



Question and Answer: Implementation of the *House* Settlement

(Updated February 11, 2026, see **highlighted** portions)

The NCAA and the defendant conferences (i.e., Atlantic Coast Conference, Big Ten Conference, Big 12 Conference, Pac-12 Conference and Southeastern Conference) entered into a settlement agreement in the *House*, *Hubbard* and *Carter* cases. This document was developed by the defendant conferences and the NCAA to provide guidance to the Division I membership on the implementation of the settlement agreement.

While this document has been updated, it is not exhaustive. NCAA staff will collaborate with the defendant conferences to update the document as needed. Please note nonsubstantive updates are not highlighted.

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Section A: General Information

Question No. A1: Will it be permissible for any Division I institution to provide the revenue share payments or benefits contemplated in the settlement agreement?

Answer: Yes. Any Division I institution may provide revenue share payments or benefits to student-athletes permitted by the settlement agreement. If an institution provides revenue share payments or benefits (e.g., new incremental athletically related financial aid, direct institutional payments for NIL) to student-athletes not currently permitted by NCAA rules or in amounts above those permitted under NCAA rules as of October 7, 2024, the institution is subject to all obligations and limitations of the settlement.

Any Division I institution that is a member of a defendant conference (i.e., the Atlantic Coast Conference, the Big Ten Conference, the Big 12 Conference, the Pac-12 Conference, and the Southeastern Conference) or is providing revenue share payments or benefits is a Participating Institution.

Question No. A2: Is an institution that provides direct name, image and likeness (NIL) payments to a student-athlete subject to the terms of the settlement?

Answer: Yes.

Question No. A3: Under the settlement agreement, does every Division I institution have to provide revenue share payments or benefits to student-athletes?

Answer: No. Each active Division I member institution may decide whether and how much of any new benefit to provide to student-athletes, up to the benefits cap.

However, if a Division I institution provides revenue share payments or benefits to student-athletes not currently permitted by NCAA rules or in amounts above those permitted under NCAA rules as of October 7, 2024, the institution is subject to all obligations and limitations of the settlement including, but not limited to roster limits, reporting, the benefits cap and enforcement.

Question No. A4: Can an institution opt in to the settlement on a team-by-team basis?

Answer: No. For Participating Institutions, the terms of the settlement apply to all NCAA-sponsored programs at an institution and may not apply on a team-by-team basis. Multidivisional institutions that sponsor a Division I sport may opt in for its Division I sport(s).

Question No. A5: May a Division I team at a multidivisional institution (e.g., Division II or III institution) opt in to the settlement?

Answer: Yes. A multidivisional institution that sponsors a Division I sport may opt in for its Division I sport(s).

Question No. A6: If a multidivisional institution has two Division I sports, can it opt in for one of the Division I sports but not the other?

Answer: No. If the multidivisional institution opts in, requirements related to opting in (e.g., roster limit for the sport, benefits cap, cap management reporting system) apply to all Division I sports. If a Division II or III institution opts in for its Division I sports, the non-Division I sports are not subject to the terms of the settlement.

Question No. A7: Is a multidivisional institution that opts in subject to the same benefits cap as other Participating Institutions?

Answer: Yes.

Question No. A8: What is the process for an institution to indicate whether it has opted in to the settlement?

Answer: For the 2025-26 academic year, non-defendant institutions must have formally opted in no later than June 30, 2025. Information regarding the 2026-27 processes for opting-in/opting-out will be circulated by the College Sports Commission no later than March 1, 2026.

Question No. A9: May an institution that initially does not opt in to the settlement decide to opt in to the settlement during a subsequent academic year during the remainder of the ten-year term of the settlement?

Answer: Yes. An institution may make a decision to opt in to the settlement (e.g., providing revenue share payments or benefits to student-athletes) for the next academic year during the ten-year term of the settlement.

The settlement also allows an institution that previously offered revenue share payments or benefits contemplated by the settlement to return to awarding benefits at pre-settlement levels. However, institutions will be accountable for multiyear agreements entered into with their students and the Division I core guarantees continue to apply. An institution that does not opt in to the settlement must be fully compliant with the settlement terms if it decides to opt back in. The settlement terms tie roster limit compliance to the awarding of the revenue share payments or benefits. Therefore, the settlement does not require an institution to comply with the roster limits contemplated by the settlement during an academic year it does not opt in.

Question No. A10: What are the obligations for institutions that opt in to the settlement (i.e., Participating Institutions)?

Answer: An institution that opts in to the settlement must fulfill obligations that apply to defendant conferences and their members under the settlement, including, at minimum:

- Ensure that any revenue share payments or benefits being provided comply with the benefits cap and cap-related rules, policies and procedures.
- Report to the cap management reporting system (CAPS):
 - All licenses between the institution and its student-athletes for name, image and likeness; and
 - Any other payments or benefits provided beyond what was permitted by NCAA Division I rules as of October 7, 2024, assuming such benefits are otherwise permitted by NCAA rules;
- Report all additional benefits that count against the benefits cap to CAPS and complete the annual attestation by September 1 after the close of each academic year.
- Adhere to the established roster limits.
- Agree that the designated enforcement entity (i.e., College Sports Commission) has the authority to enforce NCAA Bylaws adopted as part of the settlement (e.g., roster limits, revenue share payments and benefits and noninstitutional NIL) pursuant to NCAA Division I Bylaw 23 (Designated Enforcement Entity and Neutral Arbitration Process) and any internal operating procedures.

Question No. A11: What are the implications if an institution does not opt in to the settlement?

Answer: All existing Division I legislation remains effective unless and until modified, other than institutional financial aid limits for Division I, which will be eliminated as part of the settlement. However, if an institution or conference provides athletically related financial aid above the current Division I institutional financial aid limits in the 2024-25 Division I Manual, the institution(s) are subject to the terms of the settlement including roster limits.

The term “institutional financial aid limits” refers to the amount of financial aid (e.g., scholarships, tuition waivers) an institution could provide in an academic year to counters on a per-team basis under NCAA Division I legislation prior to July 1, 2025. These limits included financial aid provided directly by the institution, as well as certain other sources of countable financial aid, such as educational expenses from a national governing body recognized by the United States Olympic and Paralympic Committee (or international equivalent).

Further, institutions that choose not to provide revenue share payments or benefits contemplated by the settlement are not bound by the requirements of Participating Institutions, except all Division I student-athletes must report all third-party NIL contracts or payments worth \$600 or more to NIL Go.

Question No. A12: If an institution that is not subject to the terms of the settlement increases the amount of financial aid offered in a sport but remains under the amount of financial aid permitted in that sport by Division I legislation during the 2024-25 academic year, does the increase in the amount of financial aid subject the institution to the terms of the settlement?

Answer: No.

Question No. A13: Does the settlement change the amount of Alston awards an institution may provide to a student-athlete each academic year?

Answer: No. However, the first \$2.5 million in Alston awards provided by a Participating Institution count against the benefits pool (see Question No. D7).

Question No. A14: If a Nonparticipating Institution that did not previously provide Alston awards begins providing Alston awards up to \$5980 per athlete after the effective date of the settlement, does the provision of the Alston awards subject the institution to the terms of the settlement?

Answer: No.

Question No. A15: May a Division I conference establish a roster limit that is lower than the Division I roster limits contemplated by the settlement?

Answer: Yes, a Division I conference may establish a roster limit lower than those established in the settlement. However, the roster limit may not be lower than that sport's Division I scholarship limit in the 2024-25 Division I Manual.

Question No. A16: May a Nonparticipating Institution, or a conference composed of multiple Nonparticipating Institutions establish a higher roster limit than established in the settlement?

Answer: Yes. If an institution does not opt in, roster sizes may be governed by the conference or institution and not legislated at the national level. However, if an institution or conference provides athletically related financial aid above the current Division I institutional financial aid limits in the 2024-25 Division I Manual, the institution(s) are subject to the terms of the settlement including roster limits.

If a conference includes a combination of Participating and Nonparticipating Institutions, the Participating Institutions must comply with the established roster limits.

Question No. A17: How will the technology behind CAPS and NIL Go be managed?

Answer: LBi (CAPS) and Deloitte (NIL Go) have been engaged to develop, test and provide appropriate training for the platforms relevant to the settlement. Training on both platforms has started and institutions have been asked to provide both vendors with points of contact (i.e., "change champions"). Institutions may visit www.collegesportscommission.org for more information about the implementation of the settlement.

Question No. A18: Does the settlement agreement impact access to qualification for Division I championships and existing revenue distribution formulas?

Answer: No.

Question No. A19: Where should I go if I have questions about the settlement agreement and its impact on my campus?

Answer: This Q&A is intended to provide guidance on national issues. Issues that are campus-specific or conference-specific should be addressed at a local level. Questions about the implementation of the settlement should be submitted to settlementquestions@ncaa.org or through Requests/Self Report Online (RSRO).

Question No. A20: Where should institutions or conferences direct student-athletes who have questions about participation in the settlement?

Answer: Student-athletes with questions about the settlement should visit www.collegeathletecompensation.com or www.collegesportscommission.org.

Question No. A21: How will student-athletes be educated on the impact of the settlement?

Answer: Student-athletes can learn more about the settlement from the attorneys representing the student-athlete classes and/or at the following website: www.collegeathletecompensation.com.

A separate question-and-answer document for student-athletes is available at the following website: https://ncaaorg.s3.amazonaws.com/governance/d1/legislation/2024-25/Jan2025D1Gov_StudentAthleteSetQuestionandAnswerCourtApproved.pdf.

Question No. A22: Do the terms of the settlement apply to non-NCAA sports (e.g., squash, sailing)?

Answer: No. For example, payments or benefits provided to a student-athlete in a non-NCAA sport do not count toward a Participating Institution's benefits cap. Further, student-athletes in non-NCAA sports are not required to submit noninstitutional NIL deals to NIL Go.

Section B: Changes to Division I Legislation

Question No. B1: What is the process for reviewing and modifying the Division I legislation to be consistent with the settlement agreement?

Answer: Consistent with duties and responsibilities associated with litigation, the NCAA Division I Board of Directors will continue to act on legislation necessary to implement the settlement, consistent with the action previously taken by the Board of Directors on April 21 and June 6. The proposals adopted by the Board in April became effective July 1, 2025, unless otherwise noted in the proposal.

Question No. B2: Have the financial aid limits been eliminated from the Division I Manual?

Answer: Yes. The Division I Manual no longer includes institutional financial aid limits for any sport. Nonparticipating Institutions that do not opt in should refer to the financial aid legislation in the 2024-25 Division I Manual to ensure compliance with the provisions of the settlement related to opting in.

