



A Comparative Analysis of Name, Image, and Likeness Policies at NCAA Institutions

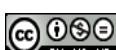
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In the absence of uniform national standards, National Collegiate Athletic Association (NCAA) member institutions have developed distinct name, image, and likeness (NIL) policies. This study utilized a critical theory lens to examine those policies among athletic departments competing at the Power 4 level. Institutional NIL policies and related documents were collected from publicly available sources and systematically evaluated using a content analysis methodology. This analysis revealed four major themes across institutional NIL policies: (1) use of institutional marks, (2) use of institutional facilities, (3) educational programming, and (4) disclosure requirements. Findings indicate that, while many aspects of NIL policies at Power 4 institutions are isomorphic in nature, notable differences remain in certain components, including the scope of permissible activities and NIL deal reporting mechanisms. These discrepancies raise important questions about why institutions adopt varying NIL policies, how such differences may affect college athletes, and what this indicates about power structures in college sport. Identifying these policy variations is of value to better understand their implications for athletes' ability to monetize their NIL rights and navigate a complex policy environment.

Keywords: Collegiate athletics, college athletes, sport governance, policy analysis



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On June 30, 2021, the National Collegiate Athletic Association (NCAA) announced it would no longer prohibit college athletes from monetizing their name, image, and likeness (NIL) through commercial activities (Hosick, 2021). This policy change was forced upon the NCAA by previously enacted state legislation permitting NIL rights for college athletes and federal antitrust case decisions eroding the NCAA's ability to enforce rules that limited athlete compensation opportunities. Therefore, this decision permitted most¹ college athletes the ability to actively seek and secure contractual agreements with third-party entities for the expressed purpose of monetary gain. The ability for college athletes to secure NIL monetization opportunities from outside entities quickly transformed the collegiate athletics ecosystem. While proponents of NIL deregulation in collegiate athletics praise the restoration of college athletes' right to publicity and control of their personal brand, it has also resulted in various regulatory challenges and ethical concerns (Corr et al., 2023; Moorman & Cocco, 2023).

Much of the activity within the NCAA marketplace is commercialized and pseudo-professionalized (Southall et al., 2023). It is also highly regulated through association bylaws. However, as college athletes entered the uncharted waters of the NIL marketplace, challenges and concerns were exacerbated by the lack of clear and uniform guidelines to assist NCAA member institutions as they adjusted to the novel NIL economy (Berg et al., 2023). Given the preeminence of state legislation in bringing about the NIL era in college athletics, the NCAA's position on matters concerning NIL was inherently limited in scope and authority. Accordingly, NCAA member institutions were largely directed to refer to their respective state NIL legislation, if applicable (Hosick, 2021). Although the NCAA has since released additional guidance for institutions to consider and, as of the 2024-2025 academic year, enshrined new NIL bylaws into the Division I manual (NCAA, 2024), the presence of distinct and differentiated state NIL legislation gave rise to what many have referred to as a "patchwork of NIL laws" (Corr et al., 2023, p. 335). Given the absence of a national regulatory standard and the intensely competitive collegiate athletics culture in the United States, NIL quickly became an unregulated component within a highly commercialized enterprise, most commonly weaponized in the recruitment of prospective college athletes (Corr et al., 2023; Magnusen & Todd, 2021). Inter-state discrepancies between permissible and prohibited NIL activities created disparate recruiting advantages for institutions in states with more lenient NIL laws or those located in states that had not enacted NIL legislation (Berg et al., 2023).

In the wake of such patchwork NIL regulations, the NCAA and its various constituencies (e.g., conference commissioners, university presidents) have lobbied for the creation of a federal NIL law (Pope et al., 2024). Meanwhile, states continue to adopt legislation prohibiting the NCAA from retaliatory or punitive action against

¹ We recognize that international college athletes represent a sizeable subset of this population who still cannot engage in NIL deals and activities at the same level as their domestic peers due to work restrictions stipulated by their F-1 visa status (Newell & Sethi, 2023; Sethi et al., 2022; Solomon et al., 2022). When we refer to the NIL rights and activities of college athletes throughout this paper, we do so with this understanding implied.

college athletes, coaches, and administrators at state institutions in relation to NIL activities (McCann, 2025). This has curtailed the NCAA's ability to ensure the legitimacy of NIL transactions, and the lack of regulatory oversight has contributed to multiple instances of unfulfilled commitments between college athletes and institutional officials (e.g., coaches, administrators; Thamel, 2024) and/or affiliates (e.g., NIL collectives, boosters; Lavigne & Murphy, 2024). The NCAA contends uniform federal legislation that preempts state-level NIL legislation is the only course of action to reestablish its authority within the NIL marketplace and "protect student-athletes from exploitation" (Nakos, 2024, para. 9).

Although further regulation of NIL activities and compensation is an often contentious and debated topic within collegiate athletics, it is increasingly evident that discrepancies in current state laws, association regulations, and institutional policies are not widely understood (Berg et al., 2023; Corr et al., 2023; Moorman & Cocco, 2023). While extant research has examined variations among state NIL laws (e.g., see Berg et al., 2023; Czekanski & Siegrist, 2024, and Moorman & Cocco, 2023 for a complete review), no study to date has sought to examine and compare variations among institutionally formulated NIL policies at the athletic department level. Correspondingly, the present study examined and critically analyzed Power 4 institutional NIL policies. Researchers sought to aid in understanding potential differences, repercussions, and apparent advantages or disadvantages impacting college athlete NIL rights resulting from distinct institutional NIL policies. In accordance with the desired aim of the study and to inform the subsequent review of literature and methodological approach, the following research questions were developed:

1. What areas of variation exist between internal NIL policies among Power 4 NCAA member institutions?
2. How do these internal NIL policy differences impact the NIL rights and earnings potential of college athletes across Power 4 NCAA member institutions?

