

Update on Work of the NCAA Division I Council Working Group on Name, Image and Likeness

Timeline for NCAA Division II to Review and Discuss Proposals Developed by NCAA Division I

NCAA Division I - Background



- NCAA Division I Board of Directors charged the NCAA Division I Council Working Group on Name, Image and Likeness (NIL) with developing name, image and likeness proposals intended to improve the NIL environment for student-athletes.
- On behalf of the working group, the Student-Athlete Protections Subgroup developed a set of proposals in the following areas:
 - 1. Voluntary registration process for professional service providers;
 - 2. Disclosure requirements surrounding NIL activities;
 - 3. Recommended contract terms between student-athletes and NIL entities; and
 - 4. Education to student-athletes and other involved individuals.
- Focused on providing resources to help student-athletes make informed decisions, not control decisions or impact NIL opportunities.
- Reviewed draft federal framework and attempted to align recommendations, where possible, and noted that congressional action and/or state laws could help regulate the environment.

NCAA Division I - Background



- Recommendations are the first step in creating protections for student-athletes and should be regularly monitored to ensure needs are met.
- NCAA Division I Council introduced proposals in October with a vote anticipated in January 2024. Seeking feedback from the Division I membership through its conference structure.
- If adopted, national office team is actively working to ensure technology is functional by spring/summer 2024.



For the NCAA Division I concepts noted on the upcoming slides, select NCAA Division II groups are asked to consider whether any of these elements should be considered for NCAA Division II.



NCAA Division I Concepts - Student-Athlete Protections Proposals

NCAA Division I - Registration of Service Providers



- NCAA Division I to establish a voluntary registration process for NIL professional service providers (e.g., agents, financial advisors).
- Required and recommended information as part of registry:
 - Required information Business name, contact information, educational background, experience, description of services, fee structure (e.g., fee ranges).
 - Recommended Background check, client references, credentials, state where registered (if applicable), professional liability insurance, agreement to include standard elements of a contract.
- Exploration of a student-athlete ratings system of service provider.
- Dispute resolution system (e.g., student-athlete grievance hotline).



NCAA Division I -Disclosure and Transparency

- Establish mandatory student-athlete disclosure* no later than 30 days after entering or signing an agreement.
- Applies to all NIL agreements, including those with collectives, which provide more than \$600.
- Institutions must report disclosed information in a de-identified aggregate data set to the NCAA (or its designee) at least twice per year.



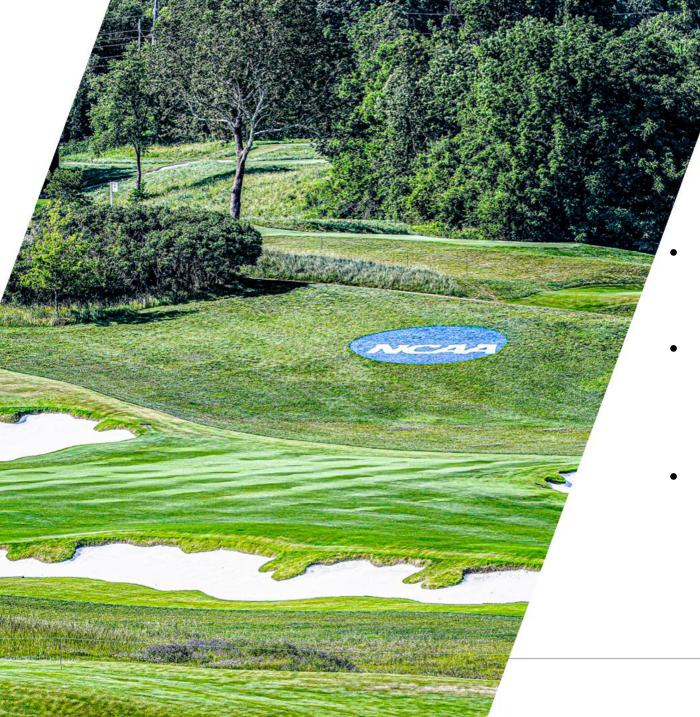
Disclosure and Transparency (cont.)

Institutions required to determine mechanics of disclosure process on campus.

Institutions must withhold student-athletes from all athletics activities until requisite information is disclosed.

 Institutions accountable through NCAA infractions process only when clear disregard for its stated policies.

* Recognition that several state laws currently require disclosure to the institution.

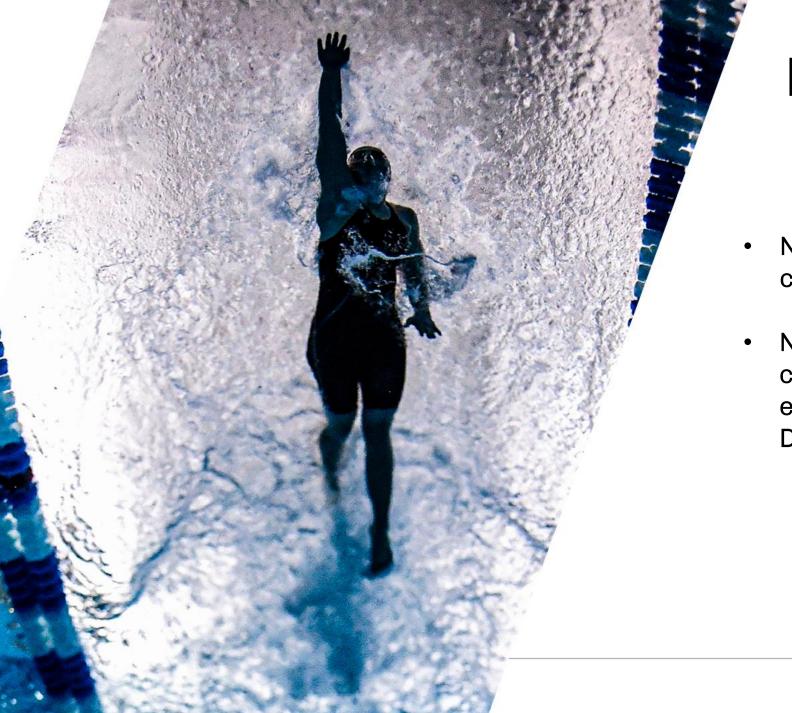


NCAA Division I Standardized Contract Terms

NCAA to establish recommended contract terms for use in NIL agreements.

NCAA to provide robust education on contractual obligations, including a contract template and contract terms.

 Service providers participating in registration process can commit to using these contractual best practices.



NCAA Division I Education

- NCAA national office to manage a comprehensive NIL educational plan.
- NCAA education initiative meant to compliment local NIL educational efforts as required by new NCAA Division I "holistic model."



NCAA Division I - Next Steps



- NCAA Division I Council Working Group on Name, Image and Likeness will continue its discussions.
 - NIL-related recruiting concerns; and
 - Institution's role in student-athlete NIL activities.
- Provide an update to the NCAA Division I Council at their January 2024 meeting.

NCAA Division II – Next Steps



- Between now and November, select NCAA Division II committees (e.g., NCAA Division II Student –Athlete Advisory Committee) and external affiliate groups (e.g., Division II CCACA) will provide feedback.
- NCAA Division II Legislation Committee will review the feedback at their November 29-30, 2023, in-person meeting.
- Update provided to the NCAA Division II Presidents Council and NCAA Division II
 Management Council at their January 2024, in-person meetings.

