



**Student-Athlete Name, Image, and Likeness #910.001**

<b>INITIAL EFFECTIVE DATE:</b>	<b>LAST REVISION DATE:</b>	<b>RESPONSIBLE UNIVERSITY DIVISION/DEPARTMENT</b>
July 1, 2021	August 3, 2021	Athletics

**POLICY STATEMENT**

Florida International University (“FIU”) student-athletes may earn compensation for the use of their name, image or likeness (“NIL”), subject to certain requirements and limitations and provided that any such use does not conflict with “Official Team Activities”.

Such compensation (i) must be commensurate with the market value of the authorized use of the student-athlete’s NIL; (ii) may not be provided in exchange for athletic performance or attendance at FIU; and (iii) may only be provided by a third party unaffiliated with FIU.

**SCOPE**

This policy applies to all current and prospective intercollegiate student-athletes.

**REASON FOR POLICY**

This Policy, and the accompanying Student-Athlete Name, Image and Likeness Procedure Statement, seek to implement Section 1006.74, Florida Statutes, and Florida Board of Governors Regulation 6.022 (the “Florida NIL Law”).

<b>DEFINITIONS</b>	
<b>TERM</b>	<b>DEFINITIONS</b>
Official Team Activities	<p>FIU defines “official team activities” as any activity with an athletic or academic purpose involving student-athletes and at the direction of, or supervised by, one or more of the institution’s coaching or administrative staff. Such activities include, but are not limited, to the following:</p> <ul style="list-style-type: none"> <li>• Practice</li> <li>• Strength and conditioning</li> <li>• Competitions</li> <li>• Film study</li> </ul>



	<ul style="list-style-type: none"> <li>• Skill instruction</li> <li>• Compliance meetings</li> <li>• Student-athlete host activities</li> <li>• Recruiting activities</li> <li>• Fundraising and promotional activities</li> <li>• Community service</li> <li>• Team travel (to and from competition)</li> <li>• Media activities</li> <li>• Team building</li> </ul>
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<b>ROLES AND RESPONSIBILITIES</b>	
<p><b>Student-Athletes:</b> Responsible for disclosing the NIL contract or opportunity through the reporting system established by FIU. Responsible for attending all mandatory training and education related to name, image, or likeness issues.</p>	
<p><b>Associate AD, Compliance:</b> Responsible for reviewing NIL disclosure forms for compliance with legal and FIU policy adherence.</p>	
<p><b>Director of Athletics:</b> Responsible for additional review of agreements exceeding \$5,000</p>	

<b>RELATED RESOURCES</b>	
<p>Board of Governors Regulation 6.022  Section 1006.74, Florida Statutes  Florida International University Procedure 910.001a  National Collegiate Athletics Association Name, Image, and Likeness Interim Policy</p>	

<b>CONTACTS</b>	
<p>Questions about this policy should be directed to <a href="mailto:NIL@fiu.edu">NIL@fiu.edu</a></p>	

<b>HISTORY</b>	
<p><b>Initial Effective Date:</b> July 1, 2021  <b>Review Dates</b> (<i>review performed, no updates</i>): N/A  <b>Revision Dates</b> (<i>updates made to document</i>): July 19, 2021; August 3, 2021</p>	



**Student-Athlete Name, Image, And Likeness #910.001a**

INITIAL EFFECTIVE DATE:	LAST REVISION DATE:	RESPONSIBLE UNIVERSITY DIVISION/DEPARTMENT
July 1, 2021	August 3, 2021	Athletics

**PROCEDURE STATEMENT**

**1) Background**

Florida International University (“FIU”) has adopted Policy No. 910.001 to implement Section 1006.74, Florida Statutes, and Florida Board of Governors Regulation 6.022, which allow student-athletes to earn compensation for the use of their name, image or likeness (“NIL”).

**2) Requirements**

- a. Student-athletes may use their NIL to promote their athletic and non-athletic related business activities (e.g., products, services, camps/clinics, personal appearances). However, compensation may not be provided in exchange for athletic performance or attendance at FIU.
- b. Employees and staff of FIU, its athletics department, and its direct support organizations, including trustees, directors, officers and boosters, may not compensate or arrange compensation to a current or prospective student-athlete for her or his NIL.
- c. A grant-in-aid, including cost-of-attendance, awarded to a student athlete by FIU is not considered compensation for the purposes of authorizing, limiting, prohibiting or regulating compensation for the NIL of a student-athlete. Such grant-in-aid, including cost of attendance, shall not be revoked or reduced as a result of the student-athlete earning compensation or obtaining professional representation related to their NIL activities.
- d. Endorsement of any service or product that violates any federal, state or local law or NCAA rules is prohibited (e.g., illegal drugs and substances, including marijuana and substances banned by NCAA rules). Also prohibited is endorsement of:
  - 1. Guns, firearms, explosives or related products;
  - 2. Alcohol-related products by student-athletes under 21 years of age;
  - 3. Tobacco, vaping or related products;
  - 4. Pornographic, obscene or profane materials;

5. An adult entertainment bar or club; or
  6. Gambling/sports wagering vendors.
- e. The duration of any NIL contract or agreement may not extend beyond the student-athlete's participation in the FIU athletics program.
  - f. A student-athlete may not enter into a contract for compensation for the use of her or his NIL if a term of the contract conflicts with a term of a contract applicable to FIU and/or FIU Athletics. FIU will disclose any such relevant contract term to the student-athlete or her or his representative.

### **3) Disclosure**

FIU student-athletes must disclose any NIL contract or opportunity through the reporting system established by FIU within five (5) business days. NIL Disclosures will be reviewed for compliance with legal requirements and FIU policy adherence.

### **4) Use of FIU Trademarks, Logos, Property and Facilities**

A student-athlete's promotion of their business activity may include a reference to the student-athlete's involvement in intercollegiate athletics and reference to FIU, but may not include any trademarks and/or logos (including any aspects of the uniform) owned by FIU. Use of FIU property and/or facilities must be arranged through FIU Athletics and subject to applicable FIU policies and procedures and rental rates.

### **5) Student-Athlete Representation**

Student-athletes may obtain professional representation to secure NIL opportunities. However, student-athletes are prohibited from obtaining professional representation for future professional athletic contract negotiations. Professional representatives (which may include agents or attorneys) must be licensed in the State of Florida and an attorney representing a student-athlete must be a member in good standing of The Florida Bar.

### **6. Student-Athletes Under Age 18.**

A student-athlete under eighteen (18) years of age must have any NIL contract for compensation approved under Sections 743.08 and 743.09, Florida Statutes.

### **7. Mandatory Education**

Florida International University is committed to educating all student-athletes, staff and third parties on matters related to NIL. All student-athletes, at the beginning of their first and third academic years, will receive mandatory five-hour financial literacy and life skills training as a component of a workshop focused on many areas, including information concerning financial



aid, debt management, and a recommended budget for full and partial grant-in-aid intercollegiate athletes based on the then current academic year's cost of attendance. Such training shall also include information on time management skills necessary for success as an intercollegiate athlete and available academic resources. The training will not include any marketing, advertising, referral, or solicitation by providers of financial products or services.

Additional training may be required at the discretion of the Director of Athletics or his/her designee.