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## *Student-Athlete Name, Image, and Likeness Activity Policy*

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**Purpose:** To define the institutional guidelines and limitations for Sun Devil student-athletes who use their names, images, or likenesses for compensation.

**Policy:**

1. Scope and definition – For the purpose of this policy, an “NIL activity” is any business activity in which a student-athlete is compensated in any way for the use of the student-athlete’s name, image, or likeness.
2. Permissible NIL activities – Student-athletes may be compensated for participation in NIL activities so long as those activities are permissible under NCAA, Pac-12, and ASU policies and regulations and comply with Arizona law.
3. Student-athlete disclosure of NIL activities – Student-athletes must disclose details of any NIL activity within ten business days of the agreement using a form, workflow, or other process approved by SDA. Any modifications to an NIL activity agreement must be reported to the Compliance Office within ten business days of the change through the same process.
4. No impermissible recruitment or benefits through NIL activities – NIL activities may not be used by ASU or any of its representatives to recruit prospective student-athletes to ASU or for the purpose of compensating SDA student-athletes for their athletics performance. Among other things, this means, for example:
  - a. Compensation for NIL activities must be commensurate with the going rate for similar services in the relevant market.
  - b. SDA staff members, including active outside consultants, may not assist student-athletes in the development, operation, or promotion of NIL activities.
  - c. SDA staff members may not provide apparel or gear to student-athletes for purposes of NIL activities.
  - d. Student-athlete access to ASU resources and facilities for purposes of NIL activities is provided at the same level of availability and cost as the public.
5. Restrictions on types of businesses or activities – Student-athletes may not engage in NIL activities with people, institutions, businesses, or other entities in the following categories:
  - a. Alcohol and alcohol products;
  - b. Casinos, gambling, and sports wagering;
  - c. Cannabis and marijuana in any form, along with associated products or paraphernalia;

- d. Firearms and other weapons;
  - e. Gentlemen's clubs, adult entertainment, and escort services;
  - f. NCAA banned substances;
  - g. Political purposes or causes;
  - h. Post-secondary educational institutions or online schooling organizations;
  - i. Pharmaceuticals;
  - j. Sexually explicit materials; and
  - k. Tobacco products.
6. NIL activities while representing SDA – Student-athletes may not engage in NIL activities during required team activities or while representing ASU in any capacity, including during travel relating to ASU athletics competition. Student-athletes may not miss class to participate in NIL activities.
  7. Professional service providers – Student-athletes may use professional service providers (e.g., marketing agents, brand managers) to assist with the management and procurement of NIL activities and to review NIL agreements. Such providers' engagement must be limited to NIL activities and may not be used to secure opportunities as professional athletes. Professional service providers must follow SDA's [athlete agent policy and process](#).
  8. Use of institutional marks – Student-athletes may not use ASU intellectual property (including but not limited to the pitchfork, Sparky, and sunburst trademarks) in connection with NIL activities without permission. Student-athletes may request the use of protected marks during the disclosure process before the activity occurs.
  9. Review – The Compliance Office will review NIL activities for conflict with this policy and NCAA legislation. Neither the Compliance Office, nor any other ASU entity, will perform a legal review of student-athlete NIL agreements.
  10. International student-athletes – International student-athletes may not be eligible to receive compensation for NIL agreements in the United States and should consult with ASU's International Students and Scholars Center.
  11. Consequences – Violations of this policy may result in a variety of penalties depending on the nature and type of policy deviation. The most egregious deviations (i.e., proof that an NIL activity was used to compensate a student-athlete for performance or to induce a prospect to attend) may lead to termination of employment for staff members, booster dissociation, and student-athlete scholarship modification. Violations of NCAA legislation will be reported to the NCAA and could result in additional NCAA-mandated penalties.
  12. The terms of this policy may be modified.