



# N1L

 opendorse®

## ONE YEAR OF NAME, IMAGE AND LIKENESS



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# OPEN LETTER

## FROM OUR FOUNDERS

When we founded Opendorse back in 2012, student-athletes could not monetize their Name, Image and Likeness (NIL). That was still nine years away.

As we built our company to support the biggest stars in professional sports, we did it with the understanding that every athlete – at every level – has a story. They are supported by fans. They all make an impact in their community. We believed that college athletes would someday have the right to be compensated by brands, sponsors, fans, and donors. We just didn't know when.

Each generation moved the ball farther down the field. The watershed moment came on October 6, 2020, when the National Association of Intercollegiate Athletics (NAIA) passed its NIL policy, later cemented on July 1, 2021, when new state legislation went into effect in several states after the National Collegiate Athletic Association (NCAA) adopted its interim NIL policy. Student-athletes could finally profit off their NIL. It happened thanks to the hard work of many trailblazers – athletes, administrators, legislators, and others – who believed, like us, that every athlete should have the right to make the most of their moment.

Opendorse began as a side-project to help one athlete – our friend and teammate Prince Amukamara – but we had moved closer than ever to our long-term vision to Help Every Athlete.



We have learned a ton over the past decade as we've built industry-leading athlete marketing and endorsement solutions. When the new legislation hit, we were grateful for our foundation of knowledge as we entered the NIL era of college sports. Our experience set us on a path for success as we scaled the business and took Opendorse to the next level – then each level after that. We love constantly learning, solving problems, pushing the boundaries, and investing in our incredible team as we build something great with people we care about. We are happy to share what we've learned with you.

There are challenges in the NIL industry, all of which come with great opportunities. There are ever-changing laws and policies. There is more noise and more distractions. We are all navigating things together in real time, but our focus at Opendorse has always remained the same: the athlete. Athletes have always, and will always, be at the center of what we do.

We're honored to help athletes understand, build, protect, and monetize their brand. We love how our platform fosters a deeper connection between fans, players, and the programs they support. We're thrilled brands understand the value our technology can bring them as they achieve their business goals. We are proud that Opendorse is the trusted source for NIL data, insights, software, compliance, education, athlete deals and more.



This project represents an important mile marker as we look back at one year of NIL in the college space. Student-athletes at every level – from NCAA Division I to NAIA, NJCAA, and even high school in some states – are taking advantage of life-changing opportunities. They're starting businesses. They're learning real-life lessons that aren't taught in the classroom. They're making a greater impact in their communities and supporting their families like they never could before. NIL is ahead of schedule in the impact it's making for athletes across the country.

We are excited to share the most in-depth collection of NIL data and insights ever compiled. But diving in, we want to thank the team members at Opendorse for the hard work they've put in to bring this document to life. This project touched everyone in the company in some way, from Product to Technology, Sales and Campaigns, Operations and Marketing. We hope you enjoy this comprehensive report detailing the first year of Name, Image and Likeness.

To see an entire industry pop up around our vision has been special, but the best is yet to come. Here's to year two of the NIL era. It's going to be big!

Adi Kunalic, Co-Founder/President

Blake Lawrence, Co-Founder/CEO



# THE NUMBERS

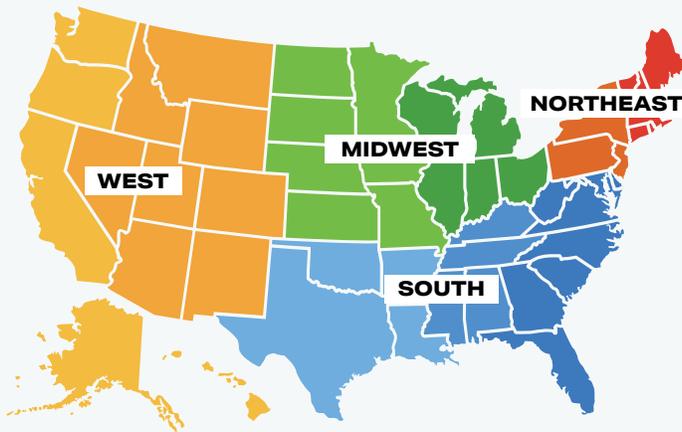
Opendorse owns the industry's largest data pool which tells the most comprehensive story of NIL. We've spent the last year looking at the numbers, including new data analysis which highlights some of the biggest questions and opportunities heading into year two of NIL.

## WHERE'S THE MONEY GOING?

### TOTAL COMPENSATION BY REGION

YEAR 2 PROJECTED MARKET SPEND

Student-athletes affiliated with institutions located in these regions are projected to earn the cumulative amount indicated, based on anonymized transactions facilitated or disclosed through Opendorse between July 1, 2021, and June 20, 2022.



**PACIFIC**  
(AK, CA, HI, OR, WA)

**\$109.7M**

**MOUNTAIN**  
(AZ, CO, ID, MT, NM, NV, UT)

**\$70.1M**

**WEST NORTH CENTRAL**  
(IA, KS, MN, MO, ND, NE, SD)

**\$83M**

**EAST NORTH CENTRAL**  
(IL, IN, MI, OH, WI)

**\$130M**

**MID-ATLANTIC**  
(NJ, NY, PA)

**\$98.2M**

**NEW ENGLAND**  
(CT, MA, ME, NH, RI, VT)

**\$58.6M**

**WEST SOUTH CENTRAL**  
(AR, LA, OK, TX)

**\$153.7M**

**EAST SOUTH CENTRAL**  
(AL, KY, MS, TN)

**\$80M**

**SOUTH ATLANTIC**  
(DC, DE, FL, GA, MD, NC, SC, VA, WV)

**\$293.4M**

### TOTAL COMPENSATION BY STATE

YEAR 2 PROJECTED MARKET SPEND

- |                   |                    |
|-------------------|--------------------|
| 1. Florida        | 14. South Carolina |
| 2. Texas          | 15. Louisiana      |
| 3. California     | 16. Georgia        |
| 4. Ohio           | 17. Kentucky       |
| 5. North Carolina | 18. Utah           |
| 6. Kansas         | 19. Connecticut    |
| 7. New York       | 20. Iowa           |
| 8. Pennsylvania   | 21. Tennessee      |
| 9. Virginia       | 22. Oklahoma       |
| 10. Indiana       | 23. New Jersey     |
| 11. Illinois      | 24. Washington     |
| 12. Alabama       | 25. Mississippi    |
| 13. Massachusetts |                    |

### UNITED STATES

**\$1.3B**

YEAR 2 PROJECTED MARKET SPEND

### POTENTIAL ANNUAL NIL COMPENSATION BY NCAA DIVISION AND OTHER ASSOCIATIONS (NAIA, NJCAA, ETC.) - PER ATHLETE

YEAR 2 PROJECTED MARKET SPEND

**DIVISION I - P5**

**\$687.5M** | \$18,195

**DIVISION I - G5**

**\$160.2M** | \$6,006

**DIVISION I**

**\$330.6M** | \$3,768

**DIVISION II**

**\$41.4M** | \$394

**DIVISION III**

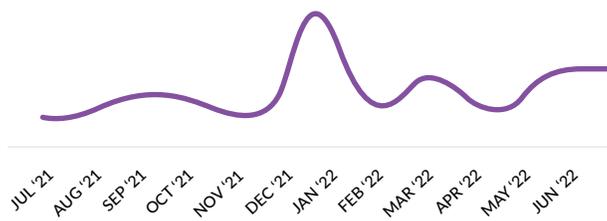
**\$73.7M** | \$456

**OTHER**

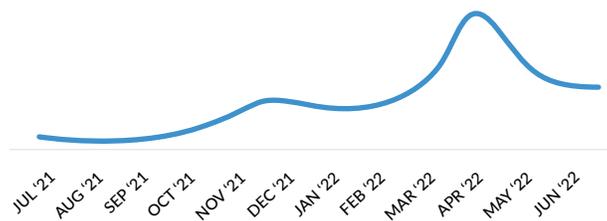
**\$13.2M** | \$78

## WHO'S SPENDING?

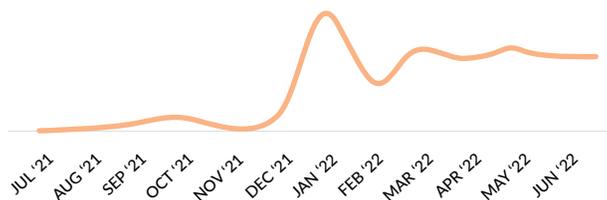
### COMPENSATING PARTY BREAKDOWN ON OPENDORSE



**▲ BRAND**  
showed highest engagement around major championships



**▲ FAN**  
exhibited late growth with the development of marketplaces



**▲ DONOR**  
late adopters, boomed with the birth of collectives



**▲ SPONSOR**  
early adopters with steady activation

### NIL PENETRATION ON TOP CAMPUSES\*

Of the student-athletes on each campus:

**74%**  
have received an NIL deal  
from a **BRAND**

**4%**  
have received an NIL deal  
from a **FAN**

**15%**  
have received an NIL deal  
from a **DONOR**

**76%**  
have received  
at least one NIL deal

### ANNUAL NIL COMPENSATION RANGE

Of the student-athletes who have received at least one NIL deal, the range of annual NIL Compensation Potential:

**\$547-\$4,566**  
per year from **BRANDS**

**\$27-\$4,295**  
per year from **FANS**

**\$779-\$45,067**  
per year from **DONORS**

**\$3,335-\$53,258**  
total per year from NIL deals

# 35%

of all Division I NIL compensation comes from donors

# \$1,012

is the average monthly NIL compensation from donors for Division I student-athletes

\*All of the data on this page is from Opendorse Premium schools. Premium Schools Data focuses only on athletic departments who are 'all-in' on NIL, and as a result, gives Opendorse the clearest picture of what is possible in each market. They have an Opendorse Premium Subscription, have at least one NIL Collective in their market, have 100+ student-athletes with at least one NIL deal, and more than 500 total NIL deals facilitated or disclosed since July 1, 2021.

## YEAR 1 EARNINGS & DEALS

### BY CONFERENCE

TOTAL COMPENSATION		TOTAL ACTIVITIES	
1	Big Ten	1	Big Ten
2	Big 12	2	Big 12
3	Big East	3	ACC
4	Pac-12	4	SEC
5	SEC	5	Pac-12
6	ACC	6	AAC
7	AAC	7	Mountain West
8	Mountain West	8	MAC
9	Sun Belt	9	Big East
10	C-USA	10	C-USA
11	MAC	11	Sun Belt
12	Southland	12	Northern Sun Intercollegiate Conference
13	Horizon League	13	American Southwest Conference
14	CAA	14	MAAC
15	Ivy League	15	Northeast Conference
16	Northeast Conference	16	WAC
17	Northern Sun Intercollegiate Conference	17	Southland
18	WCC	18	Horizon League
19	SWAC	19	WCC
20	St. Louis Intercollegiate Athletic Conference	20	Lone Star Conference
21	American Southwest Conference	21	Southern Conference
22	MAAC	22	ASUN
23	WAC	23	Big South
24	Pacific West Conference	24	Northwest Conference
25	Northwest Conference	25	Mid-America Intercollegiate Athletics Association

Student-athletes affiliated with these conferences have earned the most compensation from NIL activities based on anonymized transactions facilitated or disclosed through Opendorse between July 1, 2021, and June 20, 2022.

## HOW ARE THEY EARNING?

### TOTAL ACTIVITIES BY GENDER

**INCLUDING FOOTBALL**

**37.3%    62.7%**

FEMALE                      MALE

**EXCLUDING FOOTBALL**

**52.8%    47.2%**

FEMALE                      MALE

TOTAL COMPENSATION

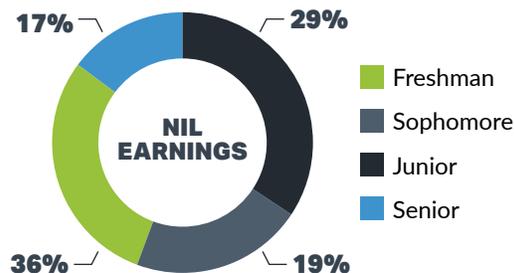
### BY ACTIVITIES

34.0%	Posting Content
17.8%	Other Activities
15.9%	Licensing Rights
15.1%	Autographs
9.7%	Creating Content
4.8%	Appearances
1.6%	Doing Interviews
0.4%	Providing Instruction
0.3%	Selling Products
0.2%	Testing Products
0.1%	Chatting with Someone
0.1%	Supporting Causes

TOTAL ACTIVITIES

67.6%	Posting Content
25.2%	Other Activities
1.7%	Licensing Rights
1.5%	Signing Something
1.4%	Creating Content
1.4%	Appearing Somewhere
0.5%	Doing Interviews
0.3%	Providing Instruction
0.2%	Selling Products
0.1%	Testing Products

