



Name, Image, and Likeness Scenarios

The public perception of name, image and likeness conversations is that laws like California’s Fair Pay to Play Act will primarily affect top-tier athletes at NCAA Division I schools. While that may hold true for the more lucrative endorsement deals, NAIA athletes could still benefit financially in a number of ways. In fact, the NAIA national office routinely receives phone calls from schools, students and third parties on this topic. Below is a sampling of past questions and possible future applications for NAIA student-athletes.

Scenario	Under current NAIA rules	If NIL restrictions were removed
Students/teams participate in their sport for a movie, show, commercial, etc. Student-athletes would be compensated for their time.	If neither the student’s status as a student-athlete or institution are referenced, this does not violate current rules. If students were to wear their school uniform, this would violate current amateurism rules.	Permitted.
Students/teams participate in their sport for a movie, show, commercial, etc. Student-athletes would not be compensated for their time.	Allowed because no compensation provided.	Permitted.
Students/teams have been asked to participate in their sport for a movie, show, commercial, etc. Students would not be compensated for their time.	Allowed because no compensation provided.	Permitted.
Student wants to sell supplements, leveraging their status as a student-athlete in the promotion.	Not allowed under current rules.	Permitted.
Student wants to sell supplements but make no mention of status as student-athlete or institution in advertisements.	This would be allowed under current rules, but student would have to be very careful. Any reference to school or student-athlete status would be a violation (e.g. pictures on school grounds, video in dorm room showing uniform or conference champion medal in background, etc.).	Permitted.
Student-athlete is member of popular campus acapella trio. Trio is on a poster to promote opening of a local music shop.	If neither the student’s status as a student-athlete or institution are referenced, this does not violate current NAIA rules. But if the poster mentions that they are the School X Trio, it’s a violation.	Permitted.

Scenario	Under current NAIA rules	If NIL restrictions were removed
Student wants to offer batting lessons to youth for an hourly fee. Student advertises on social media and flyers around town, including action shots of her batting in uniform.	Not allowed under current rules.	Permitted.
Student wants to offer batting lessons to youth for an hourly fee. Advertisements would not reference student-athlete status or school.	Allowed under current rules.	Permitted.
Student wanted to receive compensation for appearing in a local commercial.	If neither the student's status as a student-athlete or institution are referenced, this does not violate current rules. Likely limits student's involvement to inclusion as an extra/actor.	Permitted.
Student wanted to publish a memoir about his life story and hardships he had overcome.	Though the primary basis of the memoir was not about the student's athletic career, it's challenging to write a memoir leaving out reference to specific college or student-athlete status. Student was considering waiting until after college career to publish, or quitting athletics.	Permitted.
Instagram influencer making money off of social media.	If neither the student's status as a student-athlete or institution are referenced, this does not violate current rules. But likelihood of social media account some way referencing status as student-athlete or institution is high, meaning it would be a violation. Best practice would be not to do it, or in the alternative create separate account just for influencer activity but keep very narrowly tailored to specific content (likely to hinder ability to be successful influencer).	Permitted.
YouTube channel focusing on a student-athlete's day-to-day life. Student made money off of YouTube advertisements (available to any YouTube channel host).	This is a violation of current bylaw because the student received compensation, even though the payment/advertisement had nothing to do with the student's status as an athlete.	Permitted.
Student's family business created a commercial, with student in the commercial.	If neither the student's status as a student-athlete or institution are referenced, this does not violate current rules.	Permitted.