

Valparaiso University Athletics Department Sports Agent Guidelines and Procedures

- Procedures:** Agents seeking information about or permission to contact a Student-Athlete must register with and be approved by Valpo's Compliance Officer. Agents must comply with all applicable Valpo policies, guidelines and procedures, NCAA Bylaws, and the laws of the State of Indiana
- Purpose:** To protect Student-Athletes eligibility to participate in intercollegiate sports by ensuring compliance with all applicable NCAA Bylaws and the laws of the State of Indiana.
- Scope:** These Sports Agent Guidelines and Procedures are applicable to all Agents, Valpo employees (including without limitation coaches, managers and other Athletics Department personnel), representatives of Valpo's athletics interests (including without limitation the immediate families and friends of Student-Athletes) and Student-Athletes themselves.

I. Definitions

- A. Agent ("Agent") means any current or prospective representative of a Student-Athlete for the purpose of marketing a Student-Athlete's athletics ability, skills or reputation in a particular sport, including without limitation soliciting or negotiating an Agent Contract or a Professional Sport Services Contract on behalf of a Student-Athlete. Agents shall include without limitation athletics scholarship agents, talent evaluation services and agents, and lawyers, whether they do business as individuals, sole proprietorships, partnerships, associations, corporations or other legal entities.
- B. Agent Contract ("Agent Contract") means any oral or written contract or agreement pursuant to which a Student-Athlete authorizes or empowers an Agent to solicit or negotiate on behalf of the Student-Athlete with one or more professional sport teams for the employment of the Student-Athlete by a professional sport team, or to solicit or negotiate on behalf of the Student-Athlete for the employment of the Student-Athlete as a professional athlete.
- C. Bylaws ("Bylaws") mean the NCAA Division I Operating Bylaws and Administrative Bylaws, as may be amended from time-to-time and any regulations and NCAA interpretations promulgated thereunder.
- D. Compliance Officer ("Compliance Officer") means Valpo's Department of Intercollegiate Athletics Compliance Officer and his/her designees.
- E. Guidelines ("Guidelines") mean these Valpo Athletics Department Sports Agent Guidelines and Procedures.
- F. NCAA ("NCAA") means the National Collegiate Athletic Association.
- G. Valpo ("Valpo") means Valparaiso University, Valparaiso, Indiana.
- H. Professional Sport Services Contract ("Professional Sport Services Contract") means an oral or written contract or agreement pursuant to which a person is employed or agrees to render services as a player on a professional sport team or as a professional athlete.

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- I. Registration Form (“Registration Form”) means the *Valparaiso University Sports Agent Registration, Questionnaire and Certification of Compliance*.
- J. Student-Athlete (“Student-Athlete”) means a prospective or current Valpo student-athlete.

II. Agent Contacts

- A. Any Agent seeking information about or permission to contact a Student-Athlete must first deliver a completed Registration Form to the Compliance Officer.
- B. Any Valpo employee, representative of Valpo’s athletics interests or Student-Athlete contacted by an Agent must direct the Agent to the Compliance Office and notify the Compliance Officer of the Agent contact. The Compliance Officer will then inform the Agent of these Guidelines.
- C. Only after the Compliance Officer has accepted an Agent’s Registration Form and approved the Agent will information about a Student-Athlete be released and/or will the Agent be permitted to contact the Student-Athlete. All written correspondence from approved Agents must comply with NCAA Bylaws and must be sent, in duplicate, directly to the Compliance Officer. The Compliance Officer will deliver NCAA Bylaw compliant correspondence to the Student-Athlete on a regular basis or advise the Agent that the correspondence does not comply with NCAA Bylaws and must be resubmitted.
- D. Approvals of Agents are limited to one (1) calendar year. Agents must submit updated and current Registration Forms to the Compliance Officer for each calendar year for which the Agent seeks approval.
- E. The Compliance Officer will notify the Student-Athlete, the Student-Athlete’s head coach(es) and the Athletics Director of an approved Agent’s interest, meet personally with the Student-Athlete and the Student-Athlete’s head coach(es) to review and discuss the applicable NCAA Bylaws, Indiana Laws and Valpo’s *Student-Athlete Guidance Relating to Agent Contacts*.

III. Prohibited Conduct

No Agent shall directly or indirectly induce a Student-Athlete to enter into an Agent Contract or a Professional Sport Services Contract before the Student-Athlete’s eligibility for intercollegiate sports expires.

No Agent shall directly or indirectly enter into any oral or written agreement whereby the Agent gives, offers or promises anything of value to an employee of Valpo in return for the referral of a Student-Athlete by that employee.

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No Valpo employee or representative of Valpo's athletics interests shall directly or indirectly enter into any oral or written agreement whereby the employee or representative of Valpo's athletics interests takes, accepts or is promised anything of value from an Agent in return for the referral of a Student-Athlete by that employee or representative of Valpo's athletics interests to the Agent.

IV. Eligibility Confirmation

In connection with each Agent contact, the Compliance Officer will confirm the Student-Athlete's eligibility to participate in intercollegiate sports by reviewing and/or investigating prior Agent contacts with the Student-Athlete. If the Compliance Officer deems that an investigation is warranted, the Compliance Officer is authorized to conduct the investigation using any and every reasonably reliable source of information available to him/her and as he/she deems appropriate.

V. Conformance with Bylaws and Law

These Guidelines are intended to comply with the Constitution of the NCAA, applicable NCAA Bylaws and the laws of the State of Michigan. See the current NCAA Division I Manual. In that regard, these Guidelines will be applied consistent with the NCAA Bylaws and Michigan Compiled Laws, and in the event any definition or provision of these Guidelines conflicts with any NCAA Bylaw or Indiana Law, then the NCAA Bylaws and/or the Indiana Law will be controlling. Nor are these Guidelines limiting. Any NCAA Bylaw or Indiana Law not specifically implicated by these guidelines will be applied in administering and interpreting these Guidelines and are incorporated into these Guidelines by this reference.

VI. Responsible Individuals

All Valparaiso Athletics Department personnel are responsible for administering these Guidelines, without exception.

VII. Related Documents

- A. *Valparaiso University Agent Registration, Questionnaire and Certification of Compliance*
- B. *Valparaiso University Student-Athlete Guidance Relating to Agent Contact*
- C. *NCAA Division I Manual* and the Constitution, Operating Bylaws and Administrative Bylaws contained therein.

VIII. References

NCAA Bylaw Article 12.3

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IX. Contact Information

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