



MEMORANDUM

February 7, 2023

VIA EMAIL

TO: NCAA Division I Directors of Athletics, Senior Compliance Administrators, Men's Basketball Head Coaches and Men's Basketball Conference Administrators.

FROM: NCAA Academic and Membership Affairs and Enforcement Staffs.

SUBJECT: Information Regarding the 2023 National Basketball Association Draft and Combine, Agents and Workouts.

The purpose of this document is to provide an educational resource you can share with your men's basketball student-athletes with eligibility remaining¹ who may have a desire to "test the waters" as it relates to their pursuit of a potential professional basketball career. You are encouraged to discuss this document with those men's basketball student-athletes who are gauging their readiness for competition at the next level through a variety of methods, including tryouts with professional teams. These student-athletes will undoubtedly rely on several individuals to assist in the decision-making process.

At the end of this process, your men's basketball student-athlete may reach the conclusion that it is not in his best interest to pursue a professional career at this time, but rather to continue athletics participation at the intercollegiate level while pursuing his academic degree. Involvement in activities during this process can affect intercollegiate eligibility. ***The following information is designed to help maintain NCAA eligibility while "testing the waters."***²

¹ All Division I student-athletes who qualify for the additional year of NCAA eligibility per the 2021 COVID-19-related action taken by the Division I Council are considered to have "eligibility remaining."

² NCAA bylaws are subject to change. This document is for educational purposes only and does not usurp or supersede current NCAA rules. Student-athletes with questions relating to their NCAA eligibility should contact the NCAA compliance officer at their respective institution to ensure an accurate interpretation of the bylaws. Questions related to NBA rules, which are also subject to change, should be directed to the NBA.

Key Points

The key points below highlight important NCAA rules related to maintaining NCAA eligibility while "testing the waters." More detail on each rule is contained within this document.

A men's basketball student-athlete will lose his eligibility IF:

1. He enters the NBA Draft or hires an NCAA-certified agent prior to or without requesting an NBA Undergraduate Advisory Committee evaluation from the NBA. (See "Additional Information Related to NBA Rules and Process").
2. He agrees orally or in writing to be represented by any individual other than an NCAA-certified agent for the purpose of marketing athletic skill or ability to a professional organization or team.
3. He agrees orally or in writing to be represented by an NCAA-certified agent outside of the permissible timeframe allowed by NCAA legislation.
4. He accepts any benefits from an individual other than an NCAA-certified agent.
5. He accepts any benefits from an NCAA-certified agent that are not expressly permitted by NCAA legislation or outside of the permissible timeframe allowed by NCAA legislation.
6. He participates in a tryout with an NBA team that lasts longer than 48 hours (with the exception of the NBA Draft combine and the G League Elite Camp held in connection with the combine), which he has not personally financed, or his NCAA-certified agent has not financed.
7. He misses class to participate in a tryout, including travel to and from the tryout (with the exception of the NBA Draft combine and G League Elite Camp held in connection with the combine).
8. He enters the NBA Draft AND does not take the appropriate steps to withdraw and declare his intention to resume intercollegiate participation.
9. He enters the NBA Draft AND is drafted by a professional team.

NBA Pre-Draft Process**2023 Key Dates**

End of Team's Playing Season (Including Postseason Games)	Per NCAA and NBA rules, first date to request an NBA Undergraduate Advisory Committee evaluation. Once evaluation is requested, may enter NBA Draft* and sign an agreement with an NCAA-certified agent . <i>*Must file separate paperwork to declare for NBA Draft.</i>
UAC Application Deadline	Per NBA rules, the deadline to apply for the Undergraduate Advisory Committee is April 13, 2023, at 11:59 pm ET. This deadline ensures that all UAC applicants receive written feedback from the NBA reasonably in advance of the NBA Early Entry Deadline. (Note: The NBA will consider late applications on a case-by-case basis. The NBA's ability to process a late application will depend on the timing of the submission.)
NBA Early Entry Deadline	April 23, 2023 (11:59 p.m. ET)
G League Elite Camp (Chicago)	On or about May 11, 2023, through on or about May 14, 2023, G League Elite Camp will precede the NBA Draft combine at the same location.
NBA Draft Combine (Chicago)	May 14, 2023 through May 21, 2023
NCAA Early Entry Withdrawal Deadline	May 31, 2023 (11:59 p.m. ET)
NBA Early Entry Withdrawal Deadline	June 12, 2023 (5:00 p.m. ET)
2023 NBA Draft	June 22, 2023

