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I. PURPOSE

In accordance with Commonwealth of Pennsylvania state law on Student-Athlete Name, Image, and Likeness (“NIL”), student-athletes (“SAs”) are permitted to receive compensation for use of their NIL under the following policy. 24 P.S. § 20-2001-M, et seq. requires universities to adopt a policy specifying name, image, or likeness activities in which SAs may or may not engage.

II. SCOPE

This policy applies to all prospective student-athletes (“PSAs”), SAs, and all representatives of the University including faculty, staff, coaches, as well as donors and others associated with the University. The scope of the policy extends to NIL contracts and business opportunities and does not extend to future athletic contracts.

III. DEFINITIONS

NIL Activity - any activity that involves the use of an individual’s name, image likeness or appearance to advertise or endorse the sale or use of a commercial product or service. Name, image and likeness activity is also any activity that involves the use of an individual’s name, image, likeness or appearance to support noncommercial (e.g., charitable, educational, nonprofit) entities or endeavors, or in activities considered incidental to the individual’s participation in intercollegiate athletics.

Examples of how intercollegiate athletes may be able to use their NIL (not an exhaustive list), depending on the law in their state of residence, Pennsylvania law, NCAA Rules, and Conference Rules:

- Promote their own business
- Promote a corporate entity (e.g., brand ambassador, social media influencer)
- Establish their own camp/clinic
- Make an appearance at any location and receive compensation
- Sign autographs and receive compensation

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- Sell photographs and videos of themselves
- Noncommercial (e.g., charitable, educational, non-profit) entities or endeavors
- Activities considered incidental to the individual's participation in intercollegiate athletics

NIL Clearinghouse - also known as NIL GO, the NIL Clearinghouse is an online portal utilized by the College Sports Commission to determine whether third-party NIL deals are made with the purpose of using a SA's NIL for a valid business purpose and do not exceed a reasonable range of compensation.

Associated Entity - an entity that (a) exists in significant part for the purposes of promoting or supporting the institution's intercollegiate athletics program or SAs and/or creating or identifying NIL opportunities solely for the institution's SAs; (b) assists in the recruitment or retention of SAs or PSAs; or (c) an entity owned, controlled, or operated by, or otherwise affiliated with an Associated Individual or an Associated Entity, other than a publicly traded corporation.

Associated Individual - an individual who (a) is or was a member, employee, director, officer, owner, or agent of an Associated Entity; (b) directly or indirectly has contributed more than \$50,000 during the individual's lifetime to an institution or to an Associated Entity; or (c) has assisted in the recruitment or retention of SAs or PSAs.

Representatives of Athletics Interests- an individual, corporate entity (e.g. apparel or equipment manufacturer), or other organization that has made financial contributions to the athletic department or related athletics booster organization, assists in the recruitment of PSAs, has assisted or is assisting in providing benefits to enrolled SAs, or is otherwise involved in promoting the institution's athletic program.

IV. POLICY STATEMENT

It is permissible for SAs to engage in activities to monetize their NIL. With this opportunity comes a responsibility to comply with applicable law and policy and also to protect Villanova University's ("VU") mission and brand with integrity and respect.

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Institutional Role:

SAs will have the freedom to earn compensation for their NIL, subject to the limitations of Pennsylvania or other applicable state law, any enacted federal law, NCAA, Conference rules and VU policies.

Institutional support of NIL activities is subject to the requirements and limitations specified by current NCAA and Conference rules. The institution will educate SAs on NIL rules and shall be responsible for disclosing all Associated Entities or Associated Individuals to the NIL clearinghouse. Institutions are required to report institutional NIL payments through the benefits cap management system. Institutions are also required to notify the College Sports Commission of any SA's failure to report noninstitutional NIL contract or payment terms as required by NCAA rules and further detailed below.

Student-Athlete Role:

SAs may earn compensation for the use of their NIL, provided:

- The compensation does not violate NCAA or Conference Rules
- The arrangement does not violate the laws of the state where the student maintains residence or attends school.
- The arrangement does not conflict with institutional values, as further described below.
- The SA complies with all applicable disclosure and related requirements, as detailed below. The SA is responsible for the accurate submission of noninstitutional NIL contract or payment terms and shall be subject to any disciplinary action initiated by the College Sports Commission, including loss of eligibility.

Disclosure:

SAs shall report all noninstitutional NIL contracts or payment terms, including those involving Associated Entities or Associated Individuals, with a total value of \$600 or more to the NIL Clearinghouse for review. If an SA enters into multiple agreements or receives multiple payments with the same or substantially the same third party, such activities must be reported if the aggregate value is \$600 or more during the SA's period of eligibility.