Literature Review

Policies in Collegiate Athletics

Historically, policies regarding college athletes have focused on the balance between ensuring academic success and providing participation in competitive sports (Eckenrod & Nam, 2021; Kuroda et al., 2023). Key areas within the literature include academic integrity, health and safety concerns, mental well-being of the college athletes, and, more recently, regulation of compensation (Messina & Messina, 2022; Navarro & Malvaso, 2015; Ryan et al., 2017).

Academic performance is a critical area for college athlete policies. Comeaux and Harrison (2011) indicate that the high demands of collegiate athletics are detrimental to academic success, especially for athletes in revenue-earning sports. The NCAA has implemented policies, such as the Academic Progress Rate (APR), to address these challenges, with research suggesting there have been numerous positive

effects but also persistent issues with both academic equity and support for athletes (Ridpath, 2010). Academic inequities are largely associated with the balance between academics and athletics that institutions provide for their athletes. It has been argued that it is common practice for institutions to prioritize athletic performance over academic achievement, leading to an imbalance that becomes a disadvantage for college athletes over time (Gould & Whitley, 2009; Gurney et al., 2016). Although high impact educational policies can positively benefit the college athlete experience, Ishaq and Bass (2019) outline several barriers to implementation, including poor integration between athletics and academic staff, funding or resource constraints, and college athlete time commitments.

In addition to academic performance, it is valuable to note that policies surrounding college athletes are ever evolving. Researchers have investigated how policy change can be used to better support college athletes. This includes an in-depth analysis of athletes' perceptions on social media policies (Snyder, 2014), a discussion of pregnancy and parenting policy for college athletes (Sorensen et al., 2009), and how financial literacy impacts college athlete success rates (Curington, 2020). The latest shift in this area of research has centered on brand growth and protection within collegiate institutions. For example, Kellison et al. (2016) examined brand management among top-tier universities, while Diem (2016) investigated the development of the collegiate licensing industry. The intersection between brand policies and the protection of institutional marks has now become increasingly important as the collegiate athletics industry has entered the NIL era.

Name, Image, and Likeness

With the introduction of the NCAA's interim NIL policy (Hosick, 2021), college athletes were able to receive compensation for NIL activities for the first time. Since then, the NIL market has experienced exponential growth (Opendorse Annual Report, 2024). It is now commonplace for university partnered websites to advertise the brands and merchandise of their athletes, with links to a plethora of documentation, including educational resources, NIL policies, state laws, and various avenues to contribute to a preferred NIL cause.

Numerous studies provide clarity on the current policies surrounding the NIL rights of college athletes (Moorman & Cocco, 2023; Solomon et al., 2022), as well as the persistent inequalities rooted in policy discrepancies (e.g., international athletes' inability to pursue NIL opportunities; Newell & Sethi, 2023; Sethi et al., 2022; Solomon et al., 2022). Additionally, Berg et al. (2023) analyzed the discourse surrounding NIL policies within state legislatures, while Czekanski and Siegrist (2024) situate contemporary NIL laws within the historical context of NCAA governance and amateurism. Taken together, the current body of literature depicts a fragmented and inequitable regulatory landscape that fails to guarantee equal opportunity for all college athletes.

This uneven landscape is particularly detrimental to athletes from marginalized and minoritized communities. For instance, Black women athletes, who often face the compounded effects of both racial and gender bias, frequently encounter system-

ic barriers that prevent them from fully capitalizing on NIL opportunities. Research has shown that NIL valuations are often tied to social media influence, marketability, and brand appeal (Stokowski et al., 2024), all of which are shaped by mainstream beauty standards and cultural norms that tend to privilege Whiteness and femininity aligned with dominant societal ideals (Cary & Sterling, 2024; Sailofsky, 2024). As a result, Black women athletes may be overlooked by sponsors and brands despite high athletic performance and leadership visibility (Myers et al., 2025). Furthermore, disparities in media representation and access to branding resources exacerbate the challenges they face in navigating the NIL marketplace (Corr et al., 2023).

International athletes represent another group disproportionately disadvantaged by current NIL regulations. Due to the constraints of their F-1 student visa status, international athletes are legally prohibited from earning income through NIL-related activities while residing in the United States (Newell & Sethi, 2023; Sethi et al., 2022; Solomon et al., 2022). This restriction excludes thousands of athletes, many of whom are integral to collegiate athletic programs, from the economic opportunities available to their domestic peers. Even those who manage to secure deals are often forced to conduct business outside the United States borders, incurring additional logistical and financial burdens that can negate the intended benefits of NIL monetization (Newell & Sethi, 2023).

These disparities are symptomatic of broader systemic inequities within collegiate athletics and underscore the urgent need for inclusive NIL policies that address the diverse realities of college athletes. Without deliberate structural reforms, NIL will continue to mirror and, in some cases, amplify the racial, gender, and geopolitical inequalities that have long shaped collegiate athletics.

Recruiting Implications

The recruiting implications of NIL have dramatically transformed the landscape of college athletics, earning the moniker “the wild west” (Magnusen & Todd, 2021, p. 13). Historically, the NCAA made concerted efforts to keep monetary considerations out of the recruiting process, fearing that such influences would erode the amateur nature of collegiate sports and draw them too close to professional models (Yen, 2023). However, the landscape shifted significantly in 2021, when college athletes were first legally permitted to profit from their NIL (Magnusen & Todd, 2021). This seismic change redefined recruiting strategies, as coaches recognized that “emerging high school athletes would be keener on schools that offer them the opportunity to make money” (Arunarthi & Gregorich, 2022, p. 1).

Although the NCAA aimed to curb illicit recruiting practices and create greater parity across programs, early outcomes suggest the opposite. Programs already operating at the highest competitive levels are now further distinguishing themselves by leveraging expansive NIL opportunities (Arunarthi & Gregorich, 2022). Institutions with more permissive NIL policies can offer recruits not only potential brand deals but also direct compensation for athletes beyond the limitations of traditional athletic grant-in-aid (GIA; Corr et al., 2023). As NIL agreements are independent of scholarship counts, athletes not receiving athletic GIA can still be recruited through robust

NIL packages, contributing to wealthier institutions' existing competitive advantage.

