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| Policy Name: | Name, Image and Likeness Policy |
| Effective Date: | August 5, 2021 |
| Last Date of Revision: | N/A |
| Approving Authority: | Board of Regents |
| Responsible Office: | Athletics |
| Category: | Student Life |

Purpose

The purpose of this policy is to provide student-athletes and coaches direction in regards to name, image, and likeness opportunities for student-athletes.

Policy

Northwest Missouri State University (“Northwest” or “University”) has always been committed to providing high quality educational opportunities in addition to championship level athletic opportunities for all its student-athletes competing in intercollegiate athletics. Northwest’s educational programming and support is designed to help student-athletes reach their academic potential while simultaneously earning a Northwest Missouri State University degree.

On June 30, 2021, the NCAA provided an interim policy to its member institutions that permits student-athletes to be compensated for their name, image, and likeness (“NIL”), Northwest Athletics is committed to protecting student-athletes NCAA eligibility while also providing quality educational opportunities in this area to empower and prepare them to maximize their opportunity with respect to NIL.

A student-athlete is not considered an employee of the University based on the student-athlete’s participation in intercollegiate athletics or receipt of athletics aid or other institutional aid. The following policy related to the use of a student-athlete’s name, image and likeness for compensation shall not be construed to create an employer-employee relationship between a student-athlete and the University.

NCAA INTERIM POLICY AND STATE LAW

The NCAA has adopted an interim policy governing student-athletes’ NIL activities (the “NCAA rules”) that permit student-athletes to engage in NIL activities consistent with the law of the state where the school is located, and if no state law is in effect student-athletes can engage in this activity without violating NCAA rules related to name, image and likeness. Further, individuals can use professional service providers for NIL activities without violating NCAA rules. The NCAA rules provide that a student-athlete is prohibited from (1) receiving pay-for-play and (2) receiving an improper recruiting inducement. The State of Missouri passed legislation that permits student-athletes to receive compensation for the use of a student-athlete’s NIL and includes certain requirements. Nothing in this policy should be read or is intended to be inconsistent with applicable state law. The full state law can be found [here](#).

Northwest Missouri State Athletics and our student-athletes must follow state law, NCAA rules and this Northwest Athletics policy.

Student-athletes, Northwest Athletics staff, or other third parties should consult with the Northwest Department of Athletics regarding state law, NCAA rules and this policy prior to engaging in NIL activities that involve Bearcat student-athletes.

NORTHWEST MISSOURI STATE NIL POLICY

Compensation

- Student-athletes may earn compensation for the use of the student-athletes' NIL or athletics reputation from a third party.
- Northwest Missouri State, the athletics department and University employees may not provide compensation to, or arrange compensation for, a current or prospective intercollegiate athlete for use of his or her name, image and likeness.
- Compensation may not be provided in exchange for athletic performance or attendance at Northwest Missouri State.
- The expectation is that NIL compensation opportunities will not conflict with academic or mandatory team related activities.

Use of Intellectual Property and Facilities

- Student-athletes will only be allowed to use University or athletics department-related marks and logos, including all aspects of the uniform, if those rights have been secured through an agreement granting specified rights. Individuals may request sponsorship information and/or an agreement by contacting the Northwest Department of Athletics. Information and licensing agreements pertaining to retail products can be sourced as well.
- The use of athletics department facilities will require approval in advance (location agreements, including waiver of liability forms and applicable rental fees). Rental and waiver of liability agreements will be coordinated with the Northwest Department of Athletics.

Disclosure and Conflicts

- Student-athletes must disclose NIL agreements to the athletics department before an NIL agreement is executed and before any compensation is provided to a student-athlete. This will be accomplished through the NIL Disclosure Form provided on the Northwest Athletics website found [here](#).
- A student-athlete may not enter into a contract for compensation for the use of the student-athlete's NIL or athletics reputation if the NIL agreement conflicts with a term of the contract to which the University is a party, without prior written consent. NIL agreements with vendors associated with activities prohibited by [NCAA rules](#), state or federal laws, or which conflict with institutional conduct expectations are prohibited.

Professional Services

- Student-athletes may secure representation (e.g., agent or lawyer), **ONLY** for Name, Image and Likeness and **NOT** for future professional athletic contract negotiations. **Student-athletes cannot enter into any such written or oral agreements for Name, Image and Likeness before July 1, 2021.**
- An athlete agent representing a student-athlete for purposes of securing compensation for her or his name, image, likeness, or persona must be licensed in the state of Missouri. Likewise, an attorney representing a student-athlete for purposes of securing compensation for her or his name, image, likeness, or persona must be a member in good standing of The Missouri Bar.
- The duration of a contract for representation of student-athlete or compensation for the use of Name, Image and Likeness may not extend beyond participation in athletic program at institution.

Other Considerations

- International student-athletes should not enter into any NIL agreements without guidance from the Northwest Missouri State University International Involvement Center to guard against any potential immigration issues.
- Pell Grant or need-based financial aid could be impacted based on compensation from NIL. Those questions should be directed to the Northwest Missouri State Office of Scholarships and Financial Assistance.
- Northwest Athletics will provide yearly educational sessions on NIL and financial development to all student-athletes according to Missouri state law.