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Ohio High School Athletes Can Now Benefit from NIL Opportunities

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The Ohio High School Athletic Association (OHSAA) has approved an emergency bylaw referendum allowing high school student-athletes to participate in Name, Image, and Likeness (NIL) activities. With this decision, Ohio joins 44 other states in permitting high school athletes to earn money and build their personal brands through endorsements, sponsorships, social media, and other NIL opportunities.

This change follows a year of work by OHSAA, its board of directors, and school administrators to develop NIL policies. The referendum was escalated to an emergency vote after a student-athlete filed a lawsuit, arguing that the previous rules unfairly limited their ability to benefit from their NIL.

Bylaw 4-11, which outlines OHSAA NIL/Personal Branding Rights, includes the following important conditions worth noting:

- Student-athletes must disclose NIL agreements to OHSAA within 14 days; failure to do so may result in ineligibility or other penalties.
- NIL agreements cannot involve products or services such as gaming/gambling, alcohol, tobacco, cannabis, banned substances, adult entertainment, firearms, or any other items OHSAA considers inappropriate.
- NIL agreements cannot be used as inducements for a student to attend a particular school
- Student-athletes are prohibited from using OHSAA or school names, logos, mascots, or trademarks in connection with NIL activities.
- The creation of NIL opportunities through collectives is strictly prohibited.

Stay tuned for further updates as more details become available about NIL regulations and best practices for Ohio high school athletes.

** For athletes and their families, understanding and complying with OHSAA's rules, as well as other relevant regulations and laws, is crucial as NIL opportunities expand. Vorys attorneys are well-equipped to guide you through all facets of NIL regulations and permissible*

engagements, ensuring that you navigate these opportunities effectively and in full compliance with all applicable requirements. Contact us for a consultation to gain clarity on the NIL framework.

