

WACUBO 



Rising to the Challenge

2023 WACUBO ANNUAL CONFERENCE



INTERCOLLEGIATE ATHLETICS IN 2023

Navigating Name, Image, and Likeness (NIL)

Graham Rossini

&

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Graham Rossini

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Arizona State University

Former Vice President of Special Projects & Fan Experience

Arizona Diamondbacks

Sandy Hatfield Clubb

Managing Director for Strategic Initiatives

Knight Commission on Intercollegiate Athletics

President

The PICTOR Group

Former Athletics Director

Drake University



Background and State of NIL

NCAA Prohibitions

Institutions and their representatives cannot use NIL regulations to circumvent NCAA Bylaws 13 or 16.

- No recruiting inducements or compensation for athletics performance
- Must be commensurate with going rate for similar services

Policy Restrictions (Schools can create independent restrictions in compliance with state laws and NCAA rules)

ASU's policy restricts SA's from engaging in NIL activities with entities involved in the following types of businesses or products: adult entertainment, alcohol and cannabis, casinos and sports wagering, firearms and weapons, and NCAA banned substances

NIL Activity Disclosure

ASU also mandates disclosure of pertinent NIL details through Sun Devil Athletics' (SDA) within ten business days of any NIL agreement

There are NO national standards and NIL is constantly changing with no consensus. It is under a lot of scrutiny.



NIL Concerns in Current Environment

- **Need for Independent Oversight**
- **National Uniformity**
- **Guardrails for NIL Opportunities**
 - To prevent pay-for-play and prohibit recruiting inducements



Issues Impacting Schools

- **Education of Athletes.**
- **Compliance.**
- **School involvement.**
- **Use of institutions' trademark.**
- **Conflict with school sponsors.**
- **Reporting requirements.** (Some states and some schools require.)



Educational Components

Educational Programming

- The SDA Championship Life program leads ongoing classroom sessions on all topics NIL
- Student-Athlete Advisory Council (SAAC) helps promotes programming to all S-A's
- Opendorse and Altius Visits
- ASU's Global Sports Institute (GSI) is engaged with entrepreneurial minded S-A's
- Weekly newsletters are sent to S-A's and cover relevant NIL news and best practices



Welcome back from Spring Break, Devils!

Disclosure Reminder

Don't forget to disclose! You must [disclose all your NIL activities through ARMS](#). If requesting the use of any trademarked materials, you must disclose and request permission in advance.

SDA NIL Education Resources

From Navigating Opendorse to Finances & Taxes to Hustle Strategies, you can find in-depth videos tailored to Arizona State student-athletes on the [SDA Website](#). If there's a topic that we're missing, reply to this email, and we will try to provide it in an upcoming series.

Midsemester Reminders

We are halfway there! Don't get lax with how you are tracking your NIL deals! Remember to clear all logo use through Becky Parke, read everything you sign, and set aside money for taxes. You can get the full rundown [here](#).

Building on Twitch

Twitch is a growing platform different than other social media. It allows you to combine video games, YouTube, and Twitter into one unique mix. Learn how Miami Football student-athlete Al Blades, Jr. [built his Twitch channel](#) from the ground up.

It's an NIL World...

These deals serve as education only so you can see what other student-athletes around the country are doing in the NIL space. You are responsible for securing your own deals and making sure they follow the ASU NIL Policy.



Activation Examples



Collectives

- **Definition:** A third-party business that attempts to simplify the NIL deal-making process significantly by involving another group of stakeholders, fans. Rather than each athlete trying to set up deals individually, a collective pools money from different brands, fans, and boosters and then allocates it to S-A's who opt into the collective in exchange for brand work and social media appearances.
- Sun Angel Collective provides fans and supporters with access to their favorite SA's through contributions and subscriptions. Each membership level will include various exclusive benefits which allows the SA's to receive compensation for their NIL. One-time donations to Sun Angel Collective will be dispersed to the SA's.
- The Collective's mission is to support youth service non-profits in Arizona by helping Sun Devil S-A's monetize their name, image, and likeness (NIL). The Collective is overseen by a board of directors and two advisory committees, one made up of local business and community leaders and the other by current and former S-A's. The Sun Angel Collective is seeking a 501C(3) a determination from the Internal Revenue Service and intends to operate as a public charity.



