

The Impact of Name, Image, and Likeness on College Athletics

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Executive Summary

On July 1st, 2021 a ruling that would impact the future of collegiate athletics was adopted. This ruling is known as the Name, Image, and Likeness (NIL) policy. This policy was set to provide opportunities for collegiate athletes to monetize from their own personal brand. These opportunities include activities such as selling autographs and personal memorabilia, forming sponsorships with brands and corporations, and pursuing personal business endeavors.

Discussion behind the Name, Image, and Likeness policy first advanced in 2019 when the State of California first issued the “Fair Pay to Play Act”. The Fair Pay to Play Act established that student-athletes would be able to receive financial compensation for promotional activities. Soon after the issuance of this act, other states began to follow suit, further prompting the NCAA to reinvestigate the association’s stance on the possibility of what would soon be known as the Name, Image, and Likeness policy. The guidelines and regulations of the policy are as follows:

1. College athletes can engage in NIL activities that are consistent with the law of the state where the school is located.
2. Colleges and universities are responsible for determining whether those activities are consistent with state law.
3. Student-athletes who attend school in a state without an NIL law can engage in this type of activity without violating NCAA rules related to name, image, and likeness.
4. College athletes can use a professional services provider for NIL activities.
5. Student-athletes should report NIL activities consistent with state law or school and conference requirements to their school.

The introduction of the Name, Image, and Likeness policy was referred to as a “wild west situation”, as the design and nature of these guidelines are relatively vague and simple, leaving great room for interpretation. In response to this, there has been a multitude of debates and discussions in regards to how the Name, Image, and Likeness policy will impact collegiate athletics moving forward into the future. With a list of both positive and negative perceptions of NIL, it is crucial to analyze the ways in which the policy has impacted the 2021 - 2022 season of sports and the effects it may have on the state of collegiate athletics in the future. In the dawn of the NIL era, it is time to determine how to best optimize the power of NIL in both the present and future.

Research Problem

How has the Name, Image, and Likeness policy directly impacted collegiate athletics across the country in the 2021 - 2022 sports season? In which ways does NIL have the potential to impact the future state of collegiate athletics? How will the NCAA, universities, and individual student-athletes optimize the power of Name, Image, and Likeness moving forward?

Why is this research important?

The ruling of Name, Image, and Likeness is fresh and newly established. It has only been in effect for one season of sports, specifically for 10 months. As the world of collegiate athletics begins to navigate the scope of NIL, it is crucial to have a complete understanding of the benefits, drawbacks, and current state of the policy. With being a newly implemented ruling, there is currently limited information and statistics on the effects of Name, Image, and Likeness. As the nature of this survey is in regards to collegiate athletics, it was important to understand the perspectives of those impacted most. In order to gather more relevant information and conduct beneficial research, I reached out and interviewed a multitude of athletes from different sports and universities. This allowed for me to gain a deeper understanding of NIL and gain ‘behind the scenes’ insight that has not been published in current records. The research conveyed in this paper is significant, as it can help to bridge the gap between differing perspectives of the new policy, as well as provide useful insights into how NIL can be optimized moving forward into the future.

Method

Online Descriptive Research & Individual Interviewing

The bulk of this research consisted of scouring through online articles, blog posts, and court rulings. In order for the study to be successfully executed, it was crucial that I gained a full understanding of Name, Image, and Likeness. As part of this analysis and study is predictive, I first had to gain a full understanding behind the history of the ruling, as well as the current state of collegiate athletics while under the policy. In order to gain the most comprehensive knowledge, I investigated opinions and articles written about individual universities, the NCAA, the NIL ruling document, and opinions from sports experts and enthusiasts across the nation. In my research, I collected information that was both factual and opinionated. In this specific study, opinions and perspectives from sports analysts and experts was necessary, as it provided educated insight and perspective into the possible ways that NIL will impact the future.

In addition to the online research I conducted, I created a 10 question Interview. An attached copy of the survey in the appendix. I utilized this interview to survey different athletes in regards to their opinions on and personal experiences with the Name, Image, and Likeness policy. The interviewees consisted of athletes from the following sports: Football, Baseball, Soccer, and Basketball. This allowed for a diverse range of opinions in regards to NIL opportunity. From this interview, I focused mainly on two questions.

