

# **THE NCAA's ADVERTISING AND PROMOTIONAL STANDARDS**

**October 17, 2005**

**(Update 1 - November 2006)**

## **Introduction**

The NCAA's advertising and promotional standards are designed to encourage those advertisements and advertisers that support the NCAA's ideals and exclude those advertisements and advertisers (and others who wish to associate with NCAA activities) that do not appear to be in the best interests of higher education and student-athletes.

Advertisements, advertisers and others associated with NCAA events (e.g., entities participating in NCAA championship fan fests) should be generally supportive of the NCAA's values and attributes, and/or not be in conflict with the NCAA's mission and fundamental principles.

In formulating these advertising and promotional standards, the NCAA reviewed the broadcast practices and standards documents of its primary television partners (i.e., the CBS Television Network Advertising Guidelines and the ESPN Domestic Commercial Guidelines). In some cases, the NCAA adopted specific standards from these guidelines. Overall, the NCAA recognizes that these network guidelines help to maintain and assure a standard of appropriate advertising on NCAA championship telecasts.

The NCAA will work with each of its business partners (including CBS and ESPN) in reviewing in advance advertisements (e.g., those that might be viewed as demeaning or in poor taste) or other questionable associations with the NCAA prior to the NCAA rendering a decision as to how these standards should apply in any given situation. The NCAA reserves the right to exercise flexibility as circumstances warrant.

## **Principles**

The NCAA strives to be associated with entities and messages that:

- Promote the NCAA's attributes: Learning, Balance, Character, Spirit/Passion, Community, and Fair Play.
- Champion the STUDENT-athlete, reflecting the integration and balance that student-athletes achieve every day between academics and athletics.
- Support diversity, gender equity, nondiscrimination, physical fitness, healthy behaviors, youth development, sportsmanship, ethical conduct, academic standards, student-athlete welfare and amateurism.
- Enhance the overall value of higher education.
- Project and enhance a consistent brand image and consistent public relations messages for the NCAA.
- Do not violate the fundamental principles and specific guidelines contained in this document.

Understanding the realities and challenges that commercial entities face in attempting to reach these objectives, the NCAA believes, at a minimum, that advertisements, advertisers and others who wish to be associated with NCAA events should not:

- Cause harm to student-athlete health, safety and welfare.
- Bring discredit to the purposes, values or principles of the NCAA.
- Negatively impact the best interests of intercollegiate athletics or higher education.

The NCAA reserves the right to disapprove any advertiser, advertisement or other association with the NCAA or its activities that in the NCAA's sole judgment violates the principles outlined above, which may be modified from time to time as part of the NCAA membership's continual review of Association policies and procedures.

### **Specific Examples**

The items below are intended to provide specific examples of topics and entities that are, and are not, permitted to be associated with the NCAA or its events (marked below as **Permissible** or **Impermissible**, respectively). These examples are not meant to be exhaustive but instead were chosen to illustrate the application of the NCAA's principles outlined above. Over the years, NCAA business partners have questioned these topics and entities, and as a result, these examples are intended to address the most likely questions. For specific items or areas not listed below, the principles outlined above will govern. In any situation in which there is any doubt about appropriateness or adherence to the standards contained herein, the NCAA, after gathering input from the involved parties, shall review the situation on a case-by-case basis to determine, in its sole discretion, approval or disapproval. All questions about items or areas not listed should be directed to the NCAA's managing director of strategic activation.

[NOTE: Certain words are boldfaced below only to aid in locating specific items.]

### **Health Related Products**

- **Hygiene-related products.** **P**
- Educational messages about the dangers of **sexually transmitted diseases** if done in a respectful manner. **P**
- **Health-related topics** or advertising, provided (1) such items are beneficial to one's physical or mental health and (2) all health-related and technical claims are supported by clinical or scientific evidence. **P**
- Federally approved **prescription drugs.** **P**
- **Sexual enhancement drugs** (e.g., ED drugs) that are federally approved, if no explicit descriptions of sexual side effects are used. **P** [NOTE: Television and radio ads containing such explicit language may be broadcast after 10 p.m. Eastern time.]

- **NCAA-banned substances\*** (e.g., stimulants, anabolic steroids, marijuana) and impermissible **Nutritional Supplements** that NCAA member institutions may not provide to student-athletes (e.g., creatine, amino acids, ginseng). **I** (\*Note: The list of NCAA-banned drug classes with examples substances is available at [http://www1.ncaa.org/membership/ed\\_outreach/health-safety/drug\\_testing/banned\\_drug\\_classes.pdf](http://www1.ncaa.org/membership/ed_outreach/health-safety/drug_testing/banned_drug_classes.pdf))

#### Individuals, Agencies and Organizations

- Most **cause-related** organizations or events (e.g., National Alliance of Breast Cancer Organizations) unless the cause endorses a controversial or unacceptable viewpoint. **P**
- **Professional** advertising (e.g., dentists, doctors, lawyers). **P**
- **Governmental** agencies. **P**
- Individuals, organizations or associations organized as a recognized **not for profit**, unless (1) the ad or association endorses a political candidate or party, or (2) the ad or association advocates a viewpoint on controversial issues of public importance. [Sub-items (1) and (2) do not apply to television and radio advertising inasmuch as Federal rules/laws and networks' broadcast practices and standards take precedence in regard to political ads and controversial topics, respectively.] **P**
- **Nightclubs**, pool halls and other establishments that include adult entertainment, gambling and the like. **I**
- **Public personalities** whose personas/images are inappropriate for NCAA audiences (e.g., those who promote hatred, misogyny or discrimination in their art). **I**
- Advocacy of viewpoints on **controversial issues** of public importance (e.g., religious beliefs, political beliefs). **I**