Partnerships Helping Grow Education / Support

Altius Sports Partners (ASP)

The premier NIL launch program for the most elite collegiate athletics programs, athletics directors and coaches in the country.



Opendorse

The leading athlete marketplace and NIL technology company. They serve the full lifecycle of supporting athletes: educating, assessing, planning, sharing, creating, measuring, tracking, disclosing, regulating, listing, browsing, booking, and more.



The Brandr Group (TBG)

Specialize in developing co-branded college business using group player rights. We partner on a non-exclusive agreement that will allow S-A to create and market co-branded products using group licensing rights.





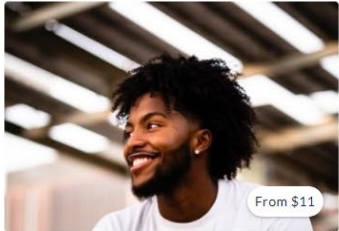
Filters

Sort: Recommended

Opendorse / NCAA / Pac-12 / Arizona State Sun Devils



- Football
- Baseball
- Softball
- Basketball
- Track & Field
- Soccer
- Wrestling
- Ice Hockey
- Cross Country
- Volleyball
- Golf
-



From \$11

Micah Burno
Men's Basketball • Arizona State Sun Devils

1.1k 2.9k



From \$11

Elijah Badger
Football • Arizona State Sun Devils

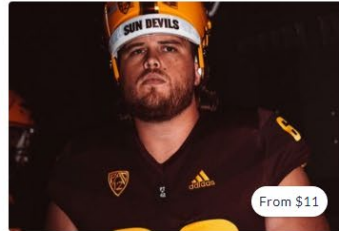
2.7k 4.9k



From \$1

Jalin Conyers
Football • Arizona State Sun Devils

4.3k 6.5k 3.9k



From \$11

Joseph Ramos
Football • Arizona State Sun Devils

1.7k 928 1



Retail Examples

Clothing & Accessories > College Athlete Shop



Arizona State University Basketball Buzzer Beater! Shot of Deztiny T-Shirt

Blue 84

\$28.00

PayPal Pay in 4 interest-free payments on purchases of \$30-\$1,500. [Learn more](#)

COLOR: Gold



SIZE: Make a Selection [Size Guide](#)



Clothing & Accessories > College Athlete Shop > Football



Arizona State University Replica Football Jersey - #12 J CONYERS

Adidas

\$140.00

PayPal Pay in 4 interest-free payments of \$35.00. [Learn more](#)

COLOR: Team Maroon



SIZE: Make a Selection



adidas x Sun Devil Athletics

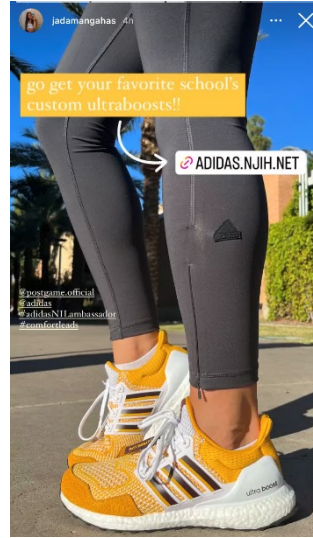
- On March 23, 2022 adidas became the first major sports brand to unveil a wide-sweeping, equitable and inclusive NIL network – where every eligible SA at their D1 partner schools will have the opportunity to become a paid affiliate brand ambassador for adidas
- This new program is expected to reach more than 50,000 NCAA SA's across 109 D1 universities nationwide – the program is open to all genders, non-binary, trans, and LGBTQI+ athletes
- The network is accessible to eligible SA's beginning in Fall 2022 with HBCUs and Power 5 schools before expanding to Group 5 schools in December 2022 and Group 22 schools in April 2023
- Have already partnered with two Sun Devil Gymnast S-A's, one Men's Basketball S-A, one Women's Basketball S-A





Izzy Redmond, Gymnastics

Jada Mangahas, Gymnastics



Chad Johnson, Football

Current Examples of Disclosures



Current Student-Athlete Disclosures

**62% of deals
worth \$1K or more**

727

Deals disclosed

50%

Disclosures from Football

86%

Activations done over social media (via Twitter, Instagram, and TikTok)

