any sport).

PERMISSIBLE: A student-athlete may ask a professional league or team about his/her draft potential and/or projection.