Frequently Asked Questions

Non-NCAA-Certified Agents

Question No. 1: Who is a non-NCAA-certified agent?

Answer: A non-NCAA-certified agent is any individual who is not certified by the NCAA agent-certification program and, directly or indirectly:

- a. Represents or attempts to represent an individual for the purpose of marketing his athletics ability or reputation for financial gain; or
- b. Seeks to obtain any type of financial gain or benefit from securing a prospective student-athlete's enrollment at an educational institution or from a student-athlete's potential earnings as a professional athlete.

Question No. 2: May a student-athlete, his family members or any other individuals who are associated with him because of playing basketball (e.g., high school coach, nonscholastic team coach) have any type of agreement (e.g., written, oral, future) with a non-NCAA-certified agent?

Answer: **NO!** A student-athlete, his family members or any other individuals who are associated with him because of playing basketball are not permitted to have an agreement (written, oral or future) with a non-NCAA-certified agent, or anyone who is employed by or acting on behalf of an agent or sports agency (e.g., "runner") for the purpose of marketing athletics skill or ability to a professional organization or team.³

Question No. 3: Is a non-NCAA-certified agent allowed to contact teams on behalf of a student-athlete to gather feedback about his draft prospects or to arrange a tryout with an NBA team?

Answer: **NO!** A student-athlete cannot have a non-NCAA-certified agent contact teams on his behalf to gauge his NBA draft prospects or receive feedback or to arrange a tryout (or private workout) with an NBA team.

Question No. 4: May a student-athlete, his family members or any other individuals who are

³ Under the Interim Name, Image and Likeness (NIL) Policy, use of a professional services provider (e.g., agent) for purposes of NIL activities is permissible for name, image and likeness activities, except as otherwise provided by a state law or executive action with the force of law that has not been invalidated or rendered unenforceable by operation of law. For assistance with additional questions, student-athletes should consult their institution's athletics compliance department.

associated with him because of playing basketball (e.g., high school coach, nonscholastic team coach) accept benefits from a non-NCAA-certified agent?

Answer: **NO!**

NCAA-Certified Agents

NCAA-Certified Agent Definition.

Question No. 1: Who is an NCAA-certified agent?

Answer: An NCAA-certified agent must maintain an active certification per policies and procedures of the NCAA agent-certification program.

An NCAA-certified agent is any individual who solicits a student-athlete to enter into an agency contract for purposes of obtaining employment with a professional sports team or organization as a professional athlete.

For a list of NCAA-certified agents, visit:

[Agent Certification \(ncaa.org\)](https://www.ncaa.org/agent-certification)

Agent Agreement for Representation.

Question No. 2: May a student-athlete enter into an agreement with an NCAA-certified agent?

Answer: **YES!** Following his team's 2022-23 basketball season and once he has requested an evaluation from the NBA Undergraduate Advisory Committee, a student-athlete may enter into an agreement with an NCAA-certified agent. A student-athlete may not be represented by an NCAA-certified agent until he has signed a written agreement with the agent.

If a student-athlete does not sign a contract with a professional team, the agreement between the student-athlete and agent (including permissible expenses) must be terminated before the student-athlete enrolls full time in the ensuing regular academic term.

Question No. 3: What services may an NCAA-certified agent provide to a student-athlete?

