



**UNIVERSITY POLICY AT-01.02-03/24**

**TO:** The University of West Florida Community

**FROM:** Dr. Martha D. Saunders, President

**SUBJECT:** Student-Athlete Name, Image, and Likeness

**RESPONSIBLE OFFICE:** Intercollegiate Athletics

**I. Purpose:**

To establish a University policy and protocol addressing student-athletes ability to earn compensation for the use of their name, image, and likeness (“NIL”).

**II. Policy:**

A. General NIL Policies

1. Student-athletes and prospective student-athletes at UWF (referred to throughout this document as “student-athletes”) may earn compensation for the use of their NIL.
2. The National Collegiate Athletic Association (“NCAA”) or a third party acting on behalf of the NCAA (e.g., host institution, conference, local organizing committee) may use the NIL of a student-athlete to generally promote conference championships.
3. NCAA extra benefit and preferential treatment rules remain applicable to student-athletes engaged in NIL activities.
4. A student-athlete loses amateur status and thus shall not be eligible for intercollegiate competition in a particular sport if the student-athlete:
  - a. Uses his or her athletics skill (directly or indirectly) for pay in any form for participation in that sport;
  - b. Accepts a promise of pay for participating in that sport even if such pay is to be received following completion of intercollegiate athletics participation; or
  - c. Enters into an agreement to be represented by an agent for the purpose of marketing the student-athlete’s ability or reputation in that sport and/or to secure an opportunity as a professional athlete.

5. Earnings resulting from permissible NIL activities are not counted in determining a student-athlete's cost of attendance or in UWF's financial aid limitations.
6. NIL compensation opportunities may not conflict with academic and team activities.
7. Neither UWF nor a UWF employee, including an athletic coach, is liable for any damages to a student-athlete's ability to earn compensation for the use of the student-athlete's NIL resulting from decisions and actions routinely taken in the course of intercollegiate athletics.

#### B. Professional Service Providers

1. A student-athlete may use the services of a professional service provider in the following NIL activities:
  - a. Advice regarding NIL activities;
  - b. Representation in contract negotiations related to NIL activities; and
  - c. Marketing of the student-athletes' NIL activities.
2. A professional service provider who represents a student-athlete in NIL activities may not represent a student-athlete for the purpose of marketing the student-athlete's ability or reputation in a sport to secure an opportunity as a professional athlete.
3. A student-athlete is not permitted to use in NIL activities a professional service provider who is an employee or independent contractor of UWF. For purposes of this provision, an entity that contracts with UWF for the primary purpose of providing products but not services is not considered to be an independent contractor.
4. A fee arrangement for professional services with a student-athlete shall be consistent with the typical industry arrangements and must not be discounted as a result of athletics ability. Fees must be disclosed pursuant to a written agreement (e.g., flat fee, profit share, upfront guarantee) with the service provider. A student-athlete may receive the same de minimis benefits (e.g., meals, copies, mailing) from a professional service provider that nonstudent-athletes receive.

#### C. Institutional Involvement

1. UWF shall not provide legal advice to student-athletes.
2. An institutional UWF staff member shall not provide professional services related to a student-athlete's NIL activity.

3. UWF may provide information and education related to NIL activities. However, UWF will not identify or select a professional service provider or arrange for or provide payment for services rendered to the student-athlete.
4. It is impermissible for student-athletes to use athletic department facilities for NIL activities unless it is approved in writing in advance and all facility use documentation is submitted and approved.
5. UWF may prohibit a student-athlete's involvement in NIL activities that conflict with UWF's institutional values, including UWF's student code of conduct and any team specific policy. Specific prohibitions include but are not limited to NIL activities involving or promoting:
  - a. Alcohol (if under 21);
  - b. Tobacco products, marijuana, cannabidiol (CBD), and other drugs that are illegal under state or federal law;
  - c. Gambling; and
  - d. Adult entertainment.
6. It is impermissible for UWF, or third parties hired by UWF, to be involved in identifying or securing NIL opportunities for a student-athlete (e.g., pairing a student-athlete with a company seeking a student-athlete for an advertisement).

#### D. Institutional Assistance for Student-Athletes

UWF shall conduct at least two financial literacy, life skills, and entrepreneurship workshops as required by Section 1006.74, Florida Statutes. The workshops may not be identical, and the second workshop must include more rigorous instruction. The workshops may not be conducted in the same semester. Each workshop must, at a minimum, include information concerning entrepreneurship, financial aid, debt management, and a recommended budget for full and partial grant-in-aid student-athletes based on the current academic year's cost of attendance. The workshop shall also include information on time management skills necessary for success as a student-athlete and available academic resources. Each workshop may not include any marketing, advertising, referral, or solicitation by providers of financial products or services.

#### E. Institutional Marks

1. "Institutional Marks" are defined in UWF Policy FIN-12, Use of UWF Licensed Marks, as it may be amended.
2. Student-athletes actively enrolled at the University may use designated UWF Athletics' Institutional Marks in noninstitutional NIL activities with prior written approval, which

may be withheld or rescinded at the sole discretion of the University, for the time period that the student-athlete is a member of the UWF team that is the subject of the NIL contract, including through the end of that team’s season for that academic year.

- 3. A student-athlete who finishes playing for a team season in good standing and is still attending UWF may continue use of the Institutional Marks in noninstitutional NIL activities through the end of the academic year corresponding to the sport season or through the end of the team’s season, whichever is later.
- 4. A student-athlete who is no longer a member of a UWF intercollegiate athletic team shall cease using the Institutional Marks immediately upon notification of removal. All apparel designs must be submitted and approved via the University’s licensing process prior to production and are subject to the terms of the licensing program as a revenue generating endeavor.

F. Booster Involvement

- 1. A UWF booster may engage with a current student-athlete in connection with the booster’s private business provided UWF is not involved in identifying or selecting the booster and the engagement is in accordance with Florida law and UWF policy, is not an impermissible inducement, and does not constitute pay-for-play.
- 2. Existing extra benefit NCAA legislation requiring the student-athlete to pay the going rate available to general public for professional services shall apply.

**Approved by:** DocuSigned by:  
*Martha Saunders*  
D54A387C376848D... **Date:** 03/25/2024  
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 Dr. Martha D. Saunders

**Authority:** §1006.74, Fla. Stat.  
BOG Reg. 6.022, Intercollegiate Athletes

**Cross Ref.:** None

**History:** Approved October 2021; revised September 2023 and March 2024

**Last Review:** January 2024