

## 2024 NIL Session Flow Thoughts and Ideas

Workshop 33, 1:00 to 2:00, July 1

Location: (Berkeley/Clarendon/Dartmouth – Third Floor)

Collaborative thoughts - 45-50 presentation, open questions 10-15

Five Key Questions and question areas to be answered by all three

*Dan will moderate, introduce the topic and monitor time. The sub-bullets are more for their personal talking points.*

*\*Julian, Robin, and Jennifer will put their names by the order in which they will each answer*

1. Genesis of your rule, amount of legislation interference/inclusion  
(Julian/Robin/Jennifer)
  - a. Influence / Involvement / Inclusion of NCAA schools
  - b. Influence / Involvement / Inclusion of Legislators
  - c. Inclusion of restrictions related to high school level
2. Codification of Rules including philosophy and practice in penalties  
(Jennifer/Julian/Robin)
  - a. Important Parameters (high school use, etc)
  - b. Steps taken in your own state including placement in your regulations
  - c. Feedback from membership
  - d. Areas issues of give vs. no give
3. Reporting Requirements for Deals signed (to the state or member school or neither?) (Robin/Julian/Jennifer)
  - a. Is deal reporting mandatory or optional
  - b. Do member schools need to know/want to know
4. Education Tactics and Plans (Jennifer/Julian/Robin)
  - a. Inside / Outside partnership for education
  - b. Spreading the word about the rules
5. Lessons Learned and Thoughts of the evolution of the rule  
(Robin/Julian/Jennifer)
  - a. True impact since the implementation
  - b. If you talked to a state without a rule, what you recommend to them

## By-Law 1.00 - Student

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2023-2024

# BY-LAW 1.00 - STUDENT

## 1.10 - CERTIFICATION OF ELIGIBILITY

**1.11 Students gain eligibility** to practice or compete for the school in which they are enrolled after they have been certified by the principal of that school, after the eligibility forms have been processed by the GHSA office, and after the students have met the standards of:

- a. academic requirements
- b. age
- c. semesters in high school
- d. residence in the school's service area
- e. transfer rules

Note: Students establishing eligibility as entering 9th graders are automatically eligible for the first semester unless over age.

**1.12** The certification of eligibility shall be submitted initially in each sport or activity no later than the date set by the GHSA for the first practice in that sport or activity.

- a. This due date does not consider the date of the first contest scheduled.
- b. EXCEPTION: Literary, One-Act Play and Riflery certification is due twenty (20) calendar days prior to the first scheduled contest.

**1.13** If a student ruled ineligible by the GHSA, competes interscholastically due to the terms of a **court restraining order or injunction** against his/her school and/or the GHSA, and then has the court order vacated, stayed, reversed, or ruled unjustified; the Executive Director shall take one or more of the following actions against the school involved in the interest of restitution and fairness to the competing school(s):

- a. Require that individual and/or team records and performances achieved during participation by the ineligible student be vacated or stricken.
- b. Require that team victories be forfeited to the opponent(s).
- c. Require that team awards earned by the school or individual awards earned by the ineligible student be returned to the GHSA.

## 1.20 - ENROLLMENT AND TEAM MEMBERSHIP

**1.21 To be eligible to participate and/or try-out** for a sport or activity, a student must be enrolled full time in grades 9-12 inclusive at the school seeking eligibility for that student.

a. Enrollment is defined as follows:

1. Fall Semester: when the student participates in a practice or contest before classes begin, or the student attends classes.
2. Spring Semester: when the student attends classes.
3. A student may be enrolled in only one (1) high school at a time.

b. The student must be in regular attendance.

c. The student must be taking courses that total at least 2.5 Units that count toward graduation.

NOTE: If an eligible student transfers from a school on a block-schedule format to a school using a traditional format (or vice versa) and cannot get a full schedule of classes with equivalent credit, the school may petition the Executive Director for a waiver of this rule for the semester the transfer occurs.

d. All or part of the course load of a student may be taken online through a virtual school as long as the student's grades are being kept at the school in which the student is enrolled. Grades from virtual school courses must be on file at the school by the first day of the new semester for the student to be eligible.

**1.22** Students enrolled in grade 9 in a middle or junior high school which is a feeder school to the high school may participate in interscholastic activities for the parent school.

**1.23** All-male schools may enlist female students from other schools to be on sideline cheerleading squads as long as the following conditions are met:

- a. Each cheerleader must be eligible at the school at which she is enrolled, and must have a signed release from an administrator at that school.
- b. Each cheerleader must have a GHSA Pre-participation Physical Evaluation Form on file at the school where she will be cheering as well as at the school at which she is enrolled.
- c. Each cheerleader must have insurance coverage comparable to all other participants in GHSA activities.
- d. Supervision must be provided by the all-male school for all practices and games.

### **1.30 - AGE**

To be eligible to participate in interscholastic activities, a student must not have reached his 19th birthday prior to May 1st, preceding his year of participation.

### **1.40 - LIMITS OF PARTICIPATION**

**1.41** Students must have a certificate of an annual physical examination on file at the school prior to participating in any athletic try-outs, practices, voluntary workouts or games that indicate the students are physically approved for participation.

- a. Physical examinations will be good for twelve (12) months from the date of the exam. EXCEPTION: Any physical examination taken on or after April 1 in the preceding year will be accepted until that school ends classes the next Spring or concludes its final Spring sports season (for those participating students).
- b. The physical exam must be conducted by a licensed medical physician, doctor of Osteopathic medicine, nurse practitioner or a physician's assistant.
- c. The exam must be signed by an M.D., D.O., or by a Physician's Assistant, or an Advance Practice Nurse who has been delegated that task by an M.D., or D.O.
- d. The GHSA requires that member schools use the edition of the preparticipation physical evaluation form approved by the American Academy of Pediatrics, et. al., found on the GHSA web site.

**1.42** A student has **eight (8)** consecutive semesters or four (4) consecutive years of eligibility from the date of entry into the ninth grade to be eligible for interscholastic competition.

- a. A student is not considered to have entered the 9th grade when high school level courses are taken if the student is regularly enrolled in a school in a grade below the ninth grade.
- b. Credits earned toward high school graduation which are taken below the ninth grade may be used when considering high school eligibility.
- c. The provisions of the eight-semester rule in the case of an individual may be waived by the Executive Director upon presentation of evidence of true hardship beyond the student's control, or by the State Executive Committee upon timely application by a member school for placement on the agenda.

**1.43 Sub-varsity competitors** must meet all eligibility requirements with the exception of the migratory rule.

**1.44** Students in grade 9 and higher may participate on both the varsity and one (1) sub-varsity team in the same sport with the following limitations:

- a. Football – a player may not participate in interscholastic competitions more than six (6) quarters per week, beginning with the varsity game.
- b. Basketball – a player may not participate in interscholastic competition more than six (6) quarters per calendar day. (Note: Tournaments are exempt from this restriction.)
- c. Soccer – a player may not participate in interscholastic competition more than three (3) halves per calendar day. (Note: Tournaments are exempt from this restriction.)
- d. Lacrosse – a player may not participate in interscholastic competitions more than six (6) quarters per day.
- e. Wrestling – the combination of play dates (wrestling and girls wrestling) in which a student participates may not be greater than the current varsity limit of play dates.
- f. All other sports - the combination of games or play days (varsity and sub-varsity) in which the student participates may not be greater than the limit allotted to the varsity in that sport (NOTE: Exceptions may be made by the Executive Director.)

NOTE: Violations of these participation rules in ANY sport will result in a mandatory fine and an automatic forfeiture of the game in which the student exceeded the limit. Additional penalties may be imposed by the Executive Director in extreme circumstances.

**1.45 Eighth grade students** may participate on a sub-varsity team of a high school provided they attend a feeder school of that high school.

- a. Students in grade 8 are never eligible for a varsity event in any activity.
- b. Eighth grade students who play on a high school team must meet all middle school requirements as put forth by the State Department of Education.
- c. An eighth grade student who is declared ineligible at a middle school or retained for academic reasons, is considered to be ineligible for participation on a sub-varsity high school team.
- d. Eighth grade students participating on a sub-varsity team may only participate in 70% of the number of games allotted to the varsity team in that sport. Eighth grade students may not participate in more sub-varsity and middle school contests combined than the number the GHSA allows for varsity competition in that respective sport.
- e. Students below the eighth grade are not eligible to participate on any high school team.
- f. Students enrolled in grade 8 in a middle school or junior high school which is a feeder school to the member high school may participate in Spring football practice.
- g. Students enrolled in grade 8 in a middle school or junior high school which is a feeder school to the member high school may try out for cheerleader at the high school. Eighth grade students at a non-feeder school that has no system high school may participate in cheerleader tryouts at the member high school serving the student's area of residence. Such a student must be pre-enrolled at that member high school, and once pre-enrolled, the student has established eligibility at that high school.

