

The athletic programs and students participating in athletics at the colleges shall comply with the laws, rules, and regulations established by the State of California and by the California Community College Athletic Association (CCCAA).

Authority for developing, implementing, and monitoring these procedures is vested in the superintendent/president, with the assistance of the athletic director.

### **Recruitment**

Athletic recruitment will follow the procedures established by CCCAA Bylaw 2 and its subsections covering athletic recruiting.

### **Eligibility**

Athletic eligibility will follow the procedures established by CCCAA Bylaw 1 and its subsections.

The following procedural guidelines shall be used in the determination of the eligibility of student athletes to participate in intercollegiate sports:

- A. The athletic director will arrange and attend a student athlete orientation to oversee the completion of eligibility paperwork and answer questions.
- B. Student athletes will be required to submit official college transcripts to MiraCosta College Admissions and Records before being certified as eligible to participate in a sport.
- C. The athletic director and an athletic eligibility specialist will compare athletic eligibility paperwork to the application for admission and college transcripts to verify accuracy and consistency of information required to determine both athletic eligibility and residency status for enrollment-fee purposes.

### **Reporting**

Athletic teams will comply with the reporting requirements of the CCCAA and will provide any data reports that may be required by the Board of Trustees.

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#### **MiraCosta Community College District**

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Effective Date: 4/6/10, 2/19/16, 1/13/22  
References: Title IX, Education Amendments of 1972  
Education Code §§66271.6, 66271.8, 67360 et seq.  
ACCJC Accreditation Standard II.C.4  
U.S. Code §§1681 et seq.  
Reference Update: 4/15, 7/13  
CCLC Update: #26, 4/15; #39, 10/21  
Steering: VPSS / N/A

## **Program Review**

Athletic programs will participate in systematic program review as defined both by the college and as established by the Pacific Coast Athletic Conference.

## **Funding and Fiscal Oversight**

All athletics donations and profits from fundraising efforts shall be collected by the athletic director and received by the MiraCosta College Foundation for deposit in the athletics account. All financial records are to be maintained through the MiraCosta College Foundation and are subject to annual audit. The receipt of funds is to be handled in accordance with procedures established by the district. All funds shall be expended in accordance with procedures as established by the district and are subject to the approval of the athletic director. Approval shall be obtained each time before any funds may be expended.

## **Name, Image and Likeness Activities**

This procedure is subject to modification as changes to state law, federal law, and CCCAA legislation are made.

In conjunction with the California Community College Athletic Association (CCCAA) policy and California law, MiraCosta College and the Department of Athletics have developed specific policies to address name, image, and likeness (NIL) activities of student-athletes.

### *NIL Defined*

A name, image, and likeness activity includes any situation in which a student-athlete's name, image, likeness, or personal appearance is used for promotional purposes by a non-institutional entity, including the individual student-athlete, a commercial entity, or a non-institutional nonprofit or charitable entity. While such activities may provide compensation for a student-athlete, those activities that do not provide compensation are also covered under this policy.

**Prospective Student-Athlete:** The district will not provide a prospective student-athlete with compensation in relation to the athlete's name, image, likeness, or athletic reputation.

**Student-Athletes:** The district will not prevent a student participating in intercollegiate athletics from either earning compensation as a result of the use of student-athlete's name, image, likeness, or athletic reputation, or from obtaining professional representation by duly licensed athletic agents or attorneys.

### *NIL Compensation*

Subject to the California law, the CCCAA constitution (see bylaw 1.1.6) and MiraCosta College (MCC) athletic department policy, student-athletes may use their NIL in a variety of ways that may include but is not limited to promoting their own business, promoting or endorsing a corporate entity, conducting camps, lessons, or clinics, making appearances, or signing autographs.

Student-athletes may receive compensation, either in kind or monetarily, for engaging in NIL activities, subject to the CCCAA and the MCC athletics policy.

Student-athletes are prohibited from receiving compensation, either in-kind or monetarily, for engaging in the following NIL activities:

- a. Compensation in exchange for athletic participation, performance or awards at MiraCosta College.
- b. Compensation in exchange for student-athlete's decision to attend MiraCosta College.
- c. Compensation for work not performed.

Student-athletes are prohibited from participating in NIL activities when engaged in official team activities (e.g., practice, competition, media obligations, team travel, promotional activities, etc.)

