



# NCAA Allows Student-Athletes to Remain Eligible When Gauging NBA Career

February 1, 2016

Earlier this month, the National Collegiate Athletic Association (the “NCAA”) issued a rule change to allow student-athletes to test their draft status with the National Basketball Association (“NBA”) without losing their eligibility to play college basketball.

Starting this year, in order to maintain their amateur status and remain eligible to play college basketball, male student-athletes must remove their names from the NBA draft list at least ten (10) days after the final day of the NBA Draft Combine, a multi-day tryout usually held in mid-May where college basketball players have an opportunity to demonstrate their skills to NBA coaches and recruiters through sets of drills and medical exams.

The rule change pushes back the time that student-athletes have to withdraw from the draft by a significant period. Previously the student-athletes were required to withdraw their names from the NBA draft before the Combine in order to remain NCAA-eligible to play college basketball. In other words, prior to the rule change, student-athletes were required to remove their names from the draft the day before the spring signing period, which usually occurs in early April. This rule was originally adopted in response to college basketball coaches urging for an early deadline in order to know whether their players were leaving the team to join the NBA.

However, under the new rule, student-athletes now have up to 10 days after the NBA Draft Combine to remove their names from the draft list. (This past year the Combine was held May 13, 2015, through May 17, 2015. The 2015 NBA Draft was held on June 25, 2015. ) Male student-athletes are now permitted to attend the NBA Combine and participate in one NBA tryout before making their final decisions as to whether or not to remain NCAA eligible. With the deadline to withdraw from the draft pushed back, student-athletes can now come back to play college basketball if they are not satisfied with the results of NBA Combine instead of taking the risk of losing their eligibility to try out for the NBA at the Combine. As a result, College coaches will have to wait until late May to know whether they are getting the players back for the following season.

“The rule is a good idea because it provides men’s basketball student-athletes the opportunity to test their dream of going beyond the stage of amateurism into the professional level without completely sacrificing their collegiate career, should they find they are not as prepared as they had hoped for the next level,” said Cody McDavis, a member of the Division I Men’s Basketball Oversight Committee. “It’s really significant for guys who are going to get a better idea on where they stand,” said Charlotte Hornets coach Steve Clifford.

The NCAA rule change also allows male student-athletes to declare for the NBA draft in multiple years without risking their eligibility. The rule previously stated that a Combine player who declared for the draft twice would lose college eligibility. A student-athlete invited to the Combine will also be permitted to work out 20 hours per week and train with his college coach from the time he receives his invitation until the time he removes his name from the draft list. Again, prior to this new rule, players could only spend eight hours per week with their coaches in April and May.

“The cooperation between the NCAA, NBA, and NABC was vital to the success of this idea. We reached an excellent outcome that will undoubtedly benefit every group involved, most importantly the student,” said Dan Guerrero, chair of the Men’s Basketball Oversight Committee and athletics director at UCLA. “We all worked toward the same goal – providing students and their families with the opportunity to assess their future professional sports prospects in a realistic timeline. The rule change will allow students the chance to pursue their dreams while still preserving their ability to play collegiately” Guerrero said.

The NBA Draft Combine is May 11, 2016, through May 15, 2016, in Chicago. Pursuant to the new rule, student-athletes will have until May 25, 2016, to decide if they want to remain in the draft.

Institutions are advised to monitor changing federal and state laws, in addition to NCAA and local rules concerning student-athletes.

*If your institution has questions or concerns regarding employment or education-related issues, please contact James G. Ryan at [jryan@cullenanddykman.com](mailto:jryan@cullenanddykman.com) or at 516-357-3750.*

*Thank you to Garam Choe, a law clerk at Cullen and Dykman, for his help with this post.*