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The information provided must adhere to current NCAA rules regarding NIL Activity disclosure. SAs shall submit written documentation to the NIL Clearinghouse within five business days of execution of a noninstitutional NIL contract or agreement to payment terms.

For agreements with Associated Entities or Associated Individuals, the agreement or payment terms, as determined by the NIL Clearinghouse, must be for a valid business purpose related to the promotion or endorsement of goods or services provided to the public for profit, with compensation at rates and terms commensurate with compensation paid to similarly situated individuals with comparable NIL value who are not PSAs or SAs of the institution.

SAs shall attest to the following when disclosing noninstitutional NIL contracts or payments to the NIL Clearinghouse:

- The NIL contract or payment terms as submitted is accurate and complete;
- SA obligations and noninstitutional payment details are included in the written documentation;
- The written documentation of the actual NIL contract or payment terms has been uploaded; and
- SA obligations will be or are intended to be performed during the annual reporting period.

PSA's, including high school, two-year college and four-year college transfers are required to disclose noninstitutional NIL contracts or payment terms not later than either fourteen days after initial full-time enrollment at VU or prior to VU's first scheduled contest against outside competition in the PSA's sport, whichever occurs first. High school and two-year college transfers must report noninstitutional NIL contracts or payments of \$600 or more that have been executed or agreed upon from the first day of classes of the PSA's junior year in high school or the date of initial enrollment at a two-year college. Four-year transfers must report all noninstitutional NIL contracts or payment terms with compensation of \$600 or more that have been executed from the date in which the PSA's name was officially entered into the NCAA Transfer Portal. In all cases, if the PSA enters into multiple agreements or receives multiple

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payments from the same or substantially the same third party, such activities must be reported if the aggregate compensation is \$600 or more during the established reporting period.

SAs who propose to enter into a contract with an athlete agent, as defined by Pennsylvania law, must disclose such agency contract to VU's Athletic Director or designee within 72 hours or before the SA's next scheduled athletic event, whichever comes first. The athlete agent must be registered with the Commonwealth of Pennsylvania pursuant to 5 Pa.C.S.A §3501 et seq. The athlete agent must also register with Villanova.

Use of Institutional Marks:

The Commonwealth's NIL law does not establish or grant a right to a SA to use the name, trademarks, service marks, logos, symbols, or any other intellectual property, registered or unregistered of VU, the Big East Conference, the Coastal Athletic Association, Patriot League, Metro Atlantic Athletic Conference other group or organization with authority over intercollegiate athletics.

SAs may not use the name, trademarks, service marks, logos, symbols, designs, or other indicia of VU in connection with any NIL Activity except as described below. To receive approval for use of institutional marks, a SA may:

- 1) Work with a company or organization that is currently an athletics corporate partner, via PlayFly Sports; or
- 2) Work with an organization that is an approved licensee through our shared licensing program run by Collegiate Licensing Company and One Team Partners.

For more information on use of marks, please contact Scott Walcoff (scott.walcoff@villanova.edu) or Jake Whitten (jacob.whitten@villanova.edu)

Use of Institutional Copyrighted Materials:

The Commonwealth's NIL law does not establish or grant a right to a SA to use VU's copyrighted materials in connection with NIL Activities.

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SAs may not use any VU copyrighted materials, including any video footage of team practices, games, or other events, without prior written approval from a VU authorized representative.

Use of Institutional Facilities:

The Commonwealth's NIL law does not establish or grant a right to a SA to use VU's facilities, staff, or other resources in connection with NIL Activities.

SAs who would like to use VU facilities as part of their NIL Activities will need to receive prior written approval from VU and comply with VU's policies and procedures.

For more information or questions on the use of institutional facilities please contact Brian Beacham (Brian.Beacham@villanova.edu) or Charles Young (Charles.Young@villanova.edu)

Conflict with Institutional Contracts:

SAs may enter into endorsements or business activities with sponsors of VU or entities that compete with sponsors of VU **with limitations** to ensure they do not conflict with campus partners or institutional sponsorship arrangements. It is recommended that SAs contact the Athletics Compliance Office in advance to address any questions regarding such conflicts.

By way of example, VU SAs are required to wear Nike gear and apparel while training or competing on behalf of the VU, unless Nike has provided a team exemption due to lack of product or an individual exemption for medical reasons.