- h. Eighth grade students who attend a feeder school for one member high school may NOT participate in any sport or activity practice at a different member high school.
- i. All eighth grade students should be reported on Eligibility Form D, available on the GHSA web site.

**1.46** The number of contests, start and end dates, and the number of practice days allowed for each sport or activity can be found listed in a calendar at the front of this publication. (NOTE: The season ends for a team when that team is eliminated from the post-season competition or wins the State Championship in that sport.)

**1.47 A student's gender** is determined as follows:

- a. Girls may participate on boys' teams when there is no girls' team offered in that sport or activity by the school (exception: wrestling). Boys may not participate on girls' teams even when there is no corresponding boys' sport or activity. Cheerleading is a coed sport.
- b. A student's sex is determined by the sex noted on his/her certificate at birth.
- c. The GHSA will attempt to accommodate requests for private restroom or locker/dressing room facilities for students requesting the same at GHSA playoff events or contests provided notice of the request is made as soon as possible to the GHSA office. No student shall be required to utilize the private facilities.

**1.48 Advisory Notice - Pregnant Students:** In response to the increasing number of pregnant students attending member schools, and the continued participation of these students in GHSA activities, the following advisory notice is being offered:

- a. During the first 18 weeks of pregnancy, students, with written consent from a physician, may be allowed to participate in athletic activities except those activities in which a fall or other rapid deceleration is likely to occur.
- b. Pregnant students are not allowed to participate in any athletic activities after the 18th week of pregnancy.

**1.49** Schools having students participate in athletic activities with artificial limbs must certify that the artificial limb is no more dangerous to participants than a natural limb.

- a. A permission form must be filed with the GHSA office.
- b. The form may be found in the Miscellaneous section on the GHSA web site.

## **1.50 - SCHOLASTIC STANDING / SCHOLARSHIP**

**1.51** To be eligible to participate, practice, and/or try out in interscholastic activities, a student must be academically eligible. A student is required to pass classes that carry at least 2.5 Units counting toward graduation the semester immediately preceding participation. Exception: First semester ninth-grade students.

- a. Passing in all GHSA member schools is a grade of seventy (70).
- b. Students participating in junior varsity or "B" team competition must meet all scholastic requirements.
- c. If an eligible student transfers from a school that uses a block-schedule format to a school using a traditional format (or vice versa) and that student cannot get a full schedule of classes with equivalent credit in the semester of the transfer, the school may petition the Executive Director for a waiver of this rule for the first semester after the transfer occurs.
- d. For schools offering courses with yearlong grading, eligibility must be computed for each semester.
  - 1. At the end of the first semester, the school must determine that the student has a grade of 70% or higher in classes carrying at least 2.5 Units.
  - 2. The second semester grade will be the grade given for the entire course and shall include the end-of-course test grade.

3. Remediation programs designed to bring the student's first semester grade up to 70% or higher may be used (in accordance with GHSA guidelines) if the school allows such programs for all students.

**1.52** Students gain or lose eligibility on the first day of the subsequent semester. The first day of the Fall semester shall be interpreted as the first date of practice for the first sport.

a. Exception: Students who successfully complete summer school to maintain eligibility become eligible the last day of summer school.

1. Summer school is an extension of the previous semester and courses may be:

- a. remedial in nature where a previously-taken course is repeated in its entirety with a new grade being given.

- b. enrichment in nature where a new course is taken that results in new credit being earned.

2. A maximum of two (2) unit credits earned in summer school may be counted for eligibility purposes.

NOTE: Additional credits may be earned in credit recovery programs or make-up programs after the start of the new semester.

3. Summer school credits earned in non-accredited home study programs or non-accredited private schools may not be used to gain eligibility. Accreditation recognized under the rule shall be from the Georgia Accrediting Commission (GAC) or a regional accreditation agency (such as SACS) or the Georgia Private School Accreditation Council (GAPSAC).

4. An independent study course taken in summer school must be regionally accredited and accepted by the school system for graduation credit.

b. Courses completed after the beginning of a new semester may not be used to gain eligibility for that semester.

Example: night school classes, correspondence courses, etc.

c. Independent study courses taken during the school year must meet the criteria of 1.52 (a) 4.

**1.53** Students must accumulate units towards graduation according to the following criteria:

a. First-year students (entering 9th grade) are eligible academically. Second semester first-year students must have passed courses carrying at least 2.5 units the previous semester in order to participate.

b. Second-year students must have accumulated five (5) total units in the first year, AND passed courses carrying at least 2.5 units in the previous semester.

c. Third-year students must have accumulated eleven (11) units in the first and second years, AND passed courses carrying at least 2.5 units in the previous semester.

d. Fourth-year students must have accumulated seventeen (17) units in the first three years, AND passed courses carrying at least 2.5 units in the previous semester.

e. Students may accumulate the required units for participation during the school year and eligibility will be reinstated at the beginning of the next semester.

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## **ADVISORY NOTICE: CURRICULAR INNOVATIONS**

### **A. BLOCK FOUR PROGRAMS:**

1. The student takes four courses that are worth one (1) unit each and the classes meet twice the number of hours per week as in the standard curricular programs.

2. To be eligible, a student must earn at least 2.5 units.

3. Unit requirements are the same in all curricular programs.

### **B. BLOCK EIGHT PROGRAMS:**

1. The student takes eight courses at some time during the term, and each course is worth one-half unit.

2. To be eligible, a student must earn at least 2.5 units during the term.

3. Unit requirements are the same in all curricular programs.

C. HYBRID SCHEDULING:

1. Definition: A student takes a combination of courses scheduled as block courses, yearlong courses and/or traditional courses.
  2. To be eligible, a student must be enrolled in a combination of courses that carry at least 2.5 units.
  3. To be eligible, a student must have passed a combination of courses the previous semester that carries at least 2.5 units.
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**1.54** A Dual Enrollment program is defined as a program in which a fulltime student at a GHSA member high school takes one or more courses from a state public or private postsecondary institution and receives credit at the high school (toward graduation) and at the postsecondary institution.

- a. Dual enrolled students shall take courses that are approved by the Georgia Department of Education.
- b. Courses may be taken in a variety of formats (including distance learning and virtual courses) as long as the courses are approved.
- c. Postsecondary semester hour credit shall be converted to high school unit credit as follows:
  1. 1-2 semester hours equates to .5 unit
  2. 3-5 semester hours equates to 1 unit
- d. Postsecondary quarter hour credit shall be converted to high school unit credit as follows:
  1. 1-3 quarter hours equates to .5 unit
  2. 4-8 quarter hours equates to 1 unit

**1.55** Students involved in approved Dual Enrollment programs shall be eligible to participate in GHSA activities provided that academic eligibility is maintained.

- a. Courses taken each semester at the high school and/or postsecondary institution must total at least 2.5 units.
- b. Courses passed the previous semester at the high school and/or postsecondary institution must total at least 2.5 units
- c. Students will gain or lose eligibility on the first day of each semester at the high school and a college calendar that differs from the high school calendar may cause problems.
- d. Students who withdraw or are dropped from a Dual Enrollment program and are returned to the high school only, may encounter eligibility problems.
- e. Students involved in Joint Enrollment programs, Early College programs, or Gateway to College programs may not be eligible at their respective high schools.
- f. A student who participates on an intercollegiate athletic team may not participate in any GHSA activity.

**1.56 Loss of Eligibility:** Students assigned to an alternative school or on out-of-school suspension for disciplinary reasons, or adjudicated to YDC, lose their eligibility. Suspension is considered to have ended when the student is physically readmitted to the classroom.

**1.57** Failure to Meet Academic Standards: When a school administrator believes that the student has failed to meet the academic eligibility requirements due to conditions that were beyond the control of the school, the student, and/or his parents, and such that none of them could have been expected reasonably to comply with the rule, he may request that the student's case be put on the agenda of the Hardship Committee.

- a. Ignorance of the rule(s) on the part of any individual is not sufficient cause to set aside the rule(s).
- b. Schools must supply all the materials requested on the Hardship Application Form on the GHSA website.

**1.58** Credit Recovery/Make-up Work: Students who have academic deficiencies at the end of a semester may make up those deficiencies in programs that are available to any student in the school. NOTE: Programs allowing students to recover academic credit have a variety of names in various schools.

