



Regulation 1030: Student-Athlete Eligibility and Amateur Status Name, Image, and Likeness (NIL)

For the complete details of Regulation 1030, which governs student-athlete eligibility and amateur status in relation to Name, Image, and Likeness (NIL), please view the official document here: [Regulation 1030 - Delaware Register](#).

Below are key highlights of the new regulation. However, please note that this summary is not exhaustive, and we encourage you to review the full regulation for complete guidelines and compliance details.

Key Points of Delaware's NIL Regulation for High School Athletics:

- **Effective Date:** The regulation takes effect on **October 11, 2024**.
- **Earning Compensation:** Student-athletes may earn compensation for the use of their name, image, and likeness (NIL) provided that:
 - The compensation is **not contingent** on specific athletic performance or achievements.
 - The compensation is **not offered** as an incentive to enroll or remain at a particular school.
 - The compensation is **not provided** by the school or any individuals acting on behalf of the school (e.g., athletic directors, coaches, teachers, boosters).
- **Requirements for NIL Deals:** If a student-athlete earns compensation from NIL, the following rules must be followed:
 - Student-athletes **cannot use** the school's name, colors, logos, mascot, or any other school-related likeness in NIL deals.
 - Student-athletes **cannot use** school facilities in any form of promotion for NIL deals.
 - Student-athletes **cannot promote** tobacco, alcohol, or gambling products.
 - Student-athletes may hire an agent in accordance with Title 24, Chapter 54, but doing so is **optional**. If a student-athlete chooses to hire one, the family must notify the Athletic Director within **72 hours** of securing the agent. More information here: <https://delcode.delaware.gov/title24/c054/index.html>
- **Consequences of Violations:** Claims of NIL violations will be investigated to determine the student-athlete's **eligibility status** for participation in interscholastic sports.

Frequently Asked Questions (FAQs): Name, Image, and Likeness (NIL)

What is NIL and how does it apply to high school athletes?

NIL stands for Name, Image, and Likeness, and it refers to the ability of student-athletes to earn compensation through endorsements, promotions, or sponsorships using their personal brand.

When does the new NIL regulation take effect?

On September 12, 2024 the DIAA Board of Directors voted to approve amended Regulation 1030, which addresses Name, Image, and Likeness (NIL) deals for interscholastic athletics. The regulation went into effect on **October 11, 2024**.

Can a student-athlete promote any product or service through NIL?

No, student-athletes are prohibited from endorsing:

- Tobacco products
- Alcohol products
- Gambling products

Are student-athletes required to have an agent for NIL deals?

No, hiring an agent is not mandatory.

What if a student-athlete signs a contract with an agent?

If a student-athlete signs an agency contract (under Delaware law 24 Del.C. §5409), they must inform their school's athletic director of the contract within **72 hours** or before their next scheduled athletic event, whichever comes first.

Do student-athletes need to report NIL deals if they do not have an agent?

No, student-athletes do not need to report NIL deals to their athletic director if they enter into a deal without an agent. Reporting is only required if the student signs a contract with a sports agent.

If a student-athlete hires an agent but doesn't have an NIL deal, do they still need to notify their athletic director?

Yes, even if a student-athlete hires an agent without securing an NIL deal, they are still required to notify their athletic director of their agreement with the agent. However, they do not need to report any NIL deals subsequently entered into through the agent—just their agreement with the agent.

Will a student-athlete lose amateur status if they accept compensation for coaching or officiating?

No, accepting compensation for teaching lessons, coaching, or officiating **will not** jeopardize a student-athlete's amateur status

What happens if a student-athlete violates the NIL regulation?

Any claims of NIL violations will be **investigated**, and the student-athlete's **eligibility status** will be determined based on the findings of the investigation. If the regulation is breached, the student-athlete will be declared **ineligible** to participate in the interscholastic sport for which the violation occurred.

Can NIL deals be used as a recruitment tool?

No, NIL compensation cannot be used to incentivize a student-athlete to enroll or remain enrolled at a particular school.

It is encouraged that student-athletes and parents/guardians should thoroughly vet any business offering an NIL deal to ensure it is reputable and verify that agents are cleared through state offices and acting in the athlete's best interest. Carefully review contract terms and always request agreements in writing to protect the athlete's rights. It's also advisable to consult with a financial advisor to understand any potential tax implications.

For specific inquiries, please contact the Delaware Interscholastic Athletic Association (DIAA) at diaa@doe.k12.de.us.