

**NCAA Study Group on the Use of Student-Athletes' Names and Likenesses  
Proposed Legislative Language**

(For ease of review, the text below does not use italics or boldface to show removed or added language, respectively. In other words, the text below is a mix of existing bylaw language and possible new or proposed bylaw language.)

**Three categories of promotions addressed in separate bylaws:**

- A. Institutional, charitable, education or nonprofit promotions, which may include cosponsorship by a commercial agency;**
- B. Commercial advertisements or promotions; and**
- C. Media entities promoting coverage of intercollegiate contests.**

**A. Institutional, Charitable, Education or Nonprofit Promotions.** An institution or conference or a charitable, educational or nonprofit agency may feature a student-athlete's name, image, likeness or appearance in or in conjunction with a promotional activity, provided the following conditions are met:

- 1. The promotional activity must be approved by the institution's athletics director (or his or her designee who may not be a coaching staff member);
- 2. The student-athlete may not miss class;
- 3. The promotional activity may involve cosponsorship by a commercial entity, as approved by the institution, subject to the following conditions:
  - a. The promotion must identify (e.g., via graphics, voice over, text) the commercial entity and explain its affiliation with the institution, conference or noninstitutional charitable, educational or nonprofit agency (e.g., entity is the official sponsor of the institution or event);
  - b. The promotion may not include language or action (e.g., voice over, use of product or services, product placement, text) which directly encourages the use or purchase of a commercial product or service;
  - c. A cosponsor's product or service may not be included in the promotional activity, except for the normal use of athletics equipment and apparel; and

- d. The promotion may not include cosponsorship by a commercial agency that is involved in or promotes sports wagering activities.
4. The student-athlete may accept actual and necessary expenses from the institution, conference or the charitable, educational or nonprofit agency related to participation in the activity;
5. Any commercial items with names, likenesses or images of multiple student-athletes (other than highlight films or media guides per NCAA Bylaw 12.5.1.8) may be sold only at the member institution at which the student-athletes are enrolled, the institution's conference, institutionally controlled outlets or outlets controlled by the charitable, educational or nonprofit organization (e.g., location of the charitable or educational organization, site of charitable event during the event). Items that include an individual student-athlete's name, image or likeness (e.g., name on jersey, name or likeness on a bobble-head doll), other than informational items (e.g., media guide, schedule cards, institutional publications, photographs), may not be sold;
6. The student-athlete and an authorized representative of the charitable, educational or nonprofit agency sign a release statement ensuring that the student-athlete's name, image or appearance is used in a manner consistent with the requirements of this section.

**Promotions Involving Commercial Locations/Sponsors.** A member institution or a charitable, educational or nonprofit organization may use the appearance, name or image of an enrolled student-athlete to promote generally its fundraising activities at the location of a commercial establishment, which may be a cosponsor of the activity, provided the student-athlete does not promote the sale of a commercial product or service in conjunction with the fundraising activity.

**B. Commercial Advertisements or Promotions.** An advertisement or promotion by a commercial entity (except for any entity that is involved in or promotes sports wagering) may feature competition video footage, competition audio or competition photographs involving a student-athlete with eligibility remaining, provided the following conditions are met:

1. The advertisement or promotion must be approved by the institution's athletics director (or his or her designee who may not be a coaching staff member);
2. The advertisement or promotion must identify (e.g., via graphics, voice over, text) the commercial entity and explain its affiliation with the institution, conference or the NCAA (e.g., entity is the official sponsor of the institution or event); and

