

#NILBRASKA

UNIVERSITY OF NEBRASKA-LINCOLN NAME, IMAGE & LIKENESS POLICY AS OF OCTOBER 1, 2021

NAME, IMAGE & LIKENESS POLICY

Student-athletes may receive compensation for the use of their name, image or likeness (NIL) in **noninstitutional** activities.



"Noninstitutional NIL Activities"

are activities not associated with or hosted by the University.

? For questions regarding...

the University of Nebraska's NIL Policy, please review the FAQ resources or contact Associate Director of Compliance, Jonathan Bateman (jbateman@huskers.com).

A STUDENT-ATHLETE SHALL NOT RECEIVE COMPENSATION FOR:

- Athletics performance or participation -OR-
- As an inducement for enrollment at the institution

UNIVERSITY MARKS, LOGOS, UNIFORMS & FACILITIES USE

Student-athletes are prohibited from using University of Nebraska **intellectual property** in NIL activities. Intellectual property includes, but is not limited to, the University of Nebraska marks and logos; University of Nebraska **facilities**; all aspects of uniforms, gear and apparel; photos, videos and highlights containing University of Nebraska marks or logos. Exceptions to this policy are:

- Marks or logos used by a third-party in NIL activities, provided the third-party is an existing University of Nebraska partner holding "use of marks" privileges
- **Group licensing** opportunities through The Brandr Group
- Marks or logos used in social media avatars, provided a third-party unaffiliated with the University is not also featured
- Student-athlete competition photos used for individual autograph signings
- Marks or logos used for the promotion of student-athlete camps or clinics, provided a third-party unaffiliated with the University is not also featured
- Apparel produced through a **University licensee** that is pre-approved by the University of Nebraska Licensing department



"Intellectual Property"

or IP, refers to intangible creations or designs owned by the University. Examples of IP include the Nebraska "N", Herbie the Husker and the appearance of Memorial Stadium and those outlined in the Athletics Brand Guide.



"Facilities"

are all locations spaces and buildings, indoors and outdoors, which are University owned. Facilities are not allowed for use in NIL activities unless they are rented from the University, as outlined below.



"Group Licensing"

is the act of multiple players agreeing in unison to a NIL deal. Examples of group licensing include jersey sales, video game appearances and trading card creation.



"University Licensee"

is an authorized company granted permission by Nebraska Athletics to manufacture and distribute products bearing the intellectual property of the University of Nebraska.

? For questions regarding...

the use of IP, please review the Athletics Brand Guide (licensing.unl.edu/unl-branding) or contact Director of Licensing & Branding, Lonna Henrichs (licensing@unl.edu).

! Call to action...

for businesses or entities interested in acquiring "use of marks" privileges, please contact General Manager, Jason Rathe (jrathe@huskers.com).

UNIVERSITY FACILITY RENTALS

Student-athletes will only be allowed to use University facilities for NIL activities through an executed **facility use agreement**. Associated rental fees and waiver of liability agreements will be coordinated with the corresponding contacts below.



"Facility Use Agreement"

in order to rent a University facility, a student-athlete must complete the proper paperwork in advance of the event taking place. A best practice would be to confirm a facility use agreement before organizing any other details of the event.

? For questions regarding...

or to request the rental of University of Nebraska facilities or spaces, please contact the following:

Athletic Facility Rentals:

Associate AD - Event Management, Matt Davidson (mdavidson@huskers.com)

Campus Rec, Cook Pavilion and/or the Vine Street Fields:

Assistant Director of Reservations & Events, Carrie Jackson (cjackson2@unl.edu)

Nebraska Union and/or Other Outdoor Campus Spaces:

Assistant Director for Facility & Event Services, Sally Pfeiffer (spfeiffer1@unl.edu)

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UNIVERSITY INVOLVEMENT

The University will provide **education and guidance** to student-athletes in support of their noninstitutional NIL activities, but will not develop, operate, negotiate, or promote noninstitutional NIL activities for student-athletes.

"Education and Guidance"

are provided by the University in the form of the NILbraska initiative, with programs including "Ready Now" from Opendorse, "Accelerate" from the College of Business and "Husker Advantage" from the Life Skills department.

For questions regarding...

the College of Business Accelerate campus program, please contact Assistant Professor of Practice in Management, Joe Petsick (jpetsick2@unl.edu).

PROFESSIONAL SERVICE PROVIDERS / REPRESENTATION

Student-athletes may secure representation, only for NIL and not for future professional athletic contract negotiations. A **professional service provider** representing a student-athlete for purposes of securing compensation for the student-athlete's NIL must be licensed as required by the State of Nebraska.

"Professional Service Provider"

is someone who offers to help with the specifics of a NIL deal. Examples of professional service providers include, but are not limited to, lawyers, attorneys, NIL agents, financial advisors and marketing reps. Assistance on NIL deals can be given from an immediate family member such as a parent.

For questions regarding...

the certification of Athlete Agents, please visit the Nebraska Secretary of State Athlete Agent webpage (sos.nebraska.gov/licensing/athlete-agents).

EVALUATION OF PROFESSIONAL SERVICE PROVIDERS

Upon request from the student-athlete, the University may provide education and guidance on **best practices** for evaluating professional service providers.

"Best Practices"

may come in the form of keywords to recognize in agent agreements, compliant agreement end dates or insights on industry standard agent rates.

