

## Educational Column - 1 Educational Column

### Title:

International Promotional Activities (II)

### Item Ref: 1

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NCAA Division II institutions should note that pursuant to NCAA Bylaw 12.5.1.1-(e), a student-athlete may accept actual and necessary expenses related to participation in permissible promotional activities. An institution, conference, charitable, educational or nonprofit agency may provide actual and necessary expenses related to participation in such activities. It is permissible for student-athletes to receive actual and necessary expenses to participate in a permissible promotional activity, regardless of the location of the activity. Therefore, the activity is permitted to occur in a country other than the country where the institution is located.

Pursuant to Bylaw 13.02.1, a community engagement activity is an activity in which a member institution participates for the primary purpose of enhancing the community, rather than benefiting or promoting the institution. The Interpretations Subcommittee of the NCAA Division II Legislation Committee confirmed that for the purposes of applying the community engagement legislation, any area in the country where the institution is located (the United States for United States institutions or Canada for Canadian institutions) can be considered a community. Consequently, a community engagement activity is not permitted to occur in a country other than the country where the institution is located.

Due to confusion regarding the application of the institutional promotions and community engagement legislation, the following questions and answers are designed to assist the Division II membership with the application of legislation regarding international promotional activities.

**Question No. 1:** What expenses and other benefits may be provided to a student-athlete for participation in international promotional activities?

**Answer:** A student-athlete is permitted to receive not more than actual and necessary expenses directly related to participation in such activities. Expenses may include but are not limited to: lodging, meals and transportation.

**Question No. 2:** If a student-athlete participates in an international promotional activity, is there a limited time period in which it is permissible for the student-athlete to receive actual and necessary expenses?

**Answer:** Yes, the provision of actual and necessary expenses is limited to the time period in which the student-athlete is participating in the promotional activity. It is not permissible for an institution, conference, charitable, educational or nonprofit organization to provide expenses beyond and not directly related to a student-athlete's participation in the designated promotional activity.

**Question No. 3:** If an entire team participates in an international promotional activity, may the team practice or engage in outside competition within the locale of the promotional activity?

**Answer:** No; however, an institution may participate in promotional activities in conjunction with a certified foreign tour, provided the conditions set forth in Bylaw 17.28.1 are met.

[References: NCAA Bylaws 12.5.1.1 (institutional, charitable, educational or nonprofit promotions), 13.02.1 (community engagement activity), 17.28.1. (institutionally certified tours)]

### References

Legislative References			Other
Div.	Number	Title	References Educational Columns: 0
II	17.29.1	Institutionally Certified Tours.	Educational Columns: 0
II	12.5.1.1	Institutional, Charitable, Educational or Nonprofit Promotions.	Proposals: 0
II	13.02.1	Community Engagement Activity.	