

Amateur Status Still at the Heart of High School Sports

The popularity and interest in sports is the caveat for professional athletes to be widely targeted for product and service endorsements hoping to commercialize on an individual's exploits and popularity. Unfortunately, familiarity with the concept of these endorsements and those hoping to capitalize on the notoriety of high school athletes are all too frequently adopted by local or regional businesses and organizations.

School administrators, coaches, parents, student-athletes, businesses and organizations must all be aware of amateur status provisions and its impact on high school students' athletic eligibility. The member schools of the WIAA have approved the amateur status provisions listed in its Rules of Eligibility, which are made available to schools in the membership Handbook and the Rules at a Glance information provided each year, as well as to anyone who has access to the Internet on the WIAA Web site (www.wiaawi.org).

The membership's regulations state that a student shall be an amateur in all sports sponsored by the Association in order to compete in any sport. It also states all students shall become ineligible for all further participation in the school's interscholastic program for violation of any of the amateur status provisions. With high school career-ending ramifications, amateur status regulations must be understood and carefully monitored.

Student-athletes are in violation of the members' amateur status rules if they:

- 1) *...accept, receive and/or direct to another, reimbursement or award in any form of salary, cash, merchandise of any kind or amount, or share of game or season proceeds for achievement in athletics. A student may not receive such merchandise items as shirts, jackets, sweaters, sweatshirts, jerseys, warm-ups, equipment, balls, duffel bags, backpacks, watches, rings, billfolds, coupons, gift certificates, e.g., regardless of their value.*
- 2) *...sign a contract or agreement for services as a participating athlete.*
- 3) *...receive compensation or benefit, directly or indirectly, for the use of name, picture, and/or personal appearance as an athlete. This includes but is not limited to: receiving free and/or reduced rates on equipment, apparel, camps/clinics/instruction and competitive opportunities that are not identical for all other participants. In addition, student-athletes and parents must pay all costs associated with attending camps and/or clinics.*
- 4) *...are identified as an athlete, provides endorsement as an athlete, or appears as an athlete, in the promotion of a commercial/advertisement and/or profit-making event, item, plan or service.*
- 5) *...play in any contest (school or nonschool) under a name other than his/her own name.*

Amateur status penalties may be reduced upon request of a school on the basis of documented extenuating circumstances, when accompanied by evidence of complete restitution made by the athlete if the circumstance is applicable.

Student-athletes, as well as parents, are required to read and sign the Athletic Eligibility Information Bulletin, acknowledging their familiarity with the membership's rules and regulations.

The consent of the student-athlete and the student-athlete's parents should be required before any third party (recruiters, club teams, fitness centers, businesses and organizations) uses a student-athlete in any form of publicity.

There have been instances whereby a business or organization--without knowledge or permission of the school or individual--uses the likeness of student-athletes in order to capitalize on the student-athlete's popularity, which creates a violation. The most heart-wrenching application of the member's rules and subsequent sanctions on the school or individual for a violation occurs when a business or organization exploits a student-athlete without the student-athlete, parent or school having knowledge of the action.

The three most common considerations of a student having been identified as a student-athlete are by text or spoken word, by apparel and by props. Apparel does not necessarily apply to just the school's uniform to convey the student is an athlete. The advice and best practice the Executive Staff can offer is to use young adults such as recent graduates who have no high school eligibility remaining.

A second option, but less preferred, is to use younger/pre-high school students who may not yet be subject to WIAA membership provisions.

Another best practice recommendation is to simply use actors; students who are not athletes at all. That provides far greater liberties. It is considered best practice because of the numerous experiences the membership has encountered where one promotion stimulates another with a neighboring business that does not consider the precautions nor does it understand or have knowledge of the membership's amateur status regulations.

Compliance and familiarization of amateur status rules--and the consequences of violations-- requires continued efforts by the membership to educate student-athletes and their parents.