Question No. B3: Are Division I institutions required to provide full athletic scholarships in any particular sport after final approval of the settlement?

Answer: No. Athletics aid financial aid may be provided in any amount (full or partial) up to the individual limit in any sport.

Question No. B4: In head count sports, are Nonparticipating Institutions subject to the Division I counter limits in the 2024-25 Division I Manual?

Answer: No. Nonparticipating Institutions may provide up to the value of institutional financial aid limit provided by the 2024-25 legislation (as measured in equivalencies) in head count sports without triggering opting in. For example, in women's gymnastics (previously a head count sport with a team financial aid limit of 12) a Nonparticipating Institution may provide the value of 11 equivalencies distributed to 15 student-athletes.

Question No. B5: May a Participating Institution reduce, cancel or not renew the athletically related aid of a student-athlete who was on aid prior to the 2025-26 academic year who decides to enter the transfer portal after being told they will lose their roster spot if they decide not to transfer?

Answer: No. The settlement provides that the new roster limits cannot cause any student-athlete who was on aid prior to the 2025-26 academic year to lose his or her scholarship due to the transition to roster limits. Consequently, a student-athlete who seeks to enter the transfer portal after being told they will lose their roster spot cannot have their scholarship reduced or canceled based on the decision to enter the portal, regardless of whether that student-athlete is reported as a designated student-athlete.

Question No. B6: Do the financial aid protections associated with the undergraduate four-year transfer legislation remain in place?

Answer: No. National regulation on the period of award, as well as the permissible reasons to reduce, cancel or not renew athletically related financial aid, are consistent for all student-athletes, regardless of transfer history. However, institutions must consider the specific terms and conditions of existing financial aid agreements when determining whether such agreements may be reduced, cancelled or nonrenewed.

Question No. B7: For an FBS institution to count a victory against an FCS team toward meeting the definition of a “deserving team,” how many grants-in-aid per year in football must the FCS team have over a rolling two-year period (see Bylaw 18.7.2.1.1 – Exception -- Football Championship Subdivision Opponent)?

Answer: 56.7 grants-in-aid per year in football during a rolling two-year period.

Question No. B8: For an FCS institution (regardless of whether the institution opts in to the settlement), may financial aid that could be exempted from equivalency computations (e.g., academic honor awards) be included in calculating whether the institution has provided at least 56.7 grants-in-aid per year during a rolling two-year period?

Answer: Yes; however, for an institution that does not opt in to the settlement, if the financial aid is counted toward meeting the 56.7 grants-in-aid per year requirement, the aid must also count toward the overall limit of 63 equivalencies.

Question No. B9: Do sport-specific bylaws removed from Bylaws 15 and 17 (e.g., Bylaws 15.5.1.1, 15.5.4.1, 15.5.3.1.1.1, 15.5.7, 17.3.8.3 and 17.11.3.1.2) apply to any Division I institution since NCAA Division I Proposal Nos. 2025-09 (Financial Aid) and 2025-11 (Playing and Practice Seasons – Roster Limitations) became effective?

Answer: No. These bylaws no longer apply to Division I institutions because they have been removed from the Division I Manual to implement the settlement agreement. For example, an institution that does not opt into the settlement may provide athletically related financial aid in any amount (e.g., less than 25%) to a baseball student-athlete and will not have a limit on the number of baseball student-athletes who can participate in CARA activities during the championship segment. The institution would not have a violation or subject itself to the terms of the settlement, provided it does not provide more than the equivalent value of 11.7 countable financial aid to baseball student-athletes.

Question No. B10: Were the bylaws governing financial donations from outside organizations simply moved from Bylaw 12 to Bylaw 8?

Answer: Yes.

Question No. B11: When is the earliest an institution may provide a written offer regarding NIL or other revenue share payments or benefits to a high school, prep school, or two-year college prospective student-athlete?

Answer: An institution may provide a written offer regarding NIL or other revenue share payments or benefits on or after August 1 of the prospective student-athlete's senior year of high school; however, the offer may not be signed until the applicable signing dates specified in Bylaw 13.02.13 – Athletics Aid Agreement Signing Dates.

Question No. B12: May an institution communicate with a four-year college student-athlete regarding either an institutional offer regarding NIL or other revenue share payments or benefits or a noninstitutional NIL contract or payment which the institution has identified, before the student-athlete is permissibly entered into the NCAA Transfer Portal?

Answer: No.

Question No. B13: May an institution provide assets (e.g., tickets, priority points) to a donor as an incentive to provide funds to third-party NIL entities?

Answer: No.

Section C: Roster Limits

Question No. C1: When must Participating Institutions be in compliance with new roster limits specified in Bylaw 17.2?

Answer: Beginning in the 2025-26 academic year, for fall sports, Participating Institutions must be at or below the roster limits no later than the end of the calendar day before the first date of competition that counts for championships selection in the relevant sport. For winter and spring sports, Participating Institutions must be at or below the roster limits no later than December 1 or the end of the calendar day before the first contest that counts for championships selection in the relevant sport, whichever is earlier. Participating Institutions should remain at or below the relevant roster limit for the remainder of the academic year or until the end of the team's playing season, whichever is later. The team's playing season as mentioned in this section shall include postseason competition.

A sport at a Participating Institution may exceed the Division I and conference roster limits by the number of Designated Student-Athletes included on the submitted roster. See Question Nos. C11 through C18 and C42 through C50 for information on Designated Student-Athletes.

Question No. C2: Do all NCAA-sponsored sports at a Participating Institution have to comply with the roster limits specified in Bylaw 17.2?

Answer: Yes. If a Division I institution opts in to the settlement, the roster limits apply to all NCAA-sponsored teams at the institution. For a Division I sport on a Division II or III campus, if the institution opts in to the settlement, the roster limits apply to all Division I sports.

Question No. C3: Does a Nonparticipating Institution have to comply with the roster limits specified in Bylaw 17.2 and described in this document?

Answer: No.

Question No. C4: Can a Division I institution reduce, cancel or not renew athletically related financial aid for a student-athlete who was on aid prior to the 2025-26 academic year if the reduction, cancellation or nonrenewal is the result of the roster limit legislation?

Answer: No. While roster spots are not guaranteed, individuals who are on athletically related financial aid at the time of the settlement may not have their athletically related financial aid reduced, canceled or not renewed due to the settlement. Further, current student-athletes with active financial aid agreements who were on athletically related financial aid at the time the settlement was approved and who no longer participate in athletics after the roster submission deadline but remain enrolled are not required to be included on a sport's roster.

Question No. C5: What will be the system of record for submitting a sport's roster?

Answer: CAPS, developed by LBi under the oversight of the College Sports Commission, is the system of record for an institution's rosters.

Submission and Revision of a Roster

Question No. C6: For a Participating Institution, what is the deadline for submitting each sport's roster to CAPS?

Answer: No later than the end of the calendar day before the sport's first contest or date of competition used for championship qualification or December 1, whichever is earlier. For reference, the each sport's first permissible contest or date of competition for the 2025-26 academic year is available in Figure 17-2.

Question No. C7: For a Participating Institution, what is the deadline for submitting the roster for a men's tennis, women's tennis, men's golf and women's golf team to CAPS?

Answer: Each men's or women's tennis team and men's or women's golf team must submit a single roster for the academic year by the end of the calendar day before the first contest or date of competition in the fall semester.

Question No. C8: For a Participating Institution, at what point does a sport's submitted roster expire?

Answer: A sport must comply with its submitted roster until the end of the academic year or the end of the team's playing season, whichever is later. Once a sport's roster is submitted, an institution may not exceed the roster limit at any point during the roster year, which is the time period between the roster declaration deadline and the roster expiration date. See "Replacement on a Submitted Roster" below for more information.

Question No. C9: For a Participating Institution, may a sport adjust its roster after the deadline for submitting the roster?

Answer: Yes, as provided by the bylaws, policies and procedures regarding roster limits discussed further below. If a sport has not reached the sport's roster limit, the institution may add student-athletes to the roster by adding the student-athletes to CAPS before the sport's next contest.

Inclusion on a Submitted Roster

Question No. C10: For a Participating Institution, when must a student-athlete be included on a sport's roster?

Answer: Once a sport's deadline for roster submission has passed, a student-athlete must be on the sport's submitted roster to participate in athletically related activities (countable, required, or voluntary) until the submitted roster expires. A sport's submitted roster must identify any Designated Student-Athletes who intend to continue to participate in athletically related activities

after the roster submission deadline. A student-athlete who receives an athletics scholarship or settlement-related benefit or payment must be included on a sport's submitted roster during the year in which they receive the athletics scholarship and/or settlement-related payments, benefits or expenses. An institution can renew or honor an existing athletically related financial aid agreement with a student-athlete who was on a squad list before the 2025-26 academic year without including the student-athlete on the sport's submitted roster, provided the student-athlete does not participate in athletically related activities (countable, required or voluntary) after the roster submission deadline. Individual circumstances (e.g., season-ending injuries) may result in a student-athlete not counting toward the sport's roster limit or being replaced after the roster submission deadline.

Question No. C11: Who is a Designated Student-Athlete?

Answer: An individual who a member institution attests was or would have been removed from the institution's 2025-26 roster due to the implementation of roster limits and was either:

1. Certified as eligible for practice or competition or otherwise placed on the institution's squad list form for the 2024-25 academic year, prior to April 7, 2025, or
2. Recruited prior to April 7, 2025, to be, or was assured by an institutional staff member the individual would be, on the institution's roster for the 2025-26 academic year.

Question No. C12: May a sport at a Participating Institution exceed the roster limit due to the presence of Designated Student-Athletes on a submitted roster?

Answer: Yes. A sport at a Participating Institution may exceed the Division I roster limits by the number of Designated Student-Athletes included on the submitted roster, provided the student-athlete has athletics eligibility remaining.

Question No. C13: What impact does the arrival or departure of a Designated Student-Athlete have on a sport's roster limit?

Answer: Each sport has a specific roster limit. A Designated Student-Athlete is exempted from (i.e., does not count toward) the sport's roster limit. For example, the roster limit for football is 105; however, a Designated Student-Athlete on a football roster does not count toward the 105-person roster limit.

As a result, if a Designated Student-Athlete arrives at a Participating Institution, the Designated Student-Athlete is exempted from the sport's roster limit. If a Designated Student-Athlete departs from a Participating Institution, the Designated Student-Athlete is no longer exempted from the sport's roster limit of the original school. In other words, a sport's roster limit does not change due to the presence of Designated Student-Athletes on a roster. The number of exemptions from the roster limit change due to the inclusion of Designated Student-Athletes on a sport's roster for the year.

