

### What is an NIL deal?

An NIL deal is any agreement where a student-athlete gets paid (money, products, or services) for allowing a company, brand, or person to use their **name, image, or likeness**. This could mean:

- Posting about a brand on social media
- Appearing in an ad or commercial
- Signing autographs for money
- Promoting events or products
- Appearing at an event

### What kind of NIL deals are allowed?

Deals with a person or company associated with the Division I college that a student-athlete eventually decides to attend must be made with the purpose of using a student-athlete's NIL for a valid business purpose and must not exceed a reasonable range of compensation.

Allowed deals with entities associated with a student-athlete's institution must meet *all* of the following criteria:

- Deals that pay a student-athlete for use of their name, image, or likeness (like doing ads, social media posts, or appearances)
- Deals that have a valid business purpose—meaning a student-athlete is promoting a real product, service, or event that is offered to the public for profit
- Deals that pay the student-athlete similarly to what others with their level of fame or influence are paid for similar deals

Deals with companies or individuals who are *not* associated with their institution are also allowed and are not subject to the same level of scrutiny.

### What kind of NIL deals are NOT allowed?

- Deals with entities associated with a student-athlete's institution where a student-athlete is paid but not required to do anything to promote a product, service or event
- Deals with entities associated with a student-athlete's institution where a student-athlete is paid and the entity says they'll use their NIL eventually, with no defined plans to do so
- Deals with entities associated with a student-athlete's institution meant to pay the student-athlete to attend that school, rather than for their NIL ("pay-for-play")
- Written or verbal guarantees from a school that a student-athlete will get a specific amount of third-party NIL deals if they come to that school
- Deals with entities associated with a student-athlete's institution where the amount a student-athlete is being paid isn't within a range of what people in similar situations would get paid

### **Do student-athletes need to report NIL deals they made before playing college sports?**

Yes. If a high school student-athlete plans to play Division I sports, they must report any NIL deal worth \$600 or more (including smaller deals that add up to \$600 or more) with payments made starting from the first day of their junior year of high school or July 1, 2025 – whichever was later.

### **When do student-athletes need to start complying with the NIL rules?**

NCAA rules prohibiting pay-for-play have always been in effect. NIL rules provide that student-athletes must report any NIL deals with payments made starting from the first day of the student-athlete's junior year of high school or July 1, 2025 – whichever was later. It is important to note that at this time student-athletes are not able to access the system (NIL Go) to report these deals until they've enrolled in college. It is recommended that student-athletes keep detailed records of all NIL deals they enter into with payments dating back to the start of their junior year of high school.

### **Can student-athletes report their NIL deals while still in high school?**

At present, student-athletes are not able to access the system (NIL Go) to report NIL deals until they've enrolled in college. The College Sports Commission is exploring options that would allow for earlier reporting of deals, but deal analysis often cannot be completed until the student-athlete's college is known.

### **Do student-athletes need to report deals made before their junior year of high school?**

No. Only deals that include payments made from the first day of a student-athlete's junior year of high school are subject to the NIL rules and therefore need to be reported.

### **What if a student-athlete has an NIL deal that was signed before their junior year of high school but that continues to pay them during their junior and senior years? Does that need to be reported?**

Yes. Deals that include payments made from the first day of a student-athlete's junior year of high school are subject to the NIL rules and therefore need to be reported.

### **What if an NIL deal is for non-cash benefits, like free products or services? Do those deals still need to comply with the rules and be reported?**

Yes, those deals must also comply with the rules. Student-athletes must report any non-cash benefits (like food, gear or services) if their total value is \$600 or more.

### **What is the deadline for high school student-athletes to disclose their NIL deals made during high school?**

NIL deals must be disclosed either:

- Within 14 days after a student-athlete starts full-time classes at a Division I school, or
- Before the student-athlete's first game as a Division I student-athlete – **whichever comes first.**

### **What happens if a student-athlete forgets to report a deal or reports it late?**

Reporting NIL deals is required to be eligible to play Division I college sports. Not reporting or reporting deals late can put a student-athlete's eligibility at risk.

