



NAME, IMAGE, and LIKENESS POLICY
Effective February 2, 2022

I. OVERVIEW AND POLICY STATEMENT

This policy governs the activities of Auburn University student-athletes in pursuing compensation for their name, image, and likeness (NIL) and the responsibilities of the Athletics Department and the institution's employees in implementing and enforcing this policy.

Auburn Athletics is committed to supporting its student-athletes in their NIL activities while preserving Auburn's relationships with its valued partners and ensuring compliance with NCAA requirements.

Accordingly, Auburn student-athletes may earn compensation for use of their NIL. In doing so, student-athletes must comply with this policy and other applicable Auburn policies and rules, NCAA rules and requirements, and applicable laws.

For purposes of this policy, "compensation" is anything of value, monetary or otherwise, provided to a student-athlete, or to a third party at the student-athlete's direction, in exchange for the student-athlete's performance of a contract. Compensation does not include a scholarship or stipend awarded to a student-athlete by Auburn University.

Note that student-athletes who receive compensation for performing NIL activities but do not actually perform those activities may jeopardize their eligibility.

The following restrictions apply to NIL activities involving Auburn student-athletes:

- Neither Auburn University nor its supporting foundations may compensate Auburn student-athletes for use of their NIL.
- NIL payments to student-athletes must not constitute pay-for-play, impermissible extra benefits, or an improper recruiting inducement.
- Student-athletes must comply with the NIL contract disclosure requirements described in Section IV.
- Student-athletes may use Auburn University trademarks, logos, and other intellectual property and facilities only after receiving permission, as described in Section V.
- Student-athletes must not engage in NIL activities prohibited by this policy, including the prohibited categories described in Section VI.

II. NCAA POLICY

In July 2021, the NCAA adopted an [Interim NIL Policy](#) that permits student-athletes to earn compensation from NIL activities, without offending amateurism and eligibility principles, so long as those activities comply with other NCAA rules, relevant institutional policies, and applicable laws.

In particular, NCAA rules continue to prohibit student-athletes from receiving (1) pay-for-play compensation; (2) extra benefits; or (3) improper recruiting inducements.

Auburn and its employees and student-athletes must comply with the NCAA's Interim NIL Policy and other applicable rules. Auburn will interpret, apply, and enforce this Name, Image, and Likeness Policy in a manner consistent with all NCAA rules.

III. NIL EDUCATION AND OTHER SUPPORT

Auburn Athletics is committed to helping its student-athletes capitalize on their NIL potential while complying with this policy, NCAA policies and rules, and other applicable requirements regarding NIL. To ensure that compliance, Auburn will continue to provide educational materials, updates, and information regarding NIL to student-athletes and their representatives.

The information provided by Auburn Athletics will not constitute legal advice concerning NIL compensation arrangements. NIL offers both exciting opportunities and complex legal and financial challenges. Student-athletes are encouraged to seek reputable outside counsel to assist in the process.

IV. DISCLOSURE

Student-athletes must disclose to Auburn the following types of proposed contracts or agreement terms:

- Contracts with the student-athlete involving NIL compensation, including both written contracts and the terms of verbal agreements.
- Contracts between the student-athlete and agents, lawyers, or other representatives retained for the purpose of consulting on NIL activities.

These disclosures must occur before the contract is signed or otherwise agreed to. Student-athletes may not receive NIL compensation in connection with a contract until after that contract is disclosed to Auburn University.

Student-athletes must disclose these contracts in the manner prescribed by Auburn. Auburn currently is using the [INFLCR](#) app for disclosure purposes.

Auburn Athletics has established policies and procedures for review of NIL compensation and agent representation. Generally speaking, requests that are properly disclosed will take less time to review. Student-athletes will receive notifications via the INFLCR app once the review process is complete.

V. AUBURN INTELLECTUAL PROPERTY & FACILITY USE

A student-athlete may not receive or contract for NIL compensation where the arrangement also involves use of

Auburn University uniforms, marks, logos, verbiage, or designs, unless Auburn University has provided the student-athlete with written permission to do so prior to contract execution. If permission is granted, Auburn University may require compensation consistent with market rates and prior practice.