- a. Credit recovery programs are short-term programs that involve a course that has been completed and a grade given. The student is given the opportunity to work on areas of deficiency.
- b. Make-up programs occur when a course has not been completed and an "Incomplete" grade has been given. The student is given the opportunity to work on areas of deficiency.
- c. Credit recovery and make-up work must be completed by the first day of the first semester and within 15 school days after the beginning of the second semester. The student is ineligible until such time as the work is completed and the required passing grade has been recorded. Exception: If the end-of-course test is not offered before the first day of the first semester or within the 15-school-day window of the second semester, the student may be granted a reasonable extension by the GHSA.
- d. The GHSA Executive Director shall be authorized to approve credit recovery or make-up work completed later than the first day of the first semester or subsequent to the 15-school-day window of the second semester if he finds that the
  1. timeframe was not met due to circumstances outside the control of the student, his parent(s), and the school, AND
  2. work was completed as soon as reasonably possible, AND
  3. allowance for such a delay is offered on the same basis to all students in the school.
- e. Credit recovery programs operated during the summer shall be completed by the first day of the first semester. Students using those credits to gain eligibility are ineligible until the course is completed successfully. Credit recovery is used for remedial work only, and no new credit courses may be applied under this provision.
- f. Students using credit recovery or make-up programs must have their eligibility submitted to the GHSA office on a "Form C."

**1.59** Students with disabilities:

- a. A student with disabilities who is enrolled in a special education program which is not physically located at the parent school (example: psycho-education center, regional occupation center, community-based instruction class, etc.) shall be eligible to participate, practice, and/or try out in interscholastic activities at the parent school if IEP (Individual Education Program) requirements are met.
- b. Schools with students having to meet only IEP requirements for course credit must establish an accounting process for the number of courses passed each semester, and for the awarding of units. Requirements for the date of entry into the ninth grade and for age apply to students with IEPs without variation.
- c. Competitive interscholastic activities administered through local special education programs shall follow Georgia Department of Education guidelines and procedures for special education, and are exempt from GHSA requirements.

## **1.60 - SCHOOL SERVICE AREAS / TRANSFER / MIGRANT STUDENTS / MIGRATORY WAIVER**

**1.61** School service areas for member public schools are those attendance boundaries established by local boards of education from which a school normally draws its students. The service area for a member private school is the public school's attendance zone in which the private school resides. The service area for a startup or converted charter school will be the same as the school from which the charter school draws its students.

**1.62** A transfer student who has established eligibility at a former school in grades 9-12 shall be immediately eligible at the new school if:

- a. The student moved simultaneously with the entire parental unit and all other persons he/she lived with at the former residence, and that residential unit moved into the service area of the new school with simultaneous enrollment of the student in the new school. This is known as a "bona fide move." (NOTE: A move within the same service area does not constitute a bona fide move.)
  1. The student may choose the public or private school serving that area.
  2. It must be apparent that the parent(s) and all the persons residing with the student and the student have relinquished the residence in the former service area and have occupied a residence in the new service area.
  3. The following factors, although not conclusive, may be evidence of relinquishment of the former residence: Selling the residence and vacating it; OR vacating the residence and listing it for sale at a fair market value; OR vacating the residence and leasing it to another (other than a relative) at fair market value; OR abandoning the residence and shutting off the unnecessary utilities. NOTE: When a family claims multiple residences, the residence for which they apply for a homestead exemption will be declared the primary residence provided the family spends the majority of their time at this residence.
  4. The bona fide move is validated when the student's family maintains the new residence for at least one calendar year. A return to the previous service area within that year renders the student to be a migrant student. All hardship appeal processes are available.
- b. The student was enrolled in a private school or a magnet school and has a bona fide move from one public school service area to another public school service area. A student in this situation may attend either the public school or a private school serving his area of residence.
- c. The student was enrolled in a non-member school in Georgia and, without a bona fide move, transferred to a GHSA member school that serves his area of residence as long as:
  1. It is the initial move of the student from a non-member school to a member school serving his area of residence, AND
  2. The student was enrolled at the high school serving his area of residence in grades 9-12 before attending the non-member school, OR
  3. The student has not yet established eligibility in grades 9-12 at a member school serving his area of residence.
  4. A student who transfers from a GHSA member school to an independent school entering the GHSA in the next school year must be enrolled at the entering independent school by January 31 of the year preceding their becoming a GHSA member school in order to be eligible. NOTE: Rules about joint custody transfers have control over the one-time transfer restriction in this by-law.
  5. In compliance with the Dexter Mosley Act, schools must file eligibility for home study students using Transfer Eligibility Form "HS" found on the GHSA web site.
- d. The student transfers from a non-member home school and the receiving school grants credit so that the student has accumulated sufficient units. At the time such credit is given, the student must also have passed a minimum of at least 2.5 units the previous semester. The student becomes eligible when credit is awarded officially.
- e. The student is involved in a foreign exchange program that is approved and published on the "Advisory List of International Educational Travel and Exchange Programs" published by the Council on Standards for International Educational Travel (CSIET). This list is found on the GHSA web site.
  1. The student shall be considered eligible for a maximum period of one calendar year.
  2. The student shall not be a graduate of a secondary school in his home country.
  3. The student must maintain eligibility requirements at the member school.
  4. The foreign exchange program must randomly assign students to schools by a method that insures that no student, school, or other interested party may influence the assignment for athletic purposes. "Direct Placement" foreign exchange students must go through the hardship appeal process to become eligible.
  5. All eligibility forms (Form B) for foreign exchange students must be accompanied by documentation from the CSIET-approved foreign exchange program showing that the student has been placed according to the

normal procedures for that agency.

- f. If one of his/her parents or the custodial parent is a certified teacher or administrator teaching in grades 9-12 at the receiving school. This opportunity is available one time only at any given school. (NOTE: Rules about joint custody transfers overrule the one-time transfer restriction in this by-law.)
- g. The student has one of the following family related circumstances which shall constitute a waiver of the "bona fide move" rule:
  - 1. There is a Superior Court Final Order changing permanent physical custody of the student from one parent to the other parent and the student moves to the residence of the parent receiving custody in a new service area and attends the member school serving that service area. Note: All cases involving non-parental custody changes must be appealed through the hardship process.
  - 2. There is a Superior Court Final Order awarding permanent joint physical custody to the parents and the student elects to move from the residence of one parent to the residence of the other parent in a new service area and attends the member school serving that area of residence. Provided, however, that such an election can be made only once during a 12-month period beginning the date of the transfer and the Final Order must have specifically awarded the parents "joint physical custody" of the student. Award of "joint legal custody" shall not suffice for purposes of this paragraph.
  - 3. There is a death of the custodial parent with whom the student resided and the student moves to live with the other parent in a new service area and attends the member school serving that area of residence.
  - 4. There is a military transfer of one or both custodial parents that requires a change of residence of the student to a new service area and the student attends the member school serving that area of residence. (NOTE: Eligibility forms for transfer eligibility under paragraphs (1), (2) and (3) above must be accompanied by certified copies of applicable Court Orders. Eligibility forms for transfer eligibility under paragraph (4) above must be accompanied by true and correct copies of verifiable deployment orders.)
- h. Students who are U.S. citizens and who have been enrolled and attended a high school in a foreign country, upon return to the U.S., shall be eligible to participate at a GHSA member school provided the student lives in the new school's service area and is otherwise eligible under GHSA age, eight-semester, academic and other eligibility rules.
- i. Students who are transferred from one school attendance area to another school attendance area by a mandate of the local board of education maintain their eligibility.
- j. Married students setting up a household (domicile) shall be eligible in the school of their residence provided they meet all other requirements of eligibility.
- k. Students at the Atlanta School for the Deaf will be eligible at the school serving their area of residence provided they meet all other eligibility requirements.
- l. The migratory rule (See 1.63) will be waived one time for boarding students only who enter the following schools: Ben Franklin Academy; Darlington; Tallulah Falls. Exception: Students from foreign countries not on an approved foreign exchange program are not eligible.
- m. Students entering a school as an "unaccompanied youth" under the conditions of the McKinney-Vento Act must go through the hardship appeal process to become eligible.
- n. If approved by the local board of education, students enrolled in a magnet or specialty school established by the local board of education shall be allowed to participate in GHSA extracurricular activities as a member of the school team for the school which they would ordinarily attend according to local board of education attendance policy. Provided, however, that:
  - 1. If the magnet/specialty school offers the only activity in which the student elects to participate, the student shall be required to participate as a member of the magnet/specialty school program in that activity.
  - 2. Students at magnet/specialty schools may not participate in GHSA extracurricular activities at both the magnet/specialty school and the school that the student would ordinarily attend. Those students must elect to participate in GHSA extracurricular activities at only one school per school year. For example, students could not play basketball at the magnet school and football at the home school.