For example, a school's roster limit for football will never be more than 105. If the school has one or more Designated Student-Athletes in football, those Designated Student-Athletes will be exempt from the 105-person limit and those Designated Student-Athletes can participate without counting toward the 105-person limit.

Question No. C14: How long may a Designated Student-Athlete be exempted from a sport's roster limit?

Answer: For the duration of the athletics eligibility of the Designated Student-Athlete, regardless of whether the individual remains enrolled at the Participating Institution that declared the individual a Designated Student-Athlete or transfers to another Participating Institution.

Question No. C15: Did each Participating Institution have to declare its Designated Student-Athletes in each sport?

Answer: Yes. A member institution that opts in during the 2025-26 academic year was required to submit, in good faith, a list of all Designated Student-Athletes by July 6, 2025, (30 days after the court granted final approval of the settlement). Institutions will submit their list of Designated Student-Athletes to CAPS. A copy of all Designated Student-Athletes must be also filed on campus.

Question No. C16: Can an institution that opts in during the 2025-26 academic year supplement or revise its list of Designated Student-Athletes after July 6, 2025?

Answer: A participating institution had until August 5, 2025, to correct errors by emailing LBi at lgagnon@lbisoftware.com.

Question No. C17: Will an institution that does not opt in during the 2025-26 academic year and opts in during a future academic year have the opportunity to submit a list of Designated Student-Athletes?

Answer: No. The identification of student-athletes as Designated Student-Athletes must be complete within 30 days of the court granting final approval of the settlement and may only be done by institutions that opt in during the 2025-26 academic year. An institution that opts in during a future year would not have prospective or current student-athletes whose roster spot at the institution was impacted during the 2025-26 academic year due to the implementation of the roster limits because the institution was not subject to the roster limits.

Question No. C18: Can a Designated Student-Athlete take steps to transfer to another institution other than the one that identified them as a Designated Student-Athlete?

Answer: A Designated Student-Athlete who provided notification of transfer could have permissibly been entered into the transfer portal between Tuesday, July 7, 2025, through Tuesday, August 5, 2025, consistent with the [blanket waiver](#) (issued by the NCAA Division I Committee for Legislative Relief on July 2, 2025). Existing tampering rules apply to Designated Student-Athletes who have not entered the transfer portal.

A signed prospective student-athlete who is included on a Participating Institution's Designated Student-Athlete List must be released from the contact prohibition upon request and the institution should remove the prospective student-athlete's signed status on their IRL.

Question No. C19: For a Participating Institution, does a multisport athlete need to be on the roster for each sport in which they participate in athletically related activities after each team's respective roster submission deadline?

Answer: Yes.

Question No. C20: For a Participating Institution, do male practice players for a women's sport have to be included on the roster for the women's sport?

Answer: No. A male student who is eligible to practice with a women's team per Bylaw 12.7.5 (Eligibility Requirements for Male Students to Practice With Women's Teams) may participate in team practices without being included on the roster. The male student forfeits remaining eligibility at the institution in the men's sport that corresponds to the sport in which they are a male practice player (e.g., men's basketball for a male student who practices with the women's basketball team).

Question No. C21: For a Participating Institution, does a student manager need to be included on a sport's roster?

Answer: No. Existing Division I rules limiting manager participation in practice continue to apply.

Question No. C22: For a Participating Institution, does a noncoaching staff member with sport-specific responsibilities in sports other than men's basketball or an institutional staff member in football need to be included on a sport's roster?

Answer: No. A noncoaching staff member with sport-specific responsibilities in sports other than men's basketball may participate in limited on-court or on-field activities (e.g., assist with drills, throw batting practice), and in football, any institutional staff member may provide technical and tactical instruction to student-athletes without being included on the sport's roster. However, those individuals forfeit any remaining eligibility at the institution in the sport where the individual participates in activities related to practice or competition.

Question No. C23: For a Participating Institution, may a former student-athlete in sports other than football (i.e., a student-athlete who has exhausted their five-year period of eligibility) participate in organized practices on an occasional basis (see Bylaw 14.2.1.7 - Exception -- Former Student Participating in Practice on an Occasional Basis -- Sports Other Than Football.) without being included on a sport's roster?

Answer: Yes.

Question No. C24: For a Participating Institution, may a current or former student-athlete participate in organized practice sessions while not enrolled as a full-time student consistent with

current specified less than full-time exceptions (see Bylaw 14.2.1.7 Exception -- Former Student Participating in Practice on an Occasional Basis and Bylaw 14.2.1.8 – Exception -- U.S. Olympic and Paralympic Committee/National Governing Body -- Practice.) without being included on a sport's roster?

Answer: Yes.

Question No. C25: For a Participating Institution, may a student-athlete who sustains a season-ending injury or illness prior to the roster submission deadline continue to use institutional facilities and resources if they do not count toward the sport's roster limit?

Answer: Yes. A student-athlete who sustains a medically documented season-ending injury or illness prior to the roster declaration deadline may use institutional facilities and resources for rehabilitation purposes and may participate in practice-related activities, when medically cleared, without counting toward the sport roster limit. The student-athlete may not participate in competition that is considered in individual or team selections for postseason opportunities or participate in postseason (See Bylaw 17.2.2.3 – Season Ending Injury or Illness Before Roster Submission Date).

Question No. C26: For a Participating Institution, may a student-athlete who suffers a medically documented incapacitated injury (e.g., career-ending injury) during or after the first contest used for championship selections be replaced on the current year's roster by another student-athlete?

Answer: No. A student-athlete who suffers an injury during or after the first contest used for championship selections may not be replaced on the submitted roster. If student-athlete on a sport's roster sustains a medically documented, incapacitating and career ending injury or illness, the student-athlete may be exempted from the roster limit beginning with the roster year following the injury or illness (e.g., football student-athlete sustains incapacitating injury during fall 2025 season may be exempted from the 2026 football roster). After being excluded from the roster due to medical disqualification, the student-athlete may continue to receive benefits from the institution but may not participate in any athletically related activities (countable, required or voluntary).

Implications of a Submitted Roster

Question No. C27: For a Participating Institution, may an individual who is not included in a sport's roster participate in athletically related activities after the sport's roster submission deadline?

Answer: No. These individuals may, however, receive the same access and treatment from the institution as a member of the institution's student body or the general public (e.g., no special access to facilities, nutrition etc.).

Question No. C28: For a Participating Institution, after the roster submission deadline, may an institutional staff member (e.g., countable coach, noncoaching staff member, manager, graduate assistant, strength and conditioning coach) be involved in athletically related activity (e.g., practice, skill instruction, film review, strength and conditioning) with a student-athlete who is not included in the sport's submitted roster?

Answer: No (see Question No. C58).

Question No. C29: For a Participating Institution, after the roster submission deadline, may an institutional staff member be involved in conducting or arranging outside skill instruction, technical or tactical instruction or strength and conditioning activity for a student-athlete with eligibility remaining who is not on a sport's submitted roster?

Answer: No.

Question No. C30: For a Participating Institution, after the roster declaration deadline, may an individual with eligibility remaining who is not included in the sport's roster access athletics facilities where athletics activities occur (e.g., practice, strength and conditioning, competition)?

Answer: The individual may access athletics facilities where athletics activities occur in the same manner available to a member of the institution's student body or the general public.

Question No. C31: For a Participating Institution, after the roster declaration deadline, may an institutional staff member with athletics department responsibilities (e.g., athletic trainer, academic advisor, mental health provider) provide support consistent with their job responsibilities to an individual who is not included on their sport's roster?

Answer: Yes, at the institution's discretion.

Replacement on a Submitted Roster

Question No. C32: For a Participating Institution, may a student-athlete who sustains a medically-documented season-ending injury after the roster submission deadline be replaced on a sport's roster during the current year?

Answer: No, unless the injury occurred after the roster submission deadline and before the first contest or date of competition used for championship selections (e.g., sports whose first contest is after the December 1 roster submission deadline).

Question No. C33: Can a Participating Institution replace a rostered football student-athlete who suffers an injury during the first game after the football roster submission deadline?

Answer: No, because the injury occurred after the roster submission deadline and was not before the first competition used for championship selection.

Question No. C34: Can a Participating Institution replace a rostered basketball student-athlete who suffers an injury during the first game after the basketball roster submission deadline?

Answer: No, because the injury occurred after the roster submission deadline and was not before the first competition used for championship selection.

Question No. C35: Can a Participating Institution replace a rostered baseball student-athlete who suffers an injury between the roster submission deadline and the first contest that counts toward championship selection?

Answer: Yes, because the injury occurred between the roster submission deadline and the first competition used for counts toward championship selection.

Question No. C36: For a Participating Institution, may a student-athlete who voluntarily withdraws from the institution between regular academic terms be replaced on the roster?

Answer: Yes, for fall sports only. In fall sports, a student-athlete who was on a sport's roster and withdraws from the institution for any reason (e.g., transfer, employment opportunity) between regular academic terms may be replaced on the roster during the current year. If the student-athlete withdraws from athletic participation and remains enrolled at the institution, the student-athlete cannot be replaced during the current year.

In football, a student-athlete who will be replaced after withdrawing at midyear may continue to practice and compete during the second term of the academic year through the end of the playing season. The replacement student-athlete may not participate in team athletically related activities or receive competition-related travel expenses until after the sport's playing season.

In winter and spring sports, a student-athlete who withdraws from the institution may not be replaced after roster submission.

Question No. C37: For a Participating Institution, may a fall sport student-athlete who is no longer participating in their sport, but remains enrolled at the institution be replaced on the roster during the current year?

Answer: No, unless one of the conditions that would allow for midyear replacement is met (e.g., Bylaw 17.2.5-(e) – Exhausted Eligibility -- Between Terms).

Question No. C38: For a Participating Institution, may a student-athlete who exhausts eligibility in the sport at the end of a term or between terms be replaced on the roster?

Answer: Yes. In addition, the replaced individual may continue to receive benefits from the institution but may not participate in countable or required athletically related activities.

Question No. C39: For a Participating Institution, do midyear enrollees in the sport of football have to be added to a football roster to participate in athletically related activities?

Answer: Yes.

Question No. C40: For a Participating Institution, may a student-athlete who is rendered permanently ineligible during an academic term due to a violation of NCAA rules (e.g., suspension for academic misconduct or sports wagering) be replaced on a sport's roster during the current roster year?

