

insights

TYPES NOT MAPPED YET December 01, 2023 | TTR not mapped yet | David J. Kaufman

Another roadblock to NIL transparency

Believe it or not, these universities mentioned in