For questions regarding...

the evaluation of professional service providers, please contact Associate Director of Compliance, Jonathan Bateman (jbateman@huskers.com).

ATHLETIC AND ATHLETICS RELATED ACTIVITIES

Student-athletes may not promote or receive compensation for NIL activities while participating in athletic and **athletics related activities**. Such activities include, but are not limited to, the following:

- **Practice and competition**
- Compliance meetings
- Organized team promotional activities
- Recruiting activities (including student-host duties)
- Media activities (including **press conferences**)
- Fundraising events
- Community service events
- Team-building activities
- Travel to and from **away-from-home competition**

"Athletics Related Activities"

are scheduled activities which student-athletes attend, either by choice or by requirement, outside of practice and competition.

"Practice and Competition"

this time period covers the time you have to report for practice, scrimmage, or competition until you are released by your sports program and have departed the athletic facility.

"Press Conferences"

are times in which you cannot perform or promote a NIL activity. Press conferences include, but are not limited to, post-game interviews coordinated by the University.

"Away-from-Home Competition"

include any off-campus game or competition which the University is providing your transportation to. Examples of this include flights for NCAA Championships and bus rides for Big Ten competitions.

For questions regarding...

the time in which a NIL activity will take place, please contact Associate Director of Compliance, Jonathan Bateman (jbateman@huskers.com).

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PROHIBITED CATEGORIES

Student-athletes may not participate in NIL activities or enter into agreements regarding NIL that: (a) conflict with existing **institutional sponsorship** agreements; (b) extend beyond the student-athlete's participation in an athletic program at the University; (c) involve the sale or exchange of awards or any other item received for athletics participation, including, but not limited to, apparel, equipment, shoes, or uniform; (d) involve compensation from the University or University employees; (e) provide compensation for work not performed; or (f) involve businesses, products, or services within specific categories that conflict with the University's values or would in any manner disparage or reflect adversely on the University. Specific prohibited categories include:

- *Gambling/sports wagering vendors*
- *CBD, beer/wine/spirits, tobacco*
- *Illegal substances or activities*
- *Adult entertainment*
- *Any vendors associated with athletic performance enhancing drugs*



"Institutional Sponsorships"

include, but are not limited to, Adidas, CHI Health, First National Bank of Omaha (FNBO), Hy-Vee and Pepsi.



"Illegal Substances or Activities"

are banned under Federal or State law. Additionally, any NIL activities involving substances found on the NCAA's banned substance list are prohibited.



"Adult Entertainment"

is any business engaged in the sale, rental, or exhibition for any form of consideration of adult entertainment that is characterized by an emphasis on the exposure or display of sexual activity. Examples of adult entertainment include exotic dancing and pornography.



For questions regarding...

the general permissibility of a NIL activity, please review the FAQ resources or contact Associate Director of Compliance, Jonathan Bateman (jbateman@huskers.com).

INTERNATIONAL STUDENT-ATHLETES

To protect against any immigration issues, **international student-athletes** should not enter into any NIL agreements without first discussing the opportunity with an International Student and Scholar Office (ISSO) staff specialist.



For questions regarding...

the NIL opportunities for international student-athletes, please contact an ISSO staff specialist (isso@unl.edu).

STUDENT-ATHLETE EDUCATION

Life Skills will provide student-athletes with financial literacy, brand building and educational workshops specific to NIL.



For questions regarding...

the Life Skills Husker Advantage program, please contact Assistant Director of Life Skills/PEO Director, Tom Lemke (tlemke@huskers.com).

DISCLOSURE POLICY

A student-athlete shall **disclose information** and details of all noninstitutional NIL activities. In order to avoid conflicts with existing University agreements, student-athletes are encouraged to disclose such activities at least five (5) days prior to the execution of any NIL agreement to the athletic department; but in any event, disclosure shall be made within five (5) days after execution of such agreement. Student-athletes will be required to disclose information via Opendorse Monitor or other University-designated location.



For questions regarding...

the disclosure of NIL activities in the Opendorse app, please contact Opendorse staff via the Help Center located in the app or online at <https://help.opendorse.com>.



"International Student-Athlete"

is a non-United States citizen currently attending the University on a student Visa. While the student-athlete may engage in NIL activities in their home country, there are limitations on all forms of employment and compensation for visitors on United States soil.



"Educational Workshops"

hosted throughout the academic year by Life Skills, the Husker Advantage program is organized to provide real-life education on NIL.



"Disclose Information"

are details, including, but not limited to, information related to involved third-party individuals or entities, activities provided, compensation arrangements, and professional service provider details, if applicable.

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NEED-BASED FINANCIAL AID

Need-based financial aid could be impacted based on compensation from NIL activities.



"Need-Based Financial Aid"

is money received to pay for college based on certain eligibility requirements. Examples of need-based financial aid include Pell Grants, work-study, and subsidized direct student loans.



For questions regarding...

the impact of NIL income on need-based financial aid, please contact the UNL Office of Scholarships and Financial Aid (huskerhub@unl.edu).

The University of Nebraska is not responsible for any tax liabilities or other costs student-athletes incur as a result of their choice to engage in NIL activities.

The University of Nebraska reserves the right to adjust these policies at any time based on institutional or NCAA policy changes or changes in applicable laws, rules or regulations. Changes will be communicated through the University of Nebraska Athletics Compliance Office. The application of this policy in no way creates an employment relationship between the University and any student-athlete.