Answer: Yes.

Question No. C41: For a Participating Institution, may a student-athlete who enters a professional draft list and remains entered in the professional draft while being enrolled full-time at the institution be replaced on a sport's roster during the current roster year?

Answer: Yes. After the student-athlete is replaced, they can receive benefits consistent with Bylaw 17.2.3.2 (Exception -- Nonathletics Activities with Institutional Staff Member), use athletics facilities and participate in voluntary athletically related activities, with or without institutional staff members, on an individual basis.

Additional Information on Designated Student-Athletes

Note: See Question Nos. C11 through C18 for more information on identifying Designated Student-Athletes.

Question No. C42: May a Participating Institution continue to exempt a Designated Student-Athlete from a sport's roster limit if they provide the individual with an athletics scholarship and/or settlement-related benefits?

Answer: Yes. A Designated Student-Athlete may continue to be exempt from a sport's roster limit for the duration of the Designated Student-Athlete's athletics eligibility, regardless of whether the Designated Student-Athlete receives an athletics scholarship and/or revenue share payments or benefits.

Question No. C43: Is there a limit on the number of individuals a Participating Institution may include on its Designated Student-Athlete list submitted to CAPS (e.g., only include the difference between how many student-athletes are currently on a sport's roster and the sport's roster limit specified in Bylaw 17.2)?

Answer: No. There is no limit on the number of individuals a Participating Institution may put on their Designated Student-Athlete list, provided the institution determines in good faith that each individual listed meets the definition of Designated Student-Athlete.

Question No. C44: May a Participating Institution declare a multi-sport student-athlete as a Designated Student-Athlete in one sport but not all of the student-athlete's sport(s)?

Answer: Yes. A Participating Institution should specify only the sport or sports in which the individual meets the definition of Designated Student-Athlete on its Designated Student-Athlete list submitted to CAPS.

Note, a Designated Student-Athlete's exemption from a sport's roster limit applies only to the sport or sports specified on the Designated Student-Athlete list submitted to CAPS. Stated differently, if a multi-sport student-athlete is only declared a Designated Student-Athlete in one sport, they would still be required to count toward any other sport's respective roster limit(s) if they choose to participate in athletically related activities after the other sport's roster submission deadline(s). The individual would retain their Designated Student-Athlete status in the sport identified on the Designated Student-Athlete list submitted to CAPS.

Question No. C45: Could a Participating Institution include individuals on its Designated Student-Athlete list who have either already entered the NCAA Transfer Portal, signed an athletics scholarship offer with another institution and/or transferred to another institution prior to July 1, 2025?

Answer: Yes, a Participating Institution could have included any individual it determined in good faith meets the definition of a Designated Student-Athlete regardless of whether that individual has already taken steps to enroll at another institution prior to July 1, 2025. (See Question No. C13 for information on the impact of the arrival or departure of a Designated Student-Athlete on a participating institution's roster limit).

Question No. C46: Was it permissible to enter a Designated Student-Athlete into the transfer portal if the individual wants to participate in a sport other than the one in which they were declared as a Designated-Student-Athlete?

Answer: Yes, an institution could have permissibly entered a Designated Student-Athlete who provided notification of transfer into the Transfer Portal consistent with the [blanket waiver](#) (issued by the NCAA Division I Committee for Legislative Relief on July 2, 2025) or during the individual's sport-specific transfer window. While current notification of transfer rules permit a student-athlete in the transfer portal to be recruited by other institutions for any sport, the Designated Student-Athlete's exemption from a sport's roster limit applies only to the sport or sports specified on their previous institution's Designated Student-Athlete list. If such an individual ultimately chooses to participate in a different sport at another participating institution, they would count toward the new sport's roster limit consistent with Bylaw 17.2.2 (Roster Limit Inclusion). The individual would retain their Designated Student-Athlete status in the sport identified on their previous institution's Designated Student-Athlete list.

Question No. C47: Does the continuing athletics scholarship received by a Designated Student-Athlete who remains on the team at the Participating Institution that designated the student-

athlete need to be used in calculating the \$2.5M scholarship offset (See Question No. D9 for more information) that is part of a Participating Institution's benefits cap?

Answer: No, the amount of the athletics scholarship a Designated Student-Athlete continues to receive after July 6, 2025, will not be used in calculating the \$2.5M scholarship offset, provided the Designated Student-Athlete does not receive an increase to the previous athletics scholarship agreement.

Question No. C48: Does a new or increased athletics scholarship received by a Designated Student-Athlete who remains on the team at the Participating Institution that designated the student-athlete need to be used in calculating the \$2.5M scholarship offset that is part of a Participating Institution's benefits cap?

Answer: Yes, if a Participating Institution chooses to put a Designated Student-Athlete on an athletics scholarship for the first time or increase an athletics scholarship that was received prior to July 6, 2025, the amount of that new or increased athletics scholarship must be used in calculating the \$2.5M scholarship offset. However, only the amount of new or increased athletics scholarship must be used in the calculation.

For example, if a Designated Student-Athlete was on a \$10,000 athletics scholarship in 2024-25 and the Participating Institution decides to increase the scholarship in 2026-27 to \$25,000 only the \$15,000 increase would be used in calculating the \$2.5M offset.

Question No. C49: If a student-athlete was receiving an athletics scholarship as part of a multi-year aid agreement prior to July 6, 2025, and that agreement has built-in increases for subsequent years, do those increases need to be used in calculating the \$2.5M scholarship offset in those future years?

Answer: No, built-in increases in the multi-year agreements that provided aid prior to July 6, 2025, and continue in future years would not be used in calculating the \$2.5M scholarship offset. However, if a Participating Institution decides to increase the athletics scholarship above what is specified in the signed multi-year aid agreement that increase would need to be used in calculating the \$2.5M scholarship offset.

Question No. C50: If a Participating Institution decides to provide an incoming transfer Designated Student-Athlete a scholarship upon transfer, does that athletics scholarship need to be used in calculating the \$2.5M scholarship offset that is part of that Participating Institution's benefits cap?

Answer: Yes, any athletics aid provided to an incoming transfer student-athlete must be used in calculating the \$2.5M scholarship offset. The student-athlete's athletics scholarship received at the previous institution is not considered when deciding if the transfer student-athlete's aid is used at the new Participating Institution.

	Must it be used for cap calculation purposes?	Must the SA count in the roster limit even if not participating in athletically related activities?
Former Student-Athlete no longer participating in athletically related activities receiving athletics aid .	No	No
Designated Student-Athlete at school (or returning to school) that designated the student-athlete and receiving athletics aid that was provided prior to July 6 with no increase to such continuing aid .	No	No
Designated Student-Athlete at school (or returning to school) that designated the SA and receiving new or increased athletics aid on/after July 6 for the 2025-26 academic year or thereafter.	Yes, but only the new or increased portion is countable for cap calculation purposes	No
Designated Student-Athlete at school (or returning to school) that designated the SA and receiving Alston payments on/after July 1 for the 2025-26 academic year or thereafter.	Yes, up to \$2.5M offset	No
Designated Student-Athlete at school (or returning to school) that designated the SA and receiving revenue share on/after July 1 for the 2025-26 academic year or thereafter.	Yes, counts against the \$20.5M	No
Designated Student-Athlete at school (or returning to school) that designated the SA but not receiving athletics aid or revenue share .	N/A	No
Designated Student-Athlete at a new school that did not designate the SA and receiving any athletics aid after July 6 for the 2025-26 academic year or thereafter.	Yes, the entire amount of the athletics aid is countable for cap calculation purposes	No
Designated Student-Athlete at a new school that did not designate the SA and receiving revenue share on/after July 1 for the 2025-26 academic year or thereafter.	Yes, counts against the \$20.5M cap	No

Designated Student-Athlete at a new school that did not designate the SA and receiving Alston payments on/after July 1 for the 2025-26 academic year or thereafter.	Yes, up to \$2.5M offset	No
SA that is not a Designated Student-Athlete receiving athletics aid after July 1 for the 2025-26 academic year or thereafter.	Yes	Yes
SA that is not a Designated Student-Athlete receiving revenue share on/after July 1 for the 2025-26 academic year or thereafter.	Yes, counts against the \$20.5M cap	Yes
SA that is not a Designated Student-Athlete receiving Alston payments on/after July 1 for the 2025-26 academic year or thereafter.	Yes, up to \$2.5M offset	No

For more information on how new or increased athletics aid factors into calculating an institution's \$2.5M offset, see Question Nos. D9 through D10.

Additional Information on Rosters

Question No. C51: Is there a restriction on the number of student-athletes a Participating Institution may allow to participate in countable athletically related activities prior to the team's roster submission deadline?

Answer: No. Roster limits do not apply until the day after a team's deadline for roster submission.

Question No. C52: Must a Participating Institution submit a sport's roster to CAPS the day before any date of competition (institutional or individual) that could be used for championship qualification or selection?

Answer: Yes. An institution must submit its roster to CAPS by the day prior to any individual or team dates of competition that could be used for championship qualification or selection. Note, if an institution is not at its roster limit at this time, it may add additional student-athletes to its roster up to the sport's roster limit after the roster declaration deadline; however, any additional student-athletes who are not on the roster at the time it is submitted to CAPS may not continue to participate in athletically related activities until they are officially added to the roster maintained by CAPS.

Question No. C53: Can a fall sport student-athlete who completes their final season of competition after the fall season continue to participate in athletically related activities during the remainder of the academic year if they are not replaced after the fall term?

Answer: A student-athlete on a submitted roster who completes their final season of competition during or between regular academic terms may continue to engage in athletically related activities consistent with Bylaws 12.6.2.5 (Eligibility for Practice), 17.2.2 (Roster Limit Inclusion) and 17.2.4

(Roster Limit Expiration) provided the Participating Institution does not replace the student-athlete pursuant to its ability to do so codified in Bylaw 17.2.5-(e) (Exhausted Eligibility -- Between Terms).

Question No. C54: Does a student-athlete who receives an athletics scholarship or revenue share payment or benefit have to be included on the roster during the year in which they receive the athletics scholarship or revenue share payment or benefit?

Answer: Yes.

Question No. C55: Can individual circumstances (e.g., season-ending injuries) result in a student-athlete not counting toward a sport's roster limit or being replaced after the roster submission deadline?

Answer: Yes.

Question No. C56: Can an athlete who is cut from a roster enroll in a class that is open to the general student body and is taught by a sport specific staff member (e.g., strength and conditioning coach)?