1. What are the first three words that come to mind when you hear the term 'NIL'?
 - *I utilized this question to create a word cloud that highlights the athlete perspective on Name, Image, and Likeness.*

2. How do you think that Name, Image, and Likeness will impact collegiate athletics over the next few years?
 - *I utilized this question to gain an insider's perspective and collect insights on the potential impacts of NIL in the future.*

Study Limitations

As previously mentioned, this research study is conducted over a topic that is fairly recent. Due to this, I did face some limitations in my research.

- Available research spans over a time period of only 10 months. In terms of historical data, there is only one season of sports to be able to draw from. This prevented me from being able to find any patterns or trends in the historical data. In this instance, the historical data was primarily used for descriptive purposes, rather than predictive purposes. In drawing from the conclusions, I needed to form logical assumptions on the basis of recorded research in combination with athlete interviews.
- Another limitation occurred in the collection of interviews. For my research, I wanted to be able to reach a group of athletes from across the country, however this was a difficult task to complete. In many instances, I did not have the means or connections to be able to contact athletes from many universities. To make up for this limitation, I utilized my personal network to help connect me with student-athletes at Oklahoma State University, the University of Oklahoma, the University of Nebraska, Louisiana State University, and Temple University. Although I was not able to reach a large number of different universities, I was able to connect with student-athletes at universities in different Division I conferences. This helped me gain a sense of varying opinion on the basis of conference.

Results

The results will be divided into sections that address questions asked in my interviews, featuring reasoning and facts collected during my online research. I will begin by addressing my two significant questions.

1. What are the first three words that come to mind when you hear the term 'NIL'?

To address this question, I created a word cloud of the most popular terms listed when asked this question. I was shocked, yet encouraged, to see that the same few terms were repeated consistently throughout the interview. This led to show that athletes of many different sports had the same basic understanding of what NIL meant to them. This affirms the assumption that the perception of the purpose of Name, Image, and Likeness was well received and common between athletes. In my interviews, I was able to find associations between a few groups of words. For example, athletes that mentioned “name” also mentioned “image” and “likeness” 100% of the time. Another association found was between the words “money” and “opportunity”. Each time an athlete mentioned either “money” or “opportunity”, the other word in context was also mentioned.



1.	money	28 times	Relevance 0.996
2.	connection	16 times	Relevance 0.569
3.	opportunities	16 times	Relevance 0.569
4.	likeness	12 times	Relevance 0.427
5.	name	12 times	Relevance 0.427

2. How do you think that Name, Image, and Likeness will impact collegiate athletics over the next few years?

The results of this question will be combined with information collected from two other questions within the interview. In addition to this broad question of impact, I asked each athlete in which ways they thought that NIL could have both a positive and negative impact. This encouraged athletes to think about the differing perspectives of the Name, Image, and Likeness debate. The following results feature statements pulled directly from interview responses:

Positive:

- “ We won’t have to worry about money as much. It will help raise money for schools and help athletes build their names and be better off financially.
- It could help us take care of our families and ourselves. Not everyone will make it to the league, and even if we do, the NFL is not a long sport”
- It could help some people to actually go to college and make money while getting an education instead of going straight to pros.”
- “Student athletes will be compensated for the sacrifices, amount of time, and hard work they put into their sport to be successful.”
- “Future athletes will be more likely to want to go to college. By seeing opportunities available, especially this early, it will push people to work harder to achieve their goals and have opportunity.”
- “I think in the next 5 years, NIL will have college athletics at a point where there are endless opportunities for all athletes.”

When comparing these answers to online research, the similarities are incredibly striking. A study by the National Bureau of Economic Research found that twenty-five percent of Division I athletes experienced food poverty in 2021 and nearly 14% also reported being homeless. This statistic was incredibly eye-opening, as one athlete cared to share his personal experience with this. One interviewee, Casey Thompson from the University of Nebraska, shared “At one point in time, I was left with only \$50 a month in allowance after rent and did not have a car for my first three years of college. Now with the opportunities from NIL, I gained a sponsorship with a car dealership and received a car. It helped relieve a lot of stress for me.” While these college athletes bring in millions of dollars in revenue, they are left to live below the poverty line. NIL provides the opportunity for athletes to live on a sustainable wage, that they are proud to earn on the basis of their own achievements.