### BY EXPERIENCE



Underclassmen earned **1.2x MORE** than upperclassmen

### BY SPORT

#### TOTAL COMPENSATION

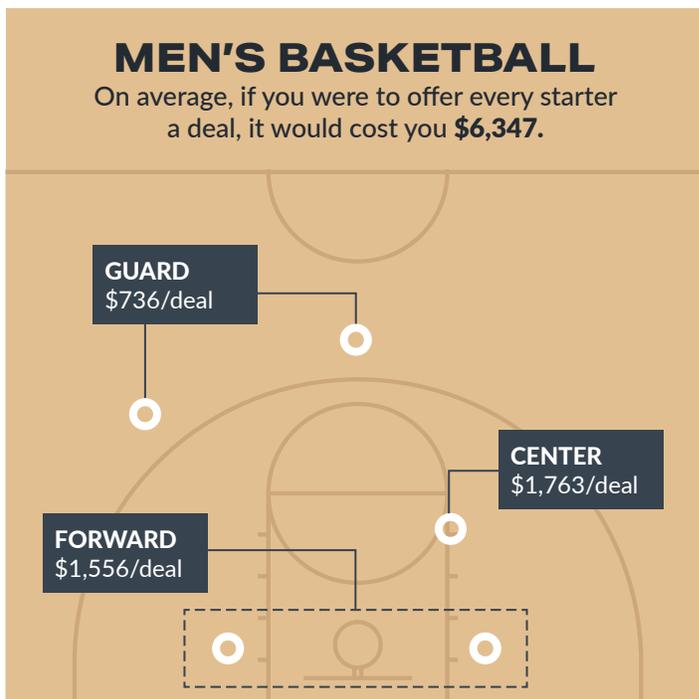
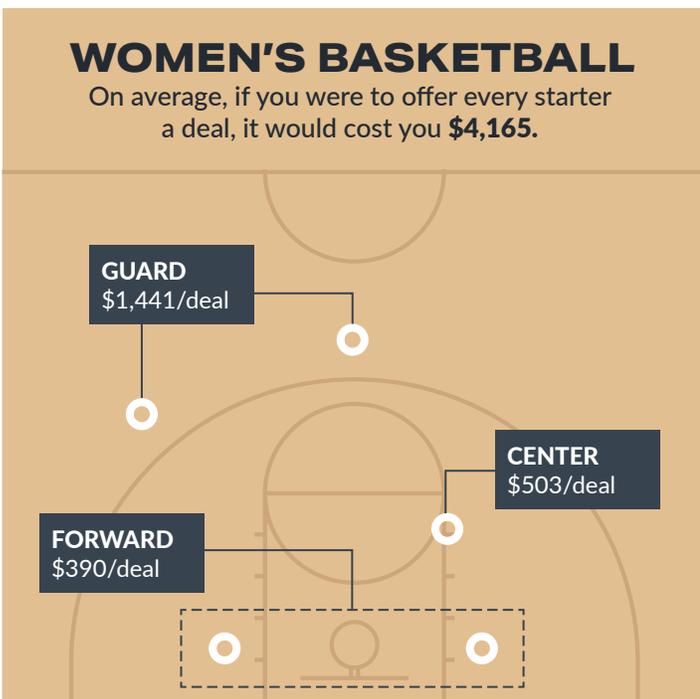
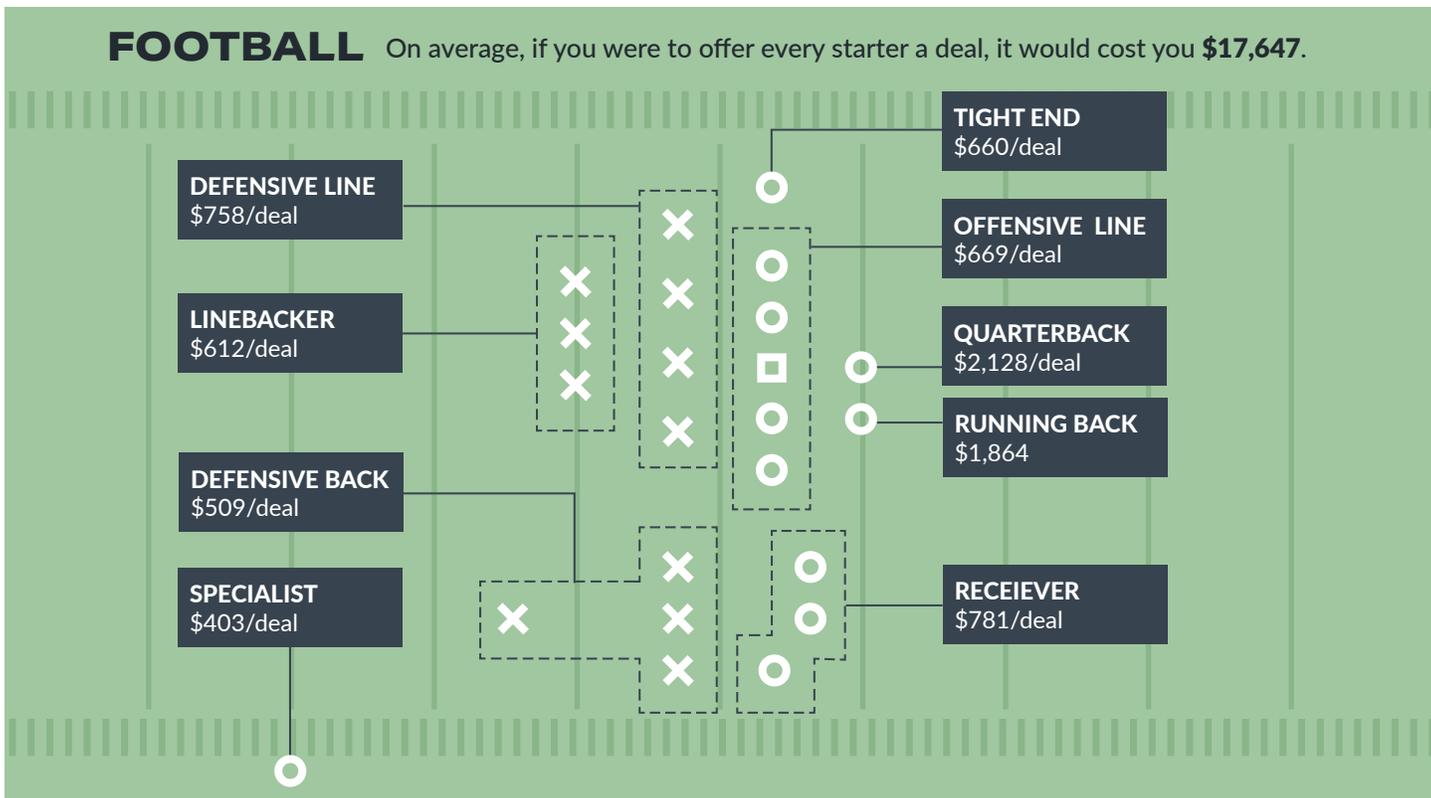
49.9%	Football
17.0%	Men's Basketball
15.7%	Women's Basketball
2.3%	Women's Volleyball
2.1%	Softball
1.8%	Women's Swimming and Diving
1.7%	Baseball
1.4%	Men's Swimming and Diving
1.2%	Women's Track and Field
1.0%	Men's Track and Field
0.7%	Women's Soccer
0.6%	Women's Gymnastics
0.5%	Men's Golf
0.4%	Women's Field Hockey
0.4%	Men's Wrestling
0.3%	Men's Tennis
0.3%	Women's Tennis
0.3%	Men's Soccer
0.3%	Men's Gymnastics
0.3%	Men's Lacrosse
0.2%	Women's Lacrosse
0.2%	Women's Golf
0.2%	Women's Ice Hockey
0.2%	Women's Cheer and Dance
0.1%	Women's Rowing

#### TOTAL ACTIVITIES

29.3%	Football
8.0%	Baseball
7.6%	Men's Basketball
5.6%	Women's Track and Field
5.5%	Women's Volleyball
4.9%	Men's Track and Field
4.8%	Women's Soccer
4.5%	Women's Basketball
4.2%	Softball
2.7%	Men's Soccer
2.4%	Women's Swimming and Diving
1.9%	Women's Rowing
1.7%	Men's Wrestling
1.5%	Men's Swimming and Diving
1.5%	Men's Golf
1.4%	Women's Lacrosse
1.3%	Women's Gymnastics
1.3%	Men's Ice Hockey
1.3%	Women's Tennis
1.3%	Men's Tennis
1.1%	Women's Cheer and Dance
1.0%	Men's Lacrosse
1.0%	Women's Golf
0.7%	Women's Ice Hockey
0.5%	Women's Field Hockey

## WHICH POSITIONS EARN THE MOST PER ACTIVITY?\*

Student-athletes affiliated with these sports and positions average the following compensation per NIL activity based on anonymized transactions facilitated or disclosed through Opendorse between July 1, 2021, and June 20, 2022.



\*Dataset includes anonymized transaction data from student-athletes associated with DI, DII, DIII and NAIA institutions.

## WHO HAS POTENTIAL?

While international student-athletes have more restrictions when monetizing their NIL due to student visa status, these 25 athletes stand out from the crowd as the most followed on social media (Twitter + Instagram).

RANK	ATHLETE	SCHOOL/SPORT	COUNTRY	FOLLOWERS
1	Madiaw Niang	Raford · Basketball		185.5K
2	Kaila Novak	UCLA · Soccer		143.6K
3	Marina González	Iowa State · Gymnastics		142.6K
4	Oscar Tshiebwe	Kentucky · Basketball		112.3K
5	Michel Macedo	Middlebury · Ski		100.4K
6	Emmanuel Abolo Carré	FAU · Soccer		96.3K
7	Elijah Fisher	Texas Tech · Basketball		92.6K
8	Moussa Cissé	Oklahoma State · Basketball		91.3K
9	Dolita Awala-Shaw	BYU · Track & Field		87.1K
10	Keisei Tominaga	Nebraska · Basketball		66.3K
11	Jaz Shelley	Nebraska · Basketball		53K
12	Amelie Morgan	Utah · Gymnastics		46.4K
13	Dorka Juhász	UConn · Basketball		36K
14	Nika Mühl	UConn · Basketball		34.8K
15	Maggie Mac Neil	Cal · Swimming & Diving		33.5K
16	Laeticia Amihere	USC · Basketball		26.7K
17	Tyrese Proctor	Duke · Basketball		24.6K
18	Aaliyah Edwards	UConn · Basketball		21.5K
19	Zach Edey	Purdue · Basketball		18.9K
20	Sarah Fillier	Princeton · Ice Hockey		12.6K
21	Emma Maltais	Ohio State · Ice Hockey		11.4K
22	Azuolas Tubelis	Arizona · Basketball		9.1K
23	Bobi Klintman	Wake Forest · Basketball		8.5K
24	ND Okafor	Cal · Basketball		5.5K
25	Charlisse Leger-Walker	Washington State · Basketball		5.2K

# THE DEALS

The NIL era has unlocked a new world of creative deals between athletes and brands. From hyperlocal partnerships to cause-based opportunities to name-centered endorsements and more, year one has demonstrated that marketers are thinking creatively about how to achieve their business goals by leveraging student-athletes.

## Home

Search Twitter



Opendorse  
@opendorse

Tomorrow.

Regardless of sport or rank, every student-athlete using Opendorse will receive a deal from @gopuff.

Sign up: [app.opendorse.com/signup](https://app.opendorse.com/signup)



12:27 PM · Jun 30, 2021 · opendorse



Chase Griffin  
@ChaseQB11

I'm proud to join @Degree's #BreakingLimits team! I've always strived to be an outlier on and off the field. I believe society wins when we make room for outliers who move with purpose & break limits. As a #DegreePartner, I look forward to sharing my full story with you.



10:04 AM · Aug 31, 2021 from Los Angeles, CA · Twitter for iPhone

## What's happening?

### What were the most industry-shaking NIL partnerships over the past year?

July 1 was a game-changer for student-athletes, brands, and fans. Deals were inked across the country, from the [Cavinder Twins signing with Boost Mobile](#) to Nebraska Volleyball star [Lexi Sun releasing her own merchandise](#).

### Helping Every Athlete

Creative deals hit the market in the weeks to follow. [Gopuff](#) aimed to help every athlete and offered student-athletes at every level their first deal. [MaximBet](#) broke ground as the first sports betting company to activate by offering a deal to every female student-athlete in the state of Colorado. Brands like [Degree](#) and [Clearcover](#) focused on sharing inspirational stories, using NIL as an outlet to humanize student-athletes.

### Not All Deals are Social Posts

While many student-athletes were signing deals with their favorite brands, some focused on using their NIL to monetize hobbies and interests. [Danielle Hart](#) and [Sydney McKinney](#) started selling their own artwork. Others like [Noah Berghammer](#), [Ben Wiegman](#), and [Margzetta Frazier](#) have started promoting and monetizing their musical pursuits. [Armando Bacot](#) used his acting skills to make an appearance in Netflix's *Outer Banks*.

### Maximizing Entertainment Value

Student-athletes are natural entertainers that are seen as icons in their respective communities. Atlantic Records connected with student-athletes like [Jimmy Sotos](#), Rayquan Smith, and Jon Seaton to promote new music from artists like NBA YoungBoy. Professional sports teams and leagues jumped at the opportunity to utilize the student-athlete voice.

[Show more](#)



Fun to feed @GrahamMertz5 and the @UWBadgers O-Line before they begin Fall Camp..



8:00 AM · Aug 5, 2021 · Twitter for iPhone



**Darren Rovell** @darrenrovell

Delivery service @gopuff signed a name, image and likeness deal with UNC sophomore Puff Johnson. Deal, from start to finish, facilitated by @opendorse, took less than 24 hours.



7:04 PM · Apr 4, 2022 · Twitter for iPhone

The [Florida Panthers](#) and [Atlanta Braves](#) connected with college-athletes to serve as ambassadors, while leagues like the [NHRA](#) connected with local Indiana student-athletes to promote events in the area. Duke Men's Basketball's [Paolo Banchero](#) entered the gaming world with an appearance in NBA2K pursuits.

