

TO ALL MEMBER GHSA SCHOOLS

The GHSA has been made aware that many students of member schools have been contacted by creators of “NIL Clubs” inviting them to join the “Club” which is specific to their school and team activity. Students joining the “Club” for that school’s team are then allowed to post content on an online portal which is made available to “supporters” who pay to view the content. The money paid to view the content is then held by the club creator, who keeps a percentage thereof, and then distributes the balance to the students posting the content.

The GHSA considers participation in such NIL Clubs to be a potential violation of the GHSA NIL policy set for in Appendix N of the GHSA Constitution and ByLaws and GHSA member schools should immediately notify their students that joining such an NIL Club could have serious consequences to their eligibility to compete or continue to compete in GHSA activities as well as to member schools’ opportunity to participate in GHSA sponsored post season GHSA events.

The posting by any student of apparel of their school or the GHSA, equipment bearing the name, mascots or logos of their school or the GHSA, game footage, or other intellectual property of the GHSA or its member schools would be a violation of GHSA NIL rules resulting in potential loss of eligibility to compete.

If any NIL Club supporter, who is connected, directly or indirectly to the student's school, either as an employee, member of a booster club or other booster (as defined by GHSA ByLaw 1.73) pays to view the posted content, such action could be found to be a violation of GHSA ByLaws Sections 1.70, 1.80 and 1.90 affecting not only the student's eligibility, but also their teams ability to participate in post season GHSA events.

The potential for lost eligibility by students participating in NIL Clubs is magnified as participating students have no control over who pays to view their content, and the status and intent of the supporter in doing so. The GHSA intends to fully investigate violations of and to enforce its NIL Rules which may result in forfeiture of contests, fines and loss of eligibility.

Member schools with students joining such NIL Clubs should consider the potential consequences of allowing its team members to participate in NIL Clubs and be prepared to preapprove and then closely monitor all "supporters" of the clubs paying to view the content to make sure the "supporters" are not directly or indirectly connected to their school or booster clubs, as well as to preapprove and monitor all postings on the portal by their team members to make sure no content is posted which violates GHSA NIL rules.