Conflict with Law, NCAA or Institutional Values:

SAs may not endorse or enter into business activities in categories that conflict with state law, NCAA or Conference legislation, or institutional values.

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Non-permissive partnerships include companies whose business is related to the following areas:

- Alcohol Products
- Tobacco and electronic smoking products and devices, which includes vaping
- Prescription pharmaceuticals (including marijuana)
- Entertainment photos, products, services, videos, comments, or posts that are of an adult nature, which means a sexual nature
- Gaming and gambling (including betting in connection with video games, online games, and mobile devices), sports betting, the lottery or casinos
- Controlled, dangerous substances
- Other categories that do not align with the mission and values of VU

Conflict with Required Team Activities

Academic and team-related activities are foundational aspects of the VU athletics experience. NIL Activities should not conflict with either academic or team-related activities. SAs are not permitted to miss class for opportunities related to NIL Activities.

Institutional Promotional Use

Nothing in this policy shall affect VU's right to use the NIL of VU SA in accordance with NCAA Bylaws and applicable law, including using such NIL in and for institutional promotional or fundraising activities and granting licenses to its athletic broadcasting partners. SAs may be required to continue to participate in institutional promotional activities such as appearances, autograph signings, photo shoots, digital content creation, and similar activities in accordance with NCAA rules.

Disclaimer, Modification, Or Termination

VU reserves the right to revoke any permission to use institutional marks or facilities at any time and for any reason.

If VU, in its sole discretion, determines that certain NIL activities conflict with VU's mission and values, team activities, or institutional contracts, VU may also require the SA to modify or terminate the NIL Activities.

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If VU, in its sole discretion, determines that certain NIL Activities in which the SA's use of institutional marks, institutional facilities, or any indicia of VU create a risk of perceived association or sponsorship by VU, VU may require the SA include a written disclaimer clarifying that VU is not associated and does not endorse the activities, product or services.

International Student-Athletes

International SAs (and prospective SAs) should be aware that compensation for NIL may impact their nonimmigrant F-1 student status. International SA's should consult with the Office of International Students and Scholars at 610.519.8017 prior to entering into any agreement involving compensation for NIL.

Financial Aid

Although athletics grant-in-aid and stipend scholarship may not be revoked or reduced because of NIL compensation, federal or state student aid guidelines for determining other types of financial aid will likely consider any NIL compensation as income.

Therefore, students who are eligible for financial aid should be aware that NIL compensation may impact their income which can result in changes to financial aid. For more information, consult the Office of Financial Assistance at 610.519.4010.

V. PROCEDURE

SAs must disclose their noninstitutional NIL activity through the NIL Clearinghouse in accordance with the disclosure process described above. In addition to review by the NIL Clearinghouse, the NIL opportunity will be reviewed by the Athletics Department (as appropriate, in coordination with the Office of the General Counsel) for adherence to the requirements of this policy.

VI. VIOLATIONS

VU SAs who violate this Policy will be subjected to disciplinary action, up to and including suspension or expulsion. SAs may also be subject to sanction pursuant to NCAA, College Sports Commission, or Conference rules, including, without limitation, loss of eligibility. In addition,

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VU reserves the right to impose disciplinary action, up to and including termination of employment, on VU employees who violate this policy.

Lastly, VU reserves the right to impose administrative sanctions upon individuals or entities not connected or employed by VU and Representatives of Athletics Interests for entering NIL business arrangements that are deemed by VU, in its sole discretion, to have been made contrary to NCAA or Conference rules or applicable law.

VII. CHANGES TO THE POLICY

VU reserves the right to revise this Policy from time to time in response to changes in state or federal law, NCAA, or Conference rules, or other VU institutional policies. To the maximum extent possible, revisions will be made on a prospective basis and timely communicated to SAs and other members of the VU community.

VIII. RELATED INFORMATION/FORMS

NIL GO

NCAA Bylaw 22

24 P.S. § 20-2001-M, et seq.

5 Pa.C.S.A §3501 et seq.

IX. HISTORY

Effective Date: July 1, 2021.

Revision Date(s): September 8, 2021, December 2025.

X. RESPONSIBLE UNIVERSITY DIVISION/ DEPARTMENT

Sr. Associate AD - Compliance

Athletics Compliance Office

800 East Lancaster Avenue

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Jake Nevin Field House Villanova, PA 19085

XI. RESPONSIBLE ADMINISTRATIVE OVERSIGHT

Sr. Associate AD - Compliance

Athletics Compliance Office

800 East Lancaster Avenue

Jake Nevin Field House Villanova, PA 19085