



UNIVERSITY of
LOUISIANA
L A F A Y E T T E

POLICY ON STUDENT- ATHLETE NAME, IMAGE AND LIKENESS

Policy # AT.001.1

Responsible Executive: President
Athletics, Office of

Responsible Office: Compliance

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I. Policy Statement

Upon the adoption of Senate Bill 250 of the 2022 Regular Session of the Louisiana Legislature, Student-Athletes are permitted to receive compensation for use of their Name, Image and Likeness (“NIL”). Additionally, the University of Louisiana System (“ULS”) requires that the University of Louisiana at Lafayette (“University”), as well as all ULS institutions, adopt its own policy and procedures for monitoring contracted and non-contracted agreements of its Student-Athletes’ usage of their NIL. Thus, this Policy provides guidelines and procedures for Student-Athletes promoting and/or earning compensation for their NIL and for University Employees in monitoring contracted and non-contracted agreements of its Student-Athletes’ usage of their NIL.

II. Purpose of Policy

This Policy is intended to promote compliance with applicable laws and policies, clarify Student-Athletes’ rights to receive compensation for the use of their NIL, and preserve Student-Athletes’ eligibility. This Policy is **not** intended to prevent or discourage Student-Athletes from earning compensation for their NIL.

A. Student-Athlete’s Compensation Guidelines

Examples of how Student-Athletes could use their NIL includes, but is not limited to, the following:

1. Promote their own business;
2. Promote a corporate entity (e.g., brand ambassador, social media influencer);
3. Establish their own camp/clinic;
4. Make an appearance at any location and receive compensation; or

5. Sign autographs and receive compensation.

A Student-Athlete may only earn compensation for the use of their NIL provided:

1. The compensation is not provided in exchange of athletics performance;
2. The compensation is not provided for attendance at the University (for recruiting purposes);
3. The compensation is commensurate with Market Value; and
4. The compensation is not provided by the University, or an officer, director, Employee or agent of the University.

The compensation earned by the Student-Athlete in a manner consistent with the guidelines outlined herein will not affect the Student-Athlete's grant-in-aid or the Student-Athletics eligibility. The grant-in-aid (including cost of attendance) that is awarded to a Student-Athlete the University shall not be considered compensation and shall not be revoked or reduced as a result of a Student-Athlete's earnings through a permissible NIL agreement.

A contract for compensation for the use of the NIL of a Student-Athlete under eighteen (18) years of age shall be executed on the Student-Athlete's behalf by their parent or legal guardian.

A Student-Athlete shall not enter into a contract for compensation for the use of their NIL if a term of the contract conflicts with a term of the Student-Athlete's Athletics Program's Team Contract.

Any compensation earned by a Student-Athlete shall not be for an endorsement of tobacco, alcohol, illegal substances or activities, banned athletic substances, or any form of gambling or gaming, as determined by the University.

The duration of a contract for representation of a Student-Athlete or compensation for the use of an Student-Athlete's NIL shall not extend beyond their participation in the Athletics Program.

B. Student-Athlete's University Involvement Guidelines

The University may not prevent a Student-Athlete from earning compensation for their NIL; however, the University may prohibit a Student-Athlete from using their NIL for compensation if such opportunity conflicts with an existing University agreement/contract (including, but not limited to, sponsorships) or goes against the values of the University.

Athletics Boosters are prohibited from creating or facilitating NIL compensation opportunities to a Prospective Student-Athlete as a recruiting inducement or current Student-Athlete as an extra benefit to remain enrolled at the University.

C. Use of University Intellectual Property

The University is committed to protecting the use of its name, department names, monikers, logos and visual marks or any likenesses, including but not limited to use in or on advertising, stationery, websites, social media, cobranding, facilities or apparel and merchandise.

As such, Student-Athletes may be limited in the use of University trademarks, copyrights, branding elements, and identifying markers which may include, but are not limited to:

- Words (e.g., University of Louisiana at Lafayette);

- Symbols (e.g., Primary Stacked Ragin' Cajuns logo);
- Colors (e.g., Vermilion Red and White); or
- Imagery (e.g., campus/facility photography, roster headshots, photos in uniform)

In order to request to use University trademarks, copyrights, branding elements, or other identifying markers, Student-Athletes must submit their request using the [Trademark Use Request Form](#).

The request by a Student-Athlete to co-brand with the University or use University trademarks, copyrights, branding elements, or other identifying markers will be considered by the Office of Communications and Marketing on a case-by-case basis with respect to current contractual relationships and in accordance with University policies. Such rights to use University trademarks, copyrights, branding elements, or other identifying markers will need to be secured through an agreement granting specified promotional or licensed rights.

Any usage of University trademarks, copyrights, branding elements, or other identifying markers requires prior review and approval from the licensing staff in the Office of Communications and Marketing. The University has sole discretion over its trademarks, copyrights, branding elements, or other identifying markers and does not guarantee use of University marks by any Student-Athlete.

Student-Athletes are not prohibited from using the Student-Athlete's name, position, and/or hometown in the promotion of their NIL.

D. Education

The Athletics Compliance Office shall conduct a financial literacy and life skills educational workshop in areas such as, but not limited to:

1. Financial aid;
2. Debt management;
3. Budget information; and
4. Time management.

The workshops shall be for a minimum of five (5) hours total and shall be required annually.