Answer: Once a student-athlete signs an agreement with an NCAA-certified agent, the agent may provide representation services to the student-athlete for purposes of obtaining employment with a professional sports team or organization as a professional athlete. Such services may include contacting professional teams on behalf of the student-athlete and setting up tryouts with professional teams. Further, pursuant to the Interim Name, Image and Likeness (NIL) Policy, an NCAA-certified agent may provide representation to a student-athlete for purposes of NIL activities, except as otherwise provided by a state law or executive action with the force of law that has not been invalidated or rendered unenforceable by operation of law.

Expenses During the Agent Selection Process.

Question No. 4: May an NCAA-certified agent provide expenses to a student-athlete or his family members prior to an agency contract being signed?

Answer: **YES!** NCAA rules allow an NCAA-certified agent to provide a student-athlete and his family members with limited expenses that relate to selecting an agent (i.e., prior to signing a contract with an agent). Such expenses are limited to meals and transportation to meet with an agent in the student-athlete's locale. Therefore, during the agent selection process, an agent must travel to the student-athlete's locale (e.g., student-athlete's school locale or home locale) to provide a permissible meal or transportation.

Question No. 5: Who is considered a family member of a student-athlete?

Answer: As defined in NCAA Division I Bylaw 12.02.4, a family member is an individual with any of the following relationships to a student-athlete: spouse, parent or legal guardian, child, sibling, grandparent, domestic partner or any individual whose close association with the enrolled student-athlete is the practical equivalent of a family relationship. While not subject to the agent certification process, family members remain subject to all applicable NCAA legislation and will jeopardize the student-athlete's eligibility if found to have solicited financial or other material benefits as a result of their relationship with the student-athlete.

Expenses Associated with Agent Representation.

Question No. 6: May an NCAA-certified agent provide expenses to a student-athlete and his family members once an agency agreement is signed?

Answer: **YES!** Once a student-athlete signs an agreement with an NCAA-certified agent, the agent may provide transportation, lodging and meals to the student-athlete and his family members related to meeting with the agent or professional teams. In addition, for the 2023 NBA pre-draft process, NCAA-certified agents may provide training expenses to the student-athlete. (See *Special Note below for additional details.) The student-athlete may not miss class, including during the summer, for such meetings or in conjunction with training expenses.

Question No. 7: Does this legislation allow an NCAA-certified agent to cover expenses for a student-athlete to use the services of other professionals?

Answer: **NO!** Permissible expenses are limited to meals, lodging and transportation related to meeting with the agent or professional teams, and for the 2023 NBA pre-draft process, training expenses. (See *Special Note below for additional details.)

Question No. 8: If other professional services are available through the NCAA-certified agent, may the student-athlete access those services?

Answer: **YES!** He may use services available through the agent provided he pays the going rate for such services.

Question No. 9: Is the student-athlete required to compensate the NCAA-certified agent for representation services?

Answer: **NO!** A student-athlete is only required to compensate the agent for representation services if the agent charges other clients for the same services (e.g., flat rate fee for consultation).

Question No. 10: If a student-athlete withdraws from the NBA Draft in a timely fashion under NCAA rules and returns to school, is he required to pay back permissible expenses received from the NCAA-certified agent?

Answer: **NO!**

****Special note for 2023: A waiver of NCAA Division I rules was approved to permit NCAA-certified agents to provide Division I men's basketball student-athletes with transportation, meals and lodging related to***

training expenses (e.g., cost of trainers, facility usage fees, nutrition) in preparation of the 2023 NBA Draft, provided: (1) The NCAA Division I men's basketball student-athlete has signed a 2023 Standard Player Agent Contract (SPAC) with the NCAA-certified agent; (2) Such expenses may only be provided from the conclusion of the student-athlete's playing season until the student-athlete withdraws from the draft, or not later than 10 days after the conclusion of the NBA Draft combine, whichever is earlier; and (3) The student-athlete may not miss class in conjunction with such training activities. It is the agent's responsibility to be in compliance with the federal and state laws surrounding benefits to student-athletes prior to a contract being signed.

NBA Draft

Question No. 1: Is a student-athlete allowed to enter the NBA Draft prior to exhausting NCAA eligibility⁴ (i.e., NBA early entry candidate) and subsequently return to school?

