



3.7 AMATEUR RULE

3.7.1 A student shall be an amateur in all sports sponsored by the Nebraska School Activities Association. A student may be declared ineligible if he/she:

- a. Accepts merchandise, compensation of any nature, or illegal awards for competing in Association sponsored activities.
- b. Enters into any agreement or contract to compete in professional sports.
- c. Permits, with or without actual endorsement, the use of name, picture, and/or personal appearance as an athlete in the promotion of a commercial or profit-making event, item, plan, or service (this does not prevent a student's picture or name from being included in programs); or
- d. Receives merchandise or compensation of any nature for coaching any NSAA approved sport during the season of the sport in his/her school.

APPROVED RULINGS AND INTERPRETATIONS FOR 3.7.1.c – Name, Image, Likeness (NIL)

Effective February 27, 2023

Under Bylaw 3.7.1.c, the term “with or without actual endorsement” requires that the student or the student’s parent(s) or guardian(s) have knowledge that the student’s name, picture, and/or personal appearance are being used by another person or entity.

Under Bylaw 3.7.1.c, the term “commercial or profit-making event, item, plan, or service” means any situation in which the person or entity will receive or hopes to receive anything of value, monetary or non-monetary, but does not include student participation in fundraising activities for non-profit organizations. This also does not prohibit a student from participating in any such event, item, plan, or services sponsored by or benefiting the student’s NSAA member school or its activities.

Under Bylaw 3.7.1.c, the term “as an athlete” shall not include use of the name, image, or likeness (NIL) of a student of a NSAA member school participating in NSAA-sponsored activities, unless otherwise explicitly permitted or prohibited by state or federal law or the NSAA member school’s policies or rules, within the following limitations:

- 1) Students may engage in NIL activities subject to the following:
 - a. The student’s NIL activities may NOT include an image or likeness of the student in a uniform or other clothing or gear provided by the NSAA member school the student is attending or has attended.
 - b. The student shall not use any NSAA member school’s facilities and/or equipment for the purpose of any NIL activities.
 - c. The student shall not use any NSAA member school’s practice and/or game film for the purpose of NIL activities.
 - d. The student shall not promote any person or entity, or their services and/or products, during the NSAA member school’s scheduled school day or during any activity team activities.
 - e. The student may not wear any person’s or entity’s logo, mark, or insignia, or in any other way represent the person or entity with which the student has agreed to an NIL activity, when otherwise required to follow the NSAA or NSAA member school’s uniform or dress requirements.
 - f. The student shall not promote activities, services, or products, directly or in any way associated with, but not limited to:
 - i. Alcohol, tobacco, nicotine, or vaping.
 - ii. Controlled substances, including illegal drugs such as cannabis or any paraphernalia.

- iii. Any item, activity, or conduct which is prohibited or unlawful for any school-aged student under state or federal law or the policies of the NSAA or the NSAA member school.
 - iv. Gambling of any kind, including sports betting, lottery, or other, even if the entity for whom the student has agreed to engage in NIL activities has the appropriate permits or licenses as required by law.
 - v. No compensation (or prospective compensation) for the NIL activity may be provided by the NSAA member school; an agent of the member school (e.g., school booster club, foundation, employee, etc.); or anyone affiliated with the member school in any way attempting to induce the student to attend or participate in any activity of a NSAA member school.
- 2) Violation of Bylaw 3.7.1 may result in a determination by the member school and the NSAA of the student's ineligibility for activity participation. Compliance with these rules does not guarantee the student's NIL activity or activities comply with other laws or rules which may affect the student, such as rules established by the NCAA, NAIA, or NJCAA. Students and their parents or guardians are strongly encouraged to contact any such organization which may have separate rules and to consult with their own legal counsel regarding any compliance questions or concerns, including review of any contracts or agreements related to NIL activities of any kind. The NSAA and its staff will consult with NSAA member schools, parents/guardians, and/or students who have questions about the NSAA-specific NIL rules but will not offer advisory opinions that are binding on the NSAA, its staff, or its Board of Directors, and will not review contracts or agreements relating to NIL activities.

The NSAA Board of Directors will continue to review the NIL Approved Ruling and adjust as necessary.

Resources:

On3 state-by-state NIL Rules: <https://www.on3.com/nil/laws/high-school/>

Opendorse NIL state-by-state: <https://biz.opendorse.com/blog/nil-high-school/>