BOV-022

Compensating Student-Athletes for Their Name, Image, and Likeness

Effective Date Friday, March 7, 2025

Status Final

Policy Type Board of Visitors

Contact Office Athletics Compliance Office

Oversight Executive
Vice President for Intercollegiate Athletics

Applies To Academic Division.

Table of Contents

Policy Statement
1. Compensation for Use of Name, Image, or Likeness (NIL)
2. NIL-Related Agreements & Institutional Involvement
3. Use of Intellectual Property
4. Prohibited Activities
5. Disclosure
6. Liability & Accountability
7. Employment Relationship
8. Compliance with Policy
9. Updates

Reason for Policy

The Code of Virginia §23.1-408.1 authorizes the University of Virginia to compensate student-athletes for the use of their NIL and/or obtaining the rights to use their NIL. The statute also requires that an institutional policy consistent with the law be approved by the Board of Visitors.

Definition of Terms

Terms

Description There are no terms that require definition.

Policy Statement

The University of Virginia (University) has established the following requirements pertaining to the use of a student-athlete's NIL as set forth below.

1. **Compensation for Use of Name, Image, or Likeness (NIL):**
   The University, or an entity acting on its behalf, may enter into an NIL-related agreement with a student-athlete to compensate the student-athlete for the use of their NIL and/or the right to use their NIL.

   A student-athlete's NIL may be utilized in commercial, non-commercial, or other marketing and/or promotional activities.

   No student fees shall be utilized to compensate student-athletes for their NIL. Student fees include any fee that the University charges a student that is used to support its intercollegiate athletics programs.

   Compensation for NIL-related activities from the University, or an entity acting on its behalf, is separate from an athletic scholarship.

2. **NIL-Related Agreements & Institutional Involvement:**
   If a student-athlete enters into an NIL-related agreement with the University, or an entity acting on its behalf, the student-athlete will grant an irrevocable non-exclusive right and license to use their NIL, provided such uses are not inconsistent with the laws of the Commonwealth of Virginia, NCAA or ACC rules, or the regulatory provisions adopted by any other governing body with authority over intercollegiate athletics.

   The University, or an entity acting on its behalf, can identify, create, negotiate, facilitate, support, engage with, assist with, or otherwise enable an NIL opportunity for a student-athlete.

   The University may provide assets, resources, or benefits as an incentive to individuals, companies, or other entities to provide money, benefits, opportunities, services or anything else that may enable NIL opportunities for student-athletes.

3. **Use of Intellectual Property:**
   The University's intellectual property may be utilized for NIL activities, as long as the use has been approved by the University. Intellectual property includes, but is not limited to, federally registered trademarks, trade dress, indicia, unregistered marks, logos, colors, uniforms, and copyrightable photographs or videos. Approval for use of federally registered trademarks, trade dress, indicia, unregistered marks, logos, colors, uniforms will be provided by University Communications, per GOV-004: Use and Licensing of the University's Trademarks, unless an outside entity, such as a multimedia rights partner, has contractual rights to use federally registered marks.

   Further, if the University's intellectual property is to be utilized, the University will approve creative brief, script, media assets, and plans for use.

   Further, if the University's intellectual property is to be utilized, the University will approve creative brief, script, media assets, and plans for use.

4. **Prohibited Activities:**
   A student-athlete shall be prohibited from earning compensation for the use of their NIL in connection with any of the following: (1) casinos or gambling, including sports betting; (2) alcohol products; (3) adult entertainment; (4) cannabis, cannabinoids, cannabidiol, or other derivatives; (5) dangerous or controlled substances; (6) performance enhancing drugs or substances (e.g., steroids, human growth hormone); (7) drug paraphernalia; (8) tobacco and electronic smoking products and devices; or (9) weapons, including firearms and ammunition.

The University has authority to preclude a student-athlete from engaging in NIL activities that conflict with existing University arrangements.

A student-athlete cannot be prohibited from participating in activities that are unrelated to intercollegiate athletics, as long as participation in such activities has no impact on the student-athlete's eligibility for intercollegiate athletics.

5. **Disclosure:**
   A student-athlete must disclose NIL-related activity that is $600 and above to the Athletic Department, consistent with the Athletic Department's policies and procedures, NCAA or ACC rules, or the regulatory provisions adopted by any other governing body with authority over intercollegiate athletics.

6. **Liability & Accountability:**
   No University employee, or employee of an entity acting on behalf of the University, shall be liable for any damages for a student-athlete's inability to earn compensation for the use of their NIL that results from decisions and actions routinely taken in the course of intercollegiate athletics.

   A student-athlete is expected to remain in good standing and adhere to the Athletic Department's policies and procedures; the University's policies, procedures, and rules; and any other rule or policy applicable to a student-athlete.

7. **Employment Relationship:**
   Nothing in this policy or the NIL-related agreements between the University and a student-athlete shall establish or be construed to establish an employment relationship between a student-athlete and the University based on their participation in intercollegiate athletics or the terms of the NIL-agreement.

8. **Compliance with Policy:**
   Failure to comply with the requirements of this policy may result in disciplinary action in accordance with relevant University policies.

   Failure to comply with the terms of an NIL agreement may have potential consequences.

   Direct questions about this policy to the Athletics Compliance Office.

9. **Updates:**
   This policy and any future modifications must be approved by the Board of Visitors.

Related Information

GOV-004: Use and Licensing of the University's Trademarks

Policy Background

Reference: BOV minutes dated March 7, 2025.

Major Category Board of Visitors

Category Cross Reference
Students and Student Programs

Approved By Board of Visitors

Approved Date Friday, March 7, 2025