A particularly influential and controversial force in this evolving ecosystem is the rise of NIL collectives. Such collectives exist as organized groups of institutional donors, often alumni, who pool resources to fund NIL deals (Corr et al., 2023; LeRoy, 2024). These collectives, often operating semi-independently from athletic departments, have become central actors in recruiting and retention. By orchestrating lucrative NIL offers, they have transformed the role of donor support from one of passive financial assistance to active participation in athlete acquisition and mobility (Corr & Paule-Koba, 2025; Jimerson et al., 2025). In effect, booster collectives have blurred the lines between institutional support and third-party influence, accelerating disparities across programs and raising concerns about competitive equity.

NIL is being used not only to attract prospective recruits but also to incentivize college athletes to enter the transfer portal. Athletes who have had successful seasons often explore transfer opportunities in hopes of securing more profitable NIL deals (Corr & Paule-Koba, 2025). As Johnson (2023) notes, the "recent rule changes, combined with NIL, have given rise to a college free-agency market similar to that of professional sports," leading to a 60 percent growth in Division I transfers (p. 46). With increased monetary incentives, coaches and NIL collectives alike are encouraging player movement, and schools with stronger NIL infrastructures – often backed by well-funded booster collectives – are positioned to attract top transfer talent at unprecedented rates. This practice has been further legitimized by a recent court settlement allowing athletes to negotiate NIL deals prior to enrollment and prohibiting NCAA enforcement against such activities (Christovich, 2025).

While the long-term implications of NIL on college recruiting continue to unfold, it remains clear that recruits now understand their enrollment decision can significantly affect their financial futures. In the wake of increasing opportunities for compensation (e.g., revenue sharing), NIL – particularly that issued by NIL booster collectives – will continue to shape the competitive landscape of college athletics for years to come (Yen, 2023).

Theoretical Framework

Critical theory offers a robust framework for interrogating policy documents, particularly in spaces like collegiate athletics, where systems of power, control, and economic interest are deeply entrenched (Sveinson et al., 2021). Within the present study, critical theory shaped the research process from the formulation of research questions to the collection, analysis, and interpretation of data. At its core, critical theory challenges researchers to uncover how social, cultural, and economic power structures are reproduced through language, practices, and institutional policy (Jackson et al., 2021; Morrow & Brown, 1994). This lens is particularly relevant in the context of NIL policy in Power 4 collegiate athletics, where the intersection of commerce, education, race, and labor is increasingly complex and politically charged.

The decision to employ critical theory was rooted in its capacity to illuminate the ways NIL policies may perpetuate inequity, both intentionally or unintentionally,

through selective language, structural omissions, and assumptions that align with dominant ideological frameworks (e.g., neoliberalism, the NCAA's notion of amateurism). These frameworks have long-shaped collegiate athletics policy and rhetoric (Berg & Chalip, 2013; Chalip, 1996; Harry, 2025; Howe et al., 2023). Building on this tradition, this study is further informed by the work of Harry (2023), whose critical analyses of NIL discourse illustrated the way the NCAA and, correspondingly, its member institutions wield policy as a tool to control athlete autonomy while maintaining an illusion of progressivism and fairness. As Harry (2023) demonstrated, even well-intentioned policies often encode institutional interests, masking exploitative or exclusionary practices behind the language of compliance, education, and athlete empowerment.

Informed by this critical lens, the present study examined and analyzed NIL policies across Power 4 institutions to explore how policy content and language reflect and/or reinforce broader systems of privilege and exclusion. By critically analyzing these documents, the study aimed to uncover potential institutional disparities, identify the socio-political implications of policy structures, and assess how NIL policies may advantage or disadvantage particular athlete populations. Researchers sought to aid in understanding the potential differences, repercussions, and inequities emerging from distinct institutional approaches to NIL governance, contributing to a more transparent, inclusive, and equitable collegiate athletics landscape.

Method

Procedures

The purpose of this study was to examine the NIL policies of institutions within the Power 4 collegiate athletic conferences. The decision to focus exclusively on Power 4 schools competing in the Atlantic Coast Conference (ACC), Big Ten Conference (B10), Big XII Conference (B12), and Southeastern Conference (SEC), was based on data indicating that most NIL-related compensation is earned by athletes at these institutions (Opendorse Annual Report, 2024). This narrowed scope also enhances clarity and specificity when analyzing the structure, themes, and implications of NIL policies at the highest level of collegiate athletics. Although NIL regulations also exist at the state legislative level (Berg et al., 2023; Moorman & Cocco, 2023), this study focuses solely on institutional-level policies. By excluding external frameworks such as state or NCAA-wide policies, the analysis was better able to identify and compare the internal governance strategies employed by individual universities in managing NIL activities for their athletes, coaches, and administrators. This distinction confined the study to a particular policy type, which allows for more targeted conclusions and strengthens the analytical focus (Berg et al., 2023).

Data was collected directly from each institution's official athletics website. All sources were publicly accessible to ensure transparency and replicability. The NIL policies collected for analysis were developed between 2021 and 2024. In addition to formal, labeled policy documents, any supplementary information related to NIL (e.g., frequently asked questions, guidance documents, NIL-specific web pages) was

included in the analysis if it was available on the institution's website. This approach ensured a comprehensive representation of institutional guidance on NIL. Each Power 4 institution ($n = 68$) had at least some publicly accessible NIL information. Of those, 93% ($n = 63$) included a formal institutional policy specifically outlining NIL regulations. Broken down by conference, 100% of SEC schools ($n = 16$), 94% of ACC schools ($n = 17$), 94% of B10 schools ($n = 17$), and 81% of B12 schools ($n = 13$) had published NIL policies.