Accordingly, any NIL disclosures that include requests for Auburn University branding should first be made through the request form below. If the request to use Auburn branding is granted, student-athletes should then attach that authorization to their INFLCR disclosure. The links below contain additional important information regarding this process:

- [Trademark and Licensing Q&A](#)
- [AU Branding and Licensing Request Form](#)
- [Facilities Use Form \(See Auburn Facilities Manual\)](#)

Student-athletes and their representatives and partners are not allowed to use Auburn facilities for NIL activities unless Auburn has approved the arrangement in advance. Such arrangements typically will require payment of standard facility fees.

VI. PROHIBITED CATEGORIES

Auburn University may prohibit a student-athlete from engaging in NIL activities with any entity or individual that, in the reasonable and good faith judgment of Auburn University, negatively impacts or reflects adversely on Auburn or its athletic programs, including, but not limited to, bringing about public disrepute, contempt, embarrassment, scandal, ridicule, or otherwise negatively impacting the reputation or the moral or ethical standards of the institution.

In addition, Auburn student-athletes may not engage in NIL activities with the following:

- A tobacco company or brand, including any tobacco product, alternative nicotine product, electronic nicotine delivery system, or any electronic nicotine delivery system retailer, or any specialty retailer of electronic nicotine delivery systems or tobacco specialty store.
- Any alcoholic beverage company or brand.
- Any seller or dispensary of a controlled substance, including, but not limited to, marijuana.
- Any adult entertainment business.
- Any casino or entities that sponsor or promote gambling activities.

Except with the written consent of the Auburn University, a student-athlete may not enter into a contract for compensation for use of NIL if Auburn determines that a term of the proposed contract conflicts with a term of an existing contract held by Auburn University.

VII. PROFESSIONAL SERVICES PROVIDERS

Student-athletes may retain professional services providers, including agents and lawyers, to assist them in connection with their NIL activities.

Student-athletes must disclose their agreements with NIL-related professional services providers in accordance with Section IV.

VIII. FINANCIAL AID

Student-athletes' compensation for use of NIL may affect their financial aid. Auburn University offers several state and federal financial aid grants based on financial need. Criteria for available need-based grants can be found [here](#). Student-athletes with questions about need-based financial aid are encouraged to reach out to the [Office of Student Financial Services](#).

Student-athletes should seek professional tax advice regarding their NIL compensation. Student-athletes should note that taxable compensation might include any tangible and intangible items given in exchange for use of the student-athlete's NIL.

IX. INTERNATIONAL STUDENT-ATHLETES

Opportunities for international students to earn NIL compensation may be limited by their student-visa requirements. Prior to engaging in any NIL activities, international student-athletes should consult with the Auburn University [Office of International Programs](#).

X. MISCELLANEOUS

All Auburn student-athletes may be provided access to education modules and in-person sessions in partnership with the Harbert College of Business on the following topics: Financial Literacy, Taxes, Brand Management, and Entrepreneurship.

Questions regarding this policy may be directed to auburnspirit@auburn.edu.

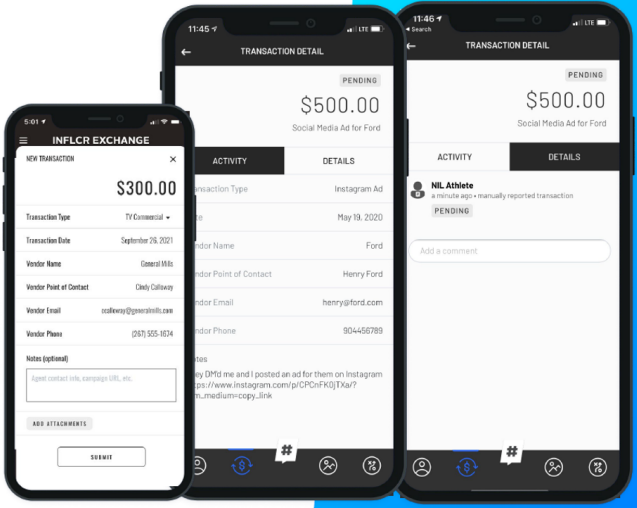
HOW IT WORKS



DISCLOSURE: USING THE INFLCR APP


Private: Your transactions are only visible to yourself and Compliance Officers at Auburn.

Review: Submit transaction for review.

Communicate: If Compliance needs more info, you'll receive a message through the app and can go back and provide more info or update the transaction as needed.



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