Answer: Yes (see Bylaw 17.2.3.1 – Institutional Staff Member Activities with Student-Athletes and Question Nos. C27 and C30).

Question No. C57: After the roster submission deadline, may a coach of a Division I sport engage in coaching activities with another team of enrolled students at the institution (e.g., club team, development team, local sports club)?

Answer: No. Pursuant to Bylaw 17.2.3.1 (Institutional Staff Member Activities With Student-Athletes), after the roster submission deadline a coach of a Division I sport may not engage in athletically related activity (e.g., practice) with an enrolled student who is not included in the sport's submitted roster.

Question No. C58: For a Participating Institution, if a student-athlete is permissibly replaced on a submitted sport roster, may the student-athlete added to the roster as a replacement receive athletically related financial aid, revenue share payments or other settlement-related benefits?

Answer: Yes. A student-athlete added to the roster as a replacement (e.g., replacement for a student-athlete who sustained a medically documented season-ending injury) may receive athletically related financial aid, revenue share payments and other settlement-related benefits without counting separately or additionally toward the team's roster.

Question No. C59: May an institution provide a student-athlete who is exempted from the roster limit due to a season ending injury with competition-related expenses, such as travel expenses for away games, provided the student-athlete is otherwise eligible to practice away from campus consistent with Bylaw 14?

Answer: Yes. A student-athlete who is exempted from the roster limit due to a season ending injury may receive competition-related expenses because they remain eligible to participate in practice once medically cleared [see Bylaws 16.8.1 – Permissible Expenses Provided by An Institution for Practice and Competition, 17.2.2.3 – Season Ending Injury or Illness Before Roster Submission Date and 17.2.5-(a) – Injury Between Submission Date and First Contest]. Competition-related expenses may be provided regardless of whether the student-athlete has been medically cleared for participation. Further, student-athletes previously on the roster but who sustained a career-ending injury resulting in medical disqualification may continue to receive competition-related expenses.

Question No. C60: May a student-athlete who is exempted from the roster limit due to a season-ending injury participate in countable athletically related activities associated with competition?

Answer: Yes. A student-athlete who is exempted from the roster limit due to a season ending injury may participate in countable athletically related activities associated with competition to the extent they are medically cleared for participation in practice activities. However, the student-athlete may not participate in competition that is considered in individual or team selections for postseason opportunities and may not participate in postseason competition.

Question No. C61: If a student-athlete who is medically disqualified pursuant to Bylaw 17.2.2.4 (Exception -- Medical Disqualification) experiences a change in circumstances, may that student-athlete subsequently practice or compete at the same institution that declared the student-athlete medically disqualified?

Answer: If the circumstances change such that the student-athlete would be medically able to return to intercollegiate participation, the student-athlete must be included in a team's roster limit to participate in athletically related activities after the team's roster submission deadline during the year in which the change occurs. A medically disqualified student-athlete who experiences a change in circumstance (i.e., a return to participation) does not need to be included within roster limits from previous years, provided the student-athlete did not participate in countable athletically related activities in the year(s) in which the student was exempted from the roster limit.

Question No. C62: May a student-athlete continue to receive athletically related financial aid or certain settlement-related benefits after exhausting their eligibility without being included on the institution's submitted roster?

Answer: Yes, a student-athlete who has exhausted their eligibility and is permissibly replaced or no longer included on a submitted roster may continue to receive athletically related financial aid or certain settlement-related benefits. Note, the term of an institutional NIL agreement may not extend beyond the student-athlete's period of eligibility (see Bylaw 16.13.1.1 and Question No. D26).

Question No. C63: May a student-athlete who has exhausted all seasons of competition participate in voluntary athletically related activities (e.g., access to institutional athletics facilities) without being included on the institution's submitted roster?

Answer: Yes, an individual who has exhausted all seasons of competition who is permissibly replaced or no longer included on a submitted roster may continue to participate in voluntary athletics activities.

Question No. C64: For a Participating Institution, may a midyear enrollee who is anticipated to serve as a midyear replacement in the sport of football participate in team athletically related activities associated with postseason competition (e.g., bowl game, CFP)?

Answer: No. A midyear replacement in football may not participate in team athletically related activities or receive competition-related travel expenses until after the end of the team's playing season, including postseason competition [see Bylaw 17.2.5-(c) – Football Midyear Replacement – Competition in Subsequent Academic Term]. The individual being replaced on the roster must cease involvement in athletically related activities once the team's playing season concludes.

Section D: Institutional Benefits and the Benefits Cap

Question No. D1: What is the benefits pool?

Answer: The benefits pool is the value of revenue share payments and/or benefits a Participating Institution may provide to its student-athletes during an academic year (i.e., July 1 and June 30). The value of the benefits pool and the benefits cap are the same for each year.

Question No. D2: What is the benefits cap?

Answer: The maximum dollar value of revenue share payments or benefits a Participating Institution may provide to its student-athletes during an academic year (i.e., July 1 through June 30). The value of the benefits pool and the benefits cap are the same for each year.

Each Participating Institution may provide benefits, at its discretion, to a student-athlete as long as the combined value of the new benefits (e.g., revenue share payments or benefits not currently permitted by NCAA rules or in amounts above those permitted under NCAA rules as of October 7, 2024) provided by or on behalf of the Participating Institution to all student-athletes at the Participating Institution does not exceed the benefits cap at any time during the academic year.

If the combined value of the revenue share payments or benefits provided by or on behalf of a Participating Institution exceeds the benefits cap for the academic year, the excess amount provided above the benefits cap must count against the Participating Institution's benefits cap for the next available academic year. For example, if an institution exceeds the 2025-26 benefits cap by \$2 million, the \$2 million is counted toward its 2026-27 benefits cap, assuming the violation is revealed and processed prior to the 2026-27 academic year.

Question No. D3: How will the initial benefits pool be calculated?

Answer: The benefits pool will be set by totaling up eight of the Membership Financial Reporting System Reports (MFRS) revenue categories for each institution from the five defendant conferences and Notre Dame, then dividing the total by the number of institutions from the five defendant conferences plus Notre Dame, then taking 22% of the resulting dollar figure. The 2025-26 benefits cap is \$20.5 million.

The MFRS revenue categories include ticket sales (does not include donations tied to season tickets), input revenue from participation in away games, media rights revenues, NCAA distributions and grants; non-media conference distributions; direct revenues from participation in football bowl games, as well as conference distributions of football bowl revenues; and athletics department revenues from sponsorships, royalties, licensing agreements and advertisements.

Question No. D4: Will the benefits pool and benefits cap change for each academic year?

Answer: Yes. The benefits pool and benefits cap will be recalculated every three years using the same formula, unless calculation is accelerated pursuant to an exception in the settlement

agreement. In the second and third year of each three-year period, the benefits pool and benefits cap will increase by four percent from the previous year.

Question No. D5: May institutions that do not opt in continue to provide benefits permitted as of October 7, 2024, to student-athletes?

Answer: Yes. All Division I institutions can continue to provide previously-permissible benefits.

Question No. D6: In head count sports, may an institution that does not opt in have more counters in a sport than permitted in the 2024-25 Division I Manual?

Answer: Yes. Division I institutional financial aid limits will be eliminated as part of the settlement; however, an institution may not provide more than the equivalent value of the team financial aid limit permitted in the 2024-25 Division I Manual without triggering opting in. For example, in 2024-25, an institution could provide any amount of countable financial aid to up to 12 women's volleyball student-athletes. A nonparticipating institution may provide more than 12 women's volleyball student-athletes with athletically related financial aid, provided the value of such aid does not exceed the value of 12 full financial aid awards without having first opted in.

Question No. D7: How do revenue share payments or benefits provided to student-athletes beyond what was previously permitted in Division I as of October 7, 2024, count against the benefits cap?

Answer: A Participating Institution must comply with the rules, policies and procedures outlined by the Division I Board of Directors, Division I membership and the College Sports Commission.

The provision of any direct payments by a Participating Institution or entities or organizations owned, operated or controlled by Participating Institutions or conferences to a student-athlete or the will count against the benefits cap unless exempted by NCAA bylaw and must be included in a written agreement (see Question No. D31). This includes a payment from an institutional designee or contractor (e.g., multimedia rights holder) acting as agent, facilitator or administrator for a Participating Institution to a student-athlete with funds that originate from or are provided by the institution.

Permissible Types of Benefits/Payments/Expenses	Will Count Against Benefits Cap	Will Not Count Against Benefits Cap
Total Value of Institutional Payments to SAs for use of NIL (including from institutional designee or contractor)	X	
Other direct institutional payments or additional benefits to SAs and/or SAs' families not currently permitted or exempted by NCAA rules.	X	
Academic or graduation awards or incentives (i.e., Alston)	X (up to \$2.5MM)	

Athletically related financial aid in excess of the 2024-25 AY team limit	X (up to \$2.5MM)	
Third-party NIL payments, including those arranged or facilitated by institution.		X
Funds distributed to SAs from Student Assistance Fund (SAF)		X
Benefits from third parties (i.e., individuals or entities other than a Division I institution)		X

Question No. D8: Does the value of an additional payment or benefit provided to a student-athlete count against the benefits cap during the year in which the additional payment or benefit is promised to be provided or paid or was actually provided or paid?

Answer: The value of the additional payment or benefit counts against the benefits cap in the year it is paid or provided by the institution. An additional payment or benefit promised in a future year will count against the benefits cap in the year the additional payment or benefit is actually paid or provided. (See Question No. D21)

Question No. D9: Does new incremental athletically related financial aid above the 2024-25 institutional financial aid limits count against the benefits cap?

Answer: Yes, up to \$2.5 million of new incremental athletically related financial aid (e.g., scholarships) above the Division I institutional financial aid limits in the 2024-25 Division I Manual will count against the benefits cap each year. Beyond \$2.5 million, new incremental athletically related financial aid beyond the Division I institutional financial aid limits in the 2024-25 Division I Manual will not count against the cap. Further, financial aid that would have been countable under the 2024-25 financial aid legislation that is not based in any degree on athletics (e.g., scholarships given to all students from particular states, nonqualifying merit-based awards) will not count against the benefits cap.

The athletically-related financial aid for a student-athlete who was cut from the team due to the implementation of roster limits prior to the roster submission deadline and does not engage in athletically-related activity but continues to receive athletically related financial aid at the institution in accordance with the terms of the settlement, does not count against the benefit cap.

See “*Additional Information on Designated Student-Athletes*”, specifically Question Nos. C47 through C50 for more information.