Content Analysis

Content analysis was employed as the primary methodological approach to evaluate and interpret the NIL policies collected from each institution. This method enabled researchers to systematically examine text-based documents to identify recurring themes, patterns, and structural elements (Stemler, 2000). In policy research, content analysis is particularly valuable for exploring the rationale behind policy creation, assessing alignment with institutional values, and identifying potential implications for stakeholders (Stemler, 2015). Within the context of collegiate athletics, it has previously been used to highlight underemphasized issues and to recommend areas for future research and policy reform (Mallen et al., 2011). Neuendorf (2017) further asserts that content analysis plays a key role in shaping public understanding and discourse surrounding institutional policies.

Coding

Five researchers participated in a systematic content analysis of the collected NIL policies, using a collaborative and iterative coding approach (Braun & Clarke, 2006). The analysis began with open coding, during which each researcher independently reviewed a pre-assigned subset of institutional policy documents. The purpose of this initial phase was to identify recurring concepts, language, and structural elements relevant to NIL governance without the constraint of predefined categories. The coding process was conducted manually using qualitative coding spreadsheets in Microsoft Excel, allowing for detailed annotation, side-by-side comparisons, and transparent documentation of emergent codes. Manual coding was selected over software such as NVivo or MAXQDA due to the manageable size of the dataset ($n = 63$ policies) and the research team's preference for hands-on engagement with the text during the early interpretive stages. Each spreadsheet included columns for verbatim policy excerpts, preliminary codes, notes on tone or context, and reflections on potential significance.

After completing the open coding phase, each subset was reviewed by two researchers to strengthen the reliability of theme identification and reduce individual interpretive bias, in line with the interpretive group strategy utilized in extant literature (Berg et al., 2023; Woolf et al., 2016; Yin, 2014). During this phase, researchers compared interpretations, discussed discrepancies, and refined or consolidated overlapping codes. This peer-review process was crucial for validating initial findings and ensuring the integrity of the analytical framework. Through iterative rounds of discussion, the researchers engaged in axial coding, grouping similar codes under

broader thematic categories that reflected institutional priorities and regulatory focus areas. These collaborative exchanges facilitated the emergence of four dominant themes across the dataset: (1) use of institutional marks, (2) use of institutional facilities, (3) educational programming, and (4) disclosure requirements. Upon establishing these preliminary themes, the entire research team conducted an independent cross-review of the full dataset and coding summaries. This step allowed each researcher to reevaluate the materials through the lens of the emerging themes and offer additional insights or suggest revisions that may have been overlooked during earlier phases (Howe et al., 2023).

In instances of interpretive disagreement or divergent thematic classification, the researchers engaged in collaborative discussion to achieve consensus. These conversations were guided by best practices outlined by Braun and Clarke (2006) and supported by dialogic strategies from Berg et al. (2021), which emphasize reflexivity and consensus-building in qualitative research. This iterative, multi-perspective process ensured that the final themes were both conceptually sound and grounded in the text.

The four main themes emerging from the content analysis (use of institutional marks, use of institutional facilities, educational programming, and disclosure requirements) do not represent the full scope of each institutional NIL policy. They were selected for their relevance and frequency across the dataset, offering insights into both the uniformity and variability in institutional NIL governance.

Researcher Positionality

As researchers, we recognize that our professional backgrounds and lived experiences informed the lens through which we approach this study. Such awareness is especially critical in qualitative research, where interpretation and thematic analysis are inherently shaped by the positionality of the researchers. This study was conducted by a five-member research team comprised of three current faculty members in the fields of sport administration and athletic leadership, and two active coaches working within Power 4 collegiate athletics. The academic members of the team possess scholarly expertise in sport governance, higher education policy, and athlete development, as well as experience conducting critical policy analyses within the collegiate athletics landscape. Their roles outside of direct team operations allowed for a broader, systems-level view of institutional policy and governance mechanisms. Conversely, the coaching members of the research team provide direct, real-time insight into the operational realities of NIL implementation at the institutional level. Their roles as practitioners in Power 4 programs offer a nuanced understanding of how NIL policies are communicated, enforced, and experienced by athletes, administrators, and support staff. Their proximity to athletes' daily experiences with NIL policy adds a valuable applied dimension to our analysis, grounding our findings in practical, lived realities.

We acknowledge that these dual perspectives (i.e., academician and practitioner) offer both strengths and limitations. While our proximity to the NIL policy environment enhanced our ability to interpret complex institutional documents with con-

textual accuracy, it may also introduce implicit biases (e.g., institutional affiliation, stakeholder alignment, professional role). To mitigate these effects, we employed collaborative coding, peer review, and consensus-building strategies throughout the research process to ensure analytic rigor and interpretive fairness. Collectively, we positioned ourselves as scholar-practitioners committed to promoting equity, transparency, and athlete empowerment in the evolving NIL landscape. Correspondingly, our goal was not only to interpret the contents of NIL policies but also to illuminate their implications for practice, governance, and the lived experiences of college athletes.

