

Legal Update Name,Image,Likeness (NIL)

Ryan Miller, CMAA - Scotch Plains-Fanwood - NJ Joshua Scott, CMAA - Springfield District - MO







NCAA v. Alston 2021

NCAA v Alston: A Brave New World for College Sports

25 JUN 2021 | SAMUEL ESTREICHER AND ZACHARY FASMAN



Decision

- Found NCAA was profiting from NIL of amatuer athletes
- Athletes have the right to compensation for their NIL

What is Name, Image, Likeness

Name - Your given name or name you go by - Ryan Miller, Josh Scott, etc.

Image - A photo of video on display in media - Cereal boxes, T-Shirts, etc.

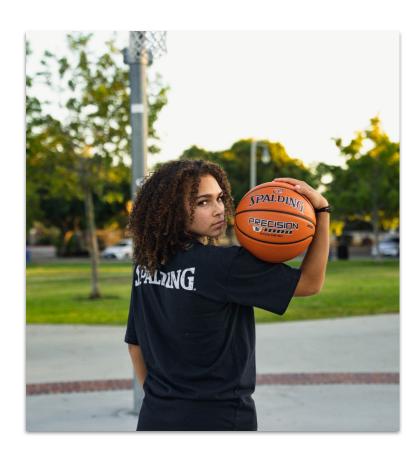
Likeness - artwork, avatars, action figures





"I've been playing with a Spalding basketball since I was a kid," said Williams. "I'm honored to partner with a company that has been such a big part of my life for so long.

I'm excited to be able to continue to use my platform to grow the game" Jada williams.



Positives of NIL

Keeps High School Athletes in their Communities

Brings positive attention to the Athlete's school

Retains Athlete's in High School

Financial benefit for Athlete and Family

NICK STEVENS

We should embrace the opportunity in NIL for high school sports in NC



Performance brand signs California high school players to historic NIL deal

- Believed to be the first for an entire high school team.
- Students will be listed as "influencers on the companies website."
- John Bosco coach Jason Negro said, "If there's something colleges are doing, what better way to help our athletes than to provide them the same type of opportunity? I want to be a pioneer at the high school level, and I think we're doing that at Bosco."



Individual Concerns about NIL

Athletes moving to States who approved NIL NFHS disagrees with NIL

Reinforcement of "me first" mentality Social Media Exploitation

Altering of College experience Rich get Richer

Further erosion of the Multi-Sport Athlete Concept of Amatuerism

New deal for prep powerhouse shows how NIL money is trickling down to high school athletes | Opinion

KONGiQ signing 70-plus high school players to endorsement deals at one of the top programs in the country could open the floodgates to something much bigger.

season

Jeremy Crabtree • 08/24/22

Article written by:

ONBNIL



Jeremy Crabtree jeremycrabtree



Association Concerns for NIL

Schools Leaving Associations to have NIL

Schools Leaving Conferences (Roselle Catholic, NJ example)

School Compliance (NJ and CA examples)

NIL is currently rested in Athletics

Impact on Activity Programs

Potential areas of Growth Include:

Theater

Chorus

Band

Cheer

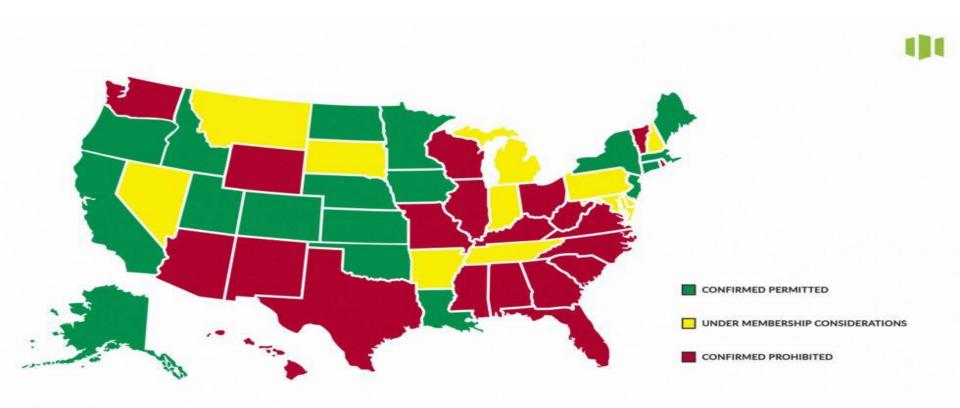


Name Image & Likeness: Why U.S High School Athletes May Sue Over Rights Restrictions



Just as the United States is getting used to the new world order of NIL - name, image, likeness - at universities, high school athletes are gaining attention from major brands. And just like at the college level, a patchwork, state-bystate system is leading to head-scratching inconsistencies and concerns over whether business is working in young athletes' best interest.

A Look at August 2022 State by State



Where are the States?

Approved States

Alaska, California, Colorado, Connecticut, DC, Idaho, Iowa, Kansas, Louisiana, Maine, Massachusetts, Minnesota, Nebraska, NJ, NY, North Dakota, Utah (17)

Considering States

Arkansas, Delaware, Indiana, Michigan, Montana, Nevada, New Hampshire, Oklahoma, Oregon, Pennsylvania, South Dakota (11)

Prohibited States

Alabama, Arizona, Florida, Georgia, Illinois, Hawaii, Kentucky, Maryland, Mississippi, Missouri, New Mexico, North Carolina, Ohio, Rhode Island, South Carolina, Tennessee, Texas, Vermont, Virginia, Washington, West Virginia, Wisconsin, Wyoming (23)



- Adult Entertainment, Alcohol, Tobacco, Cannabis, Controlled Substances,
 Prescription Pharmaceuticals, Casinos and Gambling, Weapons are prohibited
- Coaches and School Administration are prohibited to appear, promote, or assist
- Use of School name, logo, and/or mascot prohibited (includes highlight footage)
- Use of an agent is permitted
- Can be on any media (social media, TV, internet, print, etc.)
- Permitted to start own business
- Permitted to run camps, clinics, lessons (cannot be on their school grounds)
- Case by case discipline for infractions warning to suspension of eligibility

Future Implications

What do you think the next steps are?
What are you thinking right now?
What do you want to see happen next?