

NIL Policy Proposal for Student Athletes

To: Mark A. Emmert
President, National Collegiate Basketball Association
Issue: NIL for student athletes

Problem Statement:

Playing for the NCAA is a goal that athletes throughout the world strive towards, however as time has gone on the NCAA's public image has begun to become frowned upon. One of the main reasons for this is the NCAA's policy on students Name Image and Likeness (NIL). The current policy states: "You are not eligible in any sport if, after you become a student-athlete, you accept any pay for promoting a commercial product or service or allow your name or picture to be used for promoting a commercial product or service. [Bylaws 12.5.2.1 and 12.5.2.2]" Even though the NCAA is still obtaining world class talent, movements like "#NotNCAAProperty", and famous public figures like Draymond Green, LeBron James, Carmelo Anthony, and many more, have helped to paint a perception that portrays the NCAA as a greedy organization. Even proposed solutions that have passed through the NCAA have been very lax in their language, and do not guarantee anything. A policy passed in 2019 states that students shall have "the opportunity to benefit from the use of their name, image and likeness in a manner consistent with the collegiate model."¹ This policy offers little guarantee of compensation, and does not solve the problem. Even beyond celebrities, paying players is seen as a bipartisan issue. Democrats and Republicans were able to create a 2019 Bipartisan bill, which argued for student athletes rights to be paid², and to give it federal oversight. Even ignoring the Bipartisan backlash against the NCAA's policies, it is simply the morally right thing to do, to allow students to make money off their names. If student athletes can put in the work, to build a brand and make themselves marketable, there is no reason they should not be able to make money off that work.

Proposed Solution:

My proposed solution would to reintroduce the policy, by giving students the ability to make money from sponsorships, commercials, and autographs. This will give students the ability to make the money that they deserve, due to the hard work they put in to their skills or building a brand. I would suggest putting restrictions in place, by capping the amount of money a student can make from endorsements at 10,000 dollars per commercial/sponsorship and 100,000

¹ Hobson, Will. "NCAA Softens on Allowing College Athletes to Be Paid, but Provides Few Specifics." *The Washington Post*, WP Company, 30 Oct. 2019, www.washingtonpost.com/sports/colleges/ncaa-softens-public-stance-on-athlete-amateurism-provides-few-specifics/2019/10/29/4378b1f0-fa7a-11e9-8906-ab6b60de9124_story.html.

² Dennis Dodd Sep 25. "Bipartisan Name, Image, Likeness Bill Introduced to U.S. House Would Supersede State Laws for College Athletes." *CBSSports.com*, 25 Sept. 2020, www.cbssports.com/college-football/news/bipartisan-name-image-likeness-bill-introduced-to-u-s-house-would-supersede-state-laws-for-college-athletes/.

dollars per season (considering a season starting the day after the championship, and continuing until next years championship). This would also be under the condition that a student would be able to make endorsements, and appear in commercials without it affecting their academic, and athletic performance. Once the student went over the cap of 100,000 dollars, or 10,000 dollars per commercial, the rest of the money would go to an approved non-profit charity of the athletes choice. This way athletes are not able to make money on the scale of a lot of professional athletes, and are still able to maintain some status of "amateurism". This also allows players who do not have a career in their sport, to make money to help set them up for the future. Finally, student athletes who exceed the cap will help to benefit charities, and help people in need, thus benefiting more people besides just the NCAA. Overall the NCAA needs to change their policies around players NIL, and this will be a good first step towards that goal.