



ATHLETE AGENT POLICY & INFORMATION

State of Tennessee Definition of “Athlete Agent”

The State of Tennessee defines an “athlete agent” as anyone who directly or indirectly recruits or solicits a student-athlete to enter into an agency contract for compensation or anything of value. This includes promises of future representation or negotiation in order to obtain a professional contract.

“Athlete agent” includes, but is not limited to, actual agents, runners, managers, marketing representatives, financial advisors, or other persons acting on behalf of an agent. This would also include any individual authorized by a student-athlete to enter into an agreement or represents to the public that he or she is an athlete agent.

A student-athlete’s parent or legal guardian will be classified as an “athlete agent” if he or she accepts a financial benefit or gift on behalf of the student-athlete or for himself or herself in violation of the regulations and bylaws of the NCAA.

State of Tennessee Laws Regarding Agents

To do business in Tennessee, a sports agent is required by law to:

- Have a permit (license) issued by the Secretary of State.
- Provide proof of possession of a valid permit (license) to any student-athlete the agent might contact.
- Provide notice to the athletic dept. 48 hours in advance of planned contact with enrolled student-athletes or their families.
- Notify the athletic dept. of the existence of a representation contract or promise of future representation.

A sports agent cannot by law (prior to the expiration of a student-athlete’s eligibility):

- Initiate contact with a student-athlete, family or friends, unless properly registered with the state of Tennessee.
- Provide anything of value to a student-athlete, family or friends.
- Give materially false or misleading information or make a materially false promise of representation.
- Fail to notify a student-athlete before signing an agent contract that authenticating may make him or her ineligible to continue participating in collegiate athletics.
- Predate or postdate an agency contract.

NCAA Rules Regarding Agents

Impermissible:

- An athlete may not agree, either orally or in writing, to be represented by an agent or organization in the marketing of his/her athletic ability or reputation until after completion of the athlete's last intercollegiate contest, including postseason or all-star games. This prohibition includes entering into an agreement that is "not effective" until after the last game.
- An athlete or any representative of the athlete may not negotiate or sign a playing contract for any sport in which he/she intends to compete.
- An athlete may not be asked to be placed on a professional league's draft list, whether he/she withdraws his/her name before the draft, whether he/she is actually drafted, and whether he/she signs a professional contract. EXCEPTION: NBA Draft
- An athlete (or family member, friend, girlfriend, boyfriend, etc.) may not accept expenses or gifts of any kind (including meals and transportation) from an agent (or anyone associated with an agent) who wishes to provide service to the athlete.
- An athlete may not receive preferential benefits or treatment (i.e., loans on a deferred paycheck basis) because of the athlete's reputation, skill, or payback potential as a professional athlete. EXCEPTION: a loan to buy disability insurance
- An athlete may not retain professional services for personal reasons at less than the normal charge. He/she must pay the going rate for financial and advising services.
- A coach or other member of the athletics dept. may not represent, directly or indirectly, a student-athlete in the marketing of his/her athletic ability or reputation for a professional sports team or organization.

Permissible:

- A student-athlete may consult with members of the athletics dept. for advice on pursuing a professional sports career.
- A student-athlete may talk to an agent or financial advisor, providing he/she neither agrees to be represented nor accepts anything of any value. An advisor cannot speak to a professional team on your behalf.
- A student-athlete may retain an attorney for matters of a personal nature, including evaluating the terms of a proposed professional contract, as long as the attorney is not involved in the contract negotiation.
- A student-athlete may borrow against future professional earnings to purchase a no-cash value disability insurance policy, providing the athlete notifies the compliance office.
- An athlete may compete professionally in sports in which he/she does not participate for the university (but signing a professional contract terminates eligibility for an athletic scholarship in any sport).
- A student-athlete may ask a professional league or team about his/her draft potential and/or projection.

Lipscomb University Athletics Rules and Policy Regarding Sports Agents

- Any current Lipscomb student-athlete that is contacted (by phone, mail, e-mail, social media, etc.) by a sports agent must direct their request to the head coach of their sport (or director of operations of their sport) and the compliance office.
- All in-person meeting requests involving agents and student-athletes must be run through the head coach of the sport in question.
- All in-person meetings between a sports agent and a student-athlete should take place in a Lipscomb Athletics facility and must be attended by the head coach of the sport in question or appropriate staff member.

Advice and best practices for student-athletes:

- Be aware of “bird dogs” or “runners.” These are individuals who will attempt to befriend you or your parents/legal guardians, but in reality they work for and represent the agent/financial advisor. Know who you are associating with.
- Be cognizant of the fact that agents or runners may attempt to contact you at any time and at any location. If they do not respect your request to be left alone until your eligibility is expired, then you do not want to have them work for you when you do require the services of any agent or financial advisor. If you or your parents/legal guardians need assistance in discouraging an over-aggressive agent, contact your head coach or the compliance office.
- You or your parents/legal guardians and other immediate family members should never accept any items or services of any type or monetary value from anyone outside of the athletic dept. Accepting something as small as a soft drink or a ride across campus could result in major violations and loss of your eligibility.
- It is a proven fact that the only person who has any input into your status as a professional athlete and has any control as to where or if you are drafted is you. An agent/financial advisor can do nothing to enhance your status in professional athletics. You should concentrate on having the best amateur career and guard against all unnecessary distractions from agents/financial advisors prior to the conclusion of your eligibility to enhance your future status as a professional. You will have an opportunity to select the proper professional person to represent you as an agent at the appropriate time after you have done all you can to enhance your career. **You are the person who will hire the agent/financial advisor and they will work for you, not vice versa.**
- Lipscomb University encourages open and honest communication on your path to professional athletics. We will assist you in every way possible as long as the proper procedures explained in this document are followed.