



Name, Image and Likeness FAQs (Updated November 2023)

NJSIAA recently amended its amateurism rules to include a provision to allow its student-athletes the opportunity to engage in certain commercial activities in their individual capacities. This provision is called the Name, Image and Likeness (NIL) provision and this set of FAQs is intended to help student-athletes and athletic administrators better understand NJSIAA's rule surrounding NIL activity.

The full text of the NJSIAA amateur rules, including the NIL provision, can be found in Article V of the [NJSIAA Bylaws](#).

1) What is Name, Image and Likeness and what are NIL activities?

Name, Image and Likeness is also known as the right of publicity or personality rights. Under the new rule, an NJSIAA student-athlete may profit off the use of their own name, image, and likeness in certain permissible activities. Such permissible activities include commercial endorsements, promotional activities, social media presence, and product or service advertisements.

2) What is the effective date of the new NIL provision?

January 1, 2022.

3) Can coaches or administrators be involved in a student-athlete's NIL activity?

No, no one employed by a member school, including coaches and administrators, may be involved with a student-athletes use of their NIL. No one associated with or acting at the direction of a member school may use the promise of NIL opportunities to entice student-athletes to transfer or attend their school.

4) Which products or services are "off-limits" for NIL activities?

Below is a list of prohibited products and services:

- a. Adult entertainment products and services.
- b. Alcohol products.
- c. Tobacco and nicotine-related products.
- d. Cannabis products.
- e. Controlled dangerous substances.
- f. Prescription pharmaceuticals.
- g. Casinos and gambling, including sports betting, the lottery, and betting in connection with video games, on-line games, and mobile devices.
- h. Weapons, firearms, and ammunition.

5) May a student-athlete use school logos while engaging in NIL activities?

A student-athlete's NIL activity and his or her participation in interscholastic athletics must remain separate. Student-athletes are prohibited from making any reference to a member school or the NJSIAA when engaging in any NIL activity. For example, while marketing a product or service, student-athletes may not wear a team jersey or otherwise display the school's name, mascot, or logo. Likewise, student-athletes may not endorse or promote any third-party entities, goods, or services during school-based team activities – which means student-athletes may not wear the apparel or display the logo, insignia, or identifying mark of an NIL partner during any school-based team activities.

6) Are student-athletes able to work with professional service providers, such as agents and advisors, to engage in NIL activities?

Yes, student-athletes and their families should evaluate the professional support that may be available to them.

7) Could engaging in NIL activities impact a student-athletes financial aid for college?

Yes, student-athletes and their families should be mindful that increased income may impact need-based financial aid and grants.

8) What are the consequences of violating the NJSIAA NIL provision?

The NJSIAA will review each instance on a case-by-case basis. Consequences could range from a warning to immediate suspension of eligibility. The student-athlete may be required to return any moneys or goods received in violation of the rule.

9) Can a student-athlete get paid to promote a product or service on social media?

Yes, so long as the student-athlete abides by the current rules and restrictions in place, then he or she will be able to promote a product or service on their social media accounts.

10) Can a student-athlete appear in a television or radio commercial for a local business?

Yes, so long as the student-athlete abides by the current rules and restrictions in place, then the student-athlete may appear in television and radio commercials.

11) Can a student-athlete start their own business?

Yes, so long as the student-athlete abides by the current rules in place, then he or she will be able to start their own business.

12) Can a student-athlete get paid to run a camp, clinic, or private lesson?

Yes, so long as the student-athlete abides by the current rules in place, then he or she will be able to run a camp, clinic, or lesson.

13) Can a student-athlete be shown in their school uniform or use of a photo from their high school competition as part of an advertising campaign?

No, there can be no association with the member school or NJSIAA.

14) Can a student-athlete host a camp at their school?

No, there can be no association with the member school.

15) Can a student-athlete wear an accessory in a competition that is part of an NIL agreement?

No, student-athletes cannot include anything that would be affiliated with, or incorporated into, their interscholastic athletic competition.

16) Can a student-athlete use a highlight video from their high school events on a social media platform that incorporates a sponsor? Such social media platforms include, but are not limited to, Twitter, Instagram, You Tube, and TikTok.

No, endorsements and promotional activities cannot have any affiliation with a member school or school-based events.

17) Can a member school promote their student-athletes NIL activities?

No, no one employed by a member school, or associated with or acting at the direction of a member school, may promote any NIL activity of a student-athlete currently attending the member school.

18) Are the use of NIL collectives by member schools permissible?

No, no one associated with or acting at the direction of a member school, such as booster clubs, alumni, or collectives, may use the promise of NIL opportunities to entice student-athletes to transfer to or attend their school or offer NIL opportunities to student-athletes currently attending the member school.