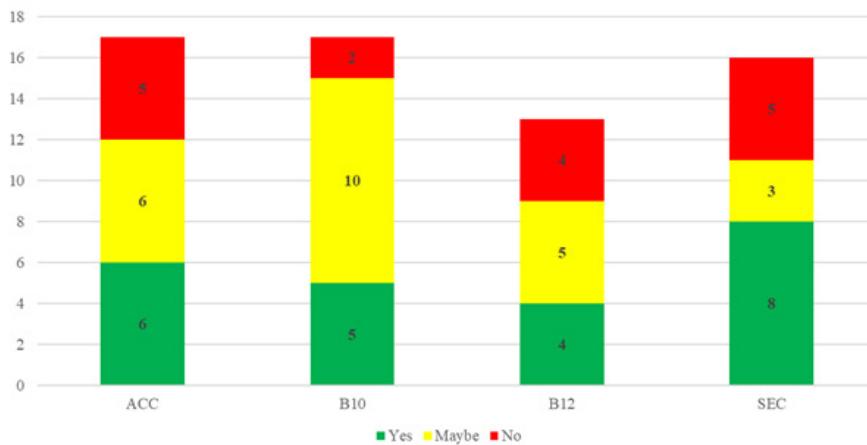
Findings

An analysis of the documents revealed significant content overlaps across institutions, which is consistent with the historically isomorphic nature of policy development in collegiate athletics (Atwater et al., 2022). Many policies referenced or directly quoted NCAA Bylaw 22.01 (NCAA Manual, 2024), with 83% ($n = 52$) of policies including direct citations or paraphrased content from the NCAA's current NIL guidelines. In addition, multiple institutional policies incorporated relevant state legislation, including Mississippi's Intercollegiate Athletics Compensation Rights Act (2021), Florida Statutes (2024), and Oregon's House Bill 4119 (2024), as seen in the policies of institutions such as the University of Mississippi, University of Miami, and University of Oregon.

Use of Institutional Marks

As NIL deals have become more and more popular, a common topic that is broached is the use of institutional marks within an NIL deal. An institutional mark is described as any proprietary and licensed trademark, logo, color, or name that is indicative of a specific institution (Moorman, 2021). These include commonly known logos such as the Longhorn silhouette for the University of Texas, but can also include color schemes, like the maize and blue of the University of Michigan. Because of this proprietary aspect of these marks, many of the collected NIL policies indicate that there must be a formal agreement between the university or its official licensing company and the interested party to use institutional marks within NIL activities. However, only 37% ($n = 23$) of the policies outline a specific procedure for securing the appropriate agreements needed. Additionally, 26% ($n = 16$) of the policies specify that institutional marks may not be used in NIL activities under any circumstances, including Southern Methodist University's (SMU, 2021) policy which states that "a student-athlete may not be compensated for use of his/her NIL if it is provided...for an endorsement while using intellectual property owned by SMU (i.e., logos)" (para. 9). Figure 1 displays full findings of the analysis regarding NIL policy statements on the use of institutional marks within NIL activities broken down by conference.

Figure 1
Policy on Institutional Mark Usage in NIL Activities by Conference



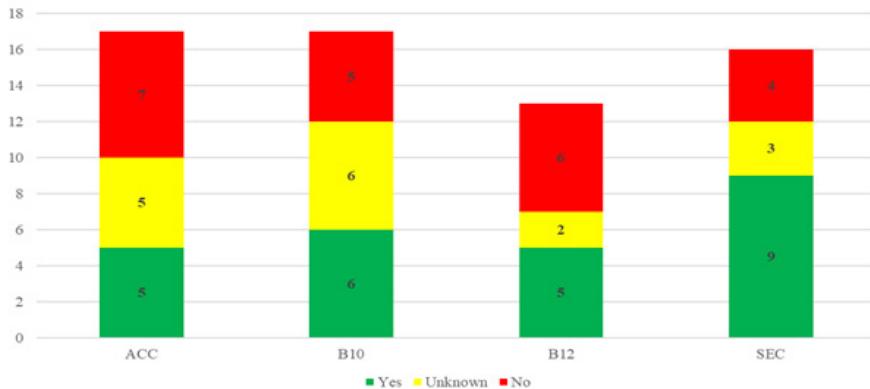
Note: Yes = NIL policy contains procedure to request use of institutional marks for NIL activities; Maybe = NIL policy does not outline procedure but does not explicitly ban use of institutional marks for NIL activities; No = NIL policy explicitly bans use of institutional marks for NIL activities.

Use of Institutional Facilities

This theme analyzes the regulations set regarding using institutional facilities for NIL activities, including promotional activities and creating social media content. Similar to the use of institutional marks, a common requirement found in the analyzed policies ($n = 25$) was the need for a formal rental agreement to conduct NIL activities within institutional facilities. For example, the University of Maryland (2024) outlined “Maryland Athletics Facility use is permissible for NIL activities provided all forms are signed and you have gone through the proper channels” (para. 5). Conversely, 22 of the 63 collected NIL policies indicate that institutional facility use is prohibited during NIL activities. In one example, Texas Christian University’s (TCU, 2024) policy states that “NIL activities should not occur on TCU’s campus. Student-athletes may not use TCU facilities in such a manner that creates the impression – either express or implied – that TCU endorses a third party or product” (para. 3). Interestingly, an institutional facility policy regarding NIL activities was not mentioned by 25% ($n = 16$) of the collected policies. This potentially leaves athletes at these institutions in the dark about resources for enhancing their NIL opportunities. Figure 2 highlights NIL policy statements on the use of institutional facilities for NIL activities per conference.

Educational Programming

Of the 63 collected NIL policies from the Power 4 conferences, 46% ($n = 29$) mention that some sort of educational programming regarding NIL is provided for their respective athletes. While no institution stated that they would not provide ed-

Figure 2*Policy on Institutional Facility Use for NIL Activities by Conference*

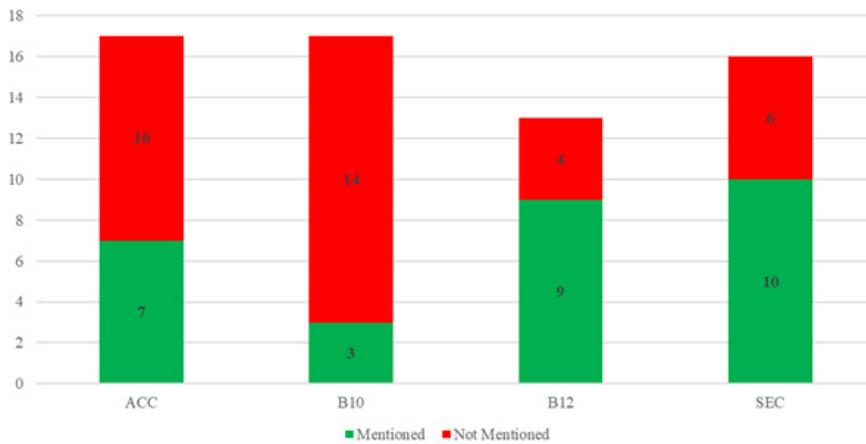
Note: Yes = NIL policy allows for facility use for NIL activities with a signed agreement; Unknown = NIL policy does not mention facility use for NIL activities; No = NIL policy explicitly bans use of institutional facilities for NIL activities.