Question No. D10: What is the process for determining whether an institution has provided new incremental athletically related financial aid that will count against the \$2.5M scholarship offset that is part of the benefits cap?

Answer: An institution is determined to have provided new incremental athletically related financial aid that will count against the benefits cap when it provides more athletically related financial aid than permitted by the 2024-25 Division I Manual in any sport.

Each institution has discretion to determine whether it reaches the 2024-25 equivalency value, provided equivalency computations are conducted in a manner consistent with the relevant legislation in effect during the 2024-25 academic year (e.g., all countable financial aid is included in the numerator of the equivalency computation and the denominator in the equivalency computation is consistent with the student-athlete's residency and enrollment status with the institution).

Question No. D11: Does financial aid from noninstitutional sources that would have been countable financial aid during the 2024-25 academic year, such as educational expenses from a national governing body and financial aid programs that restrict the recipient's choice of institution, need to be considered when determining whether an institution has provided new incremental athletically related financial aid above the 2024-25 academic year limit?

Answer: Yes. Any financial aid that counted against team financial aid limits in 2024-25 must be considered when determining whether an institution has provided new incremental athletically related financial aid above the 2024-25 academic year limit.

Question No. D12: What are the next steps once a Participating Institution determines that it is providing more athletically related financial aid than permitted by the 2024-25 Division I Manual in one or more sports?

Answer: Once a Participating Institution provides new incremental athletically related financial aid, the dollar value that must count against the benefits cap is limited to financial aid based in any degree on athletics and does not include "other countable" financial aid.

For example, an institution identifies that it awarded the value of 20 financial aid awards to baseball student-athletes (i.e., 20 equivalencies). Using the relevant legislation in effect during the 2024-25 academic year, the institution determines that it provided the value of 15 institutional athletically related awards, one full award from noninstitutional sources that would have counted against team financial aid limits in 2024-25, and four full awards in "other countable" forms of aid that are not based in any degree on athletics. The institution has, therefore, identified that it provided more athletically related financial aid than permitted by the 2024-25 Division I manual (11.7 awards). Specifically, the institution provided 20 financial aid awards that would have counted against team financial aid limits in 2024-25, which exceeded the 2024-25 financial aid limit by 8.3. However, four of these awards were "other countable" forms of aid that are not based in any degree on athletics. As a result, the institution must count the value of 4.3 equivalencies against the benefits cap, up to \$2.5 million.

Question No. D13: If athletically related financial aid is not accounted for in actual dollars (e.g., tuition waiver), how must a Participating Institution determine the value countable against the benefits cap?

Answer: The published cost-of-attendance that applies to the student-athlete is used to determine the value of athletically related financial aid that has been provided to an individual. If an institution publishes cost-of-attendance figures for a specific group or designation of students (e.g.,

graduate school, in-state vs. out-of-state, commuter), then the institution must use the published cost-of-attendance for the group or designation of which the student-athlete is a member of when determining the value of financial aid provided.

Question No. D14: Is there a limit on how much new incremental athletically related financial aid (e.g., scholarships) an institution can award, either overall or by sport?

Answer: No.

Question No. D15: Do education-related benefits for student-athletes that are currently permissible (other than *Alston* payments) count against the benefits cap?

Answer: No.

Question No. D16: Do existing benefits from the NCAA to student-athletes count against the benefits cap?

Answer: No, including benefits originating from the NCAA and distributed by the institution for a specific purpose (e.g., Expenses for Family Travel to Final Four).

Question No. D17: Can a Participating Institution provide direct payments outside of NIL to student-athletes not currently permitted or exempted by NCAA rules?

Answer: Yes. Any such payments must be included in a written agreement and count against the benefits cap.

Question No. D18: Can a Participating Institution enter into an NIL deal with a current student-athlete?

Answer: Yes, a Participating Institution may enter into an exclusive or non-exclusive license or endorsement agreement with a student-athlete for the use of the student-athlete's name, image and likeness, institutional brand promotion, or other rights as permitted by the Settlement Agreement, provided they do not authorize payments for the right to use a student-athlete's NIL for a broadcast of collegiate athletic games or competitive athletic events. Any such licenses or agreements cannot extend beyond the student-athlete's NCAA competition eligibility. Name, image and likeness activities may not be used to compensate an individual for athletics participation or achievement.

A license or agreement between a Participating Institution or a conference and a student-athlete for the rights to use a student-athlete's NIL to promote the conference or institution's academic or athletic program that created content during the student-athlete's enrollment may permit the Participating Institution or conference to continue to use the content after the student-athlete's enrollment.

All payments from an institution for a student-athlete's NIL must count against the benefits cap. This includes payments from an institutional designee or contractor (e.g., multimedia rights holder) acting as agent, facilitator or administrator for a Participating Institution to make a payment to a student-athlete with funds that originate from or are provided by the institution.

Question No. D19: Do payments from a Participating Institution for a student-athlete's NIL count against the benefits cap?

Answer: Yes, including payments in which an institutional designee or contractor (e.g., multimedia rights holder) is making payments funded by, or made on behalf of, an institution. All payments made by or on behalf of an institution to a company owned, controlled by or created for the benefit of a student-athlete count against the benefits cap.

Question No. D20: How do multiyear agreements count against the benefits cap of a Participating Institution?

Answer: Revenue share payments promised in multiyear agreements are counted against a Participating Institution's benefits cap in the year that the payments and/or benefits are provided.

Example No. 1 – Multiyear Agreements:

Student-athlete signs a 2-year agreement as follows:

- Signing incentive payment to be paid upon enrollment: \$50,000.
- January 1 of year 1: \$100,000.
- January 1 of year 2: \$100,000.

In year one, \$150,000 would count against this institution's benefits cap and \$100,000 would count against this institution's benefits cap in year two.

Example No. 2 – Transfer:

Student-athlete attends Institution A and student-athlete's agreement with Institution A includes a \$100,000 annual payment under which \$50,000 is paid at the beginning of the academic year and the remaining \$50,000 is paid only if the student-athletes remains with Institution A for the entire academic year, and a \$100,000 contract dissolution if the student-athlete transfers from Institution A.

- Student-athlete transfers to Institution B after the first \$50,000 payment is made but prior to the second \$50,000 payment
- Unpaid \$50,000 installment payment is removed from the cap from Institution A because it was never owed or paid
- Institution B pays the contract dissolution payment to Institution A on behalf of the student-athlete.

The \$100,000 contract dissolution payment must count against Institution B's benefits cap allowance in the year in which it is paid to Institution A. Institution A may not increase its benefits cap allowance by \$100,000 as a result of this contract dissolution payment.

Example No. 3 – Unachieved Incentive:

Student-athlete signs a 2-year agreement as follows:

- January 1 of year 1: \$50,000.
- January 1 of year 2: \$50,000.
- \$5,000 payment on February 1 of each year if student-athlete maintains a 3.0 cumulative GPA after the fall semester.

Before any payments are made, all possible payments, including the \$5,000 incentive payment, will count against the institution's benefits cap allowance in the years they may be paid. If the \$5,000 payments are not made to the student-athlete before the end of each academic year due to the student-athlete failing to achieve the specified incentive, the payment will be removed from the benefits cap allowance for that year.

Question No. D21: Do payments identified or facilitated by an entity owned, operated or controlled by an institution (e.g., multimedia rights holder) and paid for by a third-party count against the involved institution's benefits cap?

Answer: No. Such third-party payments, if equal to or greater than \$600, must be disclosed to NIL Go.

Question No. D22: Will the NCAA national office maintain a record of the current and upcoming benefits pool and benefits cap amounts?

Answer: Yes.

Question No. D23: Will the NCAA maintain a record of the permissible benefits institutions were allowed to provide to student-athletes permitted by the Division I Manual as of October 7, 2024, so a Participating Institution can accurately calculate the value of any revenue share payments and benefits offered to student-athletes?

Answer: The NCAA will maintain a record of the permissible benefits as of October 7, 2024, on LSDBi (e.g., 2024-25 Division I Manual) for the full term of the settlement so that institutions that choose not to be bound by the terms of the settlement can understand what benefits would subject them to the terms of the settlement and a Participating Institution can calculate the value of revenue share payments and benefits offered to student-athletes.

Question No. D24: Does a Participating Institution and a student-athlete have discretion over the terms and conditions of licensing agreements to use the student-athlete's NIL (e.g., academic standards, nonathletic incentives, transfer-related restrictions, contract dissolution, compliance with written institutional policies, initial or continued enrollment at Participating Institution)?

Answer: Yes, subject to any conference-specific requirements and cap-related rules, policies and procedures. Student-athletes may have a parent, guardian, lawyer or other competent representative present during the negotiation of any such agreements, unless they waive their right to the assistance of such representative.

Question No. D25: Does a student-athlete have the right to representation during the negotiation of any agreements with their institution?

Answer: Yes. Student-athletes may have a parent, guardian, lawyer, or other competent representative present during the negotiation of any such agreements, unless they waive their right to the assistance of such representative.

Question No. D26: Is there a maximum term for an NIL contract or payment between a Participating Institution and a current or prospective student-athlete?

Answer: Yes. The term of the agreement may not be longer than the prospective or current student-athlete's period of eligibility to participate in intercollegiate athletics.

If a prospective or current student-athlete agrees to an institution's use of their NIL to promote its academic or athletics program in content created while the student-athlete is enrolled, the institution may continue the use of the content after the student-athlete's eligibility has expired.

Question No. D27: May a Participating Institution enter into an NIL deal with a former student-athlete?

Answer: Yes. A Participating Institution may compensate a former student-athlete for NIL activities completed after the individual exhausts their athletics eligibility. A Participating Institution may not defer compensation for the use of a current student-athlete's NIL until after they exhaust eligibility.

Question No. D28: For a Participating Institution, does a payment from the institution or their owned, operated or controlled entities to a student-athlete as part of a license for the use of the student-athlete's NIL count against the benefits cap?

Answer: Yes.

Question No. D29: Is there an annual cap-related attestation process for a Participating Institution?

Answer: Yes. No later than September 1 each year, all Participating Institutions must complete an annual attestation to CAPS regarding the total amount and types of revenue share payments or benefits the member institution provided to individuals during the preceding July 1 through June 30 period.

Each institution's president/chancellor, athletics director and each head coach must complete the attestation. The attestation, at a minimum, will require confirmation of the following:

1. The information in CAPS is complete, accurate and compliant with the benefits cap rules and policies. The institution must report additional benefits countable against the benefits cap provided to any individual who participated in athletically-related activities (countable, voluntary, required) during the applicable year, regardless of whether the individual is on a sport's submitted roster;
2. All countable benefits provided to student-athletes were included in written agreements and the agreements were uploaded into CAPS; and
3. Student-athletes were not guaranteed payments or benefits that were not included in a written agreement and entered into CAPS.

