

Recruiting International Student-Athletes

When recruiting international prospective student-athletes, it is imperative that coaches fully understand the competitive background of the prospect as it pertains to NCAA amateurism regulations. Also, it is to the advantage of Purdue and the prospect that she or he be processed through the NCAA Initial-Eligibility Clearinghouse as soon as possible. Already this academic year, we have had a couple of cases where international student-athletes had earned prize money in amateur competitions prior to initial enrollment at Purdue. Each case has required that the international student-athlete be declared ineligible and that repayment of the prize money be required prior to being reinstated by the NCAA. The following are guidelines to help determine the amateur status of international prospective student-athletes:

Applicable NCAA Legislation

NCAA Bylaw 12 addresses circumstances when a student-athlete participates for a professional team, receives compensation for participating for an athletics team, or signs a contract or agreement to play professional athletics. Many of the cases processed to date involved student-athletes who have competed for a professional team without any compensation. Circumstances such as this would likely result in violations of NCAA Bylaws

12.1.1-(e) and 12.2.3.2. Unfortunately, many individuals do not easily recognize that participation with a professional team, even when no compensation or remuneration for expenses is received, is a violation of NCAA legislation and renders the involved individual ineligible for intercollegiate competition. Clearly, an individual who has received payment for his or her participation or accepts a promise of pay has violated Bylaw 12 also is ineligible for competition.

Definition of a "Professional Athletics Team" (Bylaw 12.02.4)

A professional athletics team is any organized team that:

- Is a member of a recognized professional sports organization;
- Is directly supported or sponsored by a professional team or professional sports organization;
- Is a member of a playing league that is directly supported or sponsored by a professional team or professional sports organization; or
- Has an athlete receiving for his or her participation any kind of payment, directly or indirectly, from a professional team or professional sports organization.

Tools for Analyzing Professional Teams/Leagues

In applying Bylaw 12.02.4 to a particular fact situation, the NCAA membership services staff has developed a series of questions to assist member institutions in determining whether a particular team or league would be considered "professional" under NCAA amateurism legislation. These questions include the following:

1. Does the team recognize itself as a semiprofessional or professional team?
2. Does the team market/promote itself as a semiprofessional or professional team?
3. Does the team receive financial support or sponsorship from any team or organization that recognizes itself as a semiprofessional or professional team or organization?
4. Does the team participate in a league that recognizes or markets itself as a semiprofessional or professional league?
5. Does the playing league in which the team is participating receive any financial support or sponsorship from a team or organization that recognizes itself or promotes itself as a professional team or organization?

Notes.

If the answer to any of the above questions is yes, the team or league is considered to be professional under NCAA amateurism regulations and, thus, an individual who competes on such a team jeopardizes his or her remaining intercollegiate eligibility.

If a league satisfies the definition of a professional league, all teams participating in the league are considered professional teams under NCAA amateurism rules regardless of whether there are teams in the league that hold themselves out as amateur teams.

If a playing league or team does not engage in any of the activities set forth in the above questions, the team/league is considered amateur under NCAA regulations. It is possible for an individual to participate on an amateur team (as opposed to a professional team) in which some of the participants are paid by the amateur team without jeopardizing eligibility, provided the individual does not receive any payment (e.g., salary) for participating on the team. Such an individual retains eligibility provided he or she receives expenses not to exceed actual and necessary travel, room and board expenses, and apparel and equipment for competition and practice held in preparation for such competition.

Therefore, while analyzing the competitive experiences of student-athletes, institutions must consider whether the student-athlete received compensation for his or her participation with a club team, and if the club or league in which the student-athlete participated is considered a professional athletics team or organization by applying NCAA legislation. Either one of these circumstances, independent of each other, will likely result in a violation of NCAA rules. Receipt of compensation beyond actual and necessary expense from an amateur sports organization will also result in a violation of NCAA legislation. Also, please remember that accepting prize money based upon place finish, even if the money is used exclusively for travel and actual expenses, is a violation of NCAA amateurism regulations.