3. The election of the student to participate in GHSA extracurricular activities for either the magnet/specialty school or the school the student would ordinarily attend shall be binding for the current school year.
4. Such students shall be required to comply with all GHSA eligibility and other rules. The member school shall be required to provide to the GHSA a copy of the local board of education approval of such participation.
5. The receiving school will submit students on an MT Eligibility Form. This form is available on the GHSA web site ([www.ghsa.net](http://www.ghsa.net)).

#### **1.63 Student Eligibility**

- a. A "migrant student" is a student who transfers into a GHSA school without a bona fide move or without one of the exceptions listed in by-law 1.62. The student may practice or compete at the sub-varsity level, but may not compete at the varsity level for one calendar year from the date of entry into the new school. In the event that, after transfer, a student becomes or is later determined to be a migrant student, then the student shall be ineligible to compete at the varsity level for one calendar year from that date.
- b. If a student has been ruled eligible to participate by the GHSA, but it is later determined that such eligibility should not have been approved, any ineligibility to participate in future GHSA activities may be assessed as of the date that such ineligibility was determined.

**1.64** A student who is not eligible at the former school, and then transfers to a new school, cannot regain eligibility by the transfer. Academically ineligible students cannot gain eligibility by being adjudicated to YDC and subsequently returning to their resident school with earned credit. NOTE: The new school may file a hardship appeal if circumstances warrant.

**1.65** Students whose transfers from member school to member school have been approved by the GHSA office after the end of regular season play or during post-season play are not eligible for participation in GHSA sponsored tournaments and/or playoffs in that particular sport for the school year of transfer.

**1.66** A student who is not eligible at one school because of suspension or expulsion and then transfers to a member school cannot regain eligibility by such a transfer, for the length of the suspension or one calendar year, whichever is less.

**1.67** A **permissive transfer** is defined as an allowance by a local board of education for students and/or their parents to choose a school to attend without regard to the location of residence.

1. A student transferring from member school to member school on a permissive transfer is considered a migrant student.
2. A student transferring to or from a school housing a system-wide, singular academic or vocation program or a magnet program on a permissive transfer is considered a migrant student.
  1. The offering of an individual course or series of courses by one school in a system does not provide inherent justification to grant GHSA eligibility.
  2. Special options offered by a school system that allow students to attend a school outside their area of residence do not provide inherent justification to grant GHSA eligibility.
  3. Any such permissive transfer issue may be brought before the GHSA Hardship Committee.
3. Students transferring under the provisions of Federal or State academic accountability regulations must be processed through the normal hardship appeals process.
4. When a military base is located in two school districts, a student moving onto the base for the first time may choose to attend either school district, and that district will place the student appropriately. Any transfer after the initial placement will be subject to standard eligibility regulations.

**1.68** Hardship Applications may be filed by an administrator at a member school when a student does not meet the standards of eligibility outlined in by-laws 1.50 (academic issues) and 1.60 (transfer issues).

- a. The GHSA Constitution (Art. IV; Sec. 5; Subsection B4) specifies that the hardship issues must be beyond the reasonable control of the persons involved.
- b. The process of appealing a decision of the Hardship Committee is outlined in the GHSA Constitution (Art. IV, Sec. 9, Subsection C & D).
- c. In order for a hardship appeal based on a financial hardship to be approved, the new school must provide proof that the family attempted to address the financial problem at the previous school, and that the need-based financial aid was non-existent or insufficient to resolve the problem. Increases in tuition or other costs at a private school do not create an automatic reason to grant the appeal, because such fee increases are considered foreseeable and not unavoidable. Documentation of the financial problem is required.

**1.69** When a new school opens, student eligibility shall be determined as follows:

- a. When a school district mandates a service area for a new school for all grades enrolled at the new school, all students living within the mandated service area in those grades are immediately eligible. All students living outside the mandated service area who desire to attend the new school are considered migrant students and are ineligible for one year. Hardship appeals may be filed if conditions warrant.
- b. When a school district mandates some students to attend the new school, allows some students to stay at their present school, and permits some students to transfer to the new school, the school shall set a deadline for students living in the service area of the new school to decide whether they will move to the new school, or stay at the present school. The decisions exercised at the deadline date are binding. Subsequent changes render the student to be a migrant student with the one-year period of ineligibility. Students who are granted permissive transfers to enroll at the new school from other schools within the system are considered to be migrant students. Hardship appeals may be filed if conditions warrant.

## **1.70 - RECRUITING/UNDUE INFLUENCE / FOLLOWING THE COACH**

**1.71 Recruiting and Undue Influence** is defined as the use of influence by any person connected directly or indirectly with a GHSA school to induce a student of any age to transfer from one school to another, or to enter the ninth grade at a member school for athletic or literary competition purposes, whether or not the school presently attended by the student is a member of the GHSA.

- a. The use of undue influence to secure OR retain a student for competitive purposes is prohibited, and shall lead to penalties being assessed against either school. This violation may cause the student to forfeit eligibility for one year from the date of enrollment, provided however, that such period of ineligibility may be assessed from the date that recruitment/undue influence violation was finally determined to have occurred with regard to the student rather than from the date of enrollment.
- b. Evidence of undue influence includes, but is not limited to:
  - 1. personal contact with coaches, boosters, or other school personnel discussing participating in athletics upon a proposed transfer
  - 2. gifts of money, jobs, supplies, clothing, or housing incentives
  - 3. free transportation
  - 4. free admission to contests
  - 5. an invitation to attend practices and/or games
  - 6. a social event (other than an official schoolwide Open House program) specifically geared for prospective athletes
  - 7. free tuition beyond the allowable standards found in by-law 1.82
  - 8. a coach asking a prospective student for contact information
- c. Complaints or reports of violations of this rule will be investigated and handled on a case-by-case basis. If coaches are found to be in violation of the recruiting rule, a copy of the investigation will be forwarded to the Professional

Standards Commission of the Department of Education.

- d. A school will be afforded an opportunity to demonstrate it could not reasonably be expected to be responsible for the actions of a booster who is found to have violated the recruiting/undue influence rules.

**1.72 Following The Coach:** A student athlete transferring from one school to another, or entering the ninth grade for the first time, shall be ruled ineligible for one year if it is proven that:

- a. The coach of the receiving school coached an out-of-school team or all-star team on which the athlete played prior to the transfer; OR
- b. The coach at the receiving school acted as a private athletic instructor for the transferring athlete, regardless of whether the coach was paid for his services and/or expertise; OR
- c. The student participated in a sports camp or clinic run by a member school and/or its coach(es).
- d. The player who played for a coach at one school (GHSA member or non-member) and subsequently (within a 12-month period) followed that coach when he/she moved to a GHSA school or changed schools within the GHSA membership. (This is not applicable to dependent children of the coach.)
- e. The situations cited in this by-law are considered to be violations even if a bona fide move has occurred. Hardship appeal procedures are available for the demonstration that undue influence has not occurred.

**1.73** A booster shall be considered to be an extension of the school and must abide by all rules applied to coaches and other school personnel. The following persons or groups may be considered boosters: members of the school's Booster Club; students; alumni; parents; guardians; or relatives of a student or former student; financial donors; donors of time and effort; personal trainers or coaches renting facilities.

## **1.80 - FINANCIAL AID**

**1.81** Any student who receives financial aid or non-GHSA approved gifts from any source and in any form (scholarships, tuition remission, cash, gifts, etc.) arising out of or **received in connection with their participation** in any sport or literary event shall be ruled ineligible. The duration of the ineligibility will last as long as the illegal benefits are being received. This prohibition shall not apply to awards under By-Law 1.90 or to other items approved by the GHSA.

- a. If tuition is charged, it must be paid by a parent, legal guardian, or other family member with the exception of payments coming from need-based financial aid.
- b. It is not legal for donated funds to be designated for a specific student that are given by non-family members, businesses, churches or other organizations, except for programs specified by state law.
- c. Schools may not employ students to work off their tuition costs.
- d. The GHSA Executive Director will determine whether the financial aid or gift arose out of or in connection with participation in any sport or literary event.
- e. If a school allows a student who has received such financial aid or gifts to participate in competition, the Executive Director shall assess an appropriate penalty.

**1.82** Financial aid in the form of free or reduced tuition or other aid must be need-based aid as determined by a national student aid service or financial aid based on institutional policies for academic performance (classroom record and/or test scores) that is administered by persons not in the athletic department.

