



## MEMORANDUM

March 23, 2012

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TO: Men's Ice Hockey Student-Athletes with Remaining Eligibility.

FROM: Steve Duffin, Associate Director of Enforcement\*

SUBJECT: Information Regarding the 2012 National Hockey League (NHL) Draft, Agents, and Tryouts.

We understand that you may have remaining intercollegiate eligibility, but are also eligible to be drafted in the upcoming 2012 National Hockey League (NHL) Draft scheduled for June 22 and 23. To assist you in making the best possible decision, the following document has been developed to help you sort through some of the issues that you, your parents and your institution may confront.

You will attempt to gauge your readiness for competition at the next level through a variety of methods, including tryouts with professional teams and you will undoubtedly rely on a number of individuals to assist in the decision-making process.

At the end of this process, you may in fact reach the conclusion that it is not in the best interest to pursue a professional career at this time, but rather to continue athletics participation at the intercollegiate level while pursuing your academic degree.

Involvement in activities during this process can affect your intercollegiate eligibility. The following information is designed to help you protect your eligibility while you "test the waters."

### **Key Dates and Information:**

NHL Scouting Combine (by invitation only): TBD  
NHL Draft (Pittsburgh, PA): June 22 and 23, 2012

N a t i o n a l C o l l e g i a t e A t h l e t i c A s s o c i a t i o n

*An association of over 1,200 members serving the student-athlete*  
Equal Opportunity/Affirmative Action Employer

**Frequently Asked Questions:**

1. *Who is eligible for the NHL Draft?*

NHL Collective Bargaining Agreement § 8.4

All players age 18 or older are eligible for claim in the Entry Draft, except:

- (1) a Player on the reserve list of a club, other than as a tryout;
- (2) a Player who has been claimed in two prior Entry Drafts;
- (3) a Player who previously played in the [National Hockey] League and became a free agent pursuant to [the NHL Collective Bargaining] Agreement; a Player age 21 or older who: (A) has not been selected in a previous Entry Draft and (B) played hockey for at least one season in North America when he was age 18, 19, or 20 and shall be eligible to enter the [National Hockey] League as an Unrestricted Free Agent pursuant to [the NHL Collective Bargaining Agreement]; and
- (4) a Player age 22 or older who has not been selected in a previous Entry Draft and shall be eligible to enter the [National Hockey] League as an Unrestricted Free Agent pursuant to [the NHL Collective Bargaining Agreement].

2. *What if I was not signed by an NHL team?*

A player not signed by his NHL team within two years of being drafted can re-enter the draft, as long as he is 20 years old or younger at the time of the subsequent draft. Players over 20 become unrestricted free agents.

NCAA players are an exception: In most instances, an NCAA student-athlete or someone who becomes an NCAA student-athlete in the sport of men's ice hockey prior to June 1 after being drafted in the NHL Draft will have his contract rights retained by his drafting club until August 15 following the graduation of his college class as long as he remains in school. Even if that drafted student-athlete were to leave school before his class graduates, his drafting club would hold rights to sign him until June 1 of the year four years after he was drafted.

NHL Collective Bargaining Agreement § 8.6(c)(i)-(ii)

If a Player drafted at age 18 or 19 is a bona fide college student at the time of his selection in the Entry Draft, or becomes a bona fide college student prior to the first June 1st following his selection in the Entry Draft, and remains a bona fide college student through the graduation of his college class, his drafting Club shall retain the exclusive right of

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negotiation for his services through and including the August 15th following the graduation of his college class....[If he] does not remain a bona fide college student through the graduation of his college class, his drafting Club shall retain exclusive rights for the negotiation of his services until the fourth June 1st following his selection in the Entry Draft.

3. *Can my college coach assist with the arranging and scheduling of a professional team workout/tryout on or off campus during the academic year?*

**YES!** It would be permissible for a student-athlete's institutional coach to assist in the arranging for a student-athlete to engage in a professional tryout that occurs on or off campus; however, it would not be permissible for a coach to assist in conducting or be present at such workouts/tryouts.

4. *Can NHL teams pay for my private workouts/tryouts?*

**YES!** You may tryout with an NHL team during the academic year if you are enrolled full-time as long as you do not miss class. You may receive actual and necessary expenses from the NHL team in conjunction with one 48-hour tryout per team. The 48-hour tryout period begins when you arrive at the tryout location. At the completion of the 48-hour period you must depart the location of the tryout immediately in order to receive transportation expenses.

5. *Can I attend the NHL Scouting Combine?*

**YES!** If you are invited to participate in the scouting combine you may attend and may accept actual and necessary travel, and room and board expenses from the NHL to attend the NHL scouting combine, regardless of the duration of the combine.

6. *Can any other individual (e.g., agent, runner, or "advisor") pay for my private workouts/tryouts with NHL teams?*

**NO!** Unless an NHL team pays for your expenses in conjunction with a private workout or tryout, you and your family are responsible for paying all expenses associated with any tryouts as they are incurred.

7. *Can I pay for my own private workouts/tryouts with NHL teams?*

**YES!** A tryout may extend beyond 48 hours if the individual self-finances additional expenses, including return transportation. A self-financed tryout may be for any length of time, provided you don't miss class.

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8. *What is an "agent" according to NCAA rules?*

An individual would be considered an "agent" if the individual markets your hockey skills to, or negotiates on your behalf with, any NHL team or other professional teams (e.g., contact NHL teams to discuss your skills, set up tryouts with NHL teams, etc.).

9. *Am I allowed to have any type of agreement with an agent?*

**NO!** You are not permitted to have a written or oral agreement with an agent, or anyone who is employed by or acting on behalf of an agent or sports agency (i.e., "runner").

10. *What is an "oral agreement" with an agent?*

An oral agreement occurs if you verbally agree to have an agent perform any services (e.g., providing any expenses related to tryouts, arranging disability insurance, etc.) on your behalf OR you have knowledge that an agent is performing such services.

11. *Is an agent allowed to contact teams on my behalf to arrange private workouts or tryouts?*

**NO!** You cannot have an agent arrange a private workout/tryout with an NHL team.

12. *Can my family members or other individuals who are associated with me as a result of playing hockey (e.g., high school coach, nonscholastic coach, etc.) have an agreement with an agent to perform services on my behalf?*

**NO!** Family members and other individuals are not permitted to enter into any agreements with an agent on your behalf.

13. *Am I allowed to have an agreement with an agent if it is for future representation?*

**NO!** You are not permitted to agree to a future representation agreement with an agent.

14. *Is an agent allowed to provide me any benefits?*

**NO!** You, your family, or your friends are not permitted to receive any benefits from an agent. Examples of material benefits include money, transportation, dinner, clothes, cell phones, jewelry, etc. However, benefits may also include, but are not limited to, activities such as tryout arrangements with a professional team and coordinating tryout schedules.

15. *Am I permitted to have an advisor during this process?*

**YES**, provided the advisor does not market you to NHL teams. However, it is not permissible for the advisor to contact teams on your behalf to arrange private workouts or

tryouts. (*Note: If you receive assistance from an advisor, you must compensate the advisor in an amount equal to the value of the services he or she provides you; furthermore, you may not receive such services at a free or reduced rate without jeopardizing your eligibility, regardless of whether the advisor does not typically charge clients for such services.*)

**16. Can an institution cancel my athletics scholarship if I have an agreement with an agent?**

**YES!** An institution is permitted to rescind your athletics scholarship if you have an agreement with an agent.

**Four Points to Remember:**

You will lose your eligibility *IF*:

1. You agree orally or in writing to be represented by an agent or any individual acting on behalf of the agent [e.g., runner].
2. You accept any benefits from an agent, a prospective agent or any individual acting on behalf of the agent [e.g., runner].
3. If you participate in a tryout with an NHL team that lasts longer than 48 hours, which you have not personally financed.
4. If you tryout with a professional team during the academic year and miss class.

**Helpful Tips:**

- You should keep your head coach and compliance coordinator informed of all activities during this process.
- Be careful who you associate with during this process. Do it all yourself or work through your head coach. You may receive the assistance of your family members, provided they are not working with any individual who is marketing your athletic ability (e.g., contacting NHL teams).
- If you do not have knowledge of who arranged your tryout, you have a responsibility to find out who did.
- You should remain in school and complete your academic courses while you "test the waters."
- If you have questions regarding this information, please contact Steve Duffin, NCAA associate director of enforcement, at 317/917-6029 or [sduffin@ncaa.org](mailto:sduffin@ncaa.org).

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**SIGNATURE:**

**Please sign your name and date below, which confirms that you have reviewed and understand this form and the information contained therein. I understand that if I am found to be in violation of the provisions of any of the information mentioned above, I may be declared ineligible for further intercollegiate competition.**

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Student-Athlete Signature

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Date

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Printed Name

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Institution

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Head Coach

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Date

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Compliance Officer

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Date

SMD:hlc

\* The substantive text in this document borrows heavily from previous versions of this annual document. The primary authors were Rachel Newman Baker, NCAA Managing Director of Enforcement, and, Steve Mallonee, Managing Director of Membership Services.