Negative:

- “Athletes may only care about getting deals instead of winning games.”

- “Good programs get better recruits, while smaller schools that don’t have as many fans won’t get good recruits. People will just go where they get the most money.”
- “I think there will be some flaws in the NIL space and some athletes will make the wrong decisions regarding NIL opportunities.”
- “Athlete’s mindset will be centered on money instead of love for their school or the game.”
- “We may see more situations like Caleb Williams and USC. There will be more focus on deals rather than love of sport. Some people will fall off in the long run.”
- “Recruiting will change forever. The NCAA will be forced to change rules and limits.”

Just as with the positive perspectives, many of these negative opinions of athletes also align with online research. Some of the biggest concerns with the Name, Image, and Likeness policy include the fear that it will exonerate the aspect of amateurism in college athletics, create disruptions and tensions between teams, and cause an imbalance in the success of smaller, less known schools and larger, more well-known schools. The NCAA has a vague definition of the term ‘amateurism’. In some instances, such as participation in the Olympics or other professional sports, student-athletes were allowed to maintain amateurism while still receiving compensation for their performance. Ohio University’s Associate Professor of Sports Administration, B. David Ridpath, claimed that the only aspect of amateurism that previously existed in college athletics was the fact that schools refused to pay their players. Now, it is clear through both my research and the perspectives of different athletes, that the ability to earn money will play a large role in collegiate athletic recruiting. The stirring of ‘cheating’ and inequity in recruiting rumors have already begun to spread. According to Brian Smith with Sports Illustrated, some of these rumors include Pittsburg’s Jordan Addison visiting the University of Southern California before entering himself into the transfer portal, Notre Dame’s Michael Mayor reportedly being offered one million dollars to play out his last year of eligibility at the University of Alabama, and University of Texas’ Xavier Worthy being offered cash to come play for both Oregon and the University of Southern California.

While conducting my interviews there were two answers that stood out to me that addressed both the positive and negative aspects of NIL

- Logan Stripland, Sophomore Football Player at Oklahoma State University: “The impact of NIL can be both positive and negative. It may lead to more situations like Eastern Michigan, where a company offered millions to a star player to transfer. It could allow for illegal recruitment to occur where nothing can be done. It may be positive because people will work harder and put more into achieving goals and getting a taste of what could come in future to get to the pros.”

- Donovan Williams, Sophomore Basketball Player, Formerly at Oklahoma State University, Transferred to University of Pacific: “I think it will definitely impact college athletes in a both positive and negative way. Positive being the opportunity for talented athletes who come from low income families to be able to receive cars, clothes, and of course money for their name, image, and likeness. The negative side of NIL that many don’t realize can impact athletes careers more than the positive. Once you sign a piece of paper with your name, you’re now obligated as an athlete to do whatever the contract states. Some athletes see the paperwork and sign automatically, without even reading the terms. This can lead to athletes being put in bad management and also receiving bad advice, resulting in possible legal actions against athletes, who have no prior experience with lawyers and court discussions. Signing a piece of paper is more than just making money, many athletes tend to only see the dollar sign.”

From these responses, it is clear that the NCAA must look into finding an optimal way to address both the weight of the benefits and the impact of the concerns.

Additional Insights

As I scoured through the interview responses, I took note of some answers that stood out to me as impactful, interesting, or unique.

- When athletes were asked “*Do you believe that there are disparities between female and male athletes when it comes to accessing NIL opportunities?*” there seemed to be a varying of responses.
 - Kennedi Jackson, Junior, Oklahoma State Women’s Basketball (recently entered the transfer portal): “YES. VERY MUCH SO.”
 - Braydon Johnson, Fifth Year Senior, Oklahoma State University Football: “A lot of times women athletes already have a better social media presence, which could help them attract more deals and sponsorships compared to male athletes.”
 - Jett Lodes, Sophomore, University of Oklahoma Baseball: “In my opinion, all athletes get the same opportunity. At OU, we all get to go through the same talks, training, and seminars.”

