



<b>Policy title</b> Name, Image, and Likeness Policy	<b>Category</b> Athletics Facilities Free Speech and Assembly Graduate/Adult/Transfer Marketing / Public Relations Traditional Undergraduate
<b>Owner</b> Ad Council	<b>Approved by</b> Ad Council

## Purpose of this policy

This policy governs the compensated use of a student-athlete's name, image, or likeness in non-institutional activities.

## Application of this policy

This policy applies to all NWU Student-Athletes

## Policy statement

Student-athletes may permit the use of their name, image or likeness (NIL) in non-institutional activities and receive compensation for such activities. **However, a student-athlete shall not receive compensation for:**

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

### UNIVERSITY MARKS & LOGOS

Student-athletes will only be allowed to use University or athletic department related marks and logos, including, but not limited to, all aspects of the uniform and any apparel, photos, or videos containing University marks and logos, with prior approval through the Athletic Director.

### UNIVERSITY FACILITIES

Student-athletes will only be allowed to use University facilities for noninstitutional NIL activities through an executed facility use agreement. Associated rental fees and waiver of liability agreements will be required prior to the activity.

### 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.

### ***PROFESSIONAL SERVICE PROVIDERS/REPRESENTATION***

Student-athletes may secure representation (agent or lawyer), **ONLY** for Name, Image and Likeness 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 name, image, likeness must be licensed as required by the State of Nebraska.

### ***EVALUATION OF PROFESSIONAL SERVICE PROVIDERS***

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

### ***ATHLETICS DEPARTMENT ACTIVITIES***

Student-athletes may not receive compensation for their NIL while participating in NWU athletic department activities. NIL compensation opportunities will not conflict with academic or athletic department or athletic team activities.

### ***PROHIBITED CATEGORIES***

Student-athletes may not participate in NIL activities or enter into agreements regarding NIL that: (a) conflict with an existing institutional sponsorship agreement or contract, (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, organizations, 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 but are not limited to:**

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

### ***INTERNATIONAL STUDENT-ATHLETES***

To protect against any immigration issues, international student-athletes should not enter into any NIL agreements without first discussing with the Office of Global Engagement.

### ***DISCLOSURE POLICY***

In order to prevent conflicts with existing University agreements, student-athletes are required to disclose NIL activities at least five days prior to the execution of any NIL agreement to the NWU Athletic Director.

### ***FINANCIAL AID***

Need-based financial aid could be impacted based on compensation from NIL activities. Student-athletes should direct all financial-aid questions to the NWU Financial Aid Office.

## **NEBRASKA FAIR PAY TO PLAY ACT**

The University has determined that the Nebraska Fair Pay to Play Act, Neb. Rev. Stat. §48-3601 et seq., shall begin to apply commencing on July 20, 2021.

*The University 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 Athletic Director's Office. The application of this policy in no way creates an employment relationship between the University and any student-athlete.*

*This policy shall also be communicated on the NWUsports.com website.*

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Last revised date July 20, 2021