

NCAA Compliance Booster Guide

SAN DIEGO STATE UNIVERSITY



Table of Contents

I. Boosters and Collectives

II. Name, Image, and Likeness

III. Recruiting

VI. Preferential Treatment & Extra Benefits

V. Complimentary Admissions



Who Is A Booster

A booster is anyone who:

- Has participated in or has been a member of an organization promoting SDSU athletics.
- Has made financial contributions to the athletics department or an athletics booster organization of SDSU.
- Has been asked by SDSU to assist with recruitment.
- Has assisted or is assisting in providing benefits to enrolled student-athletes.
- Is otherwise involved in promoting the institution's athletic program.

***Once an individual qualifies as a booster, the status remains indefinitely.**



Collectives

What is a collective?

- Any group of individuals or alumni who raise money to support NIL activities for student-athletes.

Are collectives treated differently than boosters?

- No, under NCAA rules collectives are considered boosters and must follow this same legislation.

Can a group bypass these regulations by creating a separate 501(3)(c)?

- No, even if a group creates a separate legal entity, they are still subject to the same NCAA policies and requirements because of their affiliation with the university.



Name, Image, and Likeness

Name, Image, and Likeness (NIL) pertains to a student-athlete's capacity to receive compensation for granting individuals or external entities the right to use their name, image, or likeness. There is no restriction on the amount of NIL compensation a student-athlete can receive, as long as each NIL agreement complies with the specified criteria. Permissible forms of NIL compensation include money, goods, and services.

NIL General Requirements

To receive compensation the NIL contract must meet the following conditions:

- Be an exchange of work performed by the student-athlete for the third party.
- Compensation must be at the fair market value for services performed.
- Compensation cannot be based on specific athletic performance.
- Compensation cannot be used as an inducement or reward for attending SDSU.

Restrictions

- **Inducements:** Agreements cannot contain provisions requiring attendance at a specific institution.
- **Pay-for-Play:** Agreements cannot contain provisions requiring an athlete's specific performance or achievement.



Recruiting

According to NCAA rules, **only authorized coaches** are allowed to recruit potential student-athletes for their college or university. This rule is in place to make sure that all sports programs have an equal opportunity, as each program can only use a set number of people for recruiting. **It's against NCAA rules for supporters, boosters, or collectives to be involved in recruiting activities with a prospective student-athlete.**

Prospects include:

- A student who is enrolled in the ninth grade regardless of their athletic ability (seventh grade for Men's Basketball, Softball, and Women's Volleyball).
- A student of any age who receives benefits from the institution that are not generally provided to prospective students.
- In general, a student is considered a prospect until they complete the signing of a National Letter of Intent and/or financial aid agreement, make an admissions deposit, or start attending classes at the institution.
- Verbal commitments do not affect an individual's prospect status.



Recruiting - Permissible Booster Activities



- Maintaining communication with a long-standing family friend or neighbor who is a potential prospect is acceptable under the following conditions:
 - The connection predates the ninth grade (seventh grade for Men's Basketball, Softball, and Women's Volleyball prospects);
 - The relationship was not formed based on the individual's athletic standing; and
 - There is no recruitment activity involved.
 - Pattern of benefits remains consistent.
- Watching a prospect's game on your own without talking to the prospect, their parents, or their legal guardians directly or indirectly.
- Notifying SDSU's coaching staff about promising players in the area, without talking to the players, their parents, or their legal guardians directly or indirectly.

Please contact the compliance department if you believe this applies to you



Recruiting - Violations

Violations of NCAA Rules Include:

- Contacting a student-athlete to talk about SDSU athletics if your relationship started in the ninth grade or later (seventh grade for Men's Basketball, Softball, and Women's Volleyball) and developed because of sports.
- Contacting a student athlete's parent, coach, principal, or counselor to recruit them or encourage them to enroll.
- Helping the coaching staff evaluate players (scouting).
- Encouraging a student-athlete to attend SDSU, whether it's in-person or through social media like Twitter, Facebook, or Instagram.



Recruiting - Violation Example

Let's say there's a high school baseball player named Alex who is in the **ninth grade**. Tom, an **SDSU booster**, meets Alex at a baseball game and strikes up a conversation with him because he's a talented player. Tom and Alex become friends, and their relationship is mainly based on Alex's baseball skills.