### Cashing In on Overnight Success

Even before July 1, student-athletes would become overnight sensations for making big plays on the court and the field. NIL now allows them to maximize their fame. For example, merchandise company BreakingT has helped student-athletes like [Bo Nix](#) and [Cassidy Cerny](#) turn their big moments into a T-shirt that fans could purchase within hours. [Velveeta](#) turned to Cade York after he made several big plays. Doug Edert capitalized on his breakout March Madness performance with a [Buffalo Wild Wings](#) partnership and fan shoutouts through [Cameo](#).

### There's No "I" in Team

Student-athletes have locked in deals that give back to those who support them on and off the playing surface. [Kenny Pickett](#) teamed up with the Oaklander Hotel to treat his linemen to dinner before game days. [Graham Mertz](#) had a similar opportunity with Mission BBQ. [Paige Bueckers](#) signed a deal with StockX and took it a step further by gifting all of her teammates with shoes during the holiday season.

### Putting the Name in NIL

Some student-athletes have really put the "name" in name, image, and likeness. With a play on words, [Donovan "Puff" Johnson](#) partnered with [Gopuff](#) to get a social media post out hours before the National Championship game. [Ga'Quincy "Kool-Aid" McKinstry](#) and [Kool-Aid](#) went all out with social media rebranding and a series of social posts. [Jahvon Quinerly](#) has been going by the nickname of "Jelly" and he collaborated with SLAM to create a jar of personalized jelly to sell to fans.

[Show more](#)



lexi sun  
@lexiisun

ah hi friends!! so SO excited to introduce to you...THE SUNNY CREW.

ive been working on this fun / happy lil project for some time now & am stoked i get to share it w yall :)

shop ur new crew by going to [renathletics.com](https://renathletics.com) ✨

SALES START TONIGHT @ 12 MIDNIGHT



8:10 PM · Jun 30, 2021 · Twitter for iPhone



Kenny Pickett  
@kennypickett10

For my first NIL deal, I want to make sure I can take care of the big guys who take care of me. I'm excited to announce my association with the Oaklander Hotel & their restaurant, Spirits & Tales, where I will be treating my linemen to our weekly Hog Dinners! #OaklanderPartner



10:24 AM · Jul 15, 2021 · Twitter for iPhone

### No Slowing Down

Big brands spent years focused on athlete-driven marketing in the professional sports space but have shifted their focus to college athletics. Gatorade has inked deals with athletes like [Shedeur Sanders](#) while Nike and Adidas both recently locked in deals with college golf's biggest stars. Nike connected with Stanford Women's golf star Rachel Heck while rival Adidas sealed the deals with Heck's Stanford teammate Rose Zhang.

Brands like Champs Sports and Foot Locker have focused campaigns around stories and causes, utilizing student-athletes to celebrate [Women's History Month](#) and [Global Running Day](#).

### Who to follow



**Degree**  
@degree

Follow



**Clearcover**  
@clearcover

Follow



**Gopuff**  
@gopuff

Follow



**Snapchat**  
@Snapchat

Follow





# THE ATHLETES

## WHICH ATHLETES ULTIMATELY HELPED SHAPE THIS INDUSTRY INTO WHAT WE SEE TODAY?

As the athlete marketing space grew overnight, some athletes had extensive social media followings and a plan in place to immediately capitalize. Others wanted to play the “wait and see” game.

Here are five student-athletes with unique NIL experiences, each illuminating a different approach to the new era.





## ADRIAN MARTINEZ THE DIVISION I QUARTERBACK EXPERIENCE

When NIL first took off, many fans and brands turned their attention to some of the biggest stars in college sports, Division I quarterbacks. Some athletes were more prepared than others, and many understood the value of being nationally recognized members of the community.

Former University of Nebraska and current Kansas State University quarterback, Adrian Martinez, shared his NIL experience, how being prepared and leaning into the community paid off big.

“I wasn’t sure what to expect from NIL,” Martinez said. “It’s a little bit of the ‘Wild, Wild West.’ No one really knew what to expect, but luckily we have Opendorse in our backyard [at Nebraska]. We have a lot of people helping us athletes, and it’s been filled with nothing but great opportunities.”

Within the first few months, Martinez started a podcast, created merchandise, and partnered with brands on a local, regional and national level.

“[Opendorse has] allowed me to talk with people, meet people, that I would have never been able to before.” he said. “Open some doors for me that weren’t open before. That’s what it’s about. I’m going to have a career after football, but this gives me the opportunity to explore a lot of those avenues.”

On the brand side, NIL changes have given businesses a chance to connect with athletes so they can play a role in their marketing strategy. While at Nebraska, Martinez tapped into the local community.

“Explore local,” he said. “There are more local businesses than you’d know that are willing to help student-athletes out, willing to give them that opportunity to share on social media, to spread awareness about their business. There are so many opportunities out there, and definitely some that will be perfect.”

Like all student-athletes, Martinez has a busy schedule, especially during football season. Using tools and resources to keep the NIL deals flowing has a been a game changer.

“It’s hard to call [Opendorse] anything else besides a lifesaver,” Martinez said. “It’s been huge for me with all the stress of the football season and the countless things on my mind, including school. Opendorse has made NIL easy, which is huge for me. It makes things easy to post, makes it easy to interact with businesses. You can kind of gauge where you’re at as far as market value, there’s a lot of things that help me as a student-athlete. I don’t know what I’d do without it.”



# LAUREN BURKE

## THE SOCIAL MEDIA SUPERSTAR EXPERIENCE

Many athletes sliding into the NIL era had been building their personal brand on social media for years. Posting on social media is something Texas softball star Lauren Burke has enjoyed doing throughout her time as a student-athlete. She has built an audience of 600,000+ followers between Instagram and TikTok.

Burke's first venture into TikTok is an example of the importance of an authentic approach. She and a teammate, Mary Iakopo, were in the baseball facility messing around with the different sounds and recording themselves.

"It took us, like, 100 takes — not exaggerating — and ended up getting over 1,000,000 views on my very first TikTok," she said. "That set the scene. I was like, 'Whoa, this is a thing. This is really cool to have this great reach, and also build the sport of softball. That is something that empowers me a lot: To grow the sport and give back to the game. That just encourages me to continue to share my life online.'"

Burke was thankful she wasn't in classes and wasn't in season in that moment. She had time to educate herself on what all the policy changes meant. She was supported by her institution, who provided quality education and resources.

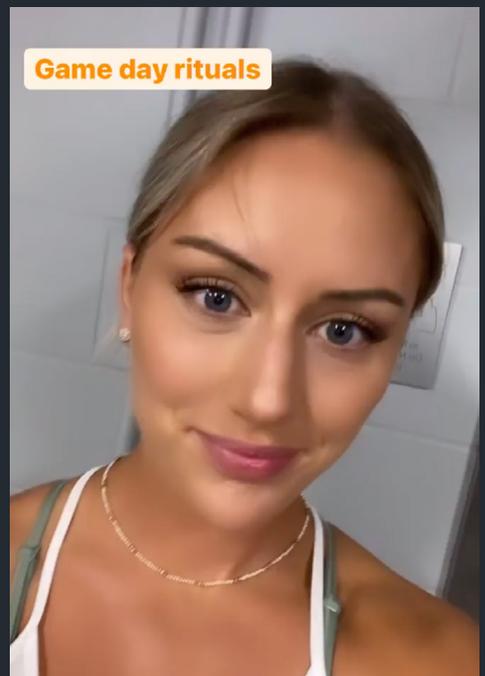
"Texas does an amazing job of not only giving us resources but also educating us about how to go about it in the best ways," she explained.

With a large following, Burke saw the immediate value for herself, but she also recognized the value NIL has for every athlete and encourages her teammates and peers to continue building their brands as well.

She's all-in supporting her fellow student-athletes. "It's been so cool to see everyone taking advantage of [NIL]. Whenever I see another student-athlete post an ad, I always try to engage with it and boost those numbers for them [to help with] their future opportunities."

"There's a space for every single student-athlete to build their brand, to build a following for themselves, and also to incorporate your values in everything you do," she said. "It's just about getting out of your comfort zone. Posting even though you feel, maybe, a little bit of judgment — no one's judging. If anything, we're applauding the fact that everyone's taking advantage of an amazing opportunity."

Burke has inked deals with several brands, many of which are focused on cause-based marketing like Clean Cause Energy Drinks, H&R Block's educational resources, and celebrating women's sports with Champ Sports. With a quick glance at her feed, you may not recognize branded content right away because Burke makes her posts and partnerships blend in naturally with her personal brand. Her partnerships fit into her daily life as a student-athlete.



## SARAH MORBITZER THE WALK-ON EXPERIENCE

As a Columbus, Ohio, native, Sarah Morbitzer has been a Buckeye fan since day one. Walking on to the Ohio State women's volleyball team was a dream come true. However, as a walk-on, Morbitzer has had to financially support herself throughout her college career. And she isn't alone. Only 57% of Division I student-athletes receive athletic financial aid, and most don't receive full scholarships.

As a sophomore with 2,700 followers on Instagram, Morbitzer didn't think much when NIL passed until members of the Opendorse team presented to her team on campus.

"I didn't think I would benefit at first at all. I don't have a big name in college athletics or college volleyball," Morbitzer said. "It wasn't until we met with Opendorse and there was one slide about training camps and running private sessions.

"I was like, 'Wait, I definitely can benefit from that. I can do that.' Since I did grow up in Columbus, I do have a name around here and relationships with a lot of coaches and younger players. I just use that to my benefit. Luckily my mother was my high school coach, so I use my old high school gym and I don't have to pay a court fee."

Morbitzer hosted her first sessions in July, shortly after NIL passed. She ran seven, one-hour sessions and opened it up to anyone to participate in. She went on to host more sessions with her teammate, Sydney Taylor, who's also from Columbus.

Taking learnings from her first camp, Morbitzer ran her summer break event differently.

"We ran three sessions each day and we divided it up into skill levels. We had advanced and skill development sessions, so definitely learned throughout that first week of how I should do things and then carried it over to the next time."

Adding a teammate also created a new dimension. Morbitzer noted, "It was a lot more fun and a little less awkward, too, because I was the only one talking in the summertime and having Sydney was amazing and perfect. Then we also just use a lot of the same ideas and drills that we use at Ohio State. So having someone to demo that drill as I'm talking was super helpful, or even just saying something to another girl while I'm talking to someone else."

Over time, Morbitzer has also adjusted the rate for her sessions as there has been an increase in demand.

"Last summer, I put it at \$25 an hour and people were coming to me saying, 'This needs to be higher. You play at Ohio State, this needs to be a higher cost,'" she said. "I was really glad they were honest with me. I did not have any expectations, so I was happy to hear this."



Most recently she hosted a skills-focused session with teammate, Emily Landot, and plans to run more this summer, as well as potentially run private lessons.

For Morbitzer, giving back to her local community is one of the biggest joys.

"Just being able to give back to a 12- or 13-year-old absolutely makes my day because I started there and I used to idolize the players at Ohio State," she said. "Now, I'm that role model for younger kids. It blows my mind every day, honestly."

When people think of NIL, most immediately think of social media deals, but there are many offline NIL opportunities.

"It's an unexpected route from an NIL perspective," Morbitzer admitted. "I don't think a lot of people even think about doing private lessons. It's more, 'What brand deal can I get? What can I post on my social media?'"

"But, someone like me in my position, I am a walk-on and I don't have a huge name, so I'm not going to get a brand deal that's offering me \$1,000. That's where I was at and I'm like, 'Okay, well, how else can I benefit from this?' So, even if you don't have that big name, you can still benefit in this space."

Having a supportive athletic department that helps provide NIL resources can play a big role too. Education is key.

"I've learned so much from Opendorse and from Ohio State," she said. "That meeting last summer was huge for me and it was an eye-opener, listening just to the presentation from Opendorse. And then on the Ohio State side, it's been big that they want us to succeed in this space, and it's not all about money for them. It's truly about us and about our name, our image, and likeness. That just means a lot to the athletes here."

While she still leans on her parents for support, she's beginning to become financially independent, thanks to NIL.



## GLORIA MUTIRI THE LIFE-CHANGING EXPERIENCE

Gloria Mutiri's family traveled the country during her youth. The Mutiri parents, Pepe and Chantal, established ministries, connected with churches, and performed service work alongside their four daughters: Faith, Gloria, Grace, and Victoria. Gloria remembers visiting 40 states during her childhood. They did it all together as a family.

Then, tragedy struck. Pepe and Chantal passed away in consecutive years due to serious health conditions. Devastated, the four Mutiri daughters had no choice but to pull even closer together. They moved into a group home as they navigated high school.

The Mutiri girls had each other. They also had a strong mindset and limitless talent. Gloria poured her energy into volleyball and emerged as one of the top recruits in the nation in her senior year. She committed to Kansas State, where she excelled for two seasons before transferring to Oregon. She has continued to grow in Eugene, becoming one of the top players in the country with the character to match.

"While coping with the passing of my parents at a young age, I continued to persevere and follow my dreams to honor their legacy," Gloria shared through her Degree #BreakingLimits partnership.

The Degree deal was one of Mutiri's first NIL opportunities. It was impactful right out of the NIL gate, along with Clearcover's "Inspired Underdogs" and others that allowed her to share her story with the world.

"I know I can conquer anything that comes my way because I've faced adversity head on and worked so hard to grow the strength to overcome it," Mutiri said.

The new era of college athletics can be a lot to juggle, but it can be navigated effectively with a proactive, organized approach.

