“I Know More About What We Can’t Do Than What We Can”: Division I Female College Athletes Perceptions of NIL

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Abstract:

The Ninth Circuit’s determination in O’Bannon v. NCAA (2015) represented a deviation from previous legal challenges to the National Collegiate Athletic Association’s (NCAA) long-standing amateurism defense. While the court’s decision did not explicitly grant college athletes’ name, image, and likeness (NIL) rights, it created a foundation for the subsequent passage of numerous state legislation, spearheaded by California’s Fair Pay to Play Act (2019), which now permit most college athletes to profit from their NIL. This generated financial possibilities for college athletes who have long been exploited...
by their respective institutions and the NCAA (Fresh, 2022). According to NIL platform leader Opendorse, 15.7% of total NIL compensation from July 1, 2021, through May 31, 2022, was paid to women's basketball players. This ranks behind only football (49.9%) and men's basketball (17%). Even so, women's basketball has accounted for just 4.5% of the total number of NIL deals, meaning that the sport's top stars have disproportionately profited (Vorel, 2022). Football, baseball, and men's basketball lead all NIL activities across all collegiate sports (Berg, 2022), providing evidence against the idea that NIL will equally benefit both male and female college athletes. Given the novelty of NIL and the dynamic landscape that exists, how female college athletes perceive their opportunities and potential sponsorships should help shape the educational programming that they receive pertaining to NIL opportunity and regulation. The opinions that female college athletes hold of NIL may be valuable in determining the best path forward to encourage and support female college athletes to benefit from NIL opportunities during their time as collegiate athletes. This study investigated the perceptions that female college athletes held of the newly established ability to profit off their NIL while participating in collegiate athletics. Researchers conducted semi-structured interviews with 8 female college athletes from 4 different NCAA Division I institutions. Interviews were coded for meaning and three recurring themes arose: a need for further education, general lack of involvement and primarily small and local company sponsorship. Participants perceived that they had not been sufficiently educated about how best to engage with NIL sponsorship and brand deals. Many participants reported a feeling that education was primarily geared towards explaining those sponsorships and brand deals that were unacceptable for them to participate in while omitting information about what they were allowed to do within the NIL space. Additionally, participants identified themselves as being minimally involved in the NIL space, feeling as though they were on the low to average side of NIL engagement compared to other athletes at their schools. Finally, when the female college athletes did get involved with NIL sponsorship and brand deals, they were predominantly with small
local brands and companies. This research contributes to the understanding of how female college athletes perceive and engage with NIL activity in hopes of future development and implementation of NIL training.