Question No. D30: Is each Participating Institution required to designate an individual to have final review authority for each written agreement that is entered and uploaded to CAPS?

Answer: Yes. This individual must be responsible for ensuring the agreements being entered are compliant with benefits pool and benefits cap rules and policies, including that the institution is not, at any time, over its benefits cap.

Question No. D31: Do all revenue share payments or benefits provided by a Participating Institution to a prospective or current student-athlete have to be identified in a written agreement between the institution and the student-athlete?

Answer: Yes.

Question No. D32: Do all written agreements between a Participating Institution and a student-athlete regarding revenue share payments or benefits have to be submitted to CAPS?

Answer: Yes. Such agreements must be entered into and uploaded into CAPS within a specified time period from final signatures.

Question No. D33: Is each Participating Institution required to provide unencumbered access to internal or third-party auditors at any time to audit compliance with benefits pool and benefits cap rules and policies?

Answer: Yes. Such an audit may, but will not always, be conducted as part of an enforcement investigation. If the audit is conducted as part of an enforcement investigation, all enforcement policies shall be followed.

Academic Requirements to Receive Settlement-Related Institutional Payments and Benefits

Question No. D34: Does a student-athlete have to meet Division I eligibility requirements (e.g., full-time enrollment, progress-toward-degree) to receive revenue share payments or benefits from their institution (e.g., payment for institutional use of student-athlete's NIL)?

Answer: Yes.

Progress-Toward-Degree (Bylaw 14.4).

Question No. D35: May a student-athlete receive revenue share payments or benefits as early as July 1, 2025, even if the student-athlete has not yet been certified for all the progress-toward-degree requirements they will be required to meet to compete during the 2025 fall term?

Answer: Yes. An institution may provide revenue share payments or benefits to a student-athlete on or after July 1, 2025, regardless of whether the student-athlete is certified as eligible to compete during the 2025 fall term. The student-athlete will need to be certified based on their academic record in existence on first day of class for the 2025 fall term in order to remain eligible to receive revenue share payments or benefits during the 2025 fall term through the student-athlete's next certification for competition.

For example, a midyear transfer may receive revenue share payments or benefits on or after July 1, 2025, even if they have not yet been certified for all progress-toward-degree requirements they will be required to meet to compete during the 2025 fall term.

Question No. D36: May an institution continue to or initially provide revenue share payments or benefits to a student-athlete on or after the first day of class of a regular academic term if the institution's certifying officer is waiting on the proper academic information (e.g., official transcripts, summer grades) to certify the student-athlete satisfied all applicable progress-toward-degree requirements?

Answer: Yes, provided the student-athlete is meeting full-time enrollment requirements. Once the institution obtains the proper academic information to determine whether the student-athlete satisfied all applicable progress-toward-degree requirements to compete during the applicable term, the institution should certify whether the student-athlete remains eligible to receive revenue share payments or benefits for the remainder of the in-progress term through the student-athlete's next certification for competition.

Note, a student-athlete in these circumstances would be ineligible for competition until their institution has certified the student-athlete's eligibility for the applicable term pursuant to Bylaw 14.01.1 (Institutional Responsibility).

Question No. D37: If a student-athlete fails to satisfy an applicable progress-toward-degree requirement, when do they become ineligible to receive revenue share payments or benefits?

Answer: If a student-athlete becomes ineligible to compete due to failing to satisfy an applicable progress-toward-degree requirement, the student-athlete shall become ineligible to receive revenue share payments or benefits on the date their ineligibility is officially certified by the appropriate institutional authority consistent with Bylaw 14.4.3.4 (Change in Eligibility Status).

The earliest date on which an ineligible student-athlete can subsequently regain their eligibility to receive direct payments or additional benefits is the day after the date of the last scheduled examination listed in the institution's official calendar for the term that is ending (see Bylaw 14.4.3.4).

Question No. D38: Is a student-athlete who is ineligible to compete due to the application of other NCAA eligibility rules (e.g., initial eligibility, transfer requirements, disciplinary suspension) still able to receive revenue share payments or benefits during the period of time they are ineligible to compete?

Answer: Yes, the student-athlete could still be eligible to receive revenue share payments or benefits while ineligible to compete provided but for the application of other NCAA eligibility rules the student-athlete would be otherwise eligible to compete under applicable progress-toward-degree requirements and full-time enrollment requirements.

Full-Time Enrollment (Bylaw 14.2).

Question No. D39: Must a student-athlete be enrolled full-time on July 1, 2025, in order to receive revenue share payments or benefits prior to the start of either the 2025-26 academic year or any preseason practice that occurs immediately prior to the 2025 fall term, whichever occurs first?

Answer: No. While some student-athletes may be enrolled in summer classes in order to participate in summer athletics activities (see Bylaw 17.1.7.2.1.6 – Summer Athletic Activities), full-time enrollment requirements only apply to organized practice sessions and competition that occur between terms (e.g., August preseason practice/competition, winter break, May/June postseason competition) and during the regular academic year.

Question No. D40: Must a student-athlete meet full-time enrollment requirements to remain eligible or initially receive revenue share payments or benefits during the 2025-26 academic year?

Answer: Yes. A student-athlete must meet full-time enrollment requirements to continue to or initially receive revenue share payments or benefits during the 2025-26 academic year, including during any preseason period that occurs immediately prior to the 2025 fall term (see NCAA Bylaws 14.2.1.1, 14.2.2.1.1 and 14.2.2.1.2).

Additional Information on Institutional Payments

Question No. D41: May a Participating Institution make a direct revenue share payment to an individual other than the involved student-athlete (e.g., agent)?

Answer: No. Revenue share payments, including for use of a student-athlete's NIL, may only be made directly to the involved student-athlete (See Bylaw 16.13.1 - Benefits Cap Compliance and Bylaw 22.1.1 - Institutional Involvement in Student-Athlete Name, Image and Likeness Activities). However, a Division I institution may provide NIL or revenue share payments to a student-athlete

via a business entity established by or designated by the student-athlete to receive the student-athlete's payments (e.g., holding company, LLC) provided 100% of the institution's payment(s) are provided by the business entity to the student-athlete or the student-athlete's designated entity for which the student-athlete has a share of control that permits student-athlete access to 100% of the payments at the student-athlete's discretion.

Question No. D42: If a conference provides settlement-related benefits or enters into an NIL agreement with a student-athlete at a conference member institution, must any payments made by the conference to the student-athlete count against the student-athlete's institution's benefits cap?

Answer: Yes.

Question No. D43: Can an institutional designee or contractor acting as an agent, facilitator or administrator for a Participating Institution make payments to a student-athlete with funds originating from or provided by the institution?

Answer: Yes; however, any such payments must count against the institution's benefits cap unless exempted by NCAA bylaw.

Question No. D44: If a student-athlete receiving athletically related financial aid experiences a season ending injury and does not count toward the roster limit, is that student-athlete's scholarship considered when calculating the 2.5M scholarship offset?

Answer: The institutional determination of whether financial aid exceeds the 2024-25 financial aid limits remains the same as prior to the adoption of Division I Proposal No. 2025-9. Therefore, if a financial aid exception or exemption from the 2024-25 Division I Manual applies to the student-athlete's circumstances, the institution may continue to apply this exception after July 1, 2025, for purposes of determining whether the institution awards new incremental athletics aid and calculating the 2.5M scholarship offset. If a financial aid exception does not apply to the student-athlete's circumstances, the student-athlete's athletically related aid would be used in calculating the \$2.5M offset. For more information on how athletics aid factors into calculating an institution's \$2.5M offset, see Question Nos. D9 through D12.

Question No. D45: Does summer athletics aid count against the institution's benefits cap?

Answer: No. Summer athletics aid was permissible and did not count toward team financial aid limits in 2024-25. As a result, summer athletics aid is not considered new incremental athletically related financial aid.

Question No. D46: May an institution, regardless of whether it is a Participating Institution, provide actual and necessary expenses to a student-athlete as part of an NIL deal with a student-athlete that does not involve other compensation?

Answer: Yes. An institution may enter into an agreement with a student-athlete for the use of the student-athlete's NIL if the institution does not plan to provide compensation for the use of the student-athlete's NIL. The provision of actual and necessary expenses to a student-athlete from an institution as part of this kind of deal does not subject a Nonparticipating Institution to the terms of the settlement and does not count toward the benefits cap for a Participating Institution. Such deals should be reviewed by local counsel.

Section E: Noninstitutional NIL and NIL Go

Question No. E1: What is NIL Go?

Answer: NIL Go is the designated reporting entity to which all Division I student-athletes must report all noninstitutional NIL payments or contracts worth \$600 or more.

NIL Go is a software platform created by the College Sports Commission (with assistance by Deloitte) to determine whether third-party NIL deals with associated entities or individuals are (a) made with the purpose of using a student-athletes' NIL to advance a valid business purpose and (b) do not exceed a reasonable range of compensation. It offers a simple way for student-athletes to report third-party NIL deals to determine compliance with the new rules, allowing student-athletes to move forward with their deals confidently while protecting their eligibility.

Question No. E2: What is a third party for the purposes of reporting to NIL Go?

Answer: In the context of NIL Go, the term "third party" refers to any payor that is not (a) the institution in which the student-athlete is enrolled, or (b) owned, operated or controlled by the institution in which the student-athlete is enrolled. NIL Go will request information from third parties to assist with the determination of whether a third party is an associated entity or individual. The College Sports Commission, with information from third parties, institutions and student-athletes, will determine whether a third party meets the definition of an associated entity or individual.

A payment from a third party or payor may not be funded, directly or indirectly, by an institution and must be entirely funded by the party receiving the benefit of the student-athlete's services, even if a separate payor acts as an intermediary and/or makes the payment on behalf of the party receiving the benefit.

Question No. E3: May a Division I institution identify or facilitate a noninstitutional NIL contract or payment (e.g., act as a marketing agent) between a student-athlete and a third party?

Answer: Yes, provided the third party is self-funding the entire payment outlined in the NIL contract.

Reporting Noninstitutional NIL Contracts and Payments

Question No. E4: Are all Division I student-athletes required to report noninstitutional NIL contracts or payments valued at \$600 or more to NIL Go?

Answer: Yes.

