

NCAA Rule of the Month

March 2010

Commercialism and Self-promotion

The NCAA does not allow student-athletes to engage in the endorsement or promotion of any commercial product. This activity would violate NCAA rules concerning amateurism.

Common areas the Compliance Office has seen issues and violations in this area include:

- Endorsements of food establishments, photographs, or other commercial products
- Modeling
- Writing a book
- Music
- Dance performance
- Artist
- Insurance
- Real Estate
- Talk Radio

After becoming a student-athlete, an individual shall not be eligible for participation in intercollegiate athletics if he/she:

- Is paid in any way to advertise, recommend or promote directly the sale or use of a commercial product/service
- Allows the use of his/her name to advertise, recommend or promote directly the sale or use of a commercial product/service
- Is paid for endorsing a commercial product or service simply by using said product/service.

If a situation arises where a student-athlete has been paid/is being paid for improper use of his/her name, it is not necessarily an automatic violation. We have had situations where a student-athlete has been involved with commercial products. A student-athlete can engage in such activities if AND ONLY IF:

- Involvement in the activity began prior to his or her enrollment at CU
- Involvement did not begin because of athletics
- No reference is made to a person's name or status as a CU student-athlete
- No commercial product is endorsed
- The student-athlete is paid the going rate and not given more because he/she is a student-athlete

If a student-athlete has their name used improperly without their knowledge it is the responsibility of the student-athlete in conjunction with the Compliance Office to take the necessary steps to put an end to these activities. Standard operating procedure calls for us to send a "cease and desist" letter to the offending party.

As staff members, if you are aware of any student-athletes participating in activities like this, please let Compliance know immediately. It is better we hear about it on the front end, rather than reading about it in the newspaper. For example, we have a student-athlete who was able to continue his music career since he had begun prior to coming to CU. We also had a student-athlete author a book and he was able to proceed with selling it. In both cases, these student-athletes used pseudonyms, or fake names. This is not to say all a person has to do is use a fake name and he/she will be OK...this is more of an example of how Compliance may be able to help navigate the process.

Bylaws we are referencing: 12.5.2.1, 12.5.2.1.1, 12.5.2.2, 12.5.1.3