**1.83** Member schools who award financial aid shall issue a statement to the Executive Director signed by the principal or headmaster of the school giving the following information:

- a. number of students enrolled in the school
- b. number of students receiving financial aid

- c. names of students (or a listing of student identification numbers) receiving financial aid who are involved in GHSA activities
- d. certification that the percentage of students who participate in activities and who receive financial aid is the same percentage as the number of students receiving financial aid who do not participate in activities (plus or minus 5%)

## **1.90 - AMATEUR STATUS/AWARDS**

**1.91** A student who represents a school in interscholastic athletic competition shall be an **amateur** in that activity.

- a. An **amateur athlete** is one who engages in athletic competition solely for the physical, mental, social, and pleasure benefits derived therefrom.
- b. Accepting nominal, standard fees or salary for instructing, supervising or officiating in an organized youth sports program or recreation, playground or camp activity, shall not jeopardize an athlete's amateur status.
- c. Reasonable compensation derived from private lessons in a sport is permissible.

**1.92** An athlete **forfeits amateur status** in a sport by:

- a. competing for money or other monetary compensations except for reasonable allowances for travel, meals, and lodging. NOTE: Accepting expense allowances authorized by the United States Olympic Committee for Olympic Development Programs is acceptable for GHSA students.
- b. receiving any award or prize of monetary value which has not been approved by the GHSA.
- c. capitalizing on athletic performance by receiving money or gifts with monetary value except college scholarships.
- d. signing a professional playing contract in any sport, or hiring an agent to manage his/her athletic career.

**1.93** Only **awards** approved by the GHSA may be accepted by a high school student-athlete as a result of participation in school or non-school competition in a sport recognized by the GHSA.

**1.94 Symbolic awards** (i.e. non-cash) presented for winning or placing in GHSA competitions are limited to \$400 per year, per student in the aggregate, paid by the local school. These are the only GHSA-approved awards for interscholastic competition. Beyond this, a student may receive one (1) school sweater or jacket presented by the school during his high school career.

**1.95** Athletes competing in golf or tennis events are limited to awards as specified in the United States Golf Association Rules of Golf, and the United States Tennis Association Handbook of Tennis Rules and Regulations, which includes (but not limited to) the following:

- a. No cash awards may be accepted.
- b. Merchandise awards in tennis may be accepted up to a retail value of \$250.00.
- c. Merchandise awards in golf may be accepted up to a retail value of \$750.00.

**1.96** Players attending national camps or all-star events may keep reasonable benefits for housing, meals and transportation. Players may keep only equipment that is commemorative in nature and/or used in the process of the event's workouts.

**1.97** Students may receive consideration for the use of their own name, image and likeness (NIL). Guidance for NIL can be found in Appendix "N" of the GHSA Constitution.



**GEORGIA  
HIGH SCHOOL  
ASSOCIATION**

## **Appendix N - NIL**

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2023-2024

# **GUIDELINES REGARDING NAME, IMAGE AND LIKENESS (NIL)**

The GHSA does not specifically prohibit students from engaging in certain commercial activities as individuals. These activities, commonly referred to as name, image and likeness (NIL), will not put a student's amateur status at risk provided the student meets all the requirements for maintaining amateur status in compliance with GHSA by-law 1.92-c and providing there is no violation of by-laws prohibiting influencing a student to attend or remain at a member school under GHSA by-law 1.70 (Recruiting/Undue Influence/Following The Coach).

A student-athlete may benefit from the use of their name, image and likeness (NIL) in compliance with GHSA by-law 1.92-c provided:

- The compensation is not contingent on specific athletic performance or achievement.
- The compensation is not provided as a incentive to enroll or remain enrolled at a specific school.
- The compensation is not provided by the school or any person acting as an agent for the school.

The following guidelines are in effect for NIL activities:

- Intellectual property - No "marks" may be used including, but not limited to, school logos, school name, school uniforms, school mascot, or any trademarked GHSA logo or acronyms.
- No school apparel or equipment shall be worn, which includes school name, school uniforms, school logo, school mascot or any apparel displaying trademarked GHSA logos or acronyms.
- No member school facility may be used for the purpose of name, image and likeness activities.
- No activities in conflict with a member school's local school district policy may be endorsed. (Examples include, but are not limited to, tobacco products, alcohol products and controlled substances.)
- Students and their families should seek professional guidance as to how NIL activities could impact collegiate financial aid and/or tax implications, among other issues.
- Within seven (7) calendar days after entering into any type of NIL contract/agreement, a student, or the student's parents/guardians, must notify the Principal or Athletic Director of the student's school of entering into that agreement.

## BYLAW 10. AMATEUR/AWARDS

### SEC. 1) AMATEURISM AND AMATEUR STATUS

- a) To remain eligible, a student who represents a member school in an interscholastic sport shall be an amateur (and maintain amateur status) in that sport.
- b) An amateur athlete is one who engages in athletic competition solely for the physical, mental, social, and pleasure benefits derived from said participation and not material gain.
- c) An athlete forfeits amateur status and athletic eligibility in a sport by:
  - (1) Competing for money (cash) or other monetary compensation (allowable travel, meals and lodging expenses may be accepted) including any cash or cash equivalent item (i.e., an item that is negotiable for cash or other services, benefits or merchandise) for athletic participation;
  - (2) Receiving any award or prize of monetary value not approved within the permissible awards without immediate restitution by the student-athlete when the violation is detected;
  - (3) Accepting gift certificates and merchandise items that cannot be properly personalized;
  - (4) Receiving money or other gifts of monetary value not specifically approved by Sec. 2 of this rule;
  - (5) Capitalizing on interscholastic athletic fame by the use of a specific athlete(s) likeness with any use of school trademarks, uniforms and equipment, copyrights, including facilities, to promote a specific business or organizational entity including expressly or implicitly endorsing commercial products or services;
  - (6) Failing to return player equipment or uniforms issued by a school team when the season for that sport concluded, or when the student's continued participation on such team concluded;
  - (7) Signing a professional playing contract in that sport; or
  - (8) Accepting more than a nominal standard fee or salary (based on the prevailing market rate based on a comparison with student athlete of similar skill and experience in that sport) for instructing, supervising or officiating in an organized youth sports program or recreation, playground, or camp activities. "Organized youth sports program" includes both school and non-school programs.

### SEC. 2) AWARDS AND LIMITATIONS

- a) This bylaw governs all awards received by a student-athlete while enrolled in a member school or awards received before enrollment.
- b) Cash or any other award that an individual cannot receive under these rules may not be forwarded in the individual's name to a different agency or individual.
- c) The following are permissible awards:
  - (1) Awards for participation in special events (postseason tournaments) and established regional or national recognition awards (Mr./Miss Basketball, All-State, etc.) may be presented only by the management of the event, awards program, or by a school that has had, or will have, a team or individual participating in the event or sport, subject to the limitations herein;
  - (2) An organization, business firm or other outside agency may recognize a student-athlete's outstanding performance in a particular contest or during a particular time by presenting an award, subject to the limitations herein;
  - (3) Awards presented by a member school conference, or approved agency shall be uniform for all team members receiving the award;
  - (4) Any award received from a source other than the member school for competition while representing the member high school during the season as defined by Bylaw 23 that does not exceed a value of \$500;
  - (5) Any award presented by the member school or by the Association for participation in KHSAA sponsored postseason events;
  - (6) Any award received by a student-athlete participating in an event while not representing the school at any time that conforms to the regulations of the recognized amateur athletic organization(s) associated with the event. If no limit exists for the amateur organization, the limit shall be \$500; and

- (7) A scholarship award to attend an institution of higher education after high school paid directly to the institution.
- d) The following are impermissible awards:
  - (1) Cash, gift certificates and merchandise items that cannot be properly personalized;
  - (2) Any award or prize of monetary value not approved within the permissible awards and
  - (3) An improper benefit as detailed in Bylaw 16, Sec. 1(b).
  - (4) A scholarship award to attend an institution of higher education after high school not paid directly to the institution.
  - (5) Any otherwise permissible award that exceeds the limitations of Sec. 2(c).

