

FAQ Guide for Boosters

Name, Image, Likeness (NIL)

May I enter into an agreement with a UL student-athlete (i.e., SA) for the use of the SA's name, image or likeness (i.e., NIL) in exchange for money, goods or services?

Yes, subject to restrictions in state laws, as well as potential federal laws and NCAA rules; however, before a SA enters into such a contract, the SA must disclose to UL, in the manner prescribed by the institution, any proposed contract the SA may sign for use of the SA's name, image, or likeness.

Does the Louisiana NIL law mean that a booster or fan of UL may provide a student-athlete (i.e., 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. There are some restrictions. Of those restrictions, the most significant prohibit SAs from receiving compensation for their NIL that is based on:

- The SA's enrollment or attendance at UL, or
- The SA's athletic performance at UL

May UL or its staff members assist me with arranging for UL SAs to utilize their NIL for compensation with my business, etc.?

Yes. UL and its staff members may facilitate or arrange for our SAs to participate in NIL contracts or activities.

May I act as a marketing agent for a SA?

Yes, you may, but any agreement with the SA must be limited to marketing. Furthermore, if you are also an athlete agent, then you must be registered as an athlete agent with the state of Louisiana and shall be licensed to practice law.

May UL's marks, logos or other institutional property be used in a proposed NIL-contract with a UL SA (e.g., SA filming endorsement ad while wearing UL hat)?

Yes, provided the University has approved the use per licensing protocols.

May a SA receive NIL-compensation based on the SA's athletic performance at UL?

No.

May an NIL contract stipulate that an SA must compete for, or attend, UL (or any other NCAA member school)?

No.

May I compensate a SA for the SA's NIL when the SA is engaged in official team activities?

No. For example, if a SA is at a UL Athletics-organized fan event or at an away-from-home competition, you may not compensate the SA for the SA's autograph or photo because the SA is engaged in official team activities. In short, if the SA is participating in some activity because UL Athletics organized it, then it's an official team activity.

Are there any industries or products that SAs may not endorse?

Yes. Louisiana law prohibits a SA from entering into a contract for the use of the SA's name, image or likeness in exchange for an endorsement of:

- Alcohol
- Tobacco products
- Illegal substances or activities
- Banned athletic substances
- Any form of gambling including sports wagering

What are other examples of when a SA may not engage in NIL-activity for compensation, according to Louisiana law or Federal law?

Other prohibited examples include compensation for SA NIL activity:

- When the SA is not a US citizen and the SA's visa generally prohibits employment
- In exchange for:
 - Property owned by UL (e.g., current jersey or equipment)
 - An endorsement while using UL intellectual property or other UL-owned property (e.g., paying SA for photo when SA is wearing UL apparel or on UL's campus)
- That conflicts with:
 - A UL contract
 - A UL Athletics' sport's written team rules/team contract, athletics financial aid agreement or Athletics Department student-athlete rules or
 - UL's Student Code of Conduct or other student rules

How long may a SA's NIL-related contract last?

The duration of the SA's contract may not extend beyond the student athlete's participation in the UL intercollegiate athletics program.

Will UL assist SAs with other NIL-related issues?

Yes. UL Athletics will have a robust program to educate student-athletes on how to maximize the use of their NIL for compensation, as well as understanding associated issues (e.g., financial literacy, debt management, time management, budgeting, academic resources).

If you have specific questions, please contact Tom Burke (Associate AD/Compliance) at tburke@louisiana.edu.