



NAME, IMAGE & LIKENESS (NIL)

Quicksheet for Booster/Donors & Fans

NCAA PROPOSALS

- * would allow Student-Athletes (SA's) to monetize their NIL with few restrictions, including how intellectual property of the institution can be used & what can be done during the time a SA is representing the institution and/or participating in practice activities
 - * would also allow prospective student-athletes (PSA) to participate in NIL activities
 - * would allow both SA's & PSAs to hire agents to represent them for NIL activities
- There is a possibility that the NCAA will have some sort of legislation in place by July 1, 2021

DISCLOSURE

SA's MUST disclose their NIL activities to the athletics compliance office. This is considered "work" or "employment" & must be monitored like everything else.

UTA will have a robust program to educate SA's in how to maximize the use of their NIL for compensation, as well as understanding associated issues (e.g. financial literacy, branding, time management).

CONTACT

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What is NIL?

NIL legislation will allow an SA to make money from using their name, image, or likeness. This may come in the form of partnerships with businesses (promotions on TikTok or tv commercials), running a sports camp, or creating a business. Right now, NCAA rules limit what activities and how SA's can monetize their NIL. This new legislation would open up many possibilities and honestly, allow student-athletes to be treated like "regular" students.

EFFECTIVE JULY 1, 2021

May I provide NIL-compensation to a prospective student-athlete (PSA)? No. The Texas State Law states "No individual, corporate entity, or other organization may: (1) enter into any arrangement with a prospective student-athlete relating to the prospective student-athlete's name, image, or likeness prior to their enrollment in an institution of higher education; or (2) use inducements of future name, image, and likeness compensation arrangement to recruit a prospective student-athlete to any institution of higher education." Generally, PSAs in Texas participate in competition governed by state athletics associations that have amateurism rules which prohibit a PSA from using his/her NIL for compensation.

May I provide an SA with any amount of compensation, at any time as long as it is in exchange for the use of the SA's NIL? No. The law restricts SA's from profiting from their NIL when they are engaged in team activities & prohibits compensation for their NIL based on SA's enrollment or attendance at UTA OR their athletic performance at UTA.

May an NIL contract stipulate that an SA must compete for, or attend, UTA (or any other NCAA member school)? No.

May UTA or its staff members assist me with arranging for UTA SA's to utilize their NIL for compensation with my business? No. UTA and its staff may not arrange for our SA's to participate in NIL contracts or activities; however we may forward information about legitimate NIL-opportunities to our SA's for their consideration.

May UTA's marks, logos or other institutional property be used in a proposed NIL-contract with a UTA SA (e.g. SA filming endorsement ad while wearing a UTA hat)? No. Texas state law prohibits SA's from earning NIL-compensation in exchange for property owned by UTA.

Are there any industries or products that SA's may not endorse? Yes. SA's CANNOT receive compensation in exchange for an endorsement of: Alcohol, Tobacco products, e-cigarettes, or any other type of nicotine delivery device, Anabolic steroids, Sports betting or casino gambling, A firearm the student-athlete cannot legally purchase, A sexually oriented business. SA's CANNOT enter into a contract if the contract conflicts with a team contract, institutional contract, department policy, or honor code of institution.

Texas State Law SB 1385