### **What happens if a student-athlete entered into a deal that isn't allowed while in high school? What if it was by mistake or the student-athlete wasn't aware of the rules?**

Complying with the NIL rules is required to be eligible to play Division I college sports. If a student-athlete was party to a deal that is not allowed under the rules, the student-athlete's eligibility could be at risk. Student-athletes will be required to work with their school and the College Sports Commission to cancel or pay back the deal in order to avoid any eligibility consequences.

### **What steps are being taken to educate prospective high school student-athletes about these NIL rules?**

The College Sports Commission is working with the NCAA and high school athletic associations to make sure all prospective Division I student-athletes know about these rules. The CSC and NCAA are sharing easy-to-understand information to help prospects understand what they need to do to comply with the NIL rules. The goal is to make sure every student-athlete knows the rules and how to follow them.

### **What protections are in place for student-athletes who fail to report a deal due to confusion or lack of guidance?**

Once a student-athlete enrolls at their Division I institution, the school's compliance staff will provide robust educational materials on how to report pertinent NIL deals into the NIL Go platform.

### **What criteria are high school NIL deals being evaluated on?**

Deals will be evaluated on the following criteria established by the House settlement:

- **Associated Status:** The relationship(s) between the individual or entity paying the student-athlete and/or benefiting from their NIL and a given institution
- **Valid Business Purpose (VBP):** Whether a deal is being made with the purpose of using the student-athlete's NIL for a valid business purpose related to the promotion or endorsement of goods or services being provided to the general public for profit
- **Range of Compensation (RoC):** Whether the compensation paid to the student-athlete is commensurate with compensation paid to similarly situated individuals

If a deal doesn't meet these standards, it will not be allowed and accepting it may risk a student-athlete's eligibility to compete in Division I sports.

### **What is Associated Status?**

- An entity that is or was known (or should have been known) to the athletics department staff of an institution, to exist, in significant part, for the purpose of (a) promoting or supporting a particular institution's intercollegiate athletics program or student-athletes; and/or (b) creating or identifying NIL opportunities solely for a particular institution's student-athletes;
- An individual who was a member, employee, director, officer, owner or agent of any entity described above;
- An individual who directly or indirectly (including contributions by an affiliated entity or family member) has contributed more than \$50,000 over their lifetime to a particular institution or to an entity described in the first bullet above;
- An individual or entity that has been directed or requested by an institution's athletics department staff to assist in the recruitment or retention of prospective or current student-athletes, or otherwise has assisted in the recruitment or retention of prospective or current student-athletes; or
- Any entity owned, controlled, or operated by, or otherwise affiliated with the individuals or entities described in the bullets above other than a publicly traded corporation.

### **What is Range of Compensation and how is it calculated?**

Range of Compensation (RoC) is a framework for determining if a student-athlete's third-party NIL compensation is commensurate with compensation paid to similarly situated individuals with comparable NIL value.

The RoC is a deal level calculation that is intended to capture a student-athlete's unique NIL value based upon multiple factors, including but not limited to:

- the deal's performance obligations
- the student-athlete's athletic performance and social media reach
- the local market and the market reach of the student-athlete's institution and program

The RoC will also be informed by external benchmarks.

If a student-athlete's payment matches what's standard for others in their similar situation, it's considered within the RoC.

### **What happens if a student-athlete's past NIL deal is not cleared by the College Sports Commission? What options are available to a student-athlete to avoid any eligibility consequences?**

If a student-athlete was party to a deal that is not allowed under the rules, the student-athlete's eligibility could be at risk. Student-athletes will be required to work with their school and the College Sports Commission to cancel or pay back the deal in order to avoid any eligibility consequences. Alternatively, student-athletes have the option of appealing a decision by the College Sports Commission to a neutral arbitrator for review.