#### Sports Issues

- **Professional athletes** or others connected with **professional athletics**, provided there are no explicit promotional references to professional teams, leagues or events. **P** [Note: This standard does not apply to a broadcast entity's tune-ins or promos for its upcoming programming that involves a professional team/event.]
- **Sports camps/clinics** (both private as well as those affiliated with a university), provided no recruiting service is promoted. **P**
- **Sports wagering**. **I**
- Organizations or companies primarily involved in **gambling** or gaming business activities (e.g., publications, Web sites, products, services). This includes casinos, horse/dog racing tracks, off-track betting and state-run lotteries. **I**
- Names, pictures or likenesses of currently **eligible NCAA student-athletes**, unless specifically authorized by the NCAA and appropriate releases have been obtained. **I**
- **Athletics recruiting services**. **I**

Children/Youth Protection

- **Child-directed** topics or advertising, with the understanding that all applicable laws are met. **P**
- Firearms, ammunition, and other **weapon**-related items. **I**
- Gratuitous **violence** of any kind, including ads depicting reckless, disorderly or destructive fan behavior. **I**
- Material that is defamatory, **obscene**, profane, vulgar or otherwise considered socially unacceptable or offensive to the general public. **I**
- Overt and demeaning portrayal of males and/or females as **sexual objects**. **I**
- Depiction of any student-athlete subgroup in a **degrading, demeaning or disrespectful** manner. **I**
- Promotions for **motion pictures, television programming or interactive games** that are rated "NC-17 (formerly "X") or their television/interactive game equivalents. **I**

Alcohol and Tobacco

- **Anti-smoking, anti-drinking** or **anti-tobacco** activities or items. **P**
- **Malt beverages, beer and wine** products that do not exceed six percent alcohol by volume, provided:
  - (i) such advertisements do not compose more than 14 percent of the space in the NCAA publication (e.g., game program) devoted to advertising or not more than 60 seconds per hour of any telecast or broadcast (either a single 60-second commercial or two 30-second commercials) or more than one hundred twenty (120) seconds total in any telecast or broadcast;
  - (ii) such advertisements or advertisers incorporate "**Drink Responsibly**" educational messaging \*, and
  - (iii) the content of all such advertisements is respectful (e.g., free of gratuitous and overly suggestive sexual innuendo, no displays of disorderly, reckless or destructive behavior) as determined by the NCAA on a case-by-case basis. **P**

\* (1) For television and radio, there is flexibility as to how the advertisement or advertiser can provide the "Drink Responsibly" messaging. The NCAA will review and determine on a case-by-case basis what is considered an adequate level of such messaging, which should be commensurate with the following general standard: a voice-over and/or super (on-screen text) of at least 3 seconds in a 30-second commercial; or a minimum of 5 seconds in a 60-second commercial). (2) For radio, consist of a voice-over for a minimum of 3 seconds for a 30-second commercial or 5 seconds for a 60-second commercial. (3) For print or Internet, acceptable "Drink Responsibly" messaging, at a minimum, must consist of text and/or graphics so as to make the tag easily legible in

## THE NCAA ADVERTISING AND PROMOTIONAL STANDARDS

Page No. 5

---

relation to other text in the ad. [It is recommended that all proposed tags be submitted for NCAA review in each case, regardless of TV, radio, print or Internet.]

- **Alcoholic beverages** (except as specified above). I
- Companies primarily involved in the manufacture or sale of **tobacco** or tobacco-related products/services. I

### Legal/Technical

- **False**, unsubstantiated or unwarranted claims for any product or service, or any unauthenticated testimonials. I
  - Ambiguous, misleading or **deceptive** statements. I
  - Terms or implications that the NCAA, its member institutions/conferences, or the faculties, employees or students of such member institutions/conferences recommend, **endorse** or certify any product or service, or are employed or engaged by the commercial entity. I
  - Any act or anything contradicting or in any way impairing or tending to impair the NCAA's **exclusive right**, title and interest in and to NCAA Marks. I
  - **Infringements** or violations of any law, agreement or other rights of any kind whatsoever, of any person or entity including, without limitation, rights affecting copyright, patent, trademark, unfair competition, contract, defamation, privacy and/or publicity. I
  - Attacks or other **disparagements** of the NCAA or its members. I
  - Unless proper authorization exists, **NCAA marks and logos** (e.g., March Madness, Big Dance, Final Four, the names of NCAA championships) and NCAA championship brackets, including ambush marketing that impairs NCAA rights and goodwill through an improper association. I
- [NOTE: NCAA marks available for use by authorized entities, with prior approval, can be found at <http://www1.ncaa.org/eprise/main/Public/CBA/Trademarks.html>]
- For championship **game programs ads**, any products or services that are competitive with those product/service categories of NCAA corporate champions (i.e., currently, Coca-Cola, General Motors/Pontiac and Cingular). I

### Process

The NCAA president shall have the authority to rule in cases where doubt exists concerning acceptable advertisers and/or advertisements associated with NCAA championships and other NCAA related activities.

The NCAA staff will carry out the president's authority over these standards on a day-to-day basis. The senior vice-president for basketball and business strategies will consult with other

THE NCAA ADVERTISING AND  
PROMOTIONAL STANDARDS  
Page No. 6

---

NCAA staff in the area being affected (e.g., brand management staff, championships staff to the extent the advertising is to be placed during the broadcast of NCAA championships) before making the final decision. The managing director of public and media relations, as well as in-house counsel, will be consulted, as necessary, before communicating final decisions.

The NCAA will not apply any substantive changes to its advertising and promotional standards without proper notice to its business partners, and only then shall be effective at the beginning of the next academic year (i.e., September 1).