

NAME, IMAGE, LIKENESS

Guidelines for Name, Image, and Likeness

Pepperdine Waves participating in intercollegiate athletics may now receive compensation for their name, image, and likeness (“NIL”), with certain limitations. The policies below are intended to promote compliance with applicable state and NCAA guidelines, clarify college athletes’ rights to receive compensation for the use of their NIL, and preserve the athletes’ eligibility. The policies are not intended to prevent or discourage athletes from monetization and earning compensation for their name, image, and likeness.

Team Related Activities & Institutional Agreement

NIL compensation opportunities **will not conflict** with academic or team related activities. NIL activities may occur during free time as designated by the team’s official travel or practice itinerary or academic schedule.

Team Activities Include: practices, competitions, games, exhibitions, scrimmages, institutional media appearances, university sponsored camps, team meetings, team travel, interviews, or any sponsored university function attended by the team.

Disclosure & Representation

Disclosure of NIL activities are encouraged through the INFLCR App.

Although it’s not an approval process, reporting through INFLCR may prevent eligibility issues.

An athlete agent representing a student-athlete for purposes of securing compensation for her or his name, image, likeness, or persona must be licensed in the State of California.

An attorney representing a student-athlete for purposes of securing compensation for her or his name, image, likeness, or persona must be a member in good standing of The California Bar.

Athlete agents are for representation as a collegiate athlete, and representation agreements can’t be tied to earnings or opportunities after their collegiate career.

Sale & Autographs of Team Issued Gear

Student-athletes are not permitted to sell, autograph, exchange or provide to anyone their apparel, shoes, gear or equipment that was issued by the Pepperdine Athletic Department or any team (e.g. jerseys, gloves, workout shorts and shirts, practice and competition shoes, helmets, bats, sticks, balls, warmups, etc.), for anything of value.

Restricted NIL Partnerships

Student-athletes will not be permitted to enter into NIL agreements with gambling/sports wagering vendors or vendors associated with athlete performance enhancing drugs, both as defined by the NCAA.

Timing & Notice

Without prior approval, athletes may not engage in any NIL Activity when involved in official athletic department activities.

Without prior approval, athletes may not use uniforms, logos and trademarks, facilities, or film using a 3rd-party team.

Logo & Trademark Usage (ex. NIL deals in Pepperdine gear)

Pepperdine Waves will only be allowed to use University or Athletic Department related marks and logos, orange and blue color scheme, team or player photographs and videos, any and all aspects of the uniform, including but not limited to, team colors, designs, and player numbers, if those rights have been secured through a written agreement granting specific rights from the Athletic Department or written permission from the Athletic Department.

Students for the request form, go to the team Director of Operations under “Name, Image, and Likeness”, or contact Compliance.

Co-Branded NIL gear: If you are wearing your own co-branded NIL gear, such as a Fanatics or Alma Mater shertzey, you may create NIL content to promote the sale of such gear.

Further, you may promote *other companies* in your co-branded gear.

Facility Usage

The use of Athletic Department facilities will require approval in advance (location agreements, including waiver of liability forms and applicable rental fees).

Students for the request form, go to your teams Director of Operations

Content Creation

Creation of third-party professional recorded or photographed content for **commercial or NIL use** in facilities requires notice via e-mail and approval from:

Your Team's Director of Operations

Creation of self-recorded content for personal use (Instagram, Reels, Tik Tok, etc), and non-commercial or NIL use is allowed in facilities, but must follow team guidelines, if applicable.

Drone usage is not permitted by the Athletic Department without prior authorization through Pepperdine Department of Health & Safety.

International Waves

Prior to participating in any NIL opportunities, international athletes on F-1 visas are encouraged to contact the Athletic Director.

Further, we encourage all international athletes, if possible, to seek guidance from outside counsel prior to participation in NIL agreements.

Financial Aid

Pell Grant, need-based, and other financial aid could be impacted by compensation from NIL Activities. All financial aid questions should be directed to the Pepperdine Office of Student Financial Aid and Scholarships.

Taxes

Compensation received for NIL Activities may have tax consequences. Athletes are responsible for any and all tax consequences and should seek advice from a tax professional prior to engaging in any NIL activities for compensation.

NIL Education

The Athletic Department will provide athletes targeted educational opportunities regarding NIL including financial literacy, brand building, career development, and life skills to best prepare students for opportunities.

Guidance Related to Boosters and Prospective Waves

Inducements and Booster Communication with Prospective Collegiate Athletes:

Inducements

Neither current nor prospective student athletes may receive compensation for any NIL activity:

- (1) Without performing actual work and providing the contracted deliverables in exchange for the compensation
- (2) That is provided in whole or in part for current athlete or prospective student to attend, enroll, participate, or perform at the Pepperdine University; or
- (3) That is directly tied to athletic performance or achievements

Booster Communication

NCAA rules preclude Boosters, and Collectives, from engaging in recruiting activities, including recruiting conversations, on behalf of a school. Further, NCAA recruiting rules preclude boosters from providing benefits to prospective student-athletes (PSA) and preclude institutional staff members from being involved, directly or indirectly, with the provision of benefits to a PSA. Finally, it is important to note that existing NCAA prohibitions related to pay-for-play have not changed as a result of the Interim NIL Policy.

Recruiting conversations between an individual or entity that has triggered booster status (“booster/NIL entity/Collective”) and a PSA are not permissible.

Booster/NIL entity may not communicate (e.g., call, text, direct message) with a PSA, a PSA’s family, or others affiliated with the PSA for a recruiting purpose or to encourage the PSA’s enrollment at a particular institution.

Institutional coaches and staff may not organize, facilitate or arrange a meeting between a booster/NIL entity and a PSA (e.g., provide the individual or entity with a recruiting list or watch list, including the NCAA Transfer Portal).

Institutional coaches and staff may not communicate directly or indirectly with a PSA on behalf of a booster/NIL entity.

NIL agreements must be based on an independent, case-by-case analysis of the value that each athlete brings to an NIL agreement as opposed to providing compensation or incentives for enrollment decisions (e.g., signing a letter of intent or transferring), athletic performance (e.g., points scored, minutes played, winning a contest), achievement (e.g., starting position, award winner) or membership on a team (e.g., being on roster).

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