



UAF Policy 09.09.024

Interim Original Adoption: September 11, 2024

Revised:

Responsible Chancellor's Cabinet Member: Chief of Staff

Responsible Department/Office: UAF Athletics Department

Interim - Name, Image, Likeness (NIL) Policy

1.0 POLICY STATEMENT

To define the institutional guidelines and limitations for UAF student-athletes who use their names, images, or likenesses for compensation.

2.0 BACKGROUND & JUSTIFICATION

This policy governs UAF student-athletes Name, Image and Likeness (NIL) activities in accordance with the NCAA adoption of a uniform interim policy suspending NIL rules. This Policy is subject to change and is intended to remain in place until either the State of Alaska or the federal government enacts NIL legislation that would supersede the Policy. This Policy does not supersede any other UA or UAF policies and student-athletes must adhere to all University and NCAA regulations, guidelines and expectations when engaging in NIL any activities.

3.0 DEFINITIONS

Name, Image, Likeness (NIL): Any business activity in which a student- athlete is compensated in any way for the use of the student-athlete's name, image, or likeness.

National Collegiate Athletic Association (NCAA): a member-led organization that governs college sports in the United States.

4.0 REFERENCES RELIED UPON

[National Collegiate Athletic Association](#)

UAF Nanook Athletics NIL Guidelines

5.0 RESPONSIBILITIES

Athletics coaches and athletic compliance staff, and student-athletes.

6.0 NON-COMPLIANCE

Violations of this policy may result in a variety of penalties depending on the nature and type of policy deviation. The most egregious deviations (e.g., proof that a NIL activity was used to compensate a student- athlete for performance or to induce a prospect to attend) may lead to termination of employment for staff members, booster dissociation, and student-athlete

scholarship modification. Violations of NCAA legislation will be reported to the NCAA and could result in additional NCAA-mandated penalties.

7.0 EXCEPTIONS

Exceptions to this policy can be requested by the UAF Athletic Director with final approval from the Chancellor.

8.0 PROCEDURES

Permissible NIL activities – Student-athletes may be compensated for participation in NIL activities as long as those activities are permissible under NCAA legislation and guidance and UAF Nanook Athletics policies and guidelines. All NIL activity must also fully comply with federal and State of Alaska law.

Student-athlete disclosure of NIL activities – Student-athletes must disclose details and any related agreements or contracts of any NIL activity within ten business days of the agreement using the current UAF Nanook Athletics approved NIL disclosure process. Any modification to NIL activities must be reported using the same process within ten business days of the change. For questions on how to report or update a previous report, please contact UAF Athletics Compliance Officer.

UAF Nanook Athletics review of NIL activities - UAF Nanook Athletics will review disclosed NIL activities for approval under this policy, and the Athletics Compliance Office will review whether the NIL activities are permissible under NCAA legislation. Neither UAF Nanook Athletics nor any other UAF entity, including the Athletics Compliance Office, will perform any legal or commercial review of student-athlete NIL agreements. Student-athletes are individually responsible for ensuring that all terms, conditions, obligations, and benefits conferred are acceptable to the student-athlete prior to entering into any NIL activities related contractual agreements.

No impermissible recruitment or benefits through NIL activities – NIL activities may not be used by UAF or any of its representatives (e.g., boosters, fans) for the purpose of compensating UAF current or prospective student-athletes for their athletics performance. (e.g., no “pay for play”). Rather, NIL activities must be a quid pro quo arrangement where student-athletes perform some function for the NIL sponsor in return for any compensation provided (e.g., endorsement messages, attendance at NIL sponsor hosted event, etc.).

UAF Nanook Athletics involvement in NIL activities - UAF Nanook Athletics staff members and other UAF representatives, including outside consultants, may only assist or participate in the development, operation, or promotion of NIL activities to the extent allowed under NCAA legislation, including rules pertaining to amateurism, benefits, financial aid, recruiting, and any other concept or principle regulated by the NCAA membership.

- a. UAF Nanook Athletics staff members and other UAF representatives (e.g., UAF apparel and equipment vendors) may not provide apparel or gear to student-athletes for purposes of NIL activities. Student-athletes cannot sell UAF-issued equipment, apparel, and awards while athletically eligible.

NIL compensation - Compensation for NIL activities must be commensurate with the going rate for similar services in the relevant market.

Use of UAF resources - Student-athlete access to UAF resources and facilities for purposes of NIL activities must be provided at the same level of availability and cost as the public. For assistance in determining the availability and permissibility of the use of any UAF resources or facilities for NIL activities, UAF student-athletes should contact the UAF Athletic Director.

NIL activities while representing UAF – Student-athletes may not engage in NIL activities during required UAF athletics related activities or while representing UAF in any capacity. Student-athletes may not miss class or any other academic obligation to participate in NIL activities.

Professional service providers – Student-athletes may use professional service providers (e.g., marketing agents, brand managers) to assist with the management and procurement of NIL activities and to review NIL agreements. Such providers’ engagement must be limited to NIL activities and may not be used to secure opportunities as professional athletes.

Use of institutional marks – Student-athletes may not use UA or UAF intellectual property (including but not limited to the UAF Nanook Athletics trademarks) in connection with their NIL activities without prior express written permission. Student-athletes may request the use of protected marks during the disclosure process but may not begin engaging in activity using intellectual property until and unless express written permission is provided.

International student-athletes – International student-athletes should consult with the [UAF Office of International Student and Scholar Services](#) or with their own legal advisors before engaging in or proceeding with any NIL activity to ensure that their planned activities comply with the terms of their visa. Accepting compensation for NIL activity in the United States may jeopardize an international student visa and affect an international student-athlete’s ability to continue to participate in UAF Nanook Athletics activities and programs.

Restrictions on NIL activity - Student-athletes may not engage in NIL activities with people, institutions, businesses, or other entities that encourage or promote violations of NCAA legislation, federal or State of Alaska law, or UA/UAF policies, including the UAF Student Code of Conduct, the Student-Athlete Code of Conduct, and team rules. Student-Athletes are also encouraged to carefully consider which people, institutions, businesses, or other entities they will affiliate with and the potential long-term effects of their affiliations on their personal and professional relationships and reputation. UAF Nanook Athletics reserves the right to refuse authorization for NIL contracts that conflict with state law, UA or UAF policy or any UA or UAF contract, as well as refuse the use of UAF Nanook Athletics marks or logos in connection

with any proposed or existing NIL activities. Neither UA nor UAF will permit the use of its marks or logos in NIL activities with people, institutions, businesses, or other entities in the following categories:

- a. Casinos, gambling, and sports wagering;
- b. Cannabis and marijuana in any form, along with associated products or paraphernalia;
- c. Firearms and other weapons;
- d. Adult entertainment, and escort services;
- e. NCAA banned substances;
- f. Post-secondary educational institutions or online schooling organizations;
- g. Pharmaceuticals;
- h. Sexually explicit materials and,
- i. Tobacco products.

Impacts of NIL Activities - UAF student-athletes are hereby notified that any income generated from NIL activities could have international, federal, state or local tax implications depending on the student-athlete's specific circumstances (including, for example, the student-athlete's current domicile for tax purposes). UAF strongly recommends that student-athletes engage a tax professional to explore the implications of any NIL income in advance of entering into any NIL related agreement. Student-athletes should also be aware that receiving compensation for NIL activities could have an impact on their financial aid, especially for those receiving Pell Grants. Student-athletes are encouraged to consult with the [UAF Office of Financial Aid](#) to fully understand these potential impacts

POLICY APPROVED BY:



Daniel M. White, Chancellor
University of Alaska Fairbanks

Signed: 09/17/2024