ucational programming about NIL, 54% ($n = 34$) do not mention any form of education relating to NIL or its activities. The SEC led the way with 10 of 16 member institutions (63%) outlining educational programs concerning NIL, including the University of Florida (2024) which boasts the Hawkins Center, Gators Experience, and GatorMade, all of which are programs that provide their athletes with workshops in financial literacy and brand building as it relates to NIL. The B12 is next with nine of the 16 (56%) member institutions mentioning educational NIL materials, followed by the ACC with seven of 18 (39%), and the B10 with only three of 18 (17%) institutions mentioning NIL education. Some schools have gone above and beyond with educational resources for their athletes, including Clemson University, which opened the Clemson Athletic Branding Institute (CAB) in 2023. The CAB is a “dedicated brick-and-mortar facility for student-athlete branding and education,” and gives Clemson athletes a space to seek help on topics ranging from taxes to finances to sponsorships (CAB, 2024, para. 1). Figure 3 summarizes the mention of NIL educational programming within institutional NIL policies by conference.

Disclosure Requirements

As of publication, the NCAA Division I manual mandates that all NIL deals valued at over \$600 must be disclosed to athletics compliance officials (NCAA, 2024). Because of this universal mandate, there exists a lot of homogeneity within the NIL policies of collegiate institutions that mirror the language used by the NCAA concerning disclosure of NIL deals. Sixty-one of the 68 (90%) Power 4 institutions mandate similar disclosure requirements for NIL deals within the information they have accessible. An outlier in this theme is Duke University (2024), whose NIL policy

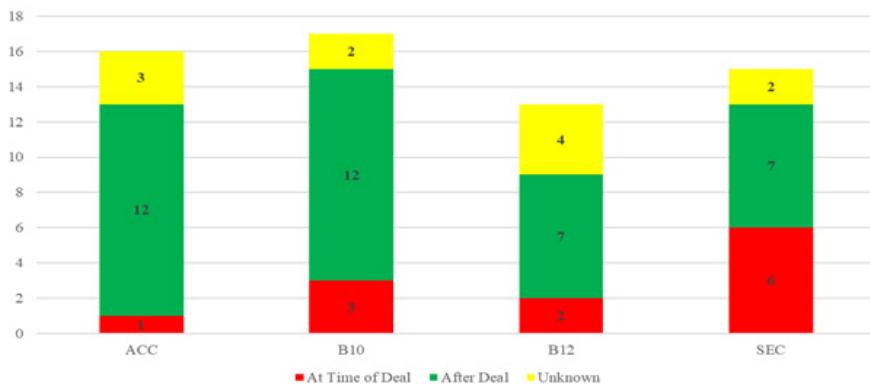
Figure 3
Policy Mentions of NIL Educational Programming by Conference



states that “Duke student-athletes may receive institutional assistance and services if they opt in to disclose all NIL activities that are \$600 or more to Duke University in a manner set forth by the Department of Athletics” (para. 10). While this statement addresses the possibility of disclosing deals over \$600, it does not mandate it, instead giving Duke athletes the option to disclose deals for additional resources from the university. Another example that breaks slightly from the NCAA regulations on disclosing NIL deals is Northwestern University’s NIL policy, which mandates that any deal over \$500 in value be disclosed (Northwestern University Name, Image & Likeness Policy, 2024). While these cases are unique, the content from institutional NIL policies surrounding disclosure requirements for NIL deals is wholly unoriginal and is based almost entirely on the NCAA rules concerning this topic.

In contrast to the homogeneity within NIL policies regarding the types of NIL deals requiring disclosure, there is great variance between these policies in terms of when these NIL deal disclosures are required. Almost 20% ($n = 12$) of NIL policies analyzed require NIL deals to be disclosed at the time the deal is agreed to and before the NIL activity occurs. Meanwhile, 62% ($n = 38$) of institutional NIL policies specify NIL deals can be disclosed in a specified time frame after the completion of the deal or activity, with policies outlining time frames ranging between one and 10 days post NIL deal or activity. Finally, 18% of policies do not specify an NIL deal disclosure time frame, leaving athletes without a clear understanding of their NIL deal disclosure requirements. Figure 4 shows variances in the timing of NIL deal disclosure requirements found within NIL policy statements, broken down by conference.

Figure 4
Policy on Timing of NIL Deal Disclosure Requirements by Conference



Discussion

The present study examined NIL policies of Power 4 universities, revealing both commonalities and divergences in how these institutions regulate key NIL-related areas. While many aspects of the policies were consistent or identical, significant variation emerged in critical domains such as the use of institutional marks, facility access, and educational programming. These differences raise important questions regarding the rationale behind policy disparities across institutions and the potential consequences for collegiate athletes navigating the NIL landscape.

A prominent finding concerns college athletes' use of university trademarks and/or logos in NIL activities. Three distinct approaches were evident: outright bans on the use of institutional marks, clear procedures for obtaining approval to use such marks, and ambiguous policies lacking explicit guidance. The persistence of restrictive practices aligns with historical institutional priorities of protecting intellectual property, consistent with prior research documenting "zero-tolerance" stances on third-party use of university marks (Kellison et al., 2016). However, prohibiting college athletes from leveraging the branding of their teams represents a missed opportunity to support athlete empowerment and economic benefit. This restriction perpetuates traditional power imbalances in collegiate athletics, wherein institutions maintain control over brand narratives and commercial value, while athletes remain excluded from these benefits (Southall et al., 2023). Since organizational brands significantly influence consumer perceptions and athlete personal branding (Baker et al., 2022; Kunkel & Biscaia, 2020), policies restricting co-branding limit athletes' potential NIL earnings. Empirical evidence suggests that athlete affiliation with institutional brands positively impacts their social media following and NIL deal value, especially at the highest levels of NCAA competition (i.e., Power 4 schools; Cocco et al., 2023; Kunkel et al., 2021).