Student-athletes should not miss class or other academic obligations (i.e., tutors) for NIL activities

Participating in NIL Activities may impact a student-athlete's ability to receive grant sums from outside sources (e.g., Pell Grant.) The student-athlete should discuss these implications with an institutional financial aid staff member or a Professional Service Provider.

International student-athletes should not enter into any NIL agreements without guidance from MiraCosta's International Office against potential immigration laws.

### *Institutional Disclosure Requirements*

Student-athletes are required to disclose contact information for all parties involved in the use of their name, image, and likeness, as well as any involved professional service providers. The student-athlete must also disclose compensation arrangements and the details of their relationship with involved parties. Student-athletes must disclose the proposed name, image, and likeness activities to the institution at least seven (14) days prior to committing to said activities. If arrangements and details of agreements to promote a commercial product or service are amended, the student-athlete must provide notice within 14 days of the change. If the district determines that a conflict between the student-athlete's contract and the student-athlete's team contract, the athletic director will disclose the conflict to the student or student's legal representative, if any, and identify the contractual provisions that conflict.

Student-athlete must complete the MiraCosta College Athletic Department NIL Activity Form and submit to the athletic director.

### *Institutional Restrictions*

A student-athlete may not enter into an agreement with a third-party that conflicts with any existing sponsorship agreements or institutional contract. If the institution identifies a conflict between the student-athlete's name, image, and likeness activities and an existing sponsorship agreement, the institution shall inform the student-athlete of such a conflict so the student-athlete has the opportunity to negotiate a revision of name, image, and likeness activities with the third-party. That revision is also subject to additional review and approval by the institution.

Student-athletes may not enter into an apparel contract that requires the student-athlete to display a sponsor's apparel, or otherwise advertise for a sponsor, during official team activities if the provision is in conflict with a provision of the student's institution's team contract.

Student-athletes may not engage in name, image, and likeness activities while participating in required institutional activities or while representing the institution.

Student-athletes will not be permitted to use colors, logos, or images, including institutional marks, which identify the institution in any name, image, or likeness activities. A student-athlete may only reference their attendance at the institution and participation in athletics in biographical information. Student-athletes **may not** use institutional facilities for any name, image, or likeness activities, with the exception of use for teaching lessons or for a camp/clinic, provided the rental agreement is in line with that available to the general public. While a student-athlete is permitted to engage in name, image, and likeness activities on the institution's campus, all activities are subject to applicable university policies and procedures regarding third-parties and commercial ventures.

### *Prohibited Activities*

Student-athletes must not use their NIL to promote gambling, alcohol products, tobacco products, adult entertainment, substances banned by the CCCAA and/or NCAA, or products or services that are illegal. Information about NCAA banned substances can be found [here](#). Further, student-athletes are prohibited from using any institutional, conference, or NCAA marks in any name, image, or likeness activity.

### *Agents*

Student-athletes may enter into agreements with professional service providers, including agents. Agent agreements must be for name, image, and likeness activities only and must include details regarding the scope of representation and compensation. Agent compensation must be made at an established rate. Such agreements must be filed with the MiraCosta Athletic Department (specifically sent to the current athletic director). Student-athletes may not engage with any individual who, directly or indirectly, represents or attempts to represent an individual for the purpose of marketing the individual's athletics ability for financial gain or seeks to obtain any type of financial gain or benefit from securing a prospective student-athlete's enrollment at an educational institution or from a student-athlete's potential earnings as a professional athlete.

### *Institutional Involvement*

Neither the institution nor an institutional staff member (including volunteers) may be involved in the development, operation, or promotion of any student-athlete's name, image, and likeness activities. Further, institutional staff members may not enter into agreements with, or benefit from, a student-athlete's name, image, or likeness activities.

### *Financial Aid And Tax Implications*

Student-athletes should be aware that receiving compensation for NIL activities could have an impact on their financial aid, especially for those receiving Pell Grants. Student-

athletes are encouraged to consult with the MiraCosta College Athletics compliance staff to fully understand these potential impacts. Additionally, student-athletes should be aware that receiving compensation for NIL activities could have tax implications. Student-athletes are encouraged to discuss these issues with their tax advisor.

### *Exceptions*

MiraCosta College, at any time, may authorize variances from, or exceptions to, this NIL Policy that are consistent with MiraCosta College's commitment to compliance with federal law, state law, and conference or CCCAA rules.