



NAME, IMAGE AND LIKENESS INFORMATION FOR BOOSTERS & FANS

GENERAL INQUIRIES

Should I touch base with a member of the Kansas Athletics department before entering into a NIL agreement with a student-athlete?

YES. It is in the best interest of all parties to first discuss with Kansas Athletics to avoid impacting a student-athletes eligibility to represent the University of Kansas. Email NILInquiries@ku.edu for consultation.

What does this mean for me as a Kansas booster?

As of July 1, 2021 Kansas Athletics boosters are permitted to enter into an agreement with current KU student-athletes for marketing and promotional activities in exchange for the use of their name, image and likeness (i.e., NIL).

May I enter into an agreement for the use of a Kansas student-athlete's NIL in exchange for money, goods or services?

YES, subject to state laws and NCAA rules (detailed in the Kansas Athletics, Inc. Policy on Student-Athlete Name, Image, and Likeness). It is important to remember that before an agreement is reached, the student-athlete must disclose to the Kansas Compliance Office any proposed opportunity for use of the student-athlete's NIL.

May Kansas coaches and/or staff members assist a student-athlete with arranging for the student-athlete to utilize their NIL for compensation with my business?

NO. Kansas coaches and staff members may not facilitate or assist in negotiations of contracts or activities for our student-athletes to participate in NIL. The best way for you to contact Kansas student-athletes is via their social media accounts or by seeking their contact information on the KU directory page. If you have specific questions for Kansas Athletics, please contact us at NILInquiries@ku.edu.

Do the changes in NIL mean that a donor or fan may provide a student-athlete with any amount of compensation at any time as long as it is in exchange for the use of the student-athlete's NIL?

NO. There are some restrictions as detailed in the KAI policy. A student-athlete shall not enter into a NIL agreement that:

- Doesn't require any true work responsibilities of the student-athlete or a transfer to a third party of an interest in the student-athlete's NIL
- Compensates student-athlete because of enrollment and/or continued enrollment at KU
- Compensates student-athlete for a specific athletic performance or achievement (i.e., pay to play, financial incentives for number of points scored, etc.), or
- Is a Restricted Promotional Opportunity as defined within the official KAI NIL policy.

If I have an agreement with a KU student-athlete, can they perform this contractual obligation any time I say?

NO. Most notably, student-athletes are not able to profit from their NIL when they are engaged in team activities (i.e., competition, practices, meetings, etc.) and may not miss class for NIL opportunities.

May the University of Kansas or Kansas Athletics marks, logos or other institutional property be used in a proposed NIL-contract with a Kansas student-athlete (e.g., student-athlete being photographed for an endorsement ad wearing a Kansas hat)?

Student-athletes are allowed to use University of Kansas Marks for NIL compensation opportunities with current Athletics or University sponsors who have negotiated promotional rights to use Marks with Kansas Athletics, Inc or Jayhawk Community Partners. Student-athletes may only use the Marks after receiving prior written approval from Compliance, who will review in consultation with the Assistant Athletic Director, Trademark Licensing Director. Such use must be consistent with the University of Kansas's policy on use of trademarks: <https://policy.ku.edu/public-affairs/trademark-licensing-policy>. The use of Marks for NIL activities may require use of an official licensed vendor, a license agreement, and royalty payments, when applicable, prior to use approval.

Are Kansas student-athletes allowed to sign with a Marketing Agent or Other Professional Representatives in Connection with NIL Activities?

YES. Student-athletes may retain representation in connection with their NIL activities. This does not allow the representative to perform any other form of representation on the student-athlete's behalf, unless allowed by NCAA rules. Immediately upon entering into any representation with a licensed agent or attorney, the student-athletes must identify the name of any agent, advisor or attorney and that person must provide proof of licensure to the Kansas Athletics Compliance Office.

Can the use of university facilities be used in connection with NIL activities?

Student-athletes requesting to use facilities on the campus of the University of Kansas or owned by KU must pay the established going rate and follow the same procedures as the general public for rental.

Are there any industries or products that Kansas student-athletes may not endorse?

YES. The University of Kansas policy on NIL prohibits student-athletes from entering into a contract for the use of a student-athlete's NIL if it conflicts with:

- A policy of Kansas Athletics (e.g., Rules and Guidelines for Student-Athletes)

- A provision of a team contract
- A provision of the University of Kansas's policy on NIL.
- Prohibited Examples include:
 - Drugs
 - Tobacco products
 - Alcohol
 - NCAA Banned Substances
 - Sports gambling
 - Businesses related to adult entertainment

Will Kansas Athletics assist student-athletes with other NIL-related issues?

YES. Kansas Athletics will maintain a robust NIL program designed to assist student-athletes in how to maximize the use of their NIL for compensation, as well as, understanding associated areas that apply to a student-athlete's NIL (e.g., financial literacy, professional development, campus engagement opportunities).

Can a NIL violation committed by a student-athlete affect their eligibility for intercollegiate athletics competition?

YES. The institution reserves the right to remove a student-athlete deemed a repeat NIL violator of the KAI NIL policy from the program. In addition, multiple infractions of the KAI NIL policy may lead to a cancellation of athletics financial aid due to being rendered ineligible for intercollegiate athletics competition.

Are international student-athletes able to enter into agreements for the use of their NIL?

NO. International student-athletes should not enter into any NIL agreements without the guidance from the University of Kansas International Affairs Support Services to guard against any potential immigration issues: <http://iss.ku.edu/>.

RECRUITING

May I engage in NIL activities with high school student-athletes?

YES. Prospective student-athletes may engage in the same types of NIL opportunities available to current student-athletes under the interim NIL policy without impacting their NCAA eligibility.

May I use NIL opportunities to assist Kansas in recruiting?

NO. You cannot enter into an agreement with a prospective student-athlete with the intention of securing their enrollment at Kansas.