"Opendorse has definitely helped me organize the opportunities that I have," she said. "I'm able to see the brand's background and contact them through the app. I'm able to see how much money I can make and what that would look like for my social media, and my brand in general. I've worked with Degree and Clearcover; those have been some of my favorites."

Just like other social media platforms, Mutiri checks her Opendorse app daily to stay on top of new opportunities and continue communication with existing partners.



"Opendorse has eased the NIL process for me," she said. "Little dates sometimes escape me, or communicating and engaging with people on my phone. That's much harder for me, so it's nice to have everything in one app. I check it like I check Instagram or Twitter. It's part of my phone routine so I'm able to see if there's new deals or I need to communicate with a deal I already have."

Mutiri is also strategic about how she manages her earnings through Opendorse.

"There's money on the app that can stay there, or I can take it out and can talk about taxes," she explained. "It's so much easier than having to reach out through different emails and contacting somebody through text or someone calling you and having all this information to write down. It's so nice just having it all in one app."

To Mutiri, NIL isn't just about herself and her story. It's also about helping bring exposure to women's sports, growing the game of volleyball in various communities, and being a voice for Black women.

"I originally thought when NIL came out — and I think a lot of other female student-athletes thought this — that it wouldn't matter because I'm not playing basketball or football," she admitted. "NIL has really helped bring exposure to women's sports. Here at the University of Oregon, women's sports are already a big deal and people really prioritize them just as much as men's, but [that's not always the case]. I know a lot of opportunities have been handed to the female athletes here and it's brought in a lot of fans. A lot of people are more interested in the sports, finding more fandom."

After graduation, Mutiri plans to play professional volleyball. She's aware that the jersey will come off one day and plans to pursue a career as a sportscaster or TV personality with the goal of hosting her own show.

She is leaning into NIL to help her get there.

"NIL is a good start for preparing myself for my professional career as a volleyball player and my professional career as, hopefully, a TV personality [in] the entertainment business. The deals that I sign and the brand that I'm working with can hopefully reflect where I want to go and what I want to do with my life."



# TREVOR BASSITT

## THE NON-DIVISION I EXPERIENCE

While Division I stars are securing flashy deals and national media coverage, NIL is making an impact for NCAA DII, DIII, and NAIA student-athletes. Men's track and field standout Trevor Bassitt from Ashland University has used his last year of eligibility to chase another national championship and capitalize on NIL opportunities.

With multiple national titles to his name and a run at the Olympic Trials, Trevor Bassitt was debating whether to turn professional or use his remaining NCAA eligibility. NIL played a role in his decision to return for his final college season and pursue his master's degree.

"Knowing I could come back to school and make money – whether it is through endorsement deals or launching my own merch line, knowing that those options were available to me now – made coming back to school to get my master's a no brainer."

His status as a Division II student-athlete wasn't something Bassitt ever saw as a barrier. He's leveraged his story of being a non-revenue athlete from a smaller school.

"I've been able to kind of use it to my advantage by making it part of my brand as an athlete," he explained. "I'm an elite athlete, but I often get overlooked because I'm DII or because I'm not in football or basketball. Using that to form this underdog brand that I'm rolling with here has been part of it. And it's given me more opportunities for the sponsors that I do currently have: I can put everything I have into all of those sponsorship deals to make sure they're getting the best out of me and out of the deal instead of with other athletes."

For Bassitt, the foundation for his personal brand included identifying what he is truly passionate about.

"Who I am and what I stand for is actually what my brand is," Bassitt said, "because if I try to be something I'm not, it's really hard to put that stuff online. If you're not authentic, people aren't going to listen to your message."

He added that being authentic makes fulfilling deals easier.

"One of my deals requires me to post either once a month on Instagram or do two Instagram Stories a month. That's super easy for me with the deal I have because I use their product. I value it. It's authentic for me. For me to post it, I just set up a camera two times a month. When I go to use the product and I record it. It's easy. It's just adding something to my routine."



# MORE ATHLETES LEADING THE NIL ERA



**KATIE BEILER**  
Louisville · Rowing



**AL BLADES, JR.**  
Miami · Football



[Read the blog](#)



**PAIGE BUECKERS**  
UConn · Basketball



**MEGAN CARNEY**  
Syracuse · Lacrosse



**EMILY COLE**  
Duke · Track/XC



[Read the blog](#)



**ASHLEY CORCORAN**  
SNHU · Track/XC



**JT DANIELS**  
WVU · Football



**OLIVIA DUNNE**  
LSU · Gymnastics



**CALEB EAGANS**  
ETBU · Football



**JAZMYRN FOBERG**  
Florida · Gymnastics



**CHASE GRIFFIN**  
UCLA · Football



**NICKLIN HAMES**  
Nebraska · Volleyball



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**DANIELLE HART**  
Wisconsin · Volleyball



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**DESTANNI HENDERSON**  
South Carolina · Basketball



**ANDREW JONES**  
Texas · Basketball



**BROCK JONES**  
Stanford · Baseball



**TUCKER LA BELLE**  
Clarke University · Lacrosse



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**CHARLOTTE NORTH**  
Boston College · Lacrosse



**MITCHELL PEHLKE**  
Ohio State · Lacrosse



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**SEDONA PRINCE**  
Oregon · Basketball



**SHEDEUR SANDERS**  
Jackson State · Football



**CARA SIMPSON**  
FAU · Track/XC



**RAYQUAN SMITH**  
Norfolk State · Football/Track



**GABLE STEVESON**  
Minnesota · Wrestling



**HAILEY VAN LITH**  
Louisville · Basketball





# THE BRANDS

## A FIRST-EVER OPPORTUNITY

In the blink of an eye last July, student-athletes became eligible to earn compensation for NIL activities. For brands, a new door was opened. Advertisers now have access to a pool of nearly half a million of the most influential individuals on their college campuses, in their local markets and states, and in some cases, in all of sports.

Thousands of brands jumped at the opportunity in the year since. National and even global advertisers, local businesses and school athletics sponsors were all quick to join the movement, collectively supporting hundreds of thousands of college athletes while driving results for their organization.

The influencer marketing industry is estimated to reach \$15 billion in 2022, according to Influencer Marketing Hub. Student-athletes

stand to contribute a significant amount towards the growth of the industry, as most NIL activities contain an influencer marketing component. While year one has seen overwhelming interest from brands, NIL leaders expect the market to grow exponentially in year two. If NIL's initial phase was all about education and early adoption, the coming year will see a rise of industry experts, mass-scale activations, and enhanced buy-in from brand leaders that aren't simply looking for a one-day PR push, but who will instead build powerful long-term relationships.

Entering the 2021 college football season, there was one college football player with a national NIL endorsement campaign – Clemson quarterback DJ Uiagalelei with Dr. Pepper. As the 2022 season nears, it's reasonable to expect multiple players per Power 5 conference to unveil brand advertisements on a national scale.



## ONE YEAR OF NIL: THE CURRENT LANDSCAPE

Brands of all shapes and sizes have tried their hand at NIL activities through the first year. Still, several industries have taken special interest. Trading cards, media companies, and e-commerce brands were among the most active through year one.

### NATIONAL BRAND SPENDING BY INDUSTRY SEGMENT

RANK	CATEGORY	% SPEND	EXAMPLES
1	Trading Cards/NFTs	17.9%	Panini, Candy Digital NFTs
2	Mobile Apps	16.5%	Snapchat, TikTok
3	E-commerce	7.7%	StockX, FanJoy
4	Financial	7.5%	SoFi, Clearcover
5	Personal Care	7.3%	Degree, DUDE Wipes
6	Entertainment	7.3%	Barstool, ESPN
7	Auto	6.7%	Shell, Mercedes-Benz
8	Fashion	5.9%	Reebok, Rhoback
9	Nutrition	4.4%	Gatorade, Bio Steel
10	Equipment	4.0%	Speedo, Mizuno
11	Beverages	3.4%	Dr. Pepper, Red Bull
12	Technology	3.0%	Bose, Xfinity
13	Retail	2.7%	Champs Sports, Dicks
14	Restaurants	2.6%	Chipotle, Outback
15	Non-Profits	1.2%	Gofundme, Boys & Girls Club
16	Real Estate	0.9%	College Hunks Hauling Junk
17	Food	0.9%	Barilla, GummiShot
18	Gaming	0.4%	Epic Games, Twitch

Totals may not add to 100% due to rounding

## APPROACH BY BRAND TYPE (NATIONAL, SMB, SPONSOR)

Breaking down the current distribution of NIL deals, we project that 64% of all NIL compensation will come from brands with an anticipated first twelve month spend of \$380.6 million. Local brands accounted for 34.3% of the total spend with an anticipated twelve month expenditure of \$198.8 million.

Additionally, many active brands are eschewing one-off deals in favor of multi-activity endorsements. These extended agreements currently make up nearly 24.4% of athlete NIL compensation.

### NIL COMPENSATION PER ACTIVITY

CATEGORY	% COMPENSATION	AVERAGE COMPENSATION
Multi-Activity Endorsement	24.4%	\$4,923/agreement
Licensing Rights	23.1%	\$5,557/year
Posting Content	21.7%	\$933/video (YouTube), \$920/post (TikTok), \$522/post (Instagram), \$277/story (Instagram), \$105/story (Snapchat), \$74/post (Twitter)
Content Creation	14.3%	\$3,137/video or photo
Appearance	3.4%	\$1,736/hour, \$1,267/speech
Interview	0.5%	\$457/interview
Other	12.6%	Various structures

Totals may not add to 100% due to rounding



# N1L / THE BRANDS

## NATIONAL AND GLOBAL BRANDS

The world's largest brands reach consumers around the globe. By partnering with student-athletes, they can access the athletes' broad and localized audiences while leveraging the fan passion that is unique to college sports.

From insurance to apparel, these brands approach NIL partnerships to support many marketing initiatives including storytelling, awareness, innovation, capitalizing on big moments and more. In addition to traditional marketing outcomes, the first year of NIL marketing led to significant PR wins for many of these trailblazing brands.

Below, we share several partnerships and campaigns that made waves in the past year.

### CHAMPS SPORTS – “RUN WITH US”

Champs Sports partnered with student-athletes to launch its “Run with Us” campaign in support of National Running Day.

The campaign featured NIL deals with athletes including Duke track and field's Emily Sloane.

### H&R BLOCK – A FAIR SHOT

Aligning with the timing of March Madness, H&R Block launched “A Fair Shot,” a program aimed at providing \$1 million in sponsorships and support for female student-athletes.

H&R Block CEO Jeff Jones said of the program, “When we saw the disparity already growing in college NIL sponsorships, we knew we had to help female college athletes get a fair shot. This commitment draws from our purpose to provide help and inspire confidence in our clients and communities everywhere. When we invest in female college athletes, we are helping to create a positive impact in society that's good for all of us.”

The initiative kicked off with ambassador partnerships including 16 of the most influential athletes in women's college sports, including its first two ambassadors, South Carolina basketball's Zia Cooke and Iowa Basketball's Caitlin Clark.

### DEGREE – BREAKING LIMITS

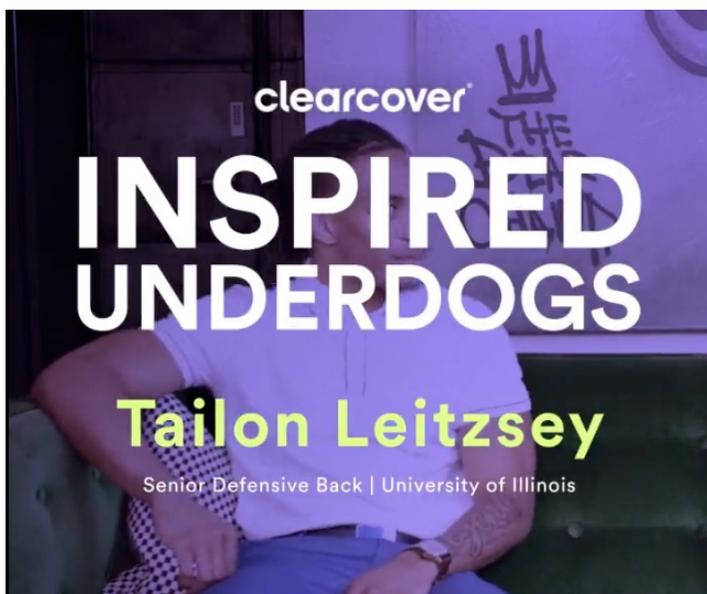
Degree was among the first national brands to test the NIL waters. The “Breaking Limits” campaign launched with an initial roster 14 college athletes, each selected for their story of overcoming adversity and inspiring others to move beyond their limits with confidence. The company pledged \$5 million over a five-year period to fund activities that inspire people to move more by partnering very closely with a number of non-governmental organizations while also providing mentorship for athletes.

The athletes take part in various programming, including social media campaigns, local community projects, content partnerships, a mentorship program with Unilever and more. The first year proved so successful, that Degree is expanding as it enters year two.



“ H&R Block is standing up for female student-athletes by not only supporting us financially, but making sure we're set up for long-term success. ”  
— Zia Cooke





### LOCAL AND REGIONAL BRANDS

Local and regional brands are active players in the NIL landscape. These brands typically work with student-athletes for a return in the form of fan-based marketing. Generally targeting an audience in a select area or fans of a specific school, these brands are leaning into those athletes with influential voices in their respective communities. Below are several successful examples for how brands can activate NIL successfully on the local and regional level.

#### CLEARCOVER - INSPIRED UNDERDOG

Clearcover was the first auto insurance company to support student-athletes in the NIL era. The Chicago-based brand kicked off its efforts with the "Inspired Underdog" campaign, offering \$10,000 deals with student-athletes in select states with unique stories and journeys.