### SEC. 3) RESTRICTIONS AND ALLOWANCES ON THE USE OF NAME, IMAGE AND LIKENESS BY PARTICIPANTS AND SCHOOLS

#### a) Definitions used in this section:

- (1) "Compensation" means anything of value, monetary or otherwise, including but not limited to cash, gifts, in-kind items of value, social media compensation, payments for licensing or use of publicity rights, payments for other intellectual or intangible property rights under federal or state law, and any other form of payment or remuneration, but shall exclude the payment of wages and benefits to a student athlete for work actually performed, but not for athletic ability, or participation at a rate commensurate with the prevailing rate for similar work in the locality of the member school;
- (2) "Name" means the first, middle, or last name, or nickname of the student athlete when used in a context that reasonably identifies the student athlete with particularity, which may include a team number, symbol, logo, or brand;
- (3) "Image" means a picture or video of the student athlete;
- (4) "Interscholastic sport" means a sport played between educational institutions that are not community colleges, colleges, or universities;
- (5) "Likeness" means a physical, digital, or other depiction or representation of the student athlete;
- (6) "Prevailing market rate" means a rate that is tethered to the value of the consideration the student athlete that is reasonable based on a comparison with students and student athletes in that area;
- (7) "Student-athlete" means an individual who is eligible to attend a member school and engages in, is eligible to engage in, or may be eligible in the future to engage in, any interscholastic or intercollegiate sport. "Student-athlete" does not include an individual permanently ineligible to participate in a particular interscholastic or intercollegiate sport for that sport.
- (8) "School Intellectual property" means trademarks (past and present, to include official and unofficial logos whether officially filed or not), school owned or other facilities regularly utilized for practice of competition, school uniforms, school identifying apparel (whether issued by the school or not), and copyrights;
- (9) "Association intellectual property" means the logos (past and present, to include official and unofficial logos whether officially filed or not) of the KHSAA or any of its events; including past audio, video and still images.

#### b) Restriction on Member Schools of the KHSAA regarding compensation

- (1) No member school shall grant a student athlete the right to use the member school's intellectual property, such as trademarks, school uniforms, and copyrights, in the student's earning of compensation through name, image, and likeness activities.
- (2) No student-athlete shall use such intellectual property in earning compensation through name, image, and likeness activities.

#### c) Clarifications for this section:

- (1) It is not a violation of Bylaw 10 and its amateur provisions for an enrolled student-athlete to receive compensation for:
  - a. work at camps, clinics and instruction that is paid at a prevailing market rate;
  - b. product or business endorsements not using the intellectual property of a member school, district, region or state association;

- c. compensation for activities at a prevailing market rate for activity using the name, image and likeness that does not utilize school or association intellectual property;
- d. compensation for social media activities that do not utilize school, district, region or state association intellectual property.

(2) It is a violation of Bylaw 10 for any student-athlete to receive compensation directly related to specific ability, performance or contest results (actual or speculative) or to receive compensation in violation of Sec. 1 or Sec. 2 above.

(3) The Commissioner in consultation with the Board of Control shall develop and maintain policies and interpretations surrounding businesses that may be involved with in the compensation of student-athletes guided by existing policies relative to advertising and sponsorship sales by the association, and shall regularly communicate this information to the member schools for distribution.

#### SEC. 4) PENALTY

- a) Any violation of this bylaw may have any or all penalties detailed in Bylaw 27 applied as part of the final dispensation of the matter, including a period of ineligibility.
- b) Appeals or other considerations under this bylaw shall be considered Hearing Officer matters under the KHSAA Due Process Procedure.

## Case Situations for Bylaw 10- Amateur/Awards

### Case BL-10-1- Why is there an amateurism definition and restriction on awards received?

Amateur competition is a bedrock principle of school-based athletics and the KHSAA. Maintaining amateurism is crucial to preserving an academic environment in which acquiring a education is the first priority. In the interscholastic model of sports, the young men and women competing on the field or court are students first, athletes second.

The KHSAA membership has adopted amateurism rules to ensure the students' priority remains on obtaining a quality educational experience and that all of student-athletes are competing equitably.

All student-athletes, including international students, are required to adhere to NCAA amateurism requirements to remain eligible for intercollegiate competition.

Regardless of the rules at other levels, this amateurism requirement is a foundational premise for conducting competition.

### Case BL-10-2- What is the limit on the value of an award received by a student-athlete for competition outside of the representation of his/her high school?

These limits vary from sport to sport within the purview of the National Governing Body (NGB) for that sport. For example, golfers should check with the United States Golf Association (USGA), while tennis players should check with the United States Tennis Association (USTA). These limits are revised regularly, and are studied for their impact on the overall program.

### Case BL-10-3- Does the Association have a recommendation on how school personnel shall handle out-of-season play inquiries from athletes and coaches who want to enter events which offer cash for prizes?

Yes. In light of recent situations at the high school and college level, we would offer several suggestions for Athletic Directors, Principals and Coaches to pass along to the student-athletes.

- (1) Recommend strongly that these students should not participate in any manner in such events. Even the appearance of possible "cash for play" rewards lends itself to suspicion and allegations of the violation of Bylaw 10 and the PERMANENT loss of amateur status;
- (2) Remind the students of the provisions of KHSAA Bylaw 10 in that they cannot accept cash, gift certificates or things that cannot be properly personalized and in addition, they cannot have the money or prizes deferred to a later date or given in someone else's name;
- (3) Be mindful that the event organizer awarding the prize, particularly cash, to the member school in lieu of giving it to the student-athlete is NOT permissible as it allows the school to benefit from the name or image of the student and his/her ability;
- (4) If they insist on participation, request that event organizers denote a list, and post prominently such list, of those students who are competing in the competition, but will not be accepting prizes; and
- (5) Make sure the students understand that they may accept specific prizes up to the limit of the National Governing Body (NGB) for that sport, but cannot under any circumstances, accept a gift voucher or simply be given an amount to spend. Number Five (5) above appears to be the most likely violated from the anecdotal evidence available to the Association.

As for example, a golfer being told he can go to the pro shop, and spend up to \$50 for finishing third in a tournament, is not legal and potentially renders the athlete PERMANENTLY ineligible at all amateur levels. If for example, the prize was predetermined that the third place finisher was to receive a golf bag as displayed at the 18th hole, then if that bag is under the NGB limit for golf (assume it had a price of \$80), then it could be accepted. But that same golfer could not be allowed to go spend \$80 in the pro shop. While this may seem like a minute difference, member school representatives should do everything possible to protect the amateur status

of our competitors.

### Case BL-10-4- Does Bylaw 10 apply to Sport-Activities?

No. Bylaw 10 and the restrictions on awards do not apply to the Sport-Activities of Archery, Bass Fishing, Bowling, Competitive Cheer, Dance and Esports.

### Case BL-10-5- What are the restrictions on Name, Image and Likeness on the high school level in Kentucky?

KHSAA Bylaw 10 provides a clear path for students to remain an amateur and continue to represent a KHSAA member school providing they are eligible by all other bylaws. Recent changes in NCAA regulations removed long-held prohibitions on student-athletes rofiting off of the use of their name, image and likeness (NIL). With this change, individual states, conferences and colleges were permitted to develop and implement regulations to address this issue. Ultimately, the implementation of Acts Chapter 12 2022 (SB6), passed by the Kentucky General Assembly and signed into law on March 9, 2022, clarified the issue and necessitated further clarification within KHSAA Bylaws.

KHSAA bylaws have long permitted students to seek employment, and ultimately, compensation, and engage in certain commerical activities in their individual capacity. With these further clarifications, including continuing to not allow school or team involvement, competitive balance and team dynamics will be protected. And while many of these provisions were already permitted, clarification and consistent messaging compels they be detailed further.

Allowable compenation by the KHSAA rostered student-athlete includes:

- (1) Any proper NIL deal under the provisions of Acts Chapter 12 2022 (SB6) that meets all of the provisions of that statute including a contract compliant with NCAA regularions and Kentucky law as detailed in the contract provisions of that statute (see <https://apps.legislature.ky.gov/law/acts/22RS/documents/0012.pdf> for specific details)
- (2) Compensation for coaching and providing instruction, however student-athletes may not play on the teams that they coach and the student-athlete's compensation must be commensurate with the work performed and standard per the prevailing market rate based on a comparison with student-athletes of simliar skill and experience in the sport;
- (3) A student-athlete may profit from the use of their own name, image and likeness (NIL) within the restrictions of Bylaw 10, Sec. 3(c)(1) and provided:
  - a. no member school, district, region or state association resources are used to include trademarks, school uniforms, copyrights, equipment, logos, goods, services, insignia or identifying mark or other tangible assets are used;
  - b. that nothing about the opportunity is based on individual or team performance (actual or speculative);
  - c. that no member school coach or administrator are involved; and
  - d. that the student-athlete agrees not to involve the categories of products and services detailed in the Board of Control policies as restricted from corporate sales.