26

Sports with deals disclosed, including 266 S-A's



*As of March 30, 2023

Additional Data

	FB and MBB	All Other Sports
Average Value	\$2,033	\$761
Number of Deals	411	316
Number of Athletes	135	131

*If we remove Football, the Women's Teams hold the majority of deals

*As of March 30, 2023

- **Gender:** all sports and SA's receive the same access to education and resources from ASU to pursue NIL opportunities.
- **Partnerships with local companies:** Sun Devil SA's are beginning to partner more with local companies, but a greater awareness in the valley would help them. Sprouts partnered with several of our female SA's, and U-Haul has begun executing NIL deals which will help other valley companies realize the potential in Sun Devil SA's.



Sport	Number of Athletes with Deals	Average Deal	Number of Deals
Football	121	\$1,817	360
Men's Basketball	14	\$3,527	51
Women's Basketball	7	\$247	17
Baseball	8	\$355	14
Men's Golf	2	\$1,890	10
Women's Golf	1	Not Yet Disclosed	TBD
Women's Gymnastics	5	\$200	7
Men's Ice Hockey	7	\$290	15
Women's Lacrosse	8	\$84	15
Women's Soccer	3	\$180	4
Softball	15	\$915	30
Men's Swimming & Diving	9	\$842	28
Women's Swimming & Diving	7	\$742	13
Men's Tennis	1	\$120	1
Women's Tennis	1	\$150	1
Men's Track & Field	9	\$623	28
Women's Track & Field	10	\$230	35
Women's Triathlon	2	\$144	5
Women's Beach Volleyball	8	\$66	12
Women's Volleyball	12	\$486	28
Women's Water Polo	2	\$53	3
Men's Wrestling	15	\$1,558	50

NIL Next Steps?



2023 Knight Commission Members



Jonathan Alger

President
James Madison University

Eric Barron

President Emeritus
Pennsylvania State University

Pam Bernard

VP and General Counsel
Duke University

Christine Copper

Faculty Athletics Representative and Professor
US Naval Academy

Arne Duncan

Former US Secretary of Education

Len Elmore

Attorney, TV Commentator,
Former NBA and College Basketball Player

Wayne Frederick

President
Howard University

Kim Harmon

Professor, Head of the Sports Medicine Section
University of Washington School of Medicine

Chris Howard

Executive Vice President and COO
Arizona State University

Amy Huchthausen

Chief Operating Officer
Stavvy

Alberto Ibarguen, Ex-officio

President and CEO
John S. and James L. Knight Foundation

Derek Kerr

Executive VP and CFO
American Airlines

Shanteona Keys

Former College Basketball Player
Georgia College

Jonathan Mariner

Former Executive and CFO
Major League Baseball

Jacques McClendon

Director of Football Affairs
LA Rams

Jessica Mendoza

Television Commentator, ESPN,
Olympic medalist, Former College Softball
Player

Judy Olian

President
Quinnipiac University

Jill Pilgrim

Principal Owner
Pilgrim & Associates Arbitration, Law &
Mediation

Peter Roby

Interim Athletics Director
Dartmouth College

Kendall Spencer

Georgetown University Law Graduate,
Former NCAA DI Board Member





Key NIL Timeline

- **2008:** Knight Commission holds the first national public meeting on emerging NIL issues
- **September 30, 2019:** California passes first state NIL law
- **April 6, 2020:** KCIA issues Principles to Guide New NIL rules
- **June 30, 2021:** NCAA issues interim NIL policy
- **July 1- September 1, 2021:** **19 state laws** take effect with 9 others scheduled for 2022 or beyond
- **July 14, 2021:** Uniform Law Commission College NIL Act is approved



Jeremy Bloom (former University of Colorado football player) and Kerry Kenny (Former student-athlete and Chairman of NCAA Division I Student-Athlete Advisory Committee)





Knight Commission NIL Principles*

- 1. Fairness to Athletes as Students**
- 2. Informing Athletes on NIL Rights**
- 3. Oversight of NIL Rights**
- 4. Guardrails for NIL Rights (prevent pay-for-play)**
 - No institutional involvement;
 - No use of institutional trademark; and
 - Oversight for fair market value.
- 5. National Uniformity**

Knight Commission 4-Minute Video*

<https://www.knightcommission.org>

***Released in April 2020**







Questions & Discussion