If Tom then contacts Alex to talk about SDSU Athletics or encourages him to attend SDSU, it would be a violation of the rules. This is because **the relationship with Alex began in the ninth grade and developed because of athletics**, making it impermissible for Tom to promote or discuss SDSU Athletics with Alex.



Recruiting - Recent Violations

- A student athlete entered the transfer portal and went on an official visit to an institution. During the visit **the student met with an NIL Booster who offered them approximately \$15,000 per month** during their first year at the school. No coaches were present for the meeting. The prospect did not enter into any deal and did not receive any compensation from the booster. However, this was a violation of NCAA recruiting rules because **it's against NCAA rules for boosters to offer inducements or be involved in recruiting prospective student-athletes.**
- A **head coach arranged a formal meeting between two prospects, their parents, and a booster** of the institution. The prospects and their parents had dinner at the booster's home. While the booster did not discuss NIL opportunities, they did promote the university by speaking highly of its athletics department. The head coach **arranging the meeting between the prospects and the booster was a violation** of NCAA recruiting rules and the **booster providing a meal to the prospects** was a violation of NCAA inducement rules.



Extra Benefits & Preferential Treatment

Extra Benefit Defined:

An extra benefit is broadly defined as any benefit that is not generally available to the student body as a whole, or a particular segment of the student body (e.g., international students, minority students).

Why it Matters:

- Providing extra benefits to a student-athlete or a prospective student-athlete will affect their eligibility.
- Extra benefits may not be provided to a prospect, student-athlete, or their friends and family.
- This applies even after a student-athlete has exhausted their eligibility, so extra benefits cannot be provided to former student-athletes.



Extra Benefits & Preferential Treatment

Examples:

- Cash or loans.
- Any physical gift (including birthday, graduation, and holiday gifts).
- Free or discounted meals.
- Free or discounted services/entertainment.
- Assistance paying bills.
- Transportation services, such as borrowing a car.
- Housing of any kind, regardless of the length of time, location, or value.
- Academic assistance, such as tutoring services.
- Arranged employment of student-athlete's family or friends.
- Special admissions to events not available to the general public.
- Special financing/ credit agreements (e.g., for vehicles or housing).
- Contributing to crowdfunding accounts of prospects, or student-athletes.



Extra Benefits & Preferential Treatment



Rules for Student Employment:

- Compensation may not include any payment for value or utility that the student-athlete may have for the employer because of the publicity, reputation, fame, or other personal following that s/he has obtained because of athletics.
- Compensation may only be provided for work actually and already performed.
- Compensation must be at a rate that reflects the fair market value for similar services.



Extra Benefits & Preferential Treatment

Occasional Meals

A booster may provide an occasional meal to a student-athlete or an entire team subject to the following conditions:

- Meals are infrequent and for special occasions.
- Transportation to and from the meal is not excessive.
- The meal is approved by the compliance staff.
- No gifts or mementos are given out during the meal.



Violation Examples

Example 1:

A car dealership provides a star quarterback with a luxury vehicle at a highly discounted rate, creating a special financing agreement not available to other students.

Example 2:

A real estate developer provides a top-performing tennis player with rent-free accommodation in a high-end apartment, going beyond the standard housing options for students.

Example 3:

An SDSU Booster hires a private tutor for a volleyball player, offering academic assistance that far exceeds the resources available to other students.

Example 4:

A well-intentioned alumna helps a struggling track athlete by paying their rent for the semester, exceeding what is allowed in terms of financial assistance.



Pay-for-Play Violation Example

- Michael is a star football player who is known for his exceptional skills. A local car dealership executive, aware of Michael's popularity and potential future professional career, approaches him with an offer. The owner proposes a deal where **Michael would be the brand ambassador for the dealership and would get \$5,000 a month**. The agreement stipulates that **if during a game Michael is not the starting quarterback the agreement will be terminated**.
 - This is an impermissible NIL agreement because it contains a **pay-for-play** provision requiring Michael to perform in a certain manner in order to receive compensation.



Complimentary Admissions



- Boosters are not allowed to receive a complimentary admission (e.g., ticket) from a SDSU student-athlete or prospect.
- Additionally, it is prohibited for a booster to pay for or exchange goods/services for a ticket from a SDSU student-athlete or prospect. Such transactions are considered extra benefits, posing a risk to the eligibility of the student-athlete or prospect and may affect your standing as a booster of the institution.

