



To: NJSIAA Executive Committee

From: Colleen Maguire, Executive Director

Date: September 18, 2024

RE: Name, Image and Likeness Policy Update – Clubs

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In November 2021, NJSIAA adopted a policy permitting student-athletes the opportunity to profit off the use of their Name, Image and Likeness in certain activities. Since adoption, the activity surrounding the use of a student-athletes Name, Image and Likeness continues to evolve and we continually review our policy to ensure it is current in addressing the evolving landscape.

In September 2023, NJSIAA updated its policy to prohibit the use of NIL collectives. An NIL collective is a group organized or existing for the purposes of compensating or benefitting an individual student-athlete or group of student-athletes at a member school.

In June 2024, NJSIAA learned of an organization that was promoting NIL clubs to student-athletes at member schools. An NIL club is a group of student-athletes organized or existing for the purpose of soliciting funds or other benefits from individuals or groups and is based on a student-athlete's affiliation with a member school or member school's interscholastic team.

Therefore, to clearly articulate that NIL clubs are not permissible, I propose the following update to the NJSIAA Name, Image and Likeness Bylaw.

### **Bylaws, Article V [Eligibility of Athletes] Section 2 [Amateur-Athlete]**

#### **D. Name, Image and Likeness.**

“Student-athletes are prohibited from making any reference to a member school or the NJSIAA when engaging in any NIL activity. Student-athletes may not endorse or promote any third-party entities, goods or services during team activities. Student-athletes may not wear the apparel or display the logo, insignia, or identifying mark of an NIL partner during any team activities. Student-athletes are prohibited from participating in an NIL club that is based on their affiliation with a member school or a member school's interscholastic team, or an NIL club that references a member school or a member school's interscholastic team.”