



## **PREEXISTING RELATIONSHIP WITH A CURRENT OR PROSPECTIVE STUDENT-ATHLETE**

Boosters of Middle Tennessee State University are prohibited from providing any type of benefit to a current or prospective student-athlete (PSA). NCAA Bylaw 12.1.1.6 prohibits preferential treatment, benefits or services because of the individual's athletic reputation or skill or payback potential as a professional athlete, unless such treatment, benefits or services are specifically permitted under NCAA legislation.

The only exception to this rule is if there is a clear preexisting relationship between the booster and the student-athlete. The NCAA membership services staff reviewed the application of Bylaw 12.1.1.6 as it relates to factual situations in which an individual (student-athlete or PSA) has received benefits prior to collegiate enrollment from someone other than a family member or legal guardian, and agreed that the following objective guidelines should be used in determining whether such benefits are contrary to the legislation:

1. Did the relationship between the athlete (or the athlete's parents) and the individual providing the benefits develop as a result of the athlete's participation in athletics or notoriety related thereto?
2. Did the relationship between the athlete (or the athlete's parents) and the individual providing the benefits predate the athlete's status as a PSA?
3. Did the relationship between the athlete (or the athlete's parents) and the individual providing the benefits predate the athlete's status achieved as a result of his or her athletics ability or reputation?
4. 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 benefits provided are contrary to the spirit and intent of Bylaw 12.1.1.6. The subcommittee determined that prior to initial full-time collegiate enrollment, a PSA 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:

1. The individual is not an agent,
2. The individual is not an athletics representative of a particular institution involved in recruiting the prospect, and,

3. 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 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 full-time 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 that individual or family that they have the established relationship with. Such expenses may not include educational expenses associated with a grant-in-aid (i.e., tuition and fees, room and board, and course related books).

Please contact the Middle Tennessee State University Athletic Compliance Office **PRIOR** to providing a benefit of any kind to a current or prospective student-athlete, and for questions regarding the above information.