Answer: **YES!** A student-athlete may enter a professional basketball league's draft without jeopardizing his collegiate eligibility, provided:

- a. He requests an evaluation from the NBA's Undergraduate Advisory Committee before entering the draft;
- b. He withdraws his name from the NBA Draft not later than 10 days after the conclusion of the NBA Draft combine;
- c. He declares his intention to resume intercollegiate participation not later than 10 days after the conclusion of the NBA Draft combine. This declaration must be in writing to his director of athletics; and
- d. He is not drafted by any team.⁵

Question No. 2: May a student-athlete participate in the NBA Draft combine and/or G League Elite Camp?

⁴ All Division I student-athletes who qualify for the additional year of NCAA eligibility per the 2021 COVID-19- related action taken by the Division I Council are considered to have "eligibility remaining."

⁵ Under NBA rules, an NBA team may not draft a player who withdraws his name from the NBA Draft in a timely fashion, provided such player has not previously withdrawn from the NBA Draft more than twice. If a player enters the NBA Draft for a third time as an Early Entry player, he is not permitted under NBA rules to withdraw from the Draft. Further, if he remains in the Draft and is not drafted by any team, he will be considered a free agent (eligible to sign with any NBA team at any time) under NBA rules and will not be allowed to enter another NBA Draft in the future.

Answer: **YES!** If invited, a student-athlete may participate in the NBA Draft combine and/or G League Elite Camp.

Question No. 3: Can the NBA pay for actual and necessary travel and room and board expenses associated with participating in the NBA Draft combine and/or G League Elite Camp?

Answer: **YES!** A student-athlete may accept actual and necessary travel and room and board expenses from the NBA to attend the NBA Draft combine and/or G League Elite Camp.

Workouts/Tryouts

Question No. 1: Can a student-athlete work out with his college coach in preparation for the NBA Draft combine and/or G League Elite Camp?

Answer: **YES!** A student-athlete may work out with his college coach in preparation for the NBA Draft combine or G League Elite Camp provided he has received either an NBA Draft combine invitation, a conditional combine invitation or G League Elite Camp invitation. Such workouts are limited to a maximum of four hours per day and 20 hours per week and may only occur from the date of receipt of the invitation until the date on which the student-athlete withdraws from the draft or 10 days after the conclusion of the combine, whichever is earlier. This rule applies even if such workouts occur during the institution's final examination period in which countable athletically related activities outside the playing season are typically prohibited.

Note: The NBA will send a questionnaire to selected players who do not receive an invitation that asks whether they would participate in the G League Elite Camp, if invited. This questionnaire is not considered an invitation.

Question No. 2: Can a student-athlete's college coach assist with the logistical issues associated with on-campus or off-campus workouts/tryouts (e.g., arranging and scheduling of a professional team tryout)?

Answer: **YES!** It is permissible for a student-athlete's institutional head coach to assist in the logistical arrangements for a student-athlete to engage in a professional tryout that occurs on or off campus and for the coach to attend the tryout; however, it is not permissible for a coach to direct or supervise such tryout.

Question No. 3: Can a professional team pay for a student-athlete's private tryout with the team?

Answer: **YES!** In addition to being able to participate in the NBA Draft combine and/or G League Elite Camp, a student-athlete may also participate in a tryout with a professional team, provided he does not miss class. The student-athlete may receive actual and necessary expenses from the NBA team in conjunction with one 48-hour tryout per team per year. The 48-hour tryout period begins when he arrives at the tryout location. At the completion of the 48-hour period, the student-athlete must depart the location of the tryout immediately in order to receive return transportation expenses. A professional team may not pay for a student-athlete's training in preparation for his tryout with the team.

Question No. 4: Can an NCAA-certified agent pay for a student-athlete's tryout with a professional team?

Answer: **YES!** Once a student-athlete signs an agreement with an NCAA-certified agent, the agent may provide him (and his family members) with transportation, lodging and meals related to tryouts with professional teams, provided the student-athlete does not miss class.