### Case BL-10-6- When reference is made to National Governing Bodies, what organizations does that include?

These organizations represent a group of governing bodies, many of which represent the direct contacts for the United States Olympic Committee. The sports-specific entities are the entities that are permitted to establish awards limitations within the scope of Bylaw 10.

| Organization           | Mailing Address                                                               |
|------------------------|-------------------------------------------------------------------------------|
| Amateur Athletic Union | P.O. Box 22409, Lake Buena Vista, FL 32830<br>aausports.org<br>(407) 934-7200 |

| Organization                                      | Mailing Address                                                                                                                                      |
|---------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------|
| BlazeSports America                               | 1670 Oakbrook Drive, Suite 331<br>Norcross, GA 30093<br><a href="https://www.blazesports.org/">https://www.blazesports.org/</a><br>404-270-2000      |
| Boys & Girls Clubs of America                     | 1275 Peachtree St. NE, Atlanta, GA 30309<br><a href="http://www.bgca.org">www.bgca.org</a><br>404-487-5700                                           |
| Boy Scouts of America                             | P.O. Box 152079, Irving, TX 75015-2079<br><a href="http://www.scouting.org">www.scouting.org</a><br>(972) 580-2000                                   |
| Disabled Sports USA                               | 451 Hungerford Dr., #608, Rockville, MD 20850<br><a href="https://www.disabledsportsusa.org/">https://www.disabledsportsusa.org/</a><br>301-217-9838 |
| Dwarf Athletic Association of America             | PO Box 2 Kentfield, CA 94914-0002 ?<br><a href="http://www.daaa.org">www.daaa.org</a><br>415-915-9572                                                |
| National Association of Intercollegiate Athletics | 1200 Grand Blvd, Kansas City, MO 64106<br><a href="http://www.naia.org">www.naia.org</a><br>(816) 595-8000                                           |
| National Collegiate Athletic Association          | P.O. Box 6222, Indianapolis, IN 46206-6222<br><a href="http://www.ncaa.org">www.ncaa.org</a><br>(317) 917-6222                                       |
| National Junior College Athletic Association      | 8801 JM Keynes Drive, Suite 450<br>Charlotte, NC 28262<br><a href="http://www.njcaa.org">www.njcaa.org</a><br>(719) 590-9788                         |
| National Recreation and Park Association          | 22377 Belmont Ridge Rd, Ashburn, VA 20148<br><a href="http://www.nrpa.org">www.nrpa.org</a><br>(703) 858-2176                                        |
| Special Olympics, Inc                             | 1133 19th St. NW, Washington, DC 20036<br><a href="http://www.specialolympics.org">www.specialolympics.org</a><br>(202) 824-0393                     |
| United States Soccer Federation                   | 1801 S. Prairie Ave., Chicago, IL 60616<br><a href="http://www.ussoccer.com">www.ussoccer.com</a><br>312-808-1300                                    |
| US Golf Association                               | P.O. Box 708, Far Hills, N.J. 07931<br><a href="http://www.usga.org">www.usga.org</a><br>908-326-1850                                                |
| US Lacrosse                                       | 2 Loveton Circle Sparks, MD 21151<br><a href="http://www.uslacrosse.org">www.uslacrosse.org</a><br>410-235-6882                                      |
| US Tennis Association                             | 700 West Red Oak Lane, White Plains, NY 10604<br><a href="http://www.usta.com">www.usta.com</a><br>(914) 696-7000                                    |
| USA Baseball                                      | 1030 Swabia Court, Suite 201 Durham, NC 27703<br><a href="http://www.usabaseball.com">www.usabaseball.com</a><br>919-474-8721                        |
| USA Basketball                                    | 27 South Tejon Street, Suite 100, Colorado Springs, CO 80903<br><a href="http://www.usab.com">www.usab.com</a><br>719-590-4800                       |
| USA Dance                                         | PO Box 152988, Cape Coral, FL 33915-2988<br><a href="http://www.usadance.org">www.usadance.org</a><br>800-447-9047                                   |

| Organization                             | Mailing Address                                                                                                                                                           |
|------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| USA Deaf Sports Federation               | PO Box 22011, Santa Fe, NM 87502-2011<br><a href="http://www.usdeafsports.org">www.usdeafsports.org</a>                                                                   |
| US Diving, INC.                          | 1060 N. Capitol Ave., Suite E-310, Indianapolis, IN 46204<br><a href="https://www.teamusa.org/USA-Diving">https://www.teamusa.org/USA-Diving</a><br>317-237-5252          |
| USA Field Hockey                         | 5540 North Academy Blvd., Suite 100, Colorado Springs, CO 80918<br><a href="http://www.teamusa.org/usa-field-hockey">www.teamusa.org/usa-field-hockey</a><br>719-866-4567 |
| USA Football                             | 45 N. Pennsylvania St., Suite 700, Indianapolis, IN 46204<br><a href="http://www.usafootball.com">www.usafootball.com</a><br>317-614-7750                                 |
| USA Gymnastics                           | 130 E. Washington St., Suite 700 Indianapolis, IN 46204<br><a href="http://usagym.org">usagym.org</a><br>317-237-5050                                                     |
| USA Hockey, INC.                         | 1775 Bob Johnson Dr., Colorado Springs, CO 80906-4090<br><a href="http://www.usahockey.com">www.usahockey.com</a><br>719-576-8724                                         |
| USA Softball                             | 2801 NE 50th Street Oklahoma City, OK 73111-7203<br><a href="https://www.teamusa.org/USA-Softball">https://www.teamusa.org/USA-Softball</a><br>405-424-3450               |
| USA Swimming                             | 1 Olympic Plaza, Colorado Springs, CO 80909<br><a href="http://www.usaswimming.org">www.usaswimming.org</a><br>719-866-4578                                               |
| USA Track and Field                      | 130 East Washington Street, Suite 800, Indianapolis, IN 46204<br><a href="http://www.usatf.org">www.usatf.org</a><br>317-261-0500                                         |
| USA Ultimate                             | 5825 Delmonico Dr. Suite 350, Colorado Springs, CO 80919<br><a href="http://www.usultimate.org">www.usultimate.org</a><br>800-872-4384                                    |
| USA Water Polo                           | 6 Morgan, Suite 150 Irvine, CA 92618<br><a href="http://usawaterpolo.org">usawaterpolo.org</a><br>719-500-5445                                                            |
| USA Wrestling                            | 6155 Lehman Dr. Colorado Springs, CO 80918<br><a href="http://www.usawrestling.org">www.usawrestling.org</a><br>719-598-8181                                              |
| USA Volleyball                           | 4065 Sinton Road, Suite 200, Colorado Springs, CO 80907<br><a href="http://www.teamusa.org/USA-Volleyball">www.teamusa.org/USA-Volleyball</a><br>(719) 228-6800           |
| YMCA of the USA                          | 101 N. Wacker Drive, Chicago, IL 60606<br><a href="http://www.ymca.net">www.ymca.net</a><br>(800) 872-9622                                                                |
| National Association for Music Education | 1806 Robert Fulton Drive Reston, VA 20191<br><a href="http://www.nafme.org">www.nafme.org</a><br>800-336-3768                                                             |
| National Speech and Debate Association   | 401 Railroad Place, West Des Moines, IA 50265<br><a href="http://www.speechanddebate.org">www.speechanddebate.org</a><br>920-748-6206                                     |

| <i>Organization</i>                            | <i>Mailing Address</i>                                                                                             |
|------------------------------------------------|--------------------------------------------------------------------------------------------------------------------|
| <i>Educational<br/>Theatre<br/>Association</i> | <i>4805 Montgomery Road, Suite 400,<br/>Cincinnati, Ohio 45212<br/>www.schooltheatre.org/home<br/>513-421-3900</i> |

### **3.6 AMATEURISM AND BENEFITS**

**3.6.1 Amateur Status:** A student who represents a school in an interscholastic sport shall be an amateur in that sport. An amateur athlete is one who engages in athletic competition solely for the physical, mental, social, and pleasure benefits derived from participation. Amateurism is sport-specific, except in the case of scholarships/concessions on tuition. Amateurism must be maintained throughout the year, including summer, and is not dependent on the type of participation (i.e. interscholastic, non-school competition, recreational, etc.).

