

Question and Answer

1. **Who is considered a booster?**

A booster is defined as an individual, independent agency, corporate entity (e.g., apparel or equipment manufacturer) or other organization who is known (or who should have been known) by a member of the institution's executive or athletics administration or an athletics department staff member to have participated in or to be a member of an agency or organization promoting the institution's intercollegiate athletics program, to have made financial contributions to the athletics department or an institution's booster organization, to assist or to have been requested (by the athletics department staff) to assist in the recruitment of prospective student-athletes, or to assist or to have assisted in providing benefits to enrolled student-athletes or their family members.

If an individual or NIL entity's (e.g., collective) sole or primary purpose is to engage in NIL activities with student-athletes from a specific institution, such individual or NIL entity would be considered a booster. Further, if an individual or NIL entity is involved in recruiting activities for NIL purposes (e.g., collective engaging in recruiting activities), such an individual or entity would trigger booster status.

2. **What communication is permitted between a booster and a prospective student-athlete?**

If an individual or NIL entity (e.g., collective) meets the definition of a booster, they may not engage in recruiting activities, including recruiting conversations, on behalf of a school.

3. **How do we define "recruiting conversation?"**

Per NCAA Bylaw 13.02.14, recruiting is any solicitation of a PSA's athlete (including a PSA in the transfer portal) or a prospective family members by an institutional staff member or by a representative of the institution's athletics interests for the purpose of securing the PSA's enrollment and ultimate participation in the institution's intercollegiate athletics program.

A booster/NIL entity may not communicate (e.g., call, text, direct message) with a PSA, a PSA's family, or others affiliated with the PSA for a recruiting purpose or to encourage the PSA's enrollment at an institution. Further, a booster/NIL entity may not communicate (e.g., call, text, direct message) with a student-athlete of another NCAA Division I institution, or any individual associated with the student-athlete. This prohibition extends to any individual (e.g., former or current student-athlete) working on behalf of the collective.

4. **What actions may constitute a violation of NCAA legislation?**

Example No. 1: A booster/NIL entity contacts a PSA to discuss their interest to attend the institution and promises to secure a NIL deal with the PSA.

Question No. 1: Is the booster/NIL entity allowed to have recruiting-based conversations with the PSA?

Answer: No. A booster/NIL entity may not engage in recruiting activities, including recruiting conversations. The purpose of the booster's interaction with the PSA is to encourage the PSA to attend the institution by securing a NIL deal.

Example No. 2: A booster/NIL entity has contacted a PSA's family member (e.g., guardian, friend) to discuss a NIL deal for their prospect-aged child. During the conversation, the collective informs the family member that there is a roster spot available for their PSA-aged child and if they enter into a verbal agreement securing the PSA's attendance at the institution that the family member(s) would get a percentage of the PSA's NIL deal.

Question No. 1: Is the interaction between the PSA's family member and booster/NIL entity permissible?

Answer: If it is determined that the NIL entity has triggered booster status, the interaction would not be permissible since boosters are not permitted to engage in recruiting activities on behalf of an institution.

Question No. 2: Is the verbal agreement between the PSA's family member and booster/NIL entity permissible?

Answer: No. A NIL agreement between the family member and a booster/NIL entity may not be guaranteed or promised contingent on the PSA's initial or continuing enrollment at a particular institution.

Example No. 3: An institutional staff member (e.g., institution's coach) has a relationship with an individual who owns, operates or is otherwise involved with a NIL entity that triggers booster status. The institutional staff member has been asked to include a NIL pitch to the PSAs they're recruiting.

Question No. 1: May an institutional staff member communicate directly or indirectly with a PSA on behalf of a booster/NIL entity?

Answer: No.

Question No. 2: Does the institutional staff member communication with the NIL entity violate NCAA rules?

Answer: No. However, at no point may the institutional staff member enter into any agreements with the NIL entity to secure NIL deals for incoming PSAs.

Question No. 3: May an institutional staff member organize, facilitate, or arrange a meeting or conversations between the NIL entity and a PSA, including a transfer student-athlete?

Answer: No. An institutional staff member may not organize, facilitate, or arrange a meeting or conversations between the NIL entity and a PSA, including a transfer student-athlete (e.g., provide the individual or entity with a recruiting list or watch list, including the NCAA Transfer Portal).

Question No. 4: May an institutional staff member provide existing factual information regarding current student-athletes' NIL arrangements to a PSA?

Answer: Yes. When institutional staff members are communicating with PSA's regarding NIL activities, they are limited to discussing existing factual information regarding current student-athletes' NIL arrangements. Institutional staff members may not provide information or guarantees regarding NIL opportunities should the PSA attend their institution.