With respect to NIL, the Athletics Compliance Office shall provide education to its Student -Athletes on:

1. The process to gain express permission by the University to use its facilities, uniforms, registered trademarks, products protected by copyright, and official logos, marks, or colors for the sole purpose of the intercollegiate athlete's NIL;
2. The process to disclose any agreements with a Student-Athlete Agent and/or Attorney for the purpose of the Student-Athlete's NIL;
3. The method used to disclose any agreements using the Student-Athlete's NIL; and,
4. Endorsements by a Student-Athlete's NIL that are prohibited per this Policy.

III. Applicability

This Policy is applicable to and enforceable against all Student-Athletes, Prospective Student-Athletes, Organizations, Athletics Boosters, Athlete Agents, Employees, and outside businesses potentially seeking promotional opportunities of the University and/or Student-Athletes.

IV. Definitions

1. **Athlete Agent**: is any individual who, directly or indirectly, represents or attempts to represent an individual for the purpose of marketing his/her athletics ability or reputation for financial gain or seeks to obtain any type of financial gain or benefit from a Student-Athlete's potential earnings as a professional athlete.
2. **Athletics Booster**: is a person or entity that has participated in or has been a member of an organization promoting the Athletics Program.
3. **Athletics Eligibility**: is a term used to reference whether a Student-Athlete is "eligible" to compete for the Athletics Program.
4. **Athletics Program**: is the intercollegiate Athletics Department of the University.
5. **Attorney**: is a person appointed to act for another in business or legal matters.
6. **Employee**: is an officer, director, employee, faculty member, or agent of the University.
7. **Endorsement**: is an act of giving one's public approval or support to someone or something.
8. **Grant-in-Aid (including Cost of Attendance)**: is athletically related financial aid to assist a Student Athlete with costs associated with attending the University.
9. **Market Value**: is a rate of compensation to a Student-Athlete for the use of their NIL based on a current and open market.
10. **Name, Image and Likeness ("NIL")**: is an initiative to allow a Student-Athlete the opportunity to benefit from the use of their NIL in ways that are consistent with the recommendations by the NCAA Name, Image and Likeness Legislative Solutions Group.
11. **Prospective Student-Athlete**: is an individual who has started classes for the ninth grade in high school.
12. **Recruiting Inducement**: is an arrangement or other direct or indirect method to give or offer to give a Prospective Student-Athlete or their family that is not expressly permitted by NCAA regulations.
13. **Student-Athlete**: is a student who is enrolled at the University and participates in a sponsored sport of the Athletics Program.
14. **Team Contract**: is any agreement between a Student-Athlete and the University that could impact the Student-Athlete's eligibility to participate in an intercollegiate sport, including, but not limited to, scholarship agreements or participation agreements.

V. Policy Procedure

A Student-Athlete must complete and submit the “Name, Image, and Likeness Approval Form” in ARMS (<https://my.armssoftware.com/arms/login>) prior to engaging in any NIL activities.

A Student-Athlete must disclose any agreements made for the use of their NIL to the Athletics Compliance Office seven (7) calendar days before the agreement goes into effect.

The Athletics Compliance Office will review any proposed NIL agreement submitted by a Student-Athlete exclusively for the purpose of determining whether the proposed NIL agreement complies with this Policy and whether or not it is in conflict with NCAA rules or conference/University rules or policies.

VI. Enforcement

The President is responsible for enforcement of this Policy.

A. Student-Athlete Sanctions

Violations of this Policy and/or NCAA regulations will be reviewed by the Associate AD/Compliance. Failure to comply with this Policy and/or NCAA regulations may result in sanctions which may include, but not be limited to, mandatory education, roster removal, scholarship termination, or disciplinary action up to expulsion, as may be determined by Student Rights and Responsibilities upon the recommendation of the Associate AD/Compliance.

B. Employee Sanctions

Failure to comply with this Policy and/or NCAA regulations may result in sanctions which may include, but not be limited to, disciplinary action up to termination of employment, as may be determined by the Vice President that an individual reports to upon the recommendation of the Associate AD/Compliance in consultation with the Office of Human Resources.

VII. Policy Management

Upon adoption, the President shall be the Responsible Executive for this Policy in charge of the management of this Policy. The Associate AD/Compliance is the Responsible Officer for this Policy. The Office of Athletic Compliance is the Responsible Office for this Policy.

VIII. Exclusions

N/A

IX. Effective Date

This Policy shall be effective as of the date of adoption of this Policy.

X. Adoption

This policy is hereby adopted on this 9/20/2022.

DocuSigned by:

Joseph Savoie

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Dr. E. Joseph Savoie
President

XI. Appendices, References, and Related Materials

- ✦ Louisiana Laws Title 4, Chapter 7, State of Louisiana Bill SB 60
- ✦ Louisiana Legislature, Senate Bill 60 of 2021 Regular Session enacting Chapter 30 of Title 17 (La. R.S. 17:3701-7303)
- ✦ NCAA Division I Name, Image and Likeness Legislative Solutions Group- Legislative Recommendations (Updated: October 8, 2020)
- ✦ ULS Intercollegiate Athlete Name, Image and Likeness (NIL) Policy (Policy Number: IA-V.3)
- ✦ Brand Guide and Graphic Standards Manual
- ✦ Proper Use of the University's Name
- ✦ University Licensing Policy
- ✦ Name and Nickname Policy
- ✦ NIL Tip Sheet – Athletic Staff
- ✦ NIL Tip Sheet – Student-Athletes
- ✦ NIL FAQ for Boosters
- ✦ <https://my.armssoftware.com/arms/login>
- ✦ [Trademark Use Request Form](#)

XII. Revision History

Original adoption date: 9/20/2022