NAME, IMAGE AND LIKENESS (NIL)
FREQUENTLY ASKED QUESTIONS

PIAA recently amended its amateurism rules to include a provision to allow its student-athletes the opportunity to engage in certain commercial activities in their individual capacities. This provision is called the Name, Image and Likeness (NIL) provision and this set of FAQs is intended to help student-athletes and athletic administrators better understand PIAA's rule surrounding NIL activity.

STUDENT-ATHLETE

Q: What is Name, Image and Likeness and what are NIL activities?

A: Name, Image and Likeness ("NIL") is defined as the three components of a person's "right of publicity." A PIAA student-athlete may profit off the use of their own name, image, and likeness in certain permissible activities. Such permissible activities include commercial endorsements, promotional activities, social media presence, and product or service advertisements.

Q: What are the rules of NIL?

A:

- Students may not make reference to PIAA or PIAA member school.
- Students may not wear school uniform.
- Students may not endorse/promote 3rd party entities during team/school activities.
- Students may not wear apparel or display logo, insignia, or identifying mark of an NIL partner during any team/school activities unless it is a part of the uniform.
- Student must notify Principal or Athletic Director of their school within 72 hours upon entering into any type of NIL contracts/agreements.
- Students may not engage in any NIL activities involving, displaying, or endorsing products or services which are prohibited by PIAA By-laws.

Q: Which products or services are prohibited for NIL activities?

A:

- Adult entertainment products and services;
- Alcohol products;
- Casinos and gambling, including sports betting, the lottery, and betting in connection with video games, on-line games and mobile devices;
- Tobacco and electronic smoking products and devices;
- Opioids and prescription pharmaceuticals;
- Controlled dangerous substances;
- Weapons, firearms and ammunition.

Q: Can a student-athlete get paid to promote a product or service on social media?

A: Yes, so long as the student-athlete abides by the current rules and restrictions in place, then he or she will be able to promote a product or service on their social media accounts, including that of a social influencer.

Q: Can a student-athlete appear in a television or radio commercial for a local business?

A: Yes, so long as the student-athlete abides by the current rules and restrictions in place, then the student-athlete may appear in television and radio commercials.

Q: Can a student-athlete get paid to run a camp, clinic, or private lesson?

A: Yes, so long as the student-athlete abides by the current rules in place, then he or she will be able to run a camp, clinic, or lesson.

Q: Are there resources available to educate student-athletes/parents/guardians on NIL?

A: Yes, the NFHS Learning Center in collaboration with Advance designed the "Name, Image and Likeness" course to not only define NIL, but to also provide examples of how it can be leveraged by high school students, identify misconceptions that various stakeholders have about NIL, and highlight aspects that students and families should consider when interested in pursuing NIL opportunities.

MEMBER SCHOOLS

Q: Can coaches or administrators be involved in a student-athletes NIL activity?

A: No member school or anyone employed by a member school, including booster clubs, coaches, collectives, administrators and alumni may solicit, arrange or negotiate or pay for a student's use of their NIL. No one associated with or acting at the direction of a member school may use the promise of NIL opportunities to entice student-athletes to transfer or attend their school.

Q: If a school-issued uniform includes an item that a particular student has an NIL agreement with, may the student wear/use such item during team/school activities?

A: Yes, if the item/brand is a product of the school authorized uniform/equipment, the student may use without violation.

Q: **If an alumni of a member school owns a company that enters into an NIL partnership with a student that is currently enrolled at same school, is there a violation?**

A: There is no violation if the student is currently enrolled in that school and all other provisions of the rule are met.

SANCTIONS

Q: What are the consequences of violating the PIAA NIL provision?

A: The PIAA will review each instance on a case-by-case basis. Consequences could range from a warning to immediate suspension of eligibility. The student-athlete may be required to return any monies or goods received in violation of the rule.

Q: Could engaging in NIL activities impact a student's financial aid for college?

A: Yes, student-athletes and their families should be mindful that increased income may impact need-based financial aid and grants, including tax implications.

NIL EDUCATIONAL RESOURCES

The following are a list of educational resources to assist individuals in the interscholastic community NIL education and highlight aspects that students and families should consider when interested in pursuing NIL opportunities.

PIAA
www.piaa.org

NFHSLearn
www.nfhslearn.com
https://nfhslearn.com/courses/name-image-and-likeness

Advance
www.advancenil.com
https://advancenil.com/faqs/