Question No. 5: Can any other individual pay for a student-athlete's tryout with a professional team?

Answer: **NO!** Unless a professional team or NCAA-certified agent pays for the expenses in conjunction with a tryout, a student-athlete and his family are responsible for paying all expenses associated with any tryouts.

Question No. 6: Can any individual pay for training in preparation for a student-athlete's tryout with a professional team?

Answer: **NO!** Generally, a student-athlete and his family are responsible for paying all expenses associated with any training in preparation for a tryout with a professional team. However, for the 2023 NBA pre-draft process, if the student-athlete has signed with an NCAA-certified agent, such agent may pay for training expenses. (See *Special Note above for additional details.)

Question No. 7: Can a student-athlete pay for his own tryouts with professional teams?

Answer: **YES!** A tryout may extend beyond the 48-hour expense-paid tryout if the individual self-finances additional expenses, including return transportation. A self-financed tryout may be for any length of time, provided the student-athlete does not miss class.

Question: May any agent or booster play a role in securing a loan?

Answer: **NO!** A student-athlete may not allow a third party (including an NCAA-certified agent or boosters) to be involved in any arrangement for securing a loan, including a personal loan to pay for disability or loss of value insurance.

Helpful Tips.

1. A student-athlete should keep his head coach and compliance coordinator informed of all activities during this process.
2. A student-athlete should coordinate all activities himself in conjunction with his head coach or athletics department staff at his institution, or his NCAA-certified agent. He may receive the assistance of his family members, provided they are not working with a non-NCAA-certified agent who is marketing the student-athlete's athletics ability (e.g., contacting professional teams, setting up tryouts with professional teams).
3. A student-athlete should remain enrolled in school and complete academic courses while "testing the waters."
4. An institution may cancel a student-athlete's athletics scholarship if he has an agreement with a non-NCAA-certified agent or otherwise jeopardizes his eligibility during this process.

Who to Contact With Questions About NCAA Rules.

NCAA Division I institutions with interpretive questions regarding the NBA Draft, NBA Draft combine, G League Elite Camp, agents and tryouts:

1. Individuals not affiliated with a Division I institution, please contact the compliance staff at the school the student-athlete attends.
2. For Division I institutions, please submit an interpretation request in Requests/Self-Reports Online (RSRO).

Additional Information Related to NBA Rules and Processes.

1. Request for evaluation from NBA Undergraduate Advisory Committee.

Any college underclassman who seeks information from the Undergraduate Advisory Committee must apply in writing for an evaluation after the conclusion of his team's college season (including all tournament games) but not later than April 13, 2023 at 11:59 pm Eastern time.

To request feedback from the Undergraduate Advisory Committee, a student-athlete must email a signed and completed Undergraduate Advisory Committee Application Form to the NBA League Office via email at: UAC@nba.com

The feedback from the Undergraduate Advisory Committee will be provided in writing and it will be delivered to the student-athlete and, unless the student-athlete instructs the NBA otherwise, his current head college coach via email. Feedback will be based on the professional judgement of the Undergraduate Advisory Committee and project which of the following categories most accurately represents the student-athlete's status if he would enter the 2023 NBA Draft.

- a. Drafted in the Lottery (i.e., pick Nos. 1-14);
- b. Drafted in the First Round but outside the Lottery (i.e., pick Nos. 15-30);
- c. Drafted in the first half of the Second Round (i.e., pick Nos. 31-45)
- d. Drafted in the second half of the Second Round (i.e., pick Nos. 46-60); and/or
- e. Not drafted.

In certain cases, NBA Basketball Operations personnel will engage in telephone conversations with a player and his head college coach (and other individuals whom the player may designate) to help educate the student-athlete on the feedback he received.

