



UAR NUMBER: 506.01

TITLE: Regulations Governing University Student-Athletes Profiting From Their Name, Image, and Likeness

ORIGINATOR(S):

University Athletics Director

INITIAL ADOPTION: August 1, 2021

REVISION DATE(S):

AUDIENCE: (SELECT ALL THAT APPLY)

FACULTY STAFF STUDENTS VENDORS OTHER (SPECIFY):

PURPOSE:

The purpose of this University Administrative Regulation (UAR) is to set forth regulations and offer guidance related to University student-athletes profiting from their name, image, and likeness.

SCOPE:

Morehead State University administration, staff, and students.

DESCRIPTION (INCLUDE DEFINITIONS):

I. Institutional Involvement

Morehead State University, Ohio Valley Conference, NCAA, and Morehead State University Foundation may utilize a student-athlete's name, image, and likeness (hereafter, NIL) for promotional, advertising and marketing purposes without compensation. Morehead State University or its employees may not compensate or arrange compensation to a current or prospective student-athlete for her/his NIL. This UAR does not establish or bestow the right of a student-athlete to use the name, trademarks, services marks, logos, symbols, or any other intellectual property, whether registered or not, of Morehead State University, in furtherance of the student's opportunities to receive compensation for the student-athlete's use of her/his NIL rights.

II. Service Providers

Student-athletes may obtain an athlete agent, attorney, or marketing representative, in accordance with Kentucky State Law, for the purpose of securing compensation for the use of her/his NIL. The use of an agent for future professional athletics contract negotiations remains impermissible per NCAA Division I Bylaw 12.3.1.

III. Disclosure

Pursuant to NCAA rules and this UAR, student-athletes are required to report NIL contracts, agreements and transactions via the ARMS software. A student-athlete who intends to enter into a verbal or written opportunity or contract that would provide compensation for the use of her/his NIL rights shall disclose the proposed opportunity or contract to the Morehead State University Athletics Compliance Office at least seven (7) days prior to committing to the opportunity or contract, for review by designated Morehead State University officials. Student-athletes must complete this disclosure by completing the NIL Disclosure Form via the ARMS software. All advertising and promotional material must be reviewed by Morehead State University Athletics Compliance Office prior to release to ensure consistency with this UAR. Anyone who contracts with an athlete must attest he/she has read this UAR.

Student-athletes may receive compensation for teaching or coaching sports skills or techniques in his/her sport after receiving prior written approval by the Athletics Compliance Office. The student-athlete's NIL may be used to promote the availability of such lessons. Lessons and payment must be conducted consistent with NCAA rules.

IV. Conflict of Interest

A Morehead State University student-athlete may not engage in any NIL activity that conflicts with the terms of any Morehead State University contract. A Morehead State University student-athlete may not engage in any NIL activity for the endorsement of tobacco, alcohol, illegal substances or activities, banned athletic substances, or any form of gambling. Morehead State University shall have the discretion to determine what constitutes an endorsement of a prohibited area in these categories.

V. International Student-Athletes

Morehead State University recommends that international student-athletes not enter into any NIL agreements without the guidance of the Morehead State University Office of International Student Services, or their own immigration attorney, to guard against any potential student visa issues.

VI. Compensation

Student-athletes may not accept compensation in exchange for (i) athletic performance; (ii) specific athletic achievement; or (iii) an inducement to enroll or continue attendance at Morehead State University. Compensation refers to money, goods, or services, and may only be provided by a third party unaffiliated with Morehead State University. Compensation for NIL activity may not come directly from Morehead State University or its employees. An athletics grant-in aid or stipend scholarship from Morehead State University is not NIL Compensation.

VII. Other Provisions

NIL activity may not take place during the student-athlete's participation in CARA (Countable Athletic Related Activities) or RARA (Required Athletic Related Activities). The student-athlete must meet all academic requirements of Morehead State University, the NCAA and the OVC and abide by policies related to class absences while participating in NIL activities.

Compensation from NIL activity could impact need based financial aid such as Pell Grants. Questions regarding need based aid should be directed to Morehead State University's Financial Aid Office.

Student-athletes are responsible for protecting their own identity, personal identification numbers, bank accounts, and any other factor or situation related to identity security. Morehead State University is not responsible for detecting, preventing, or mitigating identify theft for student-athletes as it relates to their NIL activities.

Morehead State University's NIL Procedures do not create an institutional obligation to provide student-athletes with legal advice concerning their NIL agreements. Any and all issues including, but not limited to, taxation, compensation, legality, litigation, visa status, and/or any other issues shall be the responsibility of the student-athlete to resolve, not Morehead State University or its employees.

A student-athlete's failure to comply with established regulations, rules, and laws may result in penalties imposed by the NCAA and the University that could impact the student-athlete's eligibility to participate in intercollegiate athletics and maintain athletic aid.

Morehead State University shall provide limited education to its student-athletes on: the process to disclose any agreements with an athlete agent, attorney, or marketing representative being negotiated for the purpose of the student-athlete's NIL; the method used to disclose any agreements using the student-athlete's NIL; and NIL endorsements by a student-athlete that are prohibited.

This UAR does not limit the right of Morehead State University to establish, expand, or enforce academic standards, requirements, regulations, or obligations for its student-athletes; standards or policies regarding the governance or operation of, or participation in, intercollegiate athletics at Morehead State University; or disciplinary rules and standards applicable to all students of Morehead State University.

This UAR is subject to change.

APPROVED BY:

VICE PRESIDENT: *Russell F. Mast* DATE: 8-9-21

APPROPRIATE INSTITUTIONAL REVIEW: *Jane V. Fitzpatrick* DATE: 8-9-21

PRESIDENT: *Jay M. Huggins* DATE: 8-9-21