In the future, this would be a question I would like to look more into. Currently, there is not enough historical data to determine the true disparities between NIL deals and the genders. However, under the internet search “Largest NIL deals in 2021 - 2022 season”, it was very clear that a majority of the largest NIL sponsorships were in alignment with male football stars or university football teams as a whole. This goes to show that there are potentially gaps in the

NCAA's current policy and procedures that are aiding in the growth of extreme imbalances in terms of the rates deals are being offered to different sports and the size of the deals themselves.

- When asking questions such as *“Do you feel that you are at more of an advantage or a disadvantage when it comes to obtaining NIL deals? Why?”* and *“Compared to other universities, where do you feel that your university compares in regards to progressiveness in NIL opportunity?”* I found that there was correlation within the answers of these questions. In many survey responses, if the student-athlete felt as though their university was more progressive in response to NIL, they were at more of an advantage to earning deals, while student-athletes that felt as though their school did not rank highly in terms of taking action with NIL often times felt at more of a disadvantage, despite their sport.

Lastly, I wanted to specifically address and measure the concerns regarding ‘amateurism’ and NIL. Here are some of the responses I received:

- “I don’t think it will end amateurism. We are still a step below the professional level. Even if an athlete is getting paid through deals, it is still considerably less than what is made in the pros. Not every athlete has a chance to go to the pros.”
- “The love for the game will prevent the loss of amateurism, but it’s still hard to say. If someone gets a certain amount of money offered, then they’re kind of like “pros” money wise. There’s just more power.
- “I don’t think it will end amateurism. Kids will still be coming in out of high school. There will always be athletes that have to come through college before they can actually get the league.”

After hearing these responses, I gained a new perspective on the argument of amateurism as well. I think these responses point us in the right direction to believe that for most athletes, the love for the game and the desire to make it to the professional league, will help prevent Name, Image, and Likeness from destroying the aspect of amateurism in collegiate athletics.

Conclusions and Recommendations

In all, it is clear that there are both immense benefits and downfalls to the name, image, and likeness ruling. In order to successfully execute the implementation of NIL, it is critical to bridge the gap of differing opinions on the topic. In my research of both the negative and positive perspectives of the rule, there was one consistent commonality: the NCAA must determine a way to regulate name, image, and likeness. As long as the scope of NIL is considered the “wild west”, opinions on the subject will continue to differ. It is absolutely imperative that the NCAA re-evaluate its current guidelines to optimize the power of NIL. Regulations by the NCAA are inconsistent and leave room for too much interpretation and imbalance. The best way to help establish a successful NIL policy is to bring athletes, programs, schools, and the NCAA onto the same page. This could be done through a conference, in which representative players, coaches, athletic directors, and NCAA board members gather to discuss both the pros and cons of the current name, image, and likeness policy. This will help to address inconsistencies in opinion and determine the best way to move forward with regulation decisions. This would allow for representation from all parties to share their opinions and the facts of what is occurring in the current landscape and form a plan that will help ease this transition into the future.

As I was conducting research and interviews, it was clear that many people within the collegiate sports industry itself have a comprehensive understanding of what could potentially go wrong with Name, Image, and Likeness, however, there is more focus around the positive change that NIL has the opportunity to bring athletes, programs, and the NCAA. If athletes had a platform in which they were able to express their support and critiques of the current Name, Image, and Likeness policy, the NCAA would be better equipped to formulate guidelines with regulations that will help keep the positive side of NIL intact, while reforming some of the issues. If large critics of the policy were able to hear the perspectives of the athletes that are currently living through the dawn of the NIL era, a bridge will begin to be formed between the differing opinions of those in support of the policy and those that are critics.

