

# WIAA'S NIL Rules

#### Rules of Eligibility Article IV Section 1 (Amateur Status) Section 1 – Loss of Eligibility

- B. An athlete forfeits amateur status in a sport by capitalizing on athletic fame by receiving money, compensation, endorsements or gifts of monetary value in affiliation or connection with activities involving the student's school team, school, Conference or WIAA (scholarships to institutions of higher learning are specifically exempted).
  - 1. This provision is not intended to restrict the right of any student to participate in a Name, Image and Likeness (NIL) commercial endorsement provided there is no school team, school, Conference or WIAA affiliation.
  - 2. Prohibited NIL Activities:
    - a. The student shall not appear in the uniform of the student's school and does not utilize the marks, logos, etc. of the school team, school, Conference or WIAA as part of any endorsement.
    - b. The student shall not promote activities nor products associated with the following: gaming/gambling; alcoholic beverages, tobacco, cannabis, or related products; banned or illegal substances; adult entertainment products or services; weapons (i.e. firearms)
    - c. The compensation is not contingent on specific athletic performance or achievement (ie. financial incentives based on points scored).
    - d. The compensation is not provided by the school or persons associated with school as an inducement to attend a particular school ("recruiting") or to remain enrolled at a particular school.

Note: Definition of Persons Associated With School include, but are not limited to; current or former coaches, current or former athletes, parent(s)/guardian(s)/caregiver of current or former student/athletes (exception of one's own parent), booster club members, alumni, spouses or relatives of coaches, teachers and other employees, coaches who become employed, active applicants for coaching positions, and persons who are employed by companies or organizations that have donated monetarily, athletic supplies, equipment or apparel to that school.



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- e. The NIL activities do not interfere with a student-athlete's academic obligations
- f. A student does not miss athletic practice, competition, travel, or other team obligations in order to participate in NIL opportunities.
- g. A student can not utilize representation or contract an agent. High schools or its employees are not allowed to help facilitate deals for student-athletes

Note: When an athlete has been identified without permission and/or awareness resulting in a violation of this rule, the penalty may be reduced once the violation has been rectified.



# **NIL 101**

## Understanding the basics for student-athletes





#### NAME:

Your actual name

Examples:

Using your full name or nickname in advertising Your name on merchandise Using your name in marketing materials



#### **IMAGE:**

Any visual representation of you

Examples:

Photos - action shots, portraits
Videos - game footage, interviews, social media
Drawings - depictions of you artistically



#### **LIKENESS:**

Anything that uniquely identifies you

Examples:

Your voice

Your signature

Distinctive mannerisms

AI-Generated Representations



## **Your Right**

NIL rights essentially grant athletes the right to control how their personal identity (their name, image, and any other unique characteristics) is used for commercial purposes. This allows them to profit from their own personal brand and popularity.

NIL rights are closely tied to the legal concept of "right to publicity," which protects an individual's right to control the commercial use of their identity.

#### **Popular Ways to Make Money with NIL:**

- Endorsements: Partnering with brands for product or service endorsements
- Social Media Marketing: Creating sponsored content or giving reviews and testimonials
- Autograph Signings: Charging for autographs or personalized merchandise
- Camps/Clinics: Being a guest coach or skills expert

#### **Benefits of NIL:**

- Entrepreneurship
- Financial Literacy
- Personal Development
- Professional Development
- Experience
- Resume Boost
- Connections



# A Guide for Student-Athletes



## Do's





Engage in NIL activities unrelated to your school team, school, conference, or the WIAA.

This means you can explore NIL opportunities outside of your school's sports programs.



Receive compensation unrelated to athletic performance.

You can earn money for activities not directly tied to your athletic abilities.



Participate in camps and clinics as a paid instructor or participant.

You can use your skills to teach or learn at camps while earning money.



Create personal social media accounts and websites to promote your personal brand.