#### **3.6.2 Definitions:**

- a. **Athletic Service:** Utilizing athletic skills and/or playing a sport, performing in an athletic contest or demonstration, possibly in exchange for a benefit.
- b. **Non-Athletic Service:** Performance of a task, job, or duty that does not involve utilizing athletic skills and/or playing a sport, performing in an athletic contest or demonstration, possibly in exchange for a benefit. Athletic equipment may be present or shown.
- c. **Benefit:** A benefit is any recompense received in exchange for some form of service. Examples of benefits include, but are not limited to, money, compensation, awards, rewards, merchandise, stipends, in kind payments, entry fees paid, etc.
- d. **Merchandise:** An item with utility or use, that would normally have to be bought.
- e. **Name, Image, Likeness (NIL) Activity:** Use of self-publicity (your name, your image, your likeness) to receive a benefit through appearances, licensing, social media, endorsements, the use of branding, etc.
- f. **NIL Collective:** A group that seeks to provide benefits to student-athletes in exchange for on-demand promotion, a service, or a sport-specific service.
- g. **Nominal, standard fee:** A fee that would equate to the Federal minimum wage per hour, based on the time provided.
- h. **Representing a School:** Depicting any affiliation with a member school. Examples include but are not limited to: member school name, nickname(s), mascot(s), logo(s), uniforms, traditions, related achievements (including MSHSAA tournament outcomes and awards), etc., and/or tagging, connecting or referring to a member school.

#### **3.6.3 Prohibited Benefits for Both Amateurism and NIL Activities**

- a. **Junior High/High School Athletic Scholarship:** Benefits in the form of junior high or high school scholarships or concessions on tuition because of athletic ability shall cause the student to become ineligible for all future competition in all interscholastic sports. A compliance report that includes a description of financial assistance, scholarships, and/or tuition concessions available to students shall be filed by all schools annually as a part of MSHSAA registration process.
- b. **Benefit Deemed as Post-Secondary Scholarship:** Any monetary benefit that is intended as a post-secondary scholarship shall not be accepted by a student directly, nor prior to the exhaustion of interscholastic eligibility. In order to legitimately be accepted without jeopardizing interscholastic eligibility, funds must be held by the awarding entity until after high school graduation, and then submitted directly to the college/university in which the student enrolls to be utilized as scholarship funds.
- c. **Benefits and Undue Influence:** Any benefit offered to entice a student to attend a school for athletic purposes is a violation of By-Law 2.6, Undue Influence. If such a benefit is accepted by the student, eligibility is jeopardized under both By-Law 3.6, Amateurism and Benefits and 2.6, Undue Influence.

### **3.6.4 Representation of a School:**

- a. **Allowable Representation of a School:** Representation that is **directly connected** to the student's participation with his/her school's interscholastic athletic program (e.g. an interscholastic contest, contest action photos, participation of the team in a parade, etc.) is allowable under the following conditions:
  - 1. Representation is directed by the school as a part of the interscholastic program
  - 2. The participant is a bona fide student of the school
  - 3. No benefit or an allowable benefit is received.
- b. **Disallowed Representation of a School:** Any promotional or endorsement activity, with or without a benefit, that represents a member school and is not directly connected to the student's participation with that school's interscholastic athletic program is **prohibited**.

### **3.6.5 Interscholastic Amateurism**

- a. **Prohibited Activities for Amateurism:** In order to protect amateur status and retain interscholastic eligibility in a particular sport, the following activities are prohibited:
  - 1. **Pay for Play:** An amateur athlete may not accept benefits beyond what is allowable for an athletic service or based on the outcome of a contest.
- b. **Prohibited Benefits for Amateurism:** In order to protect amateur status and retain interscholastic eligibility in a particular sport, the following benefits may not be received for an athletic service:
  - 1. **Cash and Cash Equivalents** (i.e. free service, gift certificate, gift card, etc.): A student may not accept ANY monetary compensation, cash, or any type of cash equivalent in connection with a Prohibited Activity for Amateurism (see By-Law 3.6.5.a).
  - 2. **Beyond Limits:** Any benefit beyond the limits listed in Allowable Benefits that is received in connection to a Prohibited Activity would constitute a violation of this standard.
- c. **Allowable Activities for Amateurism:** In order to protect amateur status and retain interscholastic eligibility in a particular sport, the following activities are allowable:
  - 1. **Letter of Intent:** This standard shall not prevent a student from signing an agreement which binds him or her to play only for a particular team or an athletic letter-of-intent with a university or college.
  - 2. **Teaching, Coaching, Officiating:** Accepting a nominal, standard fee or salary for teaching or coaching sport skills or techniques or officiating shall not jeopardize amateur status.
- d. **Allowable Benefits for Amateurism:** The following are allowable benefits that may be received, including for an athletic service, and would not jeopardize amateur status for participation in the interscholastic program:
  - 1. **Symbolic:** A student may receive a symbolic benefit presented for recognition purposes only and which has little use or utility, such as an unattached school letter or emblem, a medal, a ribbon, a trophy, a plaque, a signature game ball, an award certificate, etc.
  - 2. **Value-Limited Merchandise:** Once per month, a student may receive an item of merchandise (one or more) which together shall not exceed a total value of \$250. The total value of all items shall be calculated using the manufacturer's suggested retail price (MSRP) for each item.
  - 3. **Commemorative Jewelry:** A student may receive an award of commemorative jewelry of a value greater than the merchandise award limit in recognition of achievements in the school athletic program only if purchased and awarded by the school. If not awarded by the school, the jewelry would need to be purchased by the student/student's parent(s).
  - 4. **Banquet or Ceremony:** A school may sponsor a banquet or ceremony to honor students. If sponsored by other than the school or a school group, approval of a school administrator is required in order for enrolled students to attend.
  - 5. **USOC Benefits:** Under the auspices of the United States Olympic Committee, a student who wins only an Olympic medal and receives specified funds only from the National Governing Body for the sport for the Olympic placement in competition, may continue or return to interscholastic sports without jeopardizing his/her secondary school eligibility.

6. **Necessary Expenses:** It is permissible for a student to accept necessary meals, lodging, and transportation in connection with playing a contest, or participating in an otherwise allowable activity with the school team.
7. **Benefits to All Students:** If a benefit is provided to all enrolled students at the school rather than to a particular student or to members of a particular sports team only, then amateur status has not been compromised and the benefit limits are not applicable.

### **3.6.6 Name, Image, Likeness (NIL) Activities:**

- a. **NIL Prohibited Activities:** In order to protect amateur status and retain interscholastic eligibility in a particular sport, the following NIL activities are prohibited:
  1. **Disallowed Representation of a School:** Described in By-Law 3.6.4.b above.
  2. **Athletic service:** Defined in By-Law 3.6.2.a above.
  3. **Undue Influence:** NIL activities that violate By-Law 2.6, Undue Influence, are prohibited.
  4. **NIL Collectives:** Such groups working on behalf of, in conjunction with, or for the benefit of a junior high or high school are prohibited. Such activity will jeopardize both the interscholastic eligibility of athletes and the school's membership status with MSHSAA.
- b. **NIL Prohibited Benefits:** In order to protect amateur status and retain interscholastic eligibility in a particular sport, the following NIL benefits may not be received:
  1. **Scholarships:** See By-Law 3.6.3 regarding benefits that are always prohibited, or must be handled a certain way, for interscholastic amateurism.
  2. **Undue Influence:** Any benefit offered to entice a student to attend a school for athletic purposes is a violation of By-Law 2.6, Undue Influence.
- c. **NIL Allowable Activities:** In order to protect amateur status and retain interscholastic eligibility in a particular sport, the following activities are allowable:
  1. **NIL Activity:** A student may participate in an NIL activity that provides an allowable benefit if NOT representing a school and NOT performing an athletic service. *Editor's Note: Students participating in allowable NIL Activities should be aware of, and abide by, Federal Trade Commission (FTC) guidelines (clearly disclosing sponsor relationships, not making false or questionable statements about the sponsor's product, etc.). Further consideration should be given to the tax implications of NIL income, and its impacts on need-based school, state, or federal financial aid or Pell Grants.*
- d. **NIL Allowable Benefits:** A student may receive any benefit for an NIL Activity and not jeopardize amateur status for participation in the interscholastic program, as long as all of the following are true:
  1. the student is **NOT** representing the school
  2. the student is **NOT** performing an athletic service
  3. the benefit is not a prohibited benefit as per By-Law 3.6.3
  4. By-Law 2.6, Undue Influence, is not violated

**3.6.7 Penalty:** The penalty for violation of this standard shall be ineligibility for a period not to exceed 365 days from the date of the latest violation in the sport concerned. For violation of By-Law 3.6.3, a student shall become ineligible for all sports.

**3.6.8 Reinstatement:** Application for reinstatement of eligibility may be filed with the Board of Directors after 365 days from the date of violation. However, the Board of Directors shall not reinstate eligibility to a student who has received a scholarship, concession on tuition, or direct or indirect financial aid because of his or her athletic ability. *Editor's Note: Schools shall inform athletes who participate in non-school and summer sports that competing for prohibited benefits will make an athlete ineligible in the sport concerned.*