

Questions have been raised recently regarding established relationships with prospects and their relatives. Specific questions were asked about what determines if an established relationship exists and what benefits can be provided in these situations. Below is an NCAA interpretation specific to this situation:

### **Benefits Resulting from an Established Relationship**

The subcommittee reviewed the application of NCAA Bylaw 12.1.1.1.6 as it relates to factual situations in which an individual (student-athlete or prospective student-athlete) has received benefits prior to or during collegiate enrollment from someone other than a family member or legal guardian, and agreed that the following objective guidelines generally should be used in determining whether such benefits are contrary to the legislation:

- a. Did the relationship between the athlete (or the athlete's parents) and the individual providing the benefit(s) develop as a result of the athlete's participation in athletics or notoriety related thereto?
- b. Did the relationship between the athlete (or the athlete's parents) and the individual providing the benefit(s) predate the athlete's status as a prospective student-athlete?
- c. Did the relationship between the athlete (or the athlete's parents) and the individual providing the benefit(s) predate the athlete's status achieved as a result of his or her athletics ability or reputation?
- d. Was the pattern of benefits provided by the individual to the athlete (or the athlete's parents) prior to the athlete attaining notoriety as a skilled athlete similar in nature to those provided after attaining such stature?

The subcommittee, however, noted that the origin and duration of a relationship and the consistency of benefits provided during the relationship are key factors in determining whether the benefits provided are contrary to the spirit and intent of Bylaw 12.1.1.1.6. The subcommittee determined that prior to initial full-time collegiate enrollment, a prospective student-athlete may receive normal and reasonable living expenses from an individual with whom the student-athlete has an established relationship (e.g., high-school coach, nonscholastic athletics team coach, family of a teammate), even if the relationship developed as a result of athletics participation, provided:

- a. The individual is not an agent,
- b. The individual is not an athletics representative of a particular institution involved in recruiting the prospect; and
- c. Such living expenses are consistent with the types of expenses provided by the individual as a part of normal living arrangements (e.g., housing, meals, occasional spending money, use of the family car).

The subcommittee noted that the above-mentioned interpretation does not apply to individuals who have no logical ties to the prospect. It also noted that a current student-athlete who, prior to initial collegiate enrollment, has been receiving normal and reasonable living expenses from an individual with whom he or she has an established relationship may continue to receive occasional benefits (e.g., meals during campus visits, reasonable entertainment) from an individual or family with whom the student-athlete has an established relationship. Such expenses may not include educational expenses associated with a grant-in-aid (i.e., tuition and fees, room and board, and required course-related books). [References: Bylaws 12.1.1.1.6 (preferential treatment, benefits or services); 15.2.5 (financial aid from outside sources); 16.12.2.4 (preferential treatment)]

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As you can see, there is a four-part test to determine if an established relationship exists. Should you have questions, please contact the compliance office prior to providing any benefits to prospects and/or their families.