

University at Buffalo Athlete-Agent Policy

1. Overview

- a. The University at Buffalo's Agent Policy provides guidelines for student-athletes on NIL activities. It requires agents to register with the compliance office, mandates adherence to strict guidelines, and demands reporting of all NIL activities. The policy ensures NCAA compliance, protects the athletic program's integrity, and supports athletes' success. The University at Buffalo is committed to ensuring that our student-athletes are equipped with the knowledge and resources necessary to comply with these regulations and laws. Our compliance office is available to answer any questions and provide guidance on how to navigate this complex landscape while protecting the best interests of our athletes.

2. Rules and Regulations

- a. NCAA Bylaw 12.3: This bylaw prohibits student-athletes from entering into any kind of agreement with an agent, whether it is written or oral, until their eligibility has ended.
 - i. Student-athletes can now enter into agreements with agents related to NIL activities, as long as the agent is not involved in recruiting the student athlete to a particular school or team.
- b. Bylaw 12.1.2: This bylaw prohibits student-athletes from receiving any kind of extra benefits or compensation not available to the general student population, including receiving money or other benefits from an agent.

- i. Student-athletes can now receive compensation related to their NIL activities as long as it is not a form of pay for play or inducement to attend a particular school.
- c. Bylaw 12.3.1.2: This bylaw permits student-athletes to talk with an agent about their professional prospects as long as the agent does not offer them any kind of compensation or benefits and the student-athlete does not sign an agreement with the agent.
 - i. Student-athletes can now discuss NIL opportunities with agents and receive advice and assistance in negotiating deals, as long as the agent does not offer any compensation or benefits and the student-athlete does not sign an agreement related to their athletic eligibility or recruitment.
- d. Bylaw 12.3.2: This bylaw prohibits student-athletes from agreeing to be represented by an agent until their eligibility has ended or they have officially declared their intention to turn professional.
 - i. Student-athletes can now agree to be represented by an agent for NIL activities, as long as the agent is not involved in recruiting the student-athlete to a particular school or team.
- e. Bylaw 12.3.3: This bylaw prohibits student-athletes from allowing an agent to market their athletic ability or reputation in any way.
 - i. Student-athletes can now allow an agent to market their NIL-related activities or endorsements, as long as it does not involve their athletic eligibility or recruitment.

- f. Bylaw 12.3.4: This bylaw prohibits student-athletes from accepting any benefits from an agent or any other individual or organization based on their athletic ability or reputation.
 - i. Student-athletes can now accept benefits related to their NIL activities, as long as it is not a form of pay for play or inducement to attend a particular school.
 - g. Uniform Athlete Agents Act (UAAA): The UAAA is a model law that has been adopted by most states in the U.S. It requires sports agents to register with the state and follow certain guidelines when communicating with student-athletes and their families.
 - i. Agents must now comply with additional requirements related to NIL activities, such as registering with the state and complying with state laws related to NIL.
 - h. NCAA Agent Certification Program: The NCAA has established a certification program for sports agents. Agents who wish to represent NCAA athletes must complete the program and adhere to its standards.
3. Agent Requirements
- a. The agent must be properly registered with the State of New York.
 - b. The agent must be registered with UB in accordance with this policy.
 - c. The agent must abide by all UB, NCAA, MAC, state, and federal rules and regulations, including the terms of this policy.

- d. Disclosing information to student-athletes: Agents must disclose their compensation arrangement to the student-athlete and provide a notice of the student-athlete's rights and responsibilities.
- e. Providing written notice to the school: Agents must provide written notice to the student-athlete's school within 72 hours of entering into an agency agreement with the student-athlete.
- f. The agent must abide by the rule and regulations of all other applicable governing bodies and regulatory agencies.
- g. The agent must avoid all contact with student-athletes other than that which is permissible under this policy and process and in accordance with state law.
- h. The agent further agrees to:
 - i. Provide permissible, honest, lawful, and ethical services to the student athlete.
 - ii. Avoid conflicts of interest which may compromise the interests of the student-athletes.
 - iii. Avoid involvement of student-athletes or others in actions which may jeopardize the student-athletes' eligibility or subject to UB institutional violations.
 - iv. Maintain an up-to-date registration file with the compliance office.

4. Contacts

- a. Under this policy and process, student-athletes may only have contact with agents who are properly registered with UB. Whether such contact will be permitted is subject to the discretion of the head coach, and if approved, must adhere to

NCAA and University rules. All contact between agents and student-athletes must occur in UB facilities and be scheduled through the Compliance Office. Home and off-campus visits are prohibited. Agents must notify the Compliance Office before any contact via telephone, email, or text.

5. Policy Enforcement

- a. The Compliance Office as well as coaches, and other UB staff and administration will be overseeing the enforcement of UB's agent policy.
- b. If a violation of the agent policy is found or an agent is disciplined or suspended by any player association, sports league, state regulatory body, Professional Sports Counseling Panel, bar association, or other relevant entity, UB may take one or more of the following disciplinary actions:
 - i. Issue an informal reprimand to be placed in the agent's UB file.
 - ii. Issue a written reprimand to the agent, to be retained in the agent's UB file.
 - iii. Suspend the agent's UB registration for a specific period of time.
 - iv. Revoke the agent's UB registration.
 - v. Notify the appropriate entity of the policy violation.
 - vi. Take other disciplinary action as deemed necessary by the Compliance Office.
- c. The Compliance Office will make the final decision regarding disciplinary action.

Agent Registration

1. Process

- a. Agents must complete UB's Agent registration form.

- b. Review the UB Agent Policy: Before beginning the registration process, review the UB Agent Policy and all relevant NCAA and state regulations to ensure that you understand the requirements and expectations for registered agents.
- c. Submit an Application: To begin the registration process, submit a completed Agent Registration Form to the UB Compliance Office. The form should include all required information about your professional background, credentials, and affiliations, as well as your agreement to comply with the UB Agent Policy.
- d. Background Check: The Compliance Office will conduct a background check to confirm your eligibility for registration. This may include verifying your professional credentials, checking for any criminal history, and reviewing any disciplinary actions taken by state regulatory bodies or professional sports leagues.
- e. The Compliance Office will determine whether to grant or deny the registration of agents.

2. Agent Information:

- a. Full name
- b. Business address
- c. Phone number
- d. Email address

3. Professional credentials and/or affiliations

- a. List of current and former clients
- b. Education and Background:

- c. Certification from the NFLPA or NBPA (as applicable)
 - d. Education and training history
 - e. Background information, including criminal history and disciplinary actions taken by state regulatory bodies, professional sports leagues, or other relevant entities
- 4. Agreement to Comply with UB Agent Policy:
 - a. Confirmation that the agent has reviewed and understands the UB agent policy and all applicable NCAA and state regulations
 - b. Agreement to comply with the UB agent policy and all applicable NCAA and state regulations
 - c. Acknowledgement that any violation of the UB agent policy may result in disciplinary action, up to and including revocation of registration
- 5. Signature
 - a. Signature of the agent, indicating agreement to comply with the UB agent policy and all applicable NCAA and state regulations