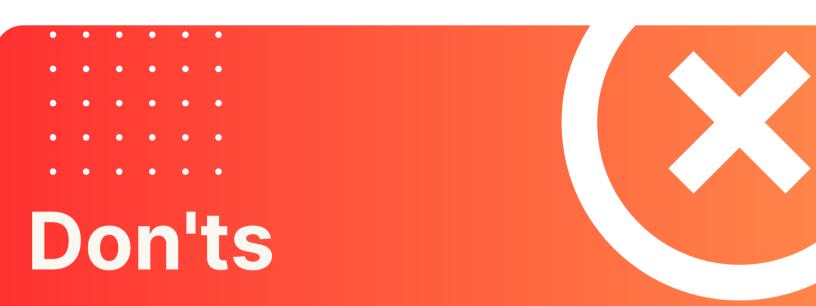
You can build your online presence to attract NIL deals.



Endorse legal products or services not prohibited by WIAA rules.

You can partner with businesses that align with your values and don't violate WIAA regulations.







There can't be any connection to your school team, school, WIAA or conference.

Accept performance-based compensation.

Your earnings shouldn't be tied to your athletic performance.

Host and run your own camp or clinic.

You are not allowed to be self-employed; therefore, you cannot start your own camp.

Skip academic classes or athletic team obligations for NIL activities.

Your education and team commitments should take priority.

Sign contracts with a sports agent or representative to find and negotiate your NIL de

You can explore NIL opportunities on your own or with trusted advisors.

Be recruited or induced to attend or remain at a school in exchange for NIL compensations and the school in exchange for NIL compensations.

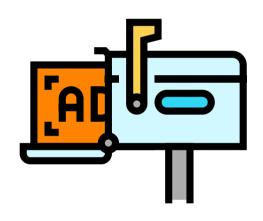
Your decision to attend a particular high school should not be influenced by NIL offers.



Susie plays on her high school's volleyball team. Susie does a deal with the local pizza shop wearing her team's volleyball shirt in a picture that is used on a mailer sent out to residents in the community.





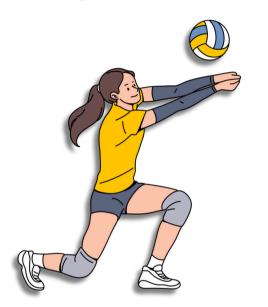


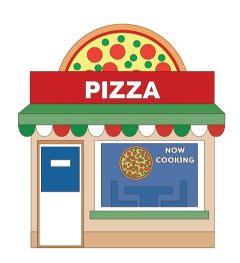


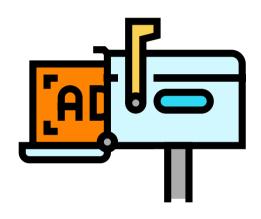
That's a violation. She cannot where any school, conference or WIAA affiliated logo or uniform in any of her NIL activities.



Susie plays on her high school's volleyball team. Susie does a deal with the local pizza shop. She's not wearing any school uniform or logo, but on the mailer it says, "Susie is ranked number 3 in Wisconsin for volleyball and loves Roma's Pizza."









That's not a violation because it doesn't identify her school, conference or WIAA. That ranking could be put out by anyone or any organization



Johnny plays on his high school's football team. Johnny strikes a deal with a local chiropractor who says he will give him free adjustments every time he scores one or more touchdowns in a game.









That's a violation. The deal is contingent on a certain athletic achievement.



Johnny plays on his high school's football team. Johnny strikes a deal with the chiropractor to get free adjustments during the football season if Johnny posts to his social media about his experience every time he comes into the office to get one done.









That's not a violation. The deal is not contingent on a certain athletic achievement. Johnny gets the adjustments because he is using his personal brand to bring attention to the business.



A sporting goods store is a current donor to ABC School and they are looking to do an NIL deal with Tommy, a junior at ABC School who plays on the school's golf team.







That's a violation. A business cannot be a current donor to the school where a student-athletes is enrolled and do a deal with that student-athlete.



A sporting goods store used to donate to ABC School, but they haven't in five years. Now, they are looking to do a deal with Tommy, a junior at ABC School who plays on the school's golf team.







That's not a violation. A business can enter into an NIL deal with a student-athlete as long as that business hasn't donated to the school during the student's tenure at that school as a 9th, 10th, 11th or 12th grader.