Said Clearcover CEO Kyle Nakatsuji, "While big insurance companies have been sponsoring professional athletes for years, Clearcover is an up-and-coming car insurance company that wants to sponsor student-athlete up-and-comers as official Clearcover athletes. So that's why we've decided to sponsor underdog or walk-on college athletes with great inspired underdog stories like Clearcover's."

After a successful first phase of the campaign, the company expanded its reach to now support dozens of underdogs, walk-ons and up-and-comers across the country.

#### KUGLER VISION

While NIL can bring dollars directly to student-athletes, it can also open doors to new opportunities. In May of 2022, Kugler Vision, an Omaha-based Laser Vision Correction Surgery and LASIK provider, offered LASIK surgery to all qualifying Nebraska student-athletes. The athletes simply needed to complete a screening to

determine if they qualified. In return, [the participating athletes would promote the business on social media.](#)

"If we're going to make a difference, we can't just pick a star," Dr. Kugler said. "We have to be able to say we believe – and we really do believe – that visual performance is key to athletic success. This is a way to illustrate that and also support our team."

Less than a month after posting, more than 28 football players had applied for the roughly \$6,000 procedure.

#### LUXURY CAR DEALERSHIPS

High profile recruits being gifted vehicles has long been a part of pre-NIL recruiting lore. Now, dealerships can compliantly partner with student-athletes and receive promotion throughout their community and in social and traditional media in return.

#### WHAT'S NEXT?

While the support in year one has been impressive, the future appears even brighter. Brands see the value of partnering with student-athletes and vice versa. The initial year was powered by brands becoming the "first of." The first to offer a team-wide deal, the first to launch a national advertising campaign, the first to add a college athlete to its roster, and so on. These "first of" opportunities helped brands and athletes extend their campaign's success with media buzz.

That media buzz is not going away any time soon, but the "first of" approach will soon shift. Expect the partnerships that drive press and public interest in year two to be "best of." Now, the deals that can prove success, scale, and impact beyond the press release will earn deserving praise and deliver results for both parties.



# THE COLLECTIVES

The most controversial and misunderstood part of NIL did not emerge until the weeks and months following July 1.

Third-party groups quickly began to emerge, pooling resources and funding. NIL Collectives were born. The original concept behind these early collectives was simple: increase the number of legitimate NIL deals for the student-athletes at the school they supported and make sure the student-athletes were educated (and protected) in any subsequent business deal.

A primary reason collectives began to form was due to state laws and/or school policies that prohibited direct institutional involvement in NIL deals for student-athletes. Many athletic departments interpreted the laws or self-induced policies to mean that even providing education around NIL deals was impermissible. While this may have reduced the risk for schools of being in violation of those laws/policies, their student-athletes were left to navigate this world without direction from some of their most-trusted resources.

Enter the collectives.

Many collectives were started and organized by former athletic department employees who recognized the necessity for both separation from the school and education for student-athletes. They could provide hands-on education surrounding financial literacy, taxes, and contracts in addition to offering a proactive way to find NIL deals using their expertise.

By early 2021, a handful of collectives had been established; but only a couple were fully operational in sending NIL deals. Most of the early objectives for these collectives involved working on setting up an internal structure and concept. A primary goal was organizing finances to fund the deals sent to student-athletes and, in some cases, contacting local companies to facilitate deals for the student-athletes.

Early on, common deals completed by student-athletes ranged from autographing memorabilia for members of the collective, to appearances at local events, and features on podcasts (some even being run by the collective itself). These were relatively easy deals for the student-athletes to complete while juggling their busy on-campus responsibilities. They also often involved the collective helping with tasks that may have been deemed impermissible for the school to help with such as contract negotiation, coordinating transportation, assistance with the execution of the activity to ensure quid pro quo, and more.

There is a difference between awareness and involvement when it comes to a school's relationship with collectives. In accordance with compliance, schools could not instruct a collective when it came to which student-athletes to coordinate NIL deals for or how much to compensate those student-athletes. However, there were no specific rules about being in compliant communication with the individual(s) running the collective to ensure deals were adhering to the main rules of NIL — deals must have a quid pro

quo and they could not be tied to athletic performance/awards, commitment, or enrollment. In fact, compliance departments at institutions maintain a responsibility for their representatives of athletics interest, in other words “boosters” — so there is a very real need for clarity between the collective and the institution.

It did not take long for coaches to recognize the recruiting advantage of having a dedicated collective supporting the student-athletes of their respective school. The lines became blurred for some collectives. As high school recruits and student-athletes in the transfer portal were looking for a school to commit to, discussions around potential NIL earning capability began happening. This led to allegations that some collectives may have operated either with or without instruction from the school or a coach to promise guaranteed financial terms to these student-athletes, which would violate the aforementioned principles of NIL.

In May 2022, the NCAA released guidance that classified third-party collectives as boosters in an effort to prohibit collectives from being involved in the recruitment or enrollment of student-athletes. This clarification meant that collectives must adhere to the longstanding rules governing school supporters in that there could be no communication with a prospective student-athlete looking to commit to a school out of high school, junior college, or as part of the transfer process. Additionally, it meant that collectives could not use NIL deals to entice a currently enrolled student-athlete to remain at the institution.

Regardless of the impact to individual collectives, what remains clear is that the NCAA will be keeping an eye on them and their operations moving forward. Collectives will need to ensure that student-athletes are disclosing all deals to their school's compliance department who, in turn, will ensure that those deals are not in violation of the established rules of NIL.

Expect to hear about student-athletes completing NIL deals with a positive impact on a community or cause that will be organized by collectives. Many collectives are now working to receive 501(c)(3) status or are starting up a separate collective that will hold the non-profit status. These types of collectives would be able to receive tax-deductible donations and use the funds in a variety of ways to support charitable organizations. Student-athletes will be paid by the non-profit collective to autograph items that are then donated or to post on social media about local charities or to appear at events for local charities — taking the financial burden off the charity itself. However, the process of achieving that status can take several months — six to nine in some cases. In the meantime, other 501(c)(3) organizations are sponsoring these collectives in the short term to help their status and application.

Regardless of their setup, collectives are not going away. [As Opendorse predicted back in December 2021](#), before college football kicks off in a couple of months, most Power 5 schools and many Group of 5 schools will have a third-party collective in place that is supporting their student-athletes. And markets with

collectives will be successful. With around 120 known collectives in existence or in the process of being formed across 37 states, that pace does not look far off.

Combining the number of known NIL collectives with data from [CollegeFactual.com](https://CollegeFactual.com), there are approximately 57,000 student-athletes competing at schools with at least one collective established or in the process of forming.

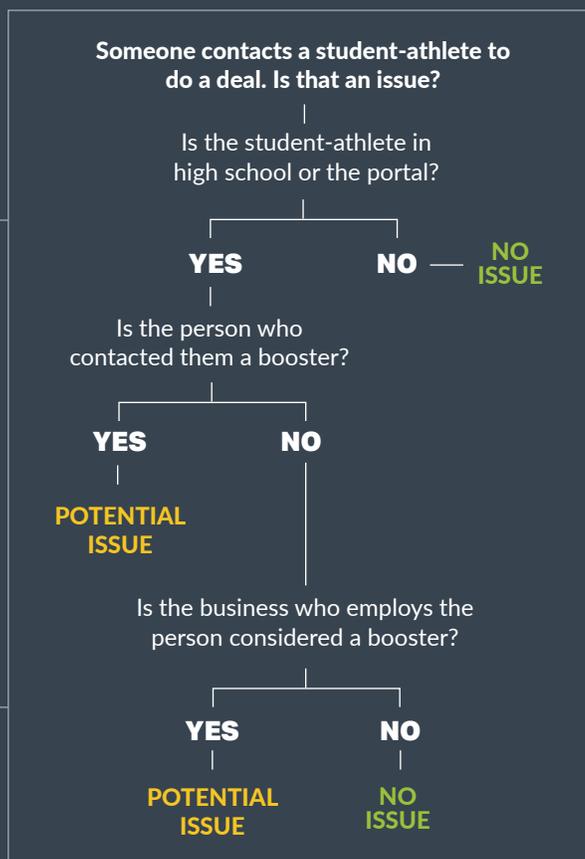
As the next academic year inches closer, several collectives associated with the same institution have begun to merge. This trend will likely continue as these groups are realizing the power of being able to pool together more resources – and, most importantly, more funds. Multiple collectives that support Florida, Florida State, [TCU](#) and Kansas State have already merged. Most

importantly, schools must consider the compliant relationship that can exist between school and collective: there must be an element of trust between both parties.

Opendorse currently works with several collectives across the country to provide the ultimate compliance tool for NIL deals being sent to the student-athletes. Any deal an athlete receives via Opendorse can be automatically disclosed to and accessed by the compliance office of their respective university. This process has provided peace of mind for both collectives and athletic departments alike. Since the start of 2022, collectives have committed to send more than \$35 million to student-athletes through Opendorse.

## WHEN IS IT SAFEST TO DO A DEAL WITH AN ATHLETE?

### A STUDENT-ATHLETE ELIGIBILITY JOURNEY: NIL



# POWER 5

Around **120 COLLECTIVES** are either known to be in existence or are in the process of forming



**13 SCHOOLS** have at least one known collective of the 15 member schools (including Notre Dame)



**ALL 10 SCHOOLS** have at least one known collective



**13 SCHOOLS** have at least one known collective of the 14 member schools



**NINE SCHOOLS** have at least one known collective of the 12 member schools



**ALL 14 SCHOOLS** have at least one known collective

In total, of the **65 MEMBER SCHOOLS** within the Power 5 conferences, **92% HAVE AT LEAST ONE COLLECTIVE** established or in the process of forming.

# GROUP OF 5 + BIG EAST CONFERENCE

**OVER 20 COLLECTIVES** are either known to be in existence or in the process of forming



**EIGHT SCHOOLS** have at least one known collective of the 11 member schools



**FIVE SCHOOLS** have at least one known collective of the 11 member schools



**FOUR SCHOOLS** have at least one known collective of the 11 member schools



**FOUR SCHOOLS** have at least one known collective of the 11 member schools



**TWO SCHOOLS** have at least one known collective of the 12 member schools



**TWO SCHOOLS** have at least one known collective of the 10 member schools

In total, of the **66 MEMBER SCHOOLS** within the Group of 5 conferences and BIG EAST, **38% HAVE AT LEAST ONE COLLECTIVE** established or in the process of forming.

Of the known collectives or those in the process of forming...

**73%**

are associated with Power 5 schools

**22%**

Group of 5/BIG EAST schools

**5%**

are a combination of other conferences, including HBCUs





# THE SCHOOLS

The story of the first year of NIL cannot be told without the perspective of the schools. It started a couple years back.

Although there has been a longstanding debate over college athletes' ability to be paid, advocacy among athletic department administrators for such a change has been relatively new. In fact, when the State of [California's Governor Gavin Newsom](#) signed the Fair Pay to Play Act into law on Sept. 30, 2019, it was met with strong opposition from some of the most influential officials in the industry. The concept of collegiate athletes being compensated for their NIL was foreign. So much so that at the time, Ohio State Athletic Director Gene Smith, now a strong advocate for student-athlete NIL rights, went as far to say his programs would [not to schedule games against California schools](#).

Less than two and a half years later, Smith's Buckeyes [announced their student-athletes collected nearly \\$3M in NIL deals and the department was launching the NIL Edge Team to help create and foster best-in-class NIL opportunities](#). A seemingly 180-degree turn, Carey Hoyt, senior associate athletics director, articulated the reason why.

"Our guidelines were initially created to be restrictive, but now that we have a better understanding of NIL, it's clear that we can provide more assistance in connecting student-athletes with interested brands."

Ohio State is just one example. Many schools have switched from handcuffed to hands-on with the swift change of policy.

And as far as what can be done, a handful of decisions come back to the school. Though there are 29 states with NIL laws on the books, that only covers 65% of the NCAA's membership. Even for those with state laws, many legislators drafted them hand-in-hand with athletic department officials or have both worked to amend them since.

"It has been extremely valuable for Creighton, and our peer institutions in Nebraska, to have an open line of communication with our elected officials," said Bluejays Associate Athletic Director of Compliance Kyle Waterstone.

In July 2020, Nebraska became the fourth state to enact NIL legislation. A year and a half later, state legislators worked with school officials to amend the law and add further clarity to areas like institutional intellectual property use.

"The monetization of student-athletes' NIL is not going away," Waterstone added. "As a result, it behooves our athletic department to actively work to foster an environment where there is mutual benefit for both the student-athlete and the institution."

So, the question now comes down to what policy-related variables exist that the schools can maximize? With a few exceptions under federal law, state law, NCAA policy, and conference policy, schools have authority in five key areas: Category Prohibition, Intellectual Property Use, Disclosures, Education, and Fan Base Engagement.



## CATEGORY PROHIBITION

Dating back to the NCAA's originally proposed legislation from the fall of 2020, category prohibitions were among the first places schools demonstrated autonomy. But, it wasn't until New Jersey legislators passed the nation's fifth NIL state law that direct prohibitions on categories such as alcohol, tobacco, controlled substances, and gambling were addressed. Though several states followed suit with prohibitions on vice industries, a continuity across both states and the NCAA's subsequent interim policy was that schools should set their own policies. In an environment where there was no tested result, nor a clear frontrunner, the process was easier for some than others.

On June 30, 2021, in the rush to respond to the NCAA's interim policy release, many schools chose the wait-and-see approach. In less than 24 hours, though, the catch-all Barstool Sports deal made many act quicker than they would have liked. Cited for noncompliance with policy prohibitions on entities related to sports wagering, institutions like [Louisville directly advised](#) their student-athletes to steer clear. Similarly, many institutions chose to craft policies in tandem with their institutional values, including [Brigham Young University's Honor Code Standards](#) which apply to student-athletes and non-athletes alike.

But not all that was originally thought to be barred was off the table. A place many institutions feared NIL would bleed into – the apparel and pouring rights contracts – came to fruition early among the biggest stars in sports. Though many policies have attempted to caution athletes away from engaging with competitors, examples like [Rose Zhang's adidas contract](#) (Stanford is a Nike school) and [Paige Bueckers' Gatorade deal](#) (UConn is a Coca-Cola school) were welcomed as the contracts are limited to an athlete's time outside of required team activities. Some school policies have even opened it up as far as to allow athletes like [Florida Atlantic's N'Kosi Perry to work with alcohol vendors](#).

## INTELLECTUAL PROPERTY USE

Originally prohibited under the NCAA's first NIL proposals was the concept of student-athletes leveraging school intellectual property (IP) in their deals. Fear that athletes would be compensated for the name on the front of the jersey instead of the name on the back led legislators in Connecticut, Oklahoma, and Texas to outright prohibit it. (Connecticut's law has since been amended.) Countless schools followed suit in their policies, leading to unbranded activations such as [former Gonzaga star Chet Holmgren's trading card deal with Topps](#).

As the ecosystem matured, there was an industry shift towards allowing athletes to utilize school marks. This growth has allowed athletes to create engaging content with a more organic feel. For example, [Georgia Tech star Kevin Parada's paid partnership with Invesco QQQ](#), a corporate sponsor of the university, meets followers in a familiar spot – Russ Chandler Stadium. A symbiotic relationship between existing sponsors, the athletes, and schools, this evolution gave way to [LEARFIELD and Opendorse's strategic relationship announced in April](#).



**Damon Evans**  
@Evans\_TerpsAD

Leading boldly in the NIL era!

#OneMaryland

**MARYLAND NIL MOMENTUM** **BIG**  
#1 IN NIL COMPENSATION

opendorse

**TOP CONFERENCES FOR NIL COMPENSATION**

1. BIG TEN
2. BIG 12
3. ACC
4. SEC
5. PAC-12

**\$745**  
MARYLAND STUDENT-ATHLETE AVERAGE DEAL

**\$391**  
NATIONAL AVERAGE DEAL

DATA VIA OPENDORSE FROM JULY-SEPTEMBER 2021

9:42 AM · Oct 28, 2021 · opendorse

“ Educating about name, image, likeness and amplifying the opportunities for our student-athletes has been a priority at the University of Maryland since day one of NIL. Our relationship with Opendorse and the team headed up by Blake Lawrence has been tremendous for our student-athletes, coaches, and staff. They have provided resources and a platform for our MOMENTUM program that has helped Maryland become one of the national leaders in the NIL landscape. We have empowered our student-athletes to maximize their opportunities during their time at Maryland and build life skills to help them flourish after they graduate.

— Damon Evans, Maryland Athletic Director

## DISCLOSURES

Although consistent across state laws and school policies, a disclosure requirement has been a challenge in practice. The uphill battle for all schools in the first year was capturing activity disclosures, oftentimes leading athletic staff members to comb social media to check for activations. Motivated by compliance, schools quickly found recruiting value in the details. Maryland athletic director [Damon Evans went to Twitter to share the Terps NIL rankings after the first three months](#), showcasing their near doubling of the national average deal figures.

Recently, following Kansas men’s basketball’s national championship, [data was released by The Topeka Capital-Journal](#) showcasing the impact of a championship on a team’s NIL income. Though it was gathered through a public records and presented in aggregate figures, Kansas is one of the few to willingly share as most others institutions have cited Family Educational Rights and Privacy Act (FERPA) to counter the inundation of Freedom of Information Act (FOIA) requests. Unsurprisingly, winning has an impact.

## EDUCATION

Arguably one controllable which brought a handful of schools to center stage in the first year of NIL started much earlier than twelve months ago. As rumblings grew into a reality, several schools created strategic plans internally and began [partnering with third-party education providers as early as March of 2020](#). Following July 1, education became less of an option and more so a requirement. To truly have a leg up, education happened on two fronts: internal and external.

Internal education served as the metaphorical “tip of the iceberg” — nearly every school in the country launched an initiative for their student-athletes and staff to be equipped for the new landscape. While most looked contractually to third parties or created NIL subcommittees within their athletic departments, others chose to hire full-time staff - including [San Diego State University which hired Michelle Meyer](#), founder of NIL Network, to lead the charge. “I’m really not sure how universities are managing without an NIL specific position,” she said.

Meyer said the number one meeting request she receives is from athletes asking to chat about a specific opportunity. “I think the first few years of NIL is when we are going to see the most bad actors in the space,” she said. “They (students) don’t know who to trust, how to read a contract, or even how to vet an opportunity.”

Meyer goes on to explain how connections in the space and campus resources have been incredible assets for her student-athletes, in areas such as personal branding. Building from traditional NIL education, other schools like Memphis chose to pair their NIL marketplace release with training on how student-athletes’ profiles can be easily located. [Coaches](#) and [student-athletes](#) alike shared testimonials of their experience and avenues to support the Tigers.

## N1L / THE SCHOOLS

The University of Miami was a trailblazer in their initial donor-based education at the flip of the calendar, updating Hurricanes fans on the do's and don'ts of the new rule change.

"We knew that when NIL activities became permissible it was going to be a new space for everyone. Student-athletes, coaches, supporters, brands, and businesses were all walking into this new space together," said Craig Anderson, Miami's senior associate athletic director for compliance.

"We took a proactive approach with many of our supporters, student-athlete representatives, and local businesses and were here to answer questions." Anderson explained that Florida's NIL law restricts the department and its staff from causing compensation, so their interactions with external groups must be educational.

"However," he added, "the interactions we are permitted to engage in have been extremely positive. We've found that almost everyone we've interacted with is on the same page as the institution in that we want to be able to maximize the opportunities and experiences of our student-athletes while not impacting their eligibility."

As teams began taking the field, NIL education grew beyond booster emails and radio shows to paragraphs in media guides and [in-venue promotions](#).

"When our student-athletes are performing well on and off the fields of play, they, in turn, become more marketable," Anderson noted. "When businesses and brands amplify those student-athletes, they each become more visible. When our supporters have positive experiences with our student-athletes it enhances our brand."

### FAN BASE ENGAGEMENT

Parlaying education into engagement has become the name of the game, even from the start. In August, [BYU and corporate partner Built Brands, LLC](#) announced a multiyear agreement to support Cougar football players. Co-founder Nick Greer made the announcement during a team meeting that walk-ons would be offered NIL deals to cover their tuition for the full academic year. Despite receiving an initial inquiry from the NCAA, this move proved to be the first of many instances of schools playing an immediate role in their athletes' deals.

Originating from a mix of the NCAA's initial proposals and a slew of state laws, following the interim policy release the [NCAA's Q&A document only warns against arranging deals](#), leaving the door open for BYU and others to test the waters on the conception that schools could not be involved in the deal making process. This revelation spurred many athletic administrators to loosen up their policy or petition to their local legislators. To date, out of the thirty states which have passed NIL legislation, eleven have amended, are working towards amendments, have new NIL bills proposed, or have repealed their law.

"The State of Tennessee's amendment to its NIL legislation allows us to be more proactive in our external messaging and promotion of our NIL efforts on behalf of our student-athletes, fans and interested sponsors and donors," said Laird Veatch, University of Memphis vice president and director of intercollegiate athletics.

Veatch described how the release of Memphis' Marketplace could not have happened without the law change which freed the department to be more involved.

"Not only does our involvement in NIL help us share information and best practices with our student-athletes and programs, but it also allows us to more effectively continue to educate the general public on the do's and don'ts of NIL and the opportunities to support our student-athletes."

In addition to clearing the air, schools have even viewed this freedom as an avenue to create actual business interactions between buyers and athletes. Between [Washington's NIL Power](#) and [Boston College's NIL Fair](#), life skills programming now has a natural intersection with local businesses, collectives, and the rest of the NIL realm.





Photo Credit: Drew Angerer/Getty Images

# THE POLITICS

“Patchwork of state laws.”

“Federal intervention.”

“The Wild West.”

Choose your preferred refrain. After a full year of NIL for college student-athletes, the laws and policies surrounding NIL are still as fluid as ever.

NIL is new to college sports, but it's not new to sports. An individual's name, image and likeness are the three elements that make up the right of publicity. This legal principle gives an individual the exclusive right to license and use his or her identity for commercial promotion. Athletes have been using their NIL for more than 150 years, dating back to professional baseball players partnering with brands in the production of trading cards.

More recently, the International Olympic Committee revised its guidelines to allow for Olympic and Paralympic athletes to be compensated for commercial purposes while maintaining their amateur status.

California State Senator Nancy Skinner, sponsor of California's avant-garde Senate Bill 206, [proposed her bill](#) stating, “This is a right that all the rest of us have, and Olympic athletes have. Imagine if in any other billion-dollar industry, like TV and movies, college students were the primary source of the talent that generated the revenue for that business and those college students were completely denied compensation. There would be a universal outcry. And yet we say it's OK for athletes.”

California's impending NIL law was a culmination of a decades-long movement in support of athlete rights.



## N1L / THE POLITICS

### JUNE 27, 1984

*National Collegiate Athletic Association v. Board of Regents of the University of Oklahoma*

This 7-2 decision declared that the NCAA's control of television rights violated both the Sherman and Clayton Antitrust Acts. It was the first Supreme Court loss for the NCAA, and as a result, member institutions were afforded more autonomy to negotiate broadcast rights agreements.

### JANUARY 29, 2014

*Kain Colter and Northwestern Football's Effort to Unionize*

Although ultimately rejected by the National Labor Relations Board (NLRB), the most notable effort to unionize included a demand to "eliminate restrictions on legitimate employment and players' ability to directly benefit from commercial opportunities." Despite the effort falling short, the industry was put on notice for the limitations on NIL monetization.

### AUGUST 8, 2014

*O'Bannon v. National Collegiate Athletic Association; Electronic Arts; and Collegiate Licensing Company*

Former UCLA Basketball player Ed O'Bannon headlined a class-action case involving numerous individuals who claimed their rights of publicity were violated by the inclusion of their likenesses in video games without compensation. The decision stated that the NCAA was in violation of antitrust law by restricting payment to student-athletes. This decision led to the NCAA changing scholarship restrictions to allow, for the first time, institutions to provide full cost of attendance scholarships, providing significantly more money from the institutions to most Division I scholarship athletes.

### SEPTEMBER 30, 2019

*California's Fair Pay to Play Act*

The State of California became the first state to pass legislation that would prohibit governing bodies (i.e., NCAA and Athletic Conferences) and institutions from punishing student-athletes that accept NIL endorsement money while in college. Despite strong lobbying against the bill, this watershed moment put pressure on the NCAA to act on growing pressure for NIL reform. Senate Bill 206 was signed by Governor Newsom with an effective date of July 1, 2023.

### OCTOBER 29, 2019

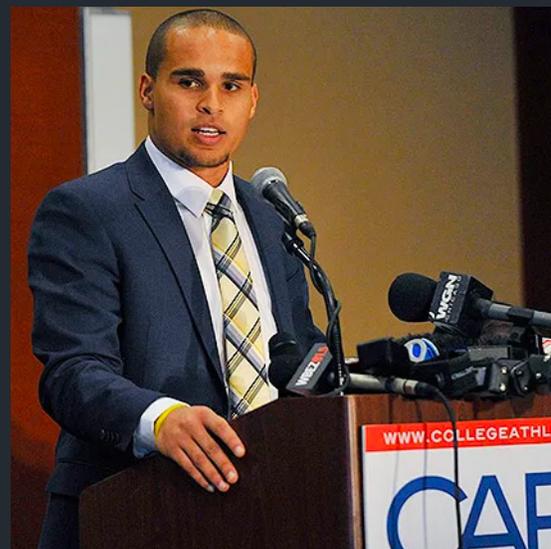
*NCAA Prepares for NIL*

Less than a month after the signing of California's Fair Pay to Play Act, the NCAA's Board of Governors agreed to reconsider amateurism policies across its three divisions. Potential rule changes were to be agreed upon by January 2021 allowing student-athletes to earn compensation for their NIL through promotions and endorsements.

### JUNE 12, 2020

*Florida's Intercollegiate Athlete Compensation and Rights Act*

Florida became the third state to pass a law addressing NIL for student-athletes. Senate Bill 646 was scheduled to go into effect on July 1, 2021, an aggressive timeline which set the precedent for all states to follow.



NATIONAL ASSOCIATION OF  
INTERCOLLEGIATE ATHLETICS



## OCTOBER 6, 2020

*National Association of Intercollegiate Athletics Adopts NIL Policy*

The National Association of Intercollegiate Athletics (NAIA) became the first intercollegiate athletics governing body to pass legislation for NIL compensation. The NAIA is home to 252 institutions, 21 conferences, and 77,000 student-athletes competing in 27 sports.

## JANUARY 8, 2021

*Department of Justice Warns NCAA of Antitrust Concerns*

The Friday before the NCAA's highly anticipated vote on proposed NIL legislation at the 2021 Annual Convention, the Trump administration's assistant attorney general of the DOJ's antitrust division sent a letter to NCAA President Mark Emmert, expressing concern of the NIL proposals. For fear of antitrust violation and the weakening of their upcoming SCOTUS case, this ultimately led each of the NCAA's divisions to table their proposed legislation.

## MARCH 2021 - JUNE 2021

*Patchwork of State Laws Unfolds*

Following the NCAA's inaction at the 2021 Convention, 13 different states enacted unique NIL legislation of their own. With nearly two dozen state laws to adhere to, the NCAA's ability to create consistent NIL rules grew increasingly more difficult.

## JUNE 21, 2021

*National Collegiate Athletic Association v. Alston*

The United States Supreme Court ruled against the NCAA in a decision that stated the organization is not exempt from antitrust regulations simply because of its academic responsibilities. Though not directly related to NIL, Alston opened the door for academic-related compensation for student-athletes and signaled that the NCAA could face further legal consequences in the future. The concern became a catalyst behind the NCAA's ultimate decision to adopt its Interim NIL Policy.

## JUNE 30, 2021

*NCAA Adopts Interim NIL Policy*

All three NCAA divisions adopted uniform, temporary rule changes that permit NIL activity for its student-athletes. The association's working policy states student-athletes can engage in NIL activities so long as benefits are not received as pay-for-play or improper recruiting inducements. With no federal legislation, NIL shall be governed by state laws (if applicable) and/or individual school policies.

## JULY 1, 2021

*NIL Goes Live*

At 12:01, student-athletes began monetizing their NIL under the new NCAA Interim Policy and freshly enacted state laws.

## MAY 9, 2022

*NCAA Division I Board of Directors Adds Further Guidance*

DI Board of Directors issues name, image and likeness guidance to schools reinforcing the prohibition of recruiting inducements, citing longstanding legislation on booster involvement in recruiting.



### THE FEDERAL LEVEL

At the federal level, ten unique bills related to NIL have been introduced in the past two years, accompanied by half a dozen committee hearings. There is a continued outcry from those within college athletics for federal intervention, leading to NCAA President Mark Emmert on several occasions and more recently [SEC Commissioner Greg Sankey and Pac-12 Commissioner George Kliavkoff taking trips to The Hill](#). U.S. Senator Maria Cantwell (D-WA), recognized as the biggest potential playmaker for federal NIL intervention given her role as Chair of the Senate Committee on Commerce, Science, and Transportation, was [active in nearly all NIL-related hearings and conversations](#), yet fell short of introducing the bill in her drafts.

Dialogue from both parties has brought collegiate sports to the nation’s capital, but there are low expectations for NIL reform to happen.

“I suspect we’re further away from a federal NIL bill,” said Michael McCann, University of New Hampshire Law Professor, when referencing his [testimony before the United States Senate in June 2021](#).

“At that time, there was an opportunity for Congress to act before state NIL statutes went into effect. That window has now closed. State NIL statutes are operational, NIL is available in states even without statutes and the NIL market has grown without federal intervention. Also, it’s unlikely we’ll see Congress take action in an election year. Many members will be back home campaigning over the next several months.”

Of the different arguments that found their way to D.C., one consistency across the hearings has been a call for maintaining a level of competitive balance. The advent of school-specific collectives has only heightened this fear, as many are afraid NIL has become a way for the rich schools to get richer. Petitioning for further regulation on collectives for the sake of competitive equity, however, has no shortage of opposition.

“Because college sports has never had revenue sharing, large-market schools have historically invested heavily in coaching

staffs, workout facilities, and locker rooms – all as a way to gain competitive advantage in recruiting top athletes,” says Marc Edelman, tenured law professor and Director of Sports Ethics at Baruch College.

Edelman explained how a small segment of schools consistently appears in March Madness and the top bowl games, speaking to the inequity that already exists. “If anything, NIL might reduce this inequity by allowing a new group of schools to compete for elite athletes, as well as spread elite athletes more broadly across a wider range of teams.”

### THE STATE LEVEL

[30 states enacted NIL laws with 23 currently in effect](#). Nonetheless, many have shifted efforts toward amendment and repealing efforts, including Alabama’s legislators who repealed their law in February and South Carolina’s who suspended theirs in June. Though the consensus is that it is more advantageous to operate under the NCAA’s Interim NIL Policy without a state law, five states and the District of Columbia have still introduced or passed NIL laws since last summer. There is a mixed reaction to this recent push.

“I think some states are continuing to pass NIL laws because the legislators don’t fully understand where the NIL space is currently at,” said Mit Winter, former William & Mary basketball player and attorney for the Kansas-based firm Kennyhertz Perry. “I believe some state legislators think they need a state law to ensure athletes in their state can monetize their NIL. But that’s not the case. College athletes already have that right under state law and the NCAA isn’t going to backtrack and change its rules to say college athletes can no longer monetize their NIL. So, the state laws just end up making things more complicated for schools, businesses, and athletes, which leads to fewer deals for the athletes.”

In spite of this trend, many industry experts, including Drake Group attorney Julie Sommer, believe fewer NIL state laws will exist by the end of year two of NIL.

“Not surprisingly,” she said, “many states have now repealed all or part of their initial NIL laws. Not only are these inconsistencies and patchwork policies incompatible with viable enforcement and governance, it’s unsustainable. Both the patchwork of state laws and fear of litigation contribute to the NCAA’s lack of enforcement, among other things.”

Nonetheless, athlete agent state laws may be the next front for consideration.

“At present, most states have outdated sports agency law that serves to protect NCAA member colleges and prevent college athlete compensation,” said Edelman. “However, new sports agency laws are needed to ensure that those individuals seeking to represent college athletes actually have the athletes’ best interests in mind and are not exercising a conflict of interest or otherwise acting to the financial detriment of college athletes.”



## N1L / THE POLITICS

To date, though all state NIL laws reference the ability for student-athletes to utilize professional service providers, only a couple states, including Ohio, have had further discussions on what revisions to athlete/agent regulations could be.

### THE ASSOCIATION LEVEL

At the association level, the bulk of the inaugural year was silent. Receiving the most criticism among any leading up to July 1, it was the NCAA that quietly navigated the months following. Keeping a keen eye on the activity in the industry, [only moving on a few occasions in probing exercises](#), the Association's Division I Council Working Group on Name, Image and Likeness broke the silence in May. Ten months of industry evolution was redirected by [additional guidelines on third-party involvement](#), namely collectives engaging with recruits.

Citing several longstanding bylaws to the effect of "per usual, boosters cannot be involved in recruiting," this elicited a mixed bag of responses as well. Reactions among the compliance community ranged from highly supportive of the added clarity to an underwhelming. "Okay, what else is new?" To be clear, the NCAA cannot and will not stop collectives from appropriately engaging in space. The existence of collectives is not the issue – the participation of collectives in the recruiting process is, the standard NCAA enforcement process of institutional self-reporting continues.

In a [June 2022 memo to the Membership](#), NCAA VP of Enforcement Jon Duncan underscored the fact that. "The enforcement staff is not focused on the eligibility of current or prospective student-athletes. As always, the infractions process is primarily concerned with behaviors of institutional staff members and representatives." Nonetheless, there have been no reported instances of NIL-related infractions since the rule change.

### THE HIGH SCHOOL LEVEL

One of the most rapidly changing spaces over the past year, the high school landscape started in the same state as the collegiate movement. When the calendar flipped to July, one of the first questions to come through was, "What does this mean for high school student-athletes?"

California Interscholastic Federation's response? ["This has been allowed in our rulebook since 2004,"](#) in part due to the television and film industry of the state.

July 1 did mean something in the State of California, though. Despite not having a dramatic enactment date, the changing of NCAA rules meant prospective student-athletes, including high school and transferring athletes, would not jeopardize their amateurism status by engaging in permissible NIL activities. The only direction from the NCAA on the matter of high school students is to defer to the governing body in which the prospective student-athlete competes under.

After the NCAA revised its policy, triggering questions across the country for high school associations, many directors reviewed their amateurism guidelines. What several state associations found was that their most tenured principle was not written to consider modern developments, namely social media influencing.

"I think there is going to be a shift in how high school athletics are viewed for some students," said [Dr. Robert Zayas, NYSPHSAA executive director](#). "The way that it's trending right now with social media, students are perceived differently than they were 10 or 15 years ago.

"And I think that's the difficulty right now is how you differentiate between capitalizing on your athletic fame and being a social media influencer. I don't think we can differentiate between the two any longer. And I think that's where it becomes problematic. If a student is a social media influencer, and they have 100,000 or 3 million followers, then I think it becomes very difficult as the state association to try to determine how those followers were generated. I think when we try to do that, we're putting ourselves in a really precarious position."

The sentiments shared are nearly identical to those within the NCAA in 2019 and 2020, but now these conversations are happening on a micro level. Unique, however, is the connection between the collegiate and high school realm, given the NCAA's further guidance on recruiting inducements. Businesses intending to engage with athletes at the high school level must carefully understand any relationships they may hold with a university, especially one the athlete is being recruited by, in order to ensure protection of the athlete's eligibility. To date, 12 state high school associations permit NIL activities with others in active consideration.

### THE CURRENT HIGH SCHOOL LANDSCAPE



- CONFIRMED PERMITTED
  - PERMITTED\*\*
  - NEEDS CLARITY\*\*
  - CONFIRMED PROHIBITED
  - UNDER MEMBERSHIP CONSIDERATION
- \*as of 6/27/2022
- \*\*Under existing bylaws, these are preliminary reviews. Confirmation is needed from the high school association.

# THE MEDIA

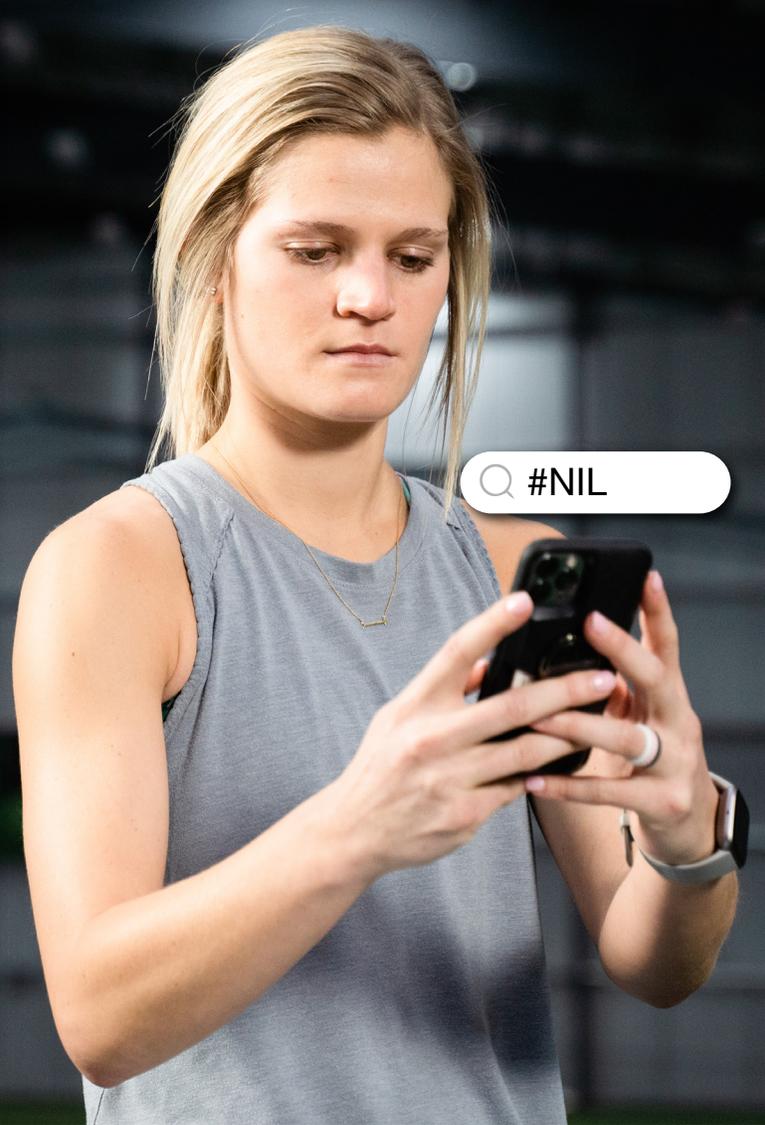
## A NEW BEAT

Few topics have taken over the college sports media landscape like NIL from 2020 through 2021. It has commanded the attention of athletes, fans and everyone in-between during that span – and the media surrounding college sports has responded. NIL has become almost a beat of its own, with dedicated reporters at publishers of all sizes sharing the latest stories and speculations with the news-hungry college sports fan.

Opendorse spoke with several of the top reporters surrounding the NIL ecosystem to learn what surprised them in year one; what expectations they held for year two; and what advice they would give student-athletes who are about to step foot on a college campus.

## REPORTERS INCLUDED

- Matt Brown, Extra Points - @MattBrownEP
- Ross Dellenger, Sports Illustrated - @RossDellenger
- Kristi Dosh, Business of College Sports - @SportsBizMiss
- David Hale, ESPN - @ADavidHaleJoint
- Dan Murphy, ESPN - @DanMurphyESPN
- Andy Wittry, On3 - @AndyWittry



## SURPRISES FROM YEAR ONE



**David Hale**  
@ADavidHaleJoint

Schools continue to lag behind in addressing athlete needs. Some are dragging their feet because they don't like NIL or can't afford to invest but many are just building a shiny new toy that doesn't actually *do* anything. Few are truly partnering with athletes to address key needs.



**Andy Wittry**  
@AndyWittry

The rise of collectives and how much they can dominate conversations about NIL, even when some athletes involved in NIL have never heard of them or don't know much.



**Kristi Dosh**  
@SportsBizMiss

I'm impressed by how entrepreneurial athletes have been in year 1 of NIL. So many of them are being strategic and thinking long-term. I think both athletic and academic departments need to spend year two trying to figure out how best to support that.



**Ross Dellenger**  
@RossDellenger

The extent of booster involvement. I think we all predicted that boosters would get involved with NIL, but I'm not sure many projected that they would collectively pool resources and create well-oiled entities to create NIL payments like they have.



## EXPECTATIONS FOR YEAR TWO



**Andy Wittry**  
@AndyWittry

The consolidation of collectives (or similar services). That could take several forms, such as collectives merging, schools bringing more services in-house or players on a team launching their own.



**David Hale**  
@ADavidHaleJoint

Collectives are the elephant in every room. Some are great but... Pay-for-play casts a cloud over all NIL. Some schools ceding too much control to boosters. Collectives as 501(c)(3)s are inviting IRS scrutiny. The NCAA is mostly toothless but wants to make an example of someone.



**Kristi Dosh**  
@SportsBizMiss

Balancing power between athletic departments and collectives. There needs to be cooperation and transparency. Collectives can serve some important roles, but they shouldn't be putting the athletic department at risk in any way.

## ADVICE FOR INCOMING FRESHMAN



**Andy Wittry**  
@AndyWittry

Find someone, or multiple people, who you trust to read any contract that you're presented and to help you with your taxes. Think about what you want from NIL and then create a set of specific, measurable goals for the school year. Hold yourself to them and track your progress.



**Ross Dellenger**  
@RossDellenger

Have attorneys review contracts before signing. Do not give away your NIL rights in perpetuity without adequate compensation!



**Matt Brown**  
@MattBrownEP

I think the biggest challenge is going to be for schools, AND brands, to better engage ALL athletes in NIL. There are so many athletes on the sidelines right now, not sure how to get started. Schools and marketplaces need to do a much better job engaging their education efforts, not just checking a box.



**Ross Dellenger**  
@RossDellenger

I think you'll see these collectives get more and more sophisticated and be organized/managed by professional entities and agencies.



**Dan Murphy**  
@DanMurphyESPN

I expect to see more, if not all, schools get closely involved in solving problems for their athletes and making it easy for them to find opportunities. We'll also see increasingly empowered athletes continue to demand more from their schools.



**David Hale**  
@ADavidHaleJoint

My advice:

Be authentic & find brands that mirror your beliefs and interests.

Be prepared. I've heard stories of guys who didn't even have a checking account when they got NIL money. Build your foundation now.

Be social – on IG & TikTok, with media, with fans.

Get out and network!



# THE FUTURE NIL SEASON TWO

## WHAT WE CAN EXPECT IN THE SECOND YEAR OF NIL

In the fall of 2021, fans eagerly made their return to college campuses around the country. Stadiums and arenas were full once again with rowdy student sections, alumni and fans alike.

Except that season, game days wouldn't be the only time you could see your favorite athletes. Maybe you noticed Olivia Dunne promoting activewear on Instagram. Or you saw Iowa Men's basketball's Jordan Bohannon while buying fireworks. Maybe you ran into the Virginia Tech offensive line while eating at a local barbecue joint.

It was the first taste of NIL for most people. It was new, unknown, and a little intimidating. But headed into the 2022 fall sports season, like any sophomore with a year under their belt and ready to earn a starting job, NIL is no longer a new concept. Stakeholders in the game need to read the scouting report of what could be coming.

## YEAR 2 — TIME TO ACTIVATE

It would be naïve to navigate the NIL waters in 2022 the same way as 2021. The first year of NIL was a time of trial and error, learning, teaching, supporting student-athletes, and for some, sitting back and observing the market.

Now it's time to activate – for all parties involved.

Education and awareness of NIL has been fast-tracked in the last year. From student-athletes and schools, to brands, sponsors and donors, the value of the student-athlete voice has been recognized.

And the earning potential has been realized. The market can directly impact the success of NIL initiatives in their community.

So, where is the money coming from? Opendorse CEO and co-founder [Blake Lawrence breaks it down](#).

Participants in NIL should double on both the buyer and student-athlete side in year two. Brands and sponsors see the value, and student-athletes are recognizing their earning potential.



Blake Lawrence   
@Blake\_Lawrence

What does it take to generate \$10M/year in NIL for student-athletes at one school?

A budget increase/shift from...  
+ School donors  
+ National brands  
+ Diehard fans  
+ Local sponsors

...but in order to move \$\$,  
you've got to have \$\$.

So, who has the \$\$\$?

1/11

5:41 PM · Jun 3, 2022 · Twitter Web App

16 Retweets 5 Quote Tweets 85 Likes



Blake Lawrence   
@Blake\_Lawrence · Jun 3  
Replying to @Blake\_Lawrence

First it's important to know how athletic departments make money.

A simplified breakdown of external revenue sources for FBS athletic departments from '17-'21:

Donations: 32%  
Media: 31%  
Tickets: 21%  
Sponsorship: 16%

(Source: Sportico Intercollegiate Finance Database)

2/11



Blake Lawrence   
@Blake\_Lawrence · Jun 3

Next, let's find comparable/common sources of revenue for both athletic departments and student-athletes.

Donation \$\$ from school donors  
Media \$\$ from national brands

[Read the entire thread](#)



## THE ATHLETE — PUTTING IN THE WORK

NIL is most impactful for athletes that put in the work. Education was a heavy focus in year one for the purpose of providing athletes with the tools needed to be successful. Now that they have those, it's time to put in the effort.

From the Power 5 All-American to the NAIA walk-on, student-athletes are proving the theory that if you engage in the process, it doesn't matter what sport you play or school you attend. That national exposure is nice, but deals don't depend on that.

In year one, there were examples of different ways and methods student-athletes could make money. Year two is about looking at what worked, what generated real value and applying it to life. The first movers in year one of NIL set the foundation and laid the groundwork that allows student-athletes, in year two, to navigate the way they want to. Year two will be about finding deals that fit them as athletes, students and people.

Year two brings more opportunity for athletes to bring out their entrepreneurial side. With the rise of player-led collectives, student-athletes want to show initiative in promoting and preserving their NIL involvement.

## FAN INVOLVEMENT — A PERSONALIZED EXPERIENCE

Athletic departments spent much of year one educating their athletes. Athlete education will continue to grow, shifting from "here is how you could make money," to "here is how you can make the most money," and "here is how you will make money." From the market side, it's about providing the biggest supporters, businesses, and individuals in each market with the rules they need to know and the tools they need to use to support the student-athletes in a compliant way.

And fans are a major part of that.

Fans have always wanted to support student-athletes. That's why they show up on game day, greet the team at the airport, attend camps, and follow athletes on social media.

And as it pertains to NIL, that's no different. They just need a place to go. Opendorse's vision is to give every fan a place to go to support any athlete they want. In year two of NIL, it will become clear that there is a place to go to start supporting student-athletes. Opendorse plans to roll out more than 75 school-specific marketplaces where fans can go to easily support student-athletes. How fans want to support student-athletes will continue to evolve.

It's easy to see a world where 10% of all fans in attendance at football games this fall are supporting student-athletes directly in some way. Through collectives, video shoutouts or buying merchandise, new methods of supporting athletes are popping up every week.

## BRANDS AND SPONSORS — A NEW APPROACH

### A BRAND NEW GAME

Year one of NIL was the "year of the firsts" for brands. The headline was enough of a return on investment to make most brands happy. There will always be more firsts, but expect brands to shift the focus to results in year two.

Nationwide campaigns are going to be more prevalent in 2022 because of the effectiveness of student-athletes as ambassadors. There was no data that could be shared with those brands prior to NIL. Now proven effective, the time and spend in the student-athlete market will increase.

The sponsor segment, which is largely controlled by multimedia rights holders like LEARFIELD, will be twice as active in year two. The typical sales season for sponsorship is in the spring. When NIL went into effect on July 1, 2021, sponsorship sales teams didn't spend the prior spring preparing for NIL. With a full year of NIL being a reality, sales teams have a full sales season to sell into the market.

### ALL EYES ON THEM

Similar to sponsors, national advertisers doing one-off, long-term deals with premium athletes will be more prevalent this fall. Clemson quarterback DJ Uiagalelei did a deal with Dr. Pepper, making him one of the first student-athletes to appear in a national brand advertising campaign. Maryland quarterback Taulia Tagovailoa and his brother, Miami Dolphins quarterback Tua Tagovailoa, have partnered with Muscle Milk in a national ad campaign. Shortly after winning a national championship with South Carolina, [Aliyah Boston signed with Under Armour](#) and this summer hosted a camp in her hometown of St. Thomas, Virgin Islands. With more of a runway to plan these activations out, expect more student-athletes featured in national campaigns.



Temple football alumnus Linwood Crump was one of the many student-athletes to sign their first NIL deal with GoPuff.



The bottom line is brands and sponsors need to know that student-athletes who want to do NIL will produce a quality return. Whether it's creating content or making an appearance, those athletes that have done their homework and put in the effort will produce high quality outcomes and likely at a much more cost-effective rate than any national advertiser ever used to pay anyone in the sports world.

**THE DONOR IMPACT — STAYING COMPLIANT**

The biggest story to come out of the second half of year one of NIL is the emergence of NIL Collectives and the donor impact on NIL. The largest source of revenue in an athletic department is donations. And one year ago, donors had no idea they would even be able to play a role in NIL. In year two, if you're a donor to an athletic department and you still don't know how to support student-athletes then you haven't been paying attention. Through collectives, donors that leverage their passion and long-time support of programs to compensate athletes at their school is what will make – and keep – programs successful.

If there is one in your market, which there probably is, the number one source of NIL compensation will come from collectives in year two. Current college athletes – and especially recruits – will learn that if there's an educated collective in the market that's providing consistent and compliant NIL activities to student-athletes then that is where they want to be.

After staying mum on NIL for nearly a year, the NCAA has rung the bell on what NIL is and what it is not. While nothing has crashed and burned yet, the NCAA has made it clear there is a desire to learn about the NIL activities in certain markets and investigations into NIL activities to ensure compliance with the interim policy is likely coming.

**SCHOOLS — WINNING THE MARKET**

So what does this mean for schools?

Every school will have a variation of a marketplace by year end to provide a framework to easily engage each market. With this, schools must further educate their market (fan base) through resources and opportunities to connect athletes and supporters and keep their athletic programs competitive.

In addition, schools need to have a software solution that documents everything to ensure compliance.

Schools that have a log of every NIL activity that their student-athletes have participated in will rest easy. A log that includes the compensated party, contact info, terms of agreement and proof that the activities required of the athlete were completed for compensation.

But if schools failed to gather the relevant information that would help them prove that compensation is for work performed, not in

contention on enrollment of performance-based compensation, that's where issues arise. Expect more schools to come under scrutiny to provide proof that they are making an effort to follow the NIL interim policy.

Finally, educating the student-athlete will remain a crucial piece to NIL. Just as sport is used as a vehicle to receive an education for a future career, it's also used to build life skills as these young adults prepare to enter the real world. As NIL becomes more of a centerpiece in athletic departments, expect schools to invest in more resources to ensure student-athletes are well-equipped to be successful.

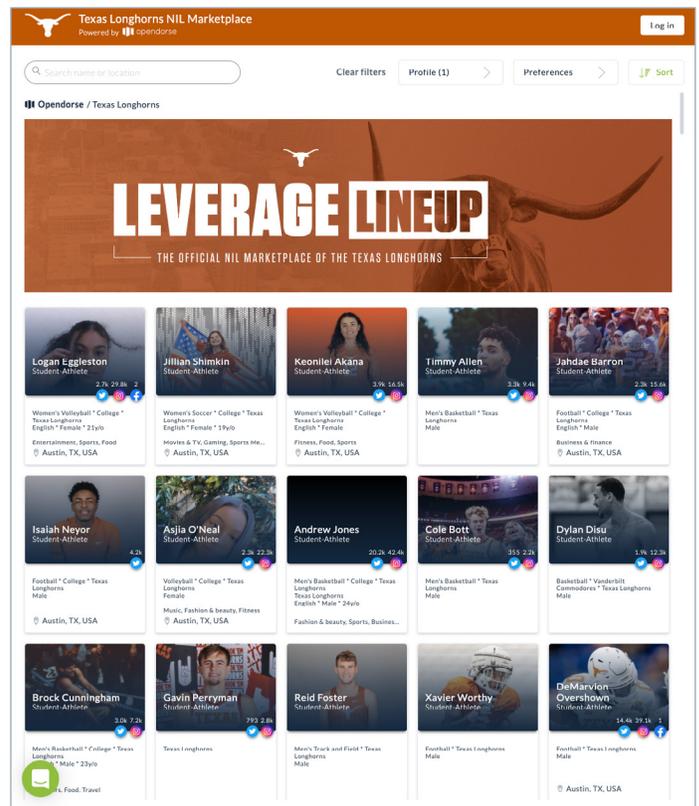
**HERE TO STAY**

In short, there is no stopping the growth of NIL and if you're not on board now you will get left behind.

For student-athletes, everyone needs to help - from education and compliance to financial literacy and deal support.

For schools, you can't lag behind. Getting a solution in place like Opendorse only protects you and helps maximize NIL opportunities for your student-athletes.

For donors, collectives, sponsors and fans, there are hundreds of thousands of athletes ready to engage with you and start their path to financial freedom.





[www.opendorse.com](http://www.opendorse.com)

