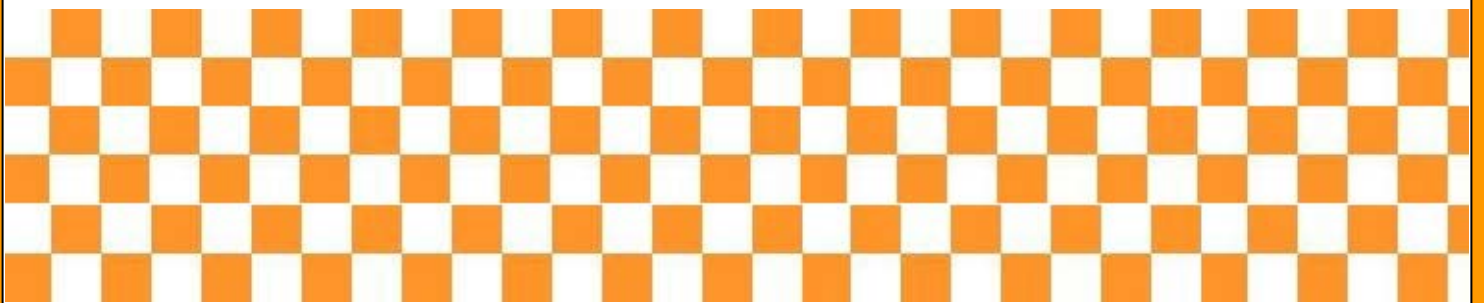




University of Tennessee



Student-Athlete Guide to Agents

2010 - 2011

University of Tennessee Compliance | (865) 974-3871

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 following:

Brad Bertani, Associate Athletics Director for Compliance

(865) 974-3871

Condredge Holloway, Assistant Athletics Director / Player Relations

(865) 974-1236



UNIVERSITY OF TENNESSEE ATHLETICS RULES AND POLICY **REGARDING SPORTS AGENTS**

- Although it is not an NCAA rule, we ask student-athletes and their parents/legal guardians to have absolutely no contact with any agent or financial adviser until the student-athlete's eligibility has concluded. Contact is prohibited by Tennessee state law except under definitive provisions.
- We will hold all mail from agents/financial advisers. At the conclusion of their eligibility, we will forward all mail to the student-athlete.
- If agents call parents/legal guardians, we ask you to request they not contact you or your parents/legal guardians until the season has concluded. Then call us to make us aware of the agent/financial adviser's name so we can contact them to discuss the University of Tennessee's policy.
- 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. They could be male or female. 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 Athletic Directors listed previously for help.

- 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.
- Remember that we offer our assistance in addressing issues involving sports agents/financial advisers. Don't be afraid to ask us for help. 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

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

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.

AGENTS CAN FACE CRIMINAL AND CIVIL PENALTIES FOR VIOLATING ANY OF THE LAWS DESCRIBED ABOVE.

STUDENT ATHLETES ARE SUBJECT TO CIVIL PENALTIES FOR DAMAGES RESULTING FROM THEIR INVOLVEMENT WITH AN ATHLETE AGENT IN VIOLATION OF ANY OF THE LAWS DESCRIBED ABOVE.

NCAA RULES REGARDING AGENTS

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

NCAA RULES..

FORBID: An athlete to 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.

FORBID: An athlete or any representative of the athlete to negotiate or sign a playing contract in any sport in which he/she intends to compete.

FORBID: An athlete to 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 Professional Basketball Draft.

FORBID: An athlete (or family member, friend, girlfriend, boyfriend, etc.) to accept expenses or gifts of any kind (including meals and transportation) from an agent (or anyone else) who wishes to provide service to the athlete.

FORBID: An athlete to 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. The exception is a loan to buy disability insurance.

FORBID: An athlete to retain professional services for personal reasons at less than the normal charge from a booster.

FORBID: A coach or other member of the athletics department to represent, directly or indirectly, a student-athlete in the marketing of his/her athletic ability or reputation for a professional sports team or organization.

NCAA RULES...

ALLOW: A student-athlete to deal with members of the athletics department for advice on pursuing a professional sports career.

ALLOW: A student-athlete to 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. (Please refer to page 6 for State of Tennessee laws regarding contacts with an agent.)

ALLOW: A student-athlete to 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.

ALLOW: A student-athlete to borrow against future professional earnings to purchase a no-cash value disability insurance policy, providing the athlete notifies the Athletics Director.

ALLOW: An athlete to 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).

ALLOW: An athlete to retain an agent specifically limited in writing to representing him/her in those sports in which he/she competes as a professional.

ALLOW: A student-athlete to ask a professional league or team about his/her eligibility to be drafted.