

ORGANIZED 1946

MEMBER OF THE
NATIONAL FEDERATION OF
STATE HIGH SCHOOL
ASSOCIATIONS



TELEPHONE: (410) 767-0376
FAX: (410) 333-3111

R. ANDREW WARNER
EXECUTIVE DIRECTOR

Maryland State Department of Education
200 West Baltimore Street
Baltimore, MD 21201

MPSSAA Guidance for Name, Image, and Likeness Related To Interscholastic Athletics

The Maryland Public Secondary Schools Athletic Association (MPSSAA) recently released guidance related to Name, Image, and Likeness (NIL). As explained in that guidance, a student-athlete may retain eligibility under MPSSAA regulations and engage in NIL activities for financial gain provided the student's NIL activities and participation in interscholastic athletics remain separate. Student-athletes are prohibited from making any reference to a member school, local educational agency, or the MPSSAA when engaging in any NIL activity.

This set of Frequently Asked Questions (FAQ) is intended to assist the interscholastic athletics community better understand the MPSSAA Guidance as it applies in practice so that student-athletes and their families can make informed decisions that maintain the student-athlete's amateur status.

NIL FAQ:

Will compliance with the MPSSAA Guidance ensure that I am eligible to participate in collegiate athletics?

No, the MPSSAA Guidance only addresses eligibility under MPSSAA regulations. Compliance with that guidance therefore does not ensure eligibility under the standards of other athletic organizations, including, but not limited to, the NCAA, NAIA, or NJCAA. Student-athletes are encouraged to communicate with those organizations to ensure any activity complies with their eligibility standards.

Are student-athletes able to work with professional service providers, such as agents and advisors, to engage in NIL activities?

Yes, student-athletes and their families should evaluate the professional support that may be available to them.

Are there Maryland State Laws I should be mindful of when deciding on NIL deals?

Yes, parents and families should be mindful of the [Maryland Uniform Athlete Agents Act](#), Title 4, Subtitle 4, Business Regulation Article, Annotated Code of Maryland, when obtaining any

then the student could be determined ineligible for 60 school days before requesting reinstatement through the MPSSAA Appeals Committee pursuant to COMAR 13A.06.03.10C.

Can a student-athlete appear in a television or radio commercial for a local business?

Yes, so long as the student-athlete abides by the restrictions outlined in the MPSSAA Guidance, the student-athlete may appear in television and radio commercials.

Can a student-athlete start their own business?

Yes, so long as the student-athlete abides by the restrictions outlined in the MPSSAA Guidance, the student-athlete will be able to start their own business.

Can a student-athlete get paid to run a camp, clinic, or private lesson?

Yes, so long as the student-athlete abides by the restrictions outlined in the MPSSAA Guidance, the student-athlete will be able to run a camp, clinic, or lesson.

Can a student-athlete be shown in their school uniform or use a photo from their high school competition as part of an advertising campaign?

No, there can be no association with the member school, LEA, or MPSSAA.

Can a student-athlete host a camp at their school?

No, there can be no association with the member school.

Can a student-athlete wear an accessory in a competition that is part of an NIL agreement?

No, student-athletes cannot wear anything that is part of an NIL agreement while participating in interscholastic athletic competition, including practices, games, and other school-based team activities. **NOTE:** This also applies to all-star contests in which a player was selected based on their participation as a member of the high school team, a player was contacted through their school or a representative of their school, or the contest has an affiliation, listing, or reference to the student's school, school system, or MPSSAA.

Can a student-athlete get paid to promote a product or service on social media?

Yes, so long as the student-athlete abides by the restrictions outlined in the MPSSAA Guidance, the student-athlete will be able to promote a product or service on their social media accounts.

Can a student-athlete use a highlight video from their high school events on a social media platform that incorporates a sponsor? Such social media platforms include, but are not limited to, Twitter, Instagram, YouTube, and TikTok.

No, endorsements and promotional activities cannot have any affiliation with a member school or school-based events. When a social media page is sponsored by NIL activities, the student's relationship with the member school, LEA, and MPSSAA must remain unaffiliated.

How does the MPSSAA Guidance affect the Standards of Competition for non-member schools?

The MPSSAA does not take jurisdiction over non-member schools. The MPSSAA Standards of Competition ensure equitable eligibility and amateur policies in order for MPSSAA member schools to compete against non-member schools.

The MPSSAA Guidance regarding NIL activities for financial gain provides interpretative guidance for students maintaining amateur status. Non-member schools who sign school-based NIL deals, allow students to represent the non-member school in NIL activities, or who form, direct, engage, or otherwise interact with NIL Collectives as it relates to student-athlete NIL activities are not eligible to sign the Standards of Competition as an approved non-member based on standard No. 8, which requires high school team members to maintain amateur status as defined in COMAR 13A.06.03.10.