

Student Services**MCCD/COM does not have AP 5700 but it is legally advised to have this procedure.**

CCLC 39 adds legally required language regarding student athletes' rights to earn compensation for their name, image, likeness, or athletic reputation. (Education Code Section 67456, as amended by Senate Bill 26). The Service also added a citation to California Community College Athletic Association Constitution and Bylaws. Mici 8-26-2022

Revised and approved with edits. Ryan B/Kinesiology 9-13-2022

Approved. Sadika/Student Services 9-20-2022

Approved. Nicole/Communications 9-28-2022

Revised. Mia/General Counsel 10-25-2022

Ryan B/Jonathan/SLS 10-26-2022

Communication - Need to clarify that the CCCAA forbids athletics scholarships for student athletes for member institutions. The section in scholarships and NLI is a little confusing considering that we aren't allowed to have athletics scholarships. That said, it is possible for a student-athlete to receive a scholarship that is not based on athletic ability. Ryan 1-19-2023

Approved. Mia/General Counsel 1-26-2023

To Academic Senate. 1-27-2023

AP 5700 INTERCOLLEGIATE ATHLETICS (NEW)**References:**

Education Code Sections 66271.6, 66271.8, 67360 et seq., 67456, and 78223;

20 U.S. Code Sections 1681 et seq.;

ACCJC Accreditation Standard II.C.4;

Community College Athletic Association (CCCAA) Constitution and CCCAA Bylaws

The District is a member of the California Community College Athletic Association (CCCAA) and is governed by the rules of the CCCAA constitution and bylaws. The District will provide an athletics program and physical education curriculum based on the most recent constitution and bylaws of CCCAA and conference(s) in which the District is a member.

The Athletics Department is committed to student-athlete academic success and shall monitor and track student-athlete academic performance.

The Athletics Department is committed to nondiscrimination and providing equitable opportunities, benefits, and resources to all students. This commitment promotes an atmosphere that is free from harassment or discrimination within all athletic program activities and classes.

Fundraising

Any fundraising activities conducted by a member of the Athletics Department must be approved in advance by the Athletics Director. All fundraising activities shall follow the procedures established by Administrative Services and shall comply with all applicable Board Policies, Administrative Procedures, and District protocols.

Name, Image, Likeness, and Athletic Reputation

Prospective Student Athlete: The District will not provide a prospective student athlete with compensation in relation to the athlete's name, image, likeness, or athletic reputation.

Student Athletes: The District will not prevent a student participating in intercollegiate athletics from either earning compensation as a result of the use of the student athlete's name, image, likeness, or athletic reputation, or from obtaining professional representation by duly licensed athletic agents or attorneys. However, a student athlete may not enter into a contract that provides compensation to the student athlete for their name, image, likeness, or athletic reputation if the contract conflicts with a provision of any team contract the student athlete has entered, if a team contract exists ~~the student athlete's team contract.~~

A student who enters into a contract providing compensation for use of the student's name, image, likeness, or athletic reputation must disclose the contract to ~~Athletic Director~~ ~~Director of Student Services,~~ ~~Kinesiology and Athletics.~~ If the District determines that a conflict between the student athlete's contract and the student athlete's team contract (if any) or an applicable Board Policy or Administrative Procedure, the ~~Athletic Director~~ ~~Director of Student Services, Kinesiology and Athletics~~ will disclose the conflict to the student or student's legal representative, if any, and identify the contractual provisions that conflict, ~~such as use of the District's logos, branding, graphic identity, or uniforms in association with NIL activities.~~ In association with name, image, and likeness (NIL) activities, ~~the student may not use the College's logos, branding, graphic identity, or uniforms, nor any other District resources, facilities, equipment, or intellectual property. in association with name, image, and likeness (NIL) activities.~~

Any team contract entered into, modified or renewed on or after September 1, 2021 will not prevent a student athlete from using their name, image, likeness, or athletic reputation for a commercial purpose when the athlete is not engaged in official team activities.

~~A student athlete's scholarship eligibility will not be impacted as a result of the student earning compensation for their name, image, likeness, or athletic reputation.~~

~~The District will not revoke a student athlete's scholarship that provides the student athlete with the cost of attendance as a result of the student athlete earning compensation or obtaining legal representation in accordance with state law.~~

~~The District will not revoke a student-athlete's scholarship, if any, that provides the student-athlete with the cost of attendance as a result of the student-athlete earning compensation or obtaining legal representation in accordance with state law.~~

~~Office of Primary Responsibility: Kinesiology and Athletics,~~ ~~Student Services,~~ ~~Student Activities and Advocacy, and Marketing and Communications~~

Date Adopted: