

THE TRUSTEES OF TRINITY COLLEGE
POLICY ON STUDENT-ATHLETE USE OF NAME, IMAGE, AND LIKENESS

Trinity College Policy No. 3.1

Policy Statement

Trinity College recognizes the potential economic value of a student-athlete's name, image, and likeness. Accordingly, this policy permits Trinity College student-athletes who desire to benefit financially from their name, image, or likeness to: (1) earn compensation through endorsement contracts or employment in an activity unrelated to an intercollegiate athletic program, and (2) retain legal or professional representation of an attorney or sports agent through a written agreement, provided that the student-athlete complies with this policy and applicable law.

This policy applies to all student-athletes and college employees.

Reason for the Policy

Connecticut Public Act No. 21-132 makes it lawful for student-athletes enrolled in a Connecticut college or university to utilize their name, image, or likeness to earn compensation through an endorsement contract or employment in an activity unrelated to an intercollegiate athletic program. The law also permits student-athletes to obtain legal or professional representation of an attorney or sports agent for these purposes, through a written agreement. Institutions are required to establish policies that govern such activities by student-athletes, and the activities are subject to the terms and conditions of the institution's policy and applicable law.

Definitions

For purposes of this policy, the following definitions shall apply:

Athletics Booster

"Athletics booster" means a person who directly contributes to a college athletic program.

College Marks

"College marks" means the name, logo, trademarks, mascot, unique colors, copyrights, and other defining insignia of Trinity College.

Compensation

"Compensation" means the receipt, whether directly or indirectly, of any money, currency, cryptocurrency, goods, services, other items of value, in-kind contributions, and any other form of payment or remuneration.

Endorsement Contract

"Endorsement contract" means a written agreement under which a student-athlete is employed or receives compensation for the use by another party of such student-athlete's, name, image, or likeness ("NIL") in the promotion of any product, service, or event.

Intercollegiate Athletic Program

“Intercollegiate athletic program” means a program at the college for sports played at the varsity collegiate level for which eligibility requirements for participation by a student-athlete are established by a national association for the promotion or regulation of college athletics.

NCAA

“NCAA” means the National Collegiate Athletic Association or its successor.

Official Team Activities

“Official team activities” refers to all games, practices, exhibitions, scrimmages, team appearances, team photograph sessions, sports camps sponsored by the college, and other team-organized activities, including, but not limited to, photograph sessions, news media interviews, and other related activities as specified by the college.

Prohibited Endorsements

“Prohibited endorsements” means receipt of compensation by, or employment of, a student-athlete for use of the student-athlete’s NIL in association with any product, category of companies, brands, or types of endorsement contracts that are: (1) prohibited by law; (2) prohibited by this policy; or (3) prohibited under the applicable college procedures adopted in accordance with this policy.

Sports Agent

“Sports agent” means a duly licensed person who negotiates or solicits a contract on behalf of a student-athlete in accordance with the Sports Agent Responsibility and Trust Act, 15 U.S.C. § 7801 et seq., as amended from time to time.

Student-Athlete

“Student-athlete” means a student enrolled at the college who participates in an intercollegiate athletic program.

Agreements for Representation by a Sports Agent or an Attorney

A student-athlete may enter into an agreement for representation with a sports agent only if the student-athlete submits a copy of the agreement to the college’s director of athletics or designee and the college does not object to the agreement.

A student-athlete may enter into an agreement for representation with an attorney only if the student-athlete submits a copy of the agreement to the college’s director of athletics or designee and the college does not object to the agreement.

Endorsement Contracts and Agreements for Employment Activities

A student-athlete may enter into an endorsement contract or agreement for other employment activities only if:

1. The student-athlete discloses the existence of the agreement to the college;
2. The student-athlete submits a copy of the agreement to the college prior to the student-athlete performing any activity or service under the agreement;

3. The agreement, or any portion thereof, does not conflict with the provisions of any agreement to which the college is a party. In the event that a potential conflict with a college contract is identified, the college shall disclose to the student-athlete or the student-athlete's attorney or sports agent the provisions of the college agreement that are in conflict; and
4. The agreement does not require the student-athlete to participate or engage in any activity prohibited by the following section of this policy.

Prohibitions

Student-athletes, college athletics boosters, and employees of the college are prohibited from:

1. Using or consenting to the use of any college marks when performing any services or activity associated with an endorsement contract or employment activity;
2. Performing any service or activity associated with an endorsement contract or employment activity that interferes with any official team activities or academic obligations;
3. Creating or facilitating endorsement contracts for a student-athlete, providing compensation themselves to a student-athlete, or otherwise performing the customary services of a sports agent for another student-athlete; and
4. Receiving compensation from, entering into an endorsement contract with, and/or otherwise engaging in an employment activity with companies, brands, products, conduct, and/or entertainment prohibited under existing college policy or procedures adopted in accordance with this policy.

College employees, students, and athletics boosters are prohibited from creating or facilitating NIL compensation opportunities for prospective student-athletes as a recruiting inducement or for current student-athletes as an inducement to remain enrolled at the college.

College athletics boosters are prohibited from creating or facilitating NIL compensation opportunities for current or prospective student-athletes.

Procedures

The director of athletics or designee may adopt procedures concerning the implementation of this policy.

Enforcement

Violations of this policy may result in appropriate disciplinary measures in accordance with state law, college policy, the rules and regulations of the NCAA or other applicable student-athlete governing organizations, and the *Trinity College Department of Athletics Student-Athlete Handbook*.

Responsible Officer

Vice President for Student Success and Enrollment (or a designee appointed by the president)

Key Offices to Contact Regarding the Policy and Its Implementation

Department of Athletics

Drew Galbraith, Director of Athletics

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860-297-2055

Office of the General Counsel

Dickens Mathieu, General Counsel and Secretary of the College

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860-297-2253

Date of Initial Policy

The effective date of this policy is December 20, 2021.