A sporting goods store has a valid NIL partnership with Tommy who is a junior at ABC school and plays on the golf team. The sporting goods store decides it wants to start donating to ABC School after Tommy graduates.







That's not a violation. A business can donate to a school after the student they had an NIL deal with graduates.



Sarah is a basketball player on her high school basketball team and wants to partner with her club team to make money being a guest coach and skills expert at a summer clinic put on by her the team.







That's a not violation. Sarah is allowed to make money as a hired instructor for a camp or clinic put on by another business.



Sarah is a basketball player on her high school basketball team and wants to start her own summer camp or clinic to teach younger basketball players how to play.





That's a violation. Sarah cannot be self-employed. She can not start her own camp, although she can be a coach at a clinic run by someone else.



#### NIL AND YOU

# The Benefits for Student-Athletes

Name, Image and Likeness presents a unique opportunity for student-athletes to get professional experience at a younger age helping them bridge the gap between their success as an athlete and their success in their next chapter once their athletic career comes to an end.



## 1

#### FINANCIAL BENEFIT

- Earning Income: Generate revenue through endorsements, sponsorships, social media posts, and other ventures.
- Financial Literacy: Gain experience managing personal income, taxes and expenses. Develop a business mindset.



#### **CAREER DEVELOPMENT**

- Professional Skills Development: Learn business, negotiation, and marketing skills.
- Personal Brand Building: Learn how to craft your reputation with intention to align with your values and passions.
- Resume Building: Gain experience working with brands, handling contracts, and managing projects.
- **Networking Opportunities:** Build relationships with business professionals, brands, and mentors.

## 3

#### **LIFE SKILLS**

- Communication: Learn how to confidently communicate with people in positions of authority.
- **Time Management:** Balance sports, academics, and NIL activities.
- Social Impact: Learn how to use your platform to do good in your community and make a positive impact.

# Frequently Asked Questions

#### As a student-athlete...

- Can I do an NIL deal with a business that currently donates to my school?
   No, you cannot enter into an NIL deal with a business that has donated to your school at any point during your tenure there as a freshman, sophomore, junior or senior.
- Can I wear my high school sport's uniform or apparel with my school's logo or name on it in my NIL activity?
   No, you cannot where anything affiliated or connected to your school team, school, WIAA or conference in NIL promotions.
- Do I have to disclose my NIL deals to my school or WIAA?
   No, you do not have to disclose your deals to your school or WIAA.
- Can I shoot videos for my NIL deal on school property?

  No, there cannot be any connection to your school in your NIL activities including being the location where NIL activities take place.
- Can my social media posts say where I go to school and/or what team I play for?

Yes, as long as that particular social media post is not part of any NIL promotion, campaign or activity.

- Am I allowed to say what sport I play in my NIL activity?

  Yes, as long as you make no mention of your school team, school, WIAA or conference.
- What happens if I realize I am in violation of one of the WIAA's prohibited NIL activities after I've already taken part in it?
   Inform your school administrator and work directly with the WIAA to try to rectify the violation.

# Frequently Asked Questions continued

• Am I allowed to run my own sports camp or provide private coaching to other athletes?

You cannot be self-employed so, no you cannot run your own camp or provide private coaching. You can be hired by another business to provide coaching during the business' camp or clinic.

• Can I hire a sports agent or representative to seek out NIL deals for me and negotiate them on my behalf?

No, you are not allowed to utilize representation or contract an agent for NIL deals. You can use an attorney to draw up an NIL contract for you to use in your NIL deals. You can also seek out education on the NIL industry as well as professional development. You simply can't hire someone to represent you in deals.

• Will my school or coach help make connections for me when it comes to NIL deals?

No, your school and any employees of the school are not allowed to manage or facilitate NIL deals for students.

- Can I use my NIL earnings to pay for college? Yes, you can use your NIL income to pay for educational expenses.
- Who should I contact if I have a specific question regarding NIL? Contact your school's athletic/activities director for clarification on any questions you may have.