Accordingly, the 16 Power 4 schools that explicitly ban the use of institutional marks within third-party NIL activities undermine their athlete's ability to optimize NIL earnings by limiting the positive spillover effects created from deals featuring both the athlete and institutional brand. A further 24 Power 4 institutions do not outline clear pathways for athletes to obtain the appropriate consent needed to utilize institutional marks within their NIL activities. Athletes at these institutions may be dissuaded from pursuing such a request or may assume the use of institutional marks is prohibited given the lack of mention within their institution's NIL policy. In either case, this again serves to limit the NIL earnings potential of athletes. This negative impact on athletes' NIL value highlights a critical area for policy reconsideration.

Institutional policies also varied about the use of university facilities for NIL activities. While the use of institutional marks was addressed in most policies, over a quarter of the policies failed to mention facility use, and more than a third explicitly prohibited facility access for NIL purposes. This includes the NIL policy at Stanford, which states an athlete "may not use Stanford housing, facilities, or equipment to conduct NIL activities" (Stanford, 2021, para. 12). This policy statement would imply athletes at the institution face a wide-ranging ban on the use of institutional facilities and equipment for NIL activities, including the use of content creation spaces, digital media labs, and university-issued laptops.

The omission or restriction on institutional facility usage for NIL activities may negatively influence athlete perceptions of institutional NIL support (Corr et al., 2023) and hamper their ability to generate income through camps, clinics, or private lessons, activities particularly vital to athletes in non-revenue sports (e.g., swimming & diving, tennis). These college athletes typically face lower endorsement opportunities and may lack the financial means to rent private facilities. Correspondingly, institutional facility restrictions risk exacerbating existing economic inequities within collegiate athletics (Opendorse Annual Report, 2024). In addition, broad prohibitions, such as those found within the NIL policies at TCU and Stanford, limit athletes' access to important content creation spaces critical for personal brand development in the digital age. This stands in stark contrast to universities like Clemson, which have invested in dedicated NIL support facilities to enhance athlete branding and recruitment efforts (Kelly, 2023). As more Power 4 programs invest in NIL infrastructure, policies restricting facility access risk becoming outdated and misaligned with athlete needs and institutional priorities. They also risk limiting the NIL rights and earnings potential of athletes, especially those in non-revenue sport programs that could use institutional NIL support the most.

Among all themes presented in the findings, NIL educational programming demonstrated the greatest policy variation, with over half of the institutions lacking explicit provisions for NIL education. This gap is particularly stark within the B10, where a minority of schools explicitly mentioned the availability or provisioning of NIL education resources. Even for institutions that do mention educational programming within their NIL policies, there is significant variation in the verbiage used. For example, the NIL policy at SMU states the institution "shall" require athletes to attend a financial literacy and life skills course, with specific hour and content

requirements outlined (SMU, 2021). Conversely, the NIL policy at the University of Louisville mentions NIL education resources available to athletes and “encourages,” but does not mandate the completion of a financial literacy course (UofL, 2024). This contrasting example highlights the potential for athletes at various institutions to have different levels of knowledge about their NIL rights and opportunities based on education requirements outlined in NIL policies.

Given the critical importance of financial literacy and contract negotiation skills for athlete success in the NIL era (Curington, 2020), this lack of institutional emphasis on education reflects a significant shortfall in institutional athlete support. The sparsely mandated environment for educational NIL programming raises concerns regarding institutional-athlete power dynamics. Given that knowledge is foundational to athlete agency and empowerment, athletes may lack the tools to negotiate effectively, protect their rights, and build sustainable personal brands without structured education. Ultimately, such factors serve to significantly diminish college athletes long-term financial and professional outcomes. This gap also contradicts the core mission of higher education, which inherently involves preparing students for success. Faculty partnerships and interdisciplinary courses present valuable opportunities for enhancing NIL education (O’Hallarn et al., 2023). However, these opportunities remain underutilized on college campuses in the United States. The findings underscore the urgent need for institutions to prioritize and expand NIL educational initiatives to better serve competing college athletes.

In contrast to the other themes, disclosure requirements exhibited notable homogeneity, with over 90% of Power 4 schools’ policies closely aligning with NCAA mandates. This consistency reduces ambiguity surrounding NIL deal disclosures, helping to prevent inadvertent policy violations that could jeopardize athlete eligibility. This type of consistent and unambiguous language is sorely needed in other areas of NIL policy, such as policy statements related to NIL activities involving international athletes. Institutional and athletic association NIL policies are overwhelmingly vague about international athlete NIL participation and the effect such participation may have on their student visa status (Newell & Sethi, 2023; Sethi et al., 2022; Solomon et al., 2022). For example, the NIL policy at Northwestern University simply advises international athletes to contact the international office at the institution and the athlete’s home country government regarding questions about engaging in NIL activities (Northwestern University Name, Image & Likeness Policy, 2024). Creators of NIL policy should strive to deliver clear and consistent guidelines on NIL opportunities and regulations for all athletes.

However, even though disclosure requirement statements are relatively straightforward in NIL policies, discrepancies in the timing and strictness of those requirements across institutions introduces potential inequities. While some institutions require immediate disclosure upon agreement, others allowed a 30-day window, creating a patchwork of obligations that athletes must navigate. Such inter-institutional differences are particularly challenging for college athletes seeking or actively transferring between NCAA member institutions. These inconsistencies may prompt confusion and reinforce structural inequities within collegiate athletics.

