

# NAME IMAGE LIKENESS

ISSUES ASSOCIATED WITH COMPLIANCE AND OVERSIGHT OF NIL ACTIVITIES IN COLLEGE ATHLETICS

COMMUNITY COLLEGES OF CALIFORNIA NIL WORKING GROUP HEARING

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# PREPARING FOR NIL ON YOUR CAMPUS

- IDENTIFY ALL OF YOUR NIL STAKEHOLDERS
- EDUCATE YOUR STAKEHOLDERS (E.G., DRAFT NCAA POLICY; TIMING OF EFFECTIVE DATES)
- TAKE INVENTORY OF LOCAL/CAMPUS ISSUES & SCENARIOS (E.G., CONTRACTORS & PARTNERS; CONFLICTS OF INTEREST; INSTITUTIONAL VALUES; TIME MANAGEMENT)
- IMPACT ON STAFF & RESOURCES
- PARTNER WITH CAMPUS & COMMUNITY SUBJECT MATTER EXPERTS

# ROLE OF NIL THIRD PARTY ADMINISTRATORS

- NCAA CONDUCTED AN RFP TO IDENTIFY OUTSIDE GROUPS TO SERVE AS THIRD-PARTY ADMINISTRATORS (TPA) FOR NIL OPERATIONS
- TPAS FOCUS ON (1) DISCLOSURE AND TRANSPARENCY; (2) MONITORING AND EVALUATION; AND (3) EDUCATION
- TPAS WILL MANAGE A VARIETY OF FUNCTIONS
  - ✓ RECEIVING AND REVIEWING DISCLOSURES OF SA NIL ACTIVITY
  - ✓ RECEIVING AND REVIEWING DISCLOSURES OF SA'S THIRD-PARTY PROFESSIONAL SERVICES AGREEMENTS
  - ✓ DETERMINING FAIR-MARKET VALUE OF NIL TRANSACTIONS
  - ✓ COMPILING NIL DATA AND MONITORING FOR TRENDS
  - ✓ FLAGGING OTHER POTENTIAL NCAA ELIGIBILITY/COMPLIANCE ISSUES FROM TRANSACTION DISCLOSURES
  - ✓ COLLABORATING WITH OTHER NCAA DEPARTMENTS
  - ✓ PROVIDING NIL EDUCATION AND RESOURCES TO SAS AND OTHER STAKEHOLDERS
- NCAA HAS NOTED THE ROLE OF TPAS CAN EVOLVE

# TRANSFER ELIGIBILITY & NIL HISTORY

- NCAA RULES APPLYING TO TWO-YEAR COLLEGE AND HIGH SCHOOL SAS
- COACHES, ATHLETICS DIRECTORS, & GUIDANCE COUNSELORS HIGHLIGHTING NCAA RESOURCES ON MANAGING NIL AND PRESERVING ELIGIBILITY
- PAY ATTENTION TO THE TERMS AND COMPENSATION FORMULA WITH ANY AGENT AGREEMENT AND ALL NIL DEALS
- KEEP DOCUMENTATION SHOULD NCAA SCHOOL NEED IT AT A LATER DATE

# QUESTIONS REMAIN

- HOW FAR WILL TPAS VENTURE INTO COLLECTING AND REVIEWING NIL DISCLOSURES WITH NCAA PROSPECTS PRIOR TO ENROLLMENT?
- WHAT WILL NCAA ELIGIBILITY REINSTATEMENT PENALTIES LOOK LIKE IN NIL ENVIRONMENT INCLUDING FOR INCOMING HS OR TWO-YEAR COLLEGE ATHLETE?
- WHO IS THE STUDENT-ATHLETE RELYING ON TO HELP THEM NAVIGATE THIS WORLD?
- SPRING 2021 IS CRITICAL ON-BOARDING PERIOD FOR NCAA NIL POLICY