Keep in mind:

- a. The NBA Undergraduate Advisory Committee is composed of NBA team executives who will provide a confidential projection of a potential draftee's likely draft position.
- b. The NBA will provide the initial round of written feedback to UAC applicants beginning in early April. The NBA will continue to provide feedback on a rolling basis until all UAC applicants have received their initial round of written feedback. All UAC applicants who submitted their application to the NBA before the UAC deadline will receive written feedback in advance of the NBA's early entry deadline on Sunday, April 23, 2023, at 11:59 p.m. (ET).

- UAC applicants will not receive any feedback until early April regardless of when they submit their UAC application.
 - For an application submitted on or after Monday, March 27, 2023, the student-athlete and his college head coach typically will receive feedback within seven to ten days.
- c. If a student-athlete remains in the NBA Draft through the conclusion of the Draft combine, he will receive updated written feedback from the Undergraduate Advisory Committee prior to the NCAA's deadline to withdraw from the Draft.
- d. **IMPORTANT:** Requesting an evaluation for the UAC does NOT automatically enter a student-athlete in the NBA Draft, nor do NBA rules require a student-athlete to apply for UAC feedback to enter the draft. **To declare for the NBA Draft, a student-athlete must file separate paperwork with the NBA (see Section 2 below).**

NBA Undergraduate Advisory Committee Contacts:

Garth Glissman (NBA) at 917-708-1860 or gglissman@nba.com.

Jason Bleznick (NBA) at 303-548-2699 or jbleznick@nba.com.

2. Apply to the NBA Draft as an early entrant.

A student-athlete who wishes to enter the 2023 NBA Draft must send a signed and dated letter stating his desire to enter the 2023 NBA Draft via email at DraftMailbox@nba.com. The letter must be received via email by Sunday, April 23, 2023, at 11:59 p.m. (ET). The letter must include all of the following information:

- The school where the student-athlete played during the 2022-23 season;
- His current year (for example: freshman, sophomore, junior or senior);
- The last season he would be eligible to participate in NCAA men's basketball (for example: the 2023-24 season);
- Date of birth; and
- Contact information (including cell number, email address and home address).

Please be sure that the student-athlete includes the date and his signature on the letter. **If the letter is not signed by hand or by electronic signature, such as DocuSign, it will not be accepted.** If the student-athlete is not able to scan the letter, he may take a clear picture of the letter with a phone and attach it to his email.

Once the letter has been received, an application may be sent to the student-athlete, which should be promptly returned along with a clear photocopy of his proof of date of birth (i.e.,

driver's license, passport, birth certificate). **(Please note that as long as a timely letter has been received, the application from the NBA may be sent during a period after the early entry deadline.)**

NBA Draft Contact: Wesley Harris (NBA) at 516-242-2764 or wharris@nba.com.

3. Withdraw from the NBA Draft.

A student-athlete who wishes to remove his name from the NBA Draft **AND** maintain NCAA eligibility must email a letter to the NBA at DraftMailbox@nba.com no later than May 31, 2023, (at 11:59 pm ET); and

A student-athlete who remains in the NBA Draft after the NCAA deadline, but still wishes to remove his name from the NBA Draft, must submit a written letter to the NBA by June 12, 2023, at 5 p.m. (ET).

In either case above, the statement from the student-athlete should indicate the following:

"I, {Student-Athlete, of NCAA college/university}, officially notify the NBA of my request to withdraw my name from consideration in the 2023 NBA Draft."

The student-athlete should also include his contact information and date of submission. Please be sure that the student-athlete includes the date and signature on the letter. **If the letter is not signed by hand or by electronic signature, such as DocuSign, it will not be accepted.** If the student-athlete is not able to scan the letter, he may take a clear picture of the letter with a phone and attach it to his email.

The letter must be sent via email at: DraftMailbox@nba.com.

NBA Draft Contact: Wesley Harris (NBA) at 516-242-2764 or wharris@nba.com.

4. NCAA contacts for questions regarding the NBA Draft and combine process/logistics.

Jobrina Marques, academic and membership affairs, at jmarques@ncaa.org.

Jeremy McCool, enforcement, at jmccool@ncaa.org.

JM:jgd

cc: Selected NCAA and NBA Staff Members