Question No. E5: Within how many days of execution is a student-athlete required to submit a noninstitutional NIL contract or payment to NIL Go?

Answer: A Division I student-athlete must report all third-party NIL deals to NIL Go within five business days of agreement to the payment terms. Additionally, a student-athlete may submit a proposed NIL contract or payment for NIL Go review before deal execution (See Question No. E21).

Question No. E6: Does a Division I student-athlete have to report multiple noninstitutional NIL agreements or NIL payments from the same or substantially the same third parties to NIL Go if the aggregate value is \$600 or more?

Answer: Yes.

Question No. E7: Does a Division I student-athlete have to report to NIL Go a noninstitutional NIL agreement if royalties, contingencies or bonuses result in the resulting payments reaching an aggregate value of \$600 or more?

Answer: Yes.

Question No. E8: When does a NIL agreement deal that reaches an aggregate value of \$600 or more (e.g., multiple payments add up to \$600 or more) need to be reported to NIL Go?

Answer: Within five days of payments meeting or surpassing \$600 of aggregate value.

Question No. E9: What documentation is required for a student-athlete to submit a NIL contract or payment to NIL Go?

Answer: Written documentation of the NIL contract or payment terms with clear evidence of agreement to the contract or payment terms from both the student-athlete and a noninstitutional payor is required for a student-athlete to submit a third-party deal to NIL Go. Additional documentation or information may be requested for any reason, including but not limited to the payor being different from the third-party that entered into a noninstitutional NIL contract with the student-athlete or agreed to payment terms with the student-athlete.

Question No. E10: Other than written documentation, what else is required for a student-athlete to submit a noninstitutional NIL contract or payment to NIL Go?

Answer: Division I student-athletes must attest that (a) the NIL contract or payment as submitted is accurate and complete; (b) student-athlete obligations and noninstitutional payment details are included in the written documentation, (c) the written documentation of the actual NIL contract or payment terms has been uploaded, and (d) student-athlete obligations will be or are intended to be performed during the annual reporting period.

Question No. E11: What is the role of the noninstitutional payor in NIL Go reporting process?

Answer: The CSC may require student-athletes or the entities with whom they seek to enter NIL agreements to provide information and documentation to establish compliance with the [valid

business purpose or third-party NIL] requirements, including the entity's efforts to profit from the deal. Refusal to provide this information or the provision of insufficient information to establish compliance may result in deals not being cleared by the CSC.

***Associated Entities and Individuals and
Additional Review of NIL Payments or Contracts by NIL Go***

Question No. E12: What is an associated entity?

Answer: An associated entity is:

1. An entity that is or was known (or should have been known) to the athletics department staff of an institution, to exist, in significant part, for the purpose of (a) promoting or supporting a particular institution's intercollegiate athletics program or student-athletes; and/or (b) creating or identifying NIL opportunities solely for a particular Member Institution's student-athletes;
2. An entity that has been directed or requested by an institution's athletics department staff to assist in the recruitment or retention of prospective or current student-athletes, or otherwise has assisted in the recruitment or retention of prospective or current student-athletes; or
3. Any entity owned, controlled, or operated by, or otherwise affiliated with an individual determined to be an associated individual or an entity determined to be an associated entity, other than a publicly traded corporation.

Question No. E13: Can a publicly traded corporation be determined to be an associated entity?

Answer: Yes. A publicly traded corporation may be determined to be an associated entity only if it satisfies subsections (1) or (2) of Question No. E12.

Question No. E14: Who is an associated individual?

Answer: An associated individual is:

1. An individual who is or was a member, employee, director, officer, owner, or agent of an associated entity;
2. An individual who directly or indirectly (including contributions by an affiliated entity or family member) has contributed more than \$50,000 over their lifetime to a particular institution or to an entity determined to be an associated entity; or
3. An individual who has been directed or requested by an institution's athletics department staff to assist in the recruitment or retention of prospective or current student-athletes or otherwise has assisted in the recruitment or retention of prospective or current student-athletes.

Question No. E15: Can a student-athlete enter into an NIL contract or payment with an associated entity or individual?

Answer: Yes. An associated entity or individual may enter into an agreement with or provide payment to a prospective or current student-athlete for a valid business purpose related to the promotion or endorsement of goods or services provided to the general public for profit with compensation at rates comparable to similarly situated individual with comparable NIL value who are not prospective or current student-athletes of the institution, as determined by NIL Go.

Question No. E16: Who determines whether an individual or an entity meets the definition of an associated entity or individual?

Answer: The College Sports Commission will determine whether a noninstitutional payor meets the definition of an associated entity or individual, leveraging information provided by payors, institutions and student-athletes. If necessary, NIL Go will request information from the payor to understand their business purpose and assist with the determination of whether that third party is an associated entity or individual. The involved institution will be responsible for reviewing information provided by the payor and confirming whether the third party is an associated entity or individual.

Question No. E17: Are associated entities and individuals the same as boosters?

Answer: No. However, a booster (see Bylaw 13.02.16 – Representative of Athletics Interests) may be an associated entity or individual or vice versa.

Question No. E18: Which noninstitutional NIL contracts and payments will be subject to additional review by NIL Go using the valid business purpose and range of compensation standard?

Answer: Noninstitutional NIL contracts or payments terms involving a Division I student-athlete and an associated entity or individual as submitted by student-athletes. The review will ensure that a valid business purpose exists, and the payment does not exceed the range of compensation. Third-party NIL deals with entities or individuals other than associated entities and individuals are not required to fall within the range of compensation.

Question No. E19: Can a student-athlete submit a proposed noninstitutional NIL agreement or offer from an associated entity or individual to NIL Go for review before agreeing to the terms of the agreement or offer?

Answer: Yes. If the proposed agreement does not meet the review standards, it may be revised and resubmitted.

Question No. E20: What are the potential outcomes of NIL contracts or payments involving associated entities or individuals reviewed by NIL Go?

Answer: A Division I student-athlete submits the NIL contract or payment to NIL Go. The NIL contract or payment will be “cleared” if a valid business purpose exists, and the payment does not exceed the range of compensation.

If a NIL contract or payment does not meet one or both of those requirements, it will be designated as “not cleared.” If a NIL contract or payment is designated as “not cleared,” the student-athlete can:

1. work with the payor to revise the deal and resubmit it to NIL Go,
2. cancel the deal and refund any impermissible amount of compensation already received, or
3. appeal through a neutral arbitration process to obtain a neutral review of the decision.

If the student-athlete continues with the deal as submitted, they may face enforcement consequences, which could include loss of eligibility.

Question No. E21: Would a corporate sponsor or partner that pays a participating institution more than \$50,000 a year for promotional benefits be presumed to be an associated entity if it also enters into an NIL contract with any of the institution’s student-athletes?

Answer: No. A corporate sponsor or partner that does not otherwise satisfy Bylaw 22.02.1(a) or (b) (Associated Entity) would not be determined to be an associated entity of an institution simply for having paid the institution over \$50,000 for promotional benefits.

Question No. E22: If a student-athlete uses their own NIL to promote their own business that is unrelated to monetizing the student-athlete’s NIL (e.g., private lessons), do they need to report compensation from that business to NIL Go?

Answer: No. Compensation from a student-athlete’s own business unrelated to NIL activities is governed by Bylaw 12.4 (Employment Unrelated to Name, Image and Likeness Activities), including being compensated at a rate commensurate with similar products or services. Institutions are responsible for monitoring compliance with Bylaw 12.4.

Section F: Enforcement Rules and Process

Question No. F1: What areas are the College Sports Commission responsible for enforcing?

Answer: The designated enforcement entity (i.e., College Sports Commission) has the authority to investigate an alleged violation of NCAA rules developed as part of the settlement agreement (e.g., roster limits, provision of revenue share payments or benefits and noninstitutional NIL agreements) pursuant to the standards and procedures set forth in Bylaw 23 (Designated Enforcement Entity and Neutral Arbitration Process) and any applicable internal operating procedures. The College Sports Commission is also responsible for prescribing penalties for violation determinations and serving as the party seeking enforcement of any penalties contested through neutral arbitration.

Question No. F2: Can an enforcement matter be resolved by mutual agreement of all parties, including the Chief Executive Officer of the College Sports Commission, to the disputes or violations?

Answer: Yes.

Arbitration

Question No. F3: Can penalties imposed by the College Sports Commission be contested by an involved student-athlete or institution?

Answer: Yes. A student-athlete or institution may contest the decisions of the College Sports Commission for violations of the applicable rules using the neutral arbitration process.

Question No. F4: Who will preside over the neutral, independent arbitration process?

Answer: A neutral arbitrator with the authority to resolve disputes regarding any decisions or penalties prescribed by the College Sports Commission. Arbitrator's decisions shall be final and binding on the parties. Each neutral arbitrator will be appointed and serve terms consistent with the settlement agreement.

Question No. F5: How long will the arbitration process take?

Answer: The arbitrator has 45 days from the commencement of proceedings to reach a final, written decision. The final, written decision is final and binding to the fullest extent permitted by applicable law. In limited circumstances when the neutral arbitrator finds good cause, the schedule can exceed 45 days from commencement of proceedings to final, written decision.

Question No. F6: Will enforcement of the penalties connected to the violation(s) being contested be stayed during the arbitration process?

Answer: Yes. Penalties connected to violation(s) being contested will be paused during the arbitration process. Only the arbitrator may lift the stay of penalties if good cause is shown.

Question No. F7: Do student-athletes who elect to use the neutral arbitration process have the right to be represented by counsel of the student-athlete's choice?

Answer: Yes.

Question No. F8: May an institution directly or indirectly pay the attorney's fees and costs of a student-athlete that elects to use the neutral arbitration process?

Answer: Yes. In addition, an institution that directly or indirectly pays the attorney's fees and costs of a student-athlete that elects neutral arbitration shall also pay the arbitrator's reasonable fees and expenses.

Question No. F9: May the arbitrator order the production of documents in addition to evidence made available by the College Sports Commission during the neutral, independent arbitration?

Answer: Yes, if the additional documentation is deemed to be necessary for the fair adjudication of the dispute.

Question No. F10: May the arbitrator call witnesses during the arbitration process?

Answer: Yes. Further, each witness has the right to be represented by counsel of their choice and at their own expense.

Question No. F11: Who is responsible for the costs associated with arbitrators, including arbitrator's reasonable fees and expenses for proceedings relating to the penalties being challenged?

Answer: An institution that directly or indirectly pays the attorney's fees and costs of a student-athlete that elects neutral arbitration shall also pay the arbitrator's reasonable fees and expenses.