Applying a critical theoretical lens revealed not only what NIL policies included, but what they also omitted and whose interests they serve. While most institutional NIL policies focused on institutional compliance and athlete obligations, very few explicitly addressed marginalized groups traditionally disadvantaged within the NIL marketplace (e.g., Black women athletes, international athletes; Harry, 2025; Sethi et al., 2022). The absence of targeted considerations for these groups reflects broader ideological positioning that prioritizes institutional control and economic interests over equitable athlete representation and support (Corr et al., 2024, 2025). The invocation of regulatory language such as NCAA bylaws and state legislation serves to distance institutions from liability while centralizing governance over athlete monetization, reinforcing traditional power hierarchies. This dynamic marginalizes athletes' autonomy and obscures structural inequities embedded within NIL opportunities. For instance, Black women athletes, despite their visibility, face disproportionately fewer NIL opportunities due to entrenched racial and gender biases in sponsorships (Harry, 2025). Similarly, international athletes often encounter visa-related barriers to NIL participation that institutions rarely addressed in NIL policies analyzed in this study (Newell & Sethi, 2023; Sethi et al., 2022; Solomon et al., 2022). By moving beyond descriptive policy analysis, this study's critical approach highlights the ideological functions of NIL policy in maintaining power asymmetries and shaping access to opportunity.

Limitations & Future Research

Certain limitations exist within the scope of this work. As indicated, NIL policies were not publicly accessible for all Power 4 institutions. In addition, each collected policy was dated between 2021 and 2024. For example, many policies were dated as being created in the same week as the initial NCAA interim NIL policy in July 2021. There have since been multiple addendums and alterations to the regulations of NIL, meaning the most up-to-date policies were not publicly accessible in these cases or those policies had not been updated despite the evolving nature of NIL regulatory frameworks. Another limitation of this study is the dynamic nature of NIL, with rules evolving so frequently that its long-term impact on college athletics remains uncertain. The ever-changing landscape of NIL reflects the broader evolution of college sports. Furthermore, NIL policies vary across states, creating additional complexity. This study focused solely on institutional policies, leaving out the broader spectrum of policies that differ at state or conference levels. Lastly, the information concerning NIL was not standardized across institutions, with a wide variety of topics being covered within differing webpages. This inhibited our ability to make direct comparisons on certain subjects that may not be covered in all the policies.

The findings of this study underscore the need for ongoing reflexivity and equity-focused reform in collegiate athletics NIL governance. As NIL continues to evolve amid legal and cultural pressures, institutions must balance protecting intellectual property and regulatory compliance with supporting athlete empowerment, inclusion, and economic opportunity (Corr et al., 2025). Developing clear pathways for institutional mark and facility usage, expanding NIL educational programming,

and standardizing disclosure policies can reduce inequities and better align policies with athlete needs. In addition, intentional inclusion of marginalized athlete populations within NIL policy discourse and practice would be valuable to foster a more equitable collegiate sports landscape. Future research should continue to explore the lived experiences of diverse athlete populations under varying NIL regimes and assess the impact of policy reforms on athlete outcomes. Ultimately, achieving equity in the NIL era requires institutions to critically examine and revise policies that perpetuate historic power imbalances while proactively supporting the diverse identities and aspirations of all college athletes.

Additional future research could focus on NIL policy impacts stemming from provisions included in the landmark *House v. NCAA* federal antitrust case settlement. Among other items, the settlement allows institutions to share portions of athletic department revenues with their athletes and requires enhanced scrutiny on third-party NIL deals involving associated entities, such as NIL collectives (Dellenger, 2025). To facilitate revenue sharing with athletes, schools are now entering into contracts which grant them the exclusive use of their athlete's NIL rights and limit the ability for athletes to engage in third-party NIL opportunities (Prisbell, 2024). Furthermore, third-party NIL deals valued over \$600 must now be submitted and approved by an independent clearinghouse as being for a valid business purpose at fair market value before the athlete can fully enter into the agreement (Dellenger, 2025). These developments require further research on impacts to institutional NIL policies, particularly those related to the use of institutional marks and disclosure requirements for third-party NIL deals.

Implications & Conclusion

The findings of this study call into question the demand for uniformity within institutional NIL policies among NCAA member institutions. It is clear that NIL has not created parity among NCAA's membership but rather encouraged further disparity both inter-institutionally and among college athletes. While institutions in the Power 4 have a lot of similarities in their policies, there are still many key differences. These differences can be read as a failure by the institution to properly inform and prepare its athletes. NIL education is a requirement by the NCAA, but each member institution has a varied interpretation of what education should be available. Some institutions have provided ample education with easy access, while some have obscured those resources. Obscurity is not just found in educational opportunities, but also in policies surrounding the use of institutional marks and facility rentals. This mismatch across the country in NIL policies has encouraged ambiguity and created unclear paths for college athletes to capitalize on monetary opportunities.

At its core, NIL deregulation was established to allow a college athlete to be fairly compensated for the use of their image. While there have been initial attempts at implementing this into the world of collegiate athletics, the process has been arduous, slow, and often inadequate. There is a lack of continuity and clarity among NIL regulations, creating inequitable circumstances for many college athletes and reinforcing the traditional hegemonic structure long found within collegiate athlet-

ics where institutions control the commercial value of the product (Southall et al., 2023). The analysis provided in this research highlights the need for clarity and understanding of the information conveyed within current NIL policies. It also represents a disturbing parallel with the disparate set of regulations found in state-level NIL legislation (Berg et al., 2023; Czekanski & Siegrist, 2024; Moorman & Cocco, 2023). Regulations and policies governing the NIL rights of college athletes at all levels – institution, athletic association, state, and federal – should be developed with athlete support and success at the forefront. Obscured education and general ambiguity, stemming from a lack of uniformity, only harms the NIL earnings potential of college athletes. It is imperative to identify and improve upon these discontinuities in NIL policy to improve understanding and better the experience for all college athletes.

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