



Embry-Riddle Aeronautical University Student-Athlete Name, Image, Likeness Policy Document

Purpose: To define the institutional guidelines and limitations for Embry-Riddle Aeronautical University (ERAU) student-athletes engaging in Name, Image, and Likeness (NIL) agreements.

Policy:

1. Definition and Scope – an NIL activity is any business activity in which our student-athlete(s) is compensated in any way (financial, services, goods) for use of the student-athlete's name, image, or likeness.

2. Permissible NIL activities – student-athletes may earn compensation for NIL activities that are permissible under NCAA and ERAU regulations and comply with Florida state law.

3. Student-Athlete Disclosure NIL Activities -- Student-athletes must disclose all name, image, and likeness contracts to the ERAU Athletics Compliance office for review. Any modifications made to an existing NIL agreement must be reported immediately following the before mentioned process. The following NIL activity information must be disclosed at the agreement initiation or modification:

- a. Contact information for all parties involved.
- b. Compensation arrangements.
- c. Details of relationship with involved parties.
- d. In the case of a modified NIL agreement, all information listed above and all agreement modifications.

4. Restrictions on types of businesses or activities – Student-athletes may not enter into a contract for compensation of name, image, and likeness if the contract or company falls under the following:

- a. A tobacco company or brand, including alternative nicotine products
- b. Any alcoholic beverage company or brand.

- c. Any seller or distributor of a controlled substance, including and not limited to, marijuana.
- d. Any seller or distributor of an NCAA banned substance.
- e. Any adult entertainment business.
- f. Any casino or companies that sponsor/promote gambling.
- g. Firearms or other weapons
- h. Political purposes or causes

5. No impermissible recruitment or benefits through NIL activities – NIL activities may not be used by ERAU or any of its representatives to recruit prospective student-athletes to ERAU or for the purpose of compensating ERAU student-athletes for their athletics performance. Among other things, this means, for example:

- a. Compensation for NIL activities must be commensurate with the going “Market Value” for similar services in the relevant market.
- b. ERAU staff members, including active outside consultants, may not assist student-athletes in the development, operation, or promotion of NIL activities.
- c. ERAU staff members may not provide apparel or gear to student-athletes for purposes of NIL activities.

6. NIL activities while representing ERAU -- Student-athletes are not permitted to miss class for opportunities related to name, image, and likeness compensation. Student-athletes are not permitted to engage in NIL activities during required ERAU sponsored team activities including during travel to ERAU Athletic events.

7. Use of ERAU Trademarks, Logos, and Facilities – Student-athletes may not use ERAU intellectual property, trademarks, logos, or facilities while engaging in any NIL related activities including:

- a. student-athlete **may not** host camps, clinics, and/or fee-for-lesson at any Embry-Riddle facilities.

8. Professional Representation -- Student-athletes are permitted to obtain an agent or attorney for name, image, and likeness purposes. Agents must be licensed under Florida Statute Part IX of Chapter 468. Attorneys must be in good standing with the Florida Bar. Any student-athlete under the age of 18 must have a name, image, and likeness contract approved by the probate division of the circuit court or any other division of the circuit court that has guardianship jurisdiction.

9. Review process – The ERAU Athletics Compliance Office will review all NIL activities for conflicts with NCAA, ERAU, and Florida NIL state law.

10. International Student-Athletes – ERAU International student-athletes may not be eligible to engage in NIL activities.

11. Violation Procedures – Violations of the ERAU NIL policy may result in penalties based on the severity of the policy offense. Violations of NCAA legislation will be reported to the NCAA and could result in additional NCAA penalties.

12. Future Policy Modifications -- In the future, it is possible, and likely, that federal laws and/or NCAA legislation will provide a nationwide, uniform approach to NIL governance, at that time these policy restrictions are subject to change.