Appendices

Interview Questionnaire:

Name:

Sport:

Grade/Year:

School:

1. Are you currently aligned with any NIL deals or opportunities? If so, what are they?
2. What are the first 3 words that come to mind when you hear the term "NIL"?
3. Compared to other universities, where do you feel that your university compares in regards to progressiveness in NIL opportunity?
4. Do you believe that there are disparities between female and male athletes when it comes to accessing NIL opportunities?
5. Do you believe that there are disparities between sports when it comes to accessing NIL opportunities?
6. What are your opinions on the idea that NIL will end the aspect of "amateurism" in college athletics?
7. Do you feel as though the NCAA fully supports you in the dawn of NIL?
8. Personally, do you feel that you are at more of an advantage or a disadvantage when it comes to obtaining NIL deals? Why?
9. In which ways do you feel that NIL will **positively** impact college athletes and athletics in the future?
10. In which ways do you feel that NIL will **negatively** impact college athletes and athletics

Online Sources:

"Everything You Need To Know About NIL." *Everything You Need to Know about Nil*, <https://www.iconsources.com/everything-about-nil.html>.

Jenkins, Sally. "Perspective | Those NCAA Doomsday Scenarios about Nil? Instead, It's Proven to Be a Cleanser." *The Washington Post*, WP Company, 3 Sept. 2021,

<https://www.washingtonpost.com/sports/2021/09/03/college-athletics-nil-ncaa-endorsements/>.

Minardi, Paula. "Athlete Branding: Is There a Difference between pro and College Athletes on Social Media?" *Greenfly*, 9 Jan. 2022, <https://www.greenfly.com/blog/thought-leadership/athlete-branding-pro-college-athletes-social-media/#:~:text=With%20Athlete%20Branding%2C%20Authenticity%20Is,their%20athletes%20on%20owned%20channels.>

Moore, Terence. "NCAA Had No Choice, but Nil Rule Will Damage College Football and Basketball." *Forbes*, Forbes Magazine, 10 Dec. 2021, <https://www.forbes.com/sites/terencemoore/2021/07/06/the-ncaa-hadnt-a-choice-but-nil-rule-will-damage-college-football-and-basketball/?sh=1ef3e07e2c0d>.

ProCon. "Should College Athletes Be Paid? Top 3 Pros and Cons." *ProCon.org*, 14 Mar. 2022, <https://www.procon.org/headlines/paying-college-athletes-top-3-pros-and-cons/>.

Smith, Brian. "Nil and the Transfer Portal: Which Schools Get Caught Cheating?" *Inside the Knights*, Inside the Knights, 4 May 2022, <https://www.si.com/college/ucf/college-football-news/nil-transfer-portal-ncaa-cheating-scandal>.

Weber, Joe. "The Impact of Name, Image, and Likeness (NIL) Deals on the NCAA." *Girls Soccer Network*, Girls Soccer Network, 9 Feb. 2022, <https://girlssoccernetwork.com/what-are-name-image-and-likeness-deals-nil/>.

NCAA. "NCAA Adopts Interim Name, Image and Likeness Policy." *NCAA.org*, NCAA.org, 28 Dec. 2021, <https://www.ncaa.org/news/2021/6/30/ncaa-adopts-interim-name-image-and-likeness-policy.aspx>.

Hanson, Logan. "Navigating Nil: What You Should Know about the NCAA's Hottest Topic." *BVM Sports*, 3 Mar. 2022, bvmsports.com/2022/01/31/navigating-nil-what-you-should-know-about-the-ncaas-hottest-topic/.

Smith, Brian. "Nil and the Transfer Portal: Which Schools Get Caught Cheating?" *Inside the Knights*, Inside the Knights, 4 May 2022, www.si.com/college/ucf/college-football-news/nil-transfer-portal-ncaa-cheating-scandal.

"Will New Rules Make College Athletes Instant Millionaires? Not so Fast..." *The Guardian*, Guardian News and Media, 1 July 2021, www.theguardian.com/sport/2021/jul/01/ncaa-pay-players-endorsements-college-football-basketball-ncaa-new-rules.

“Will New Rules Make College Athletes Instant Millionaires? Not so Fast...” *The Guardian*,
Guardian News and Media, 1 July 2021, www.theguardian.com/sport/2021/jul/01/ncaa-pay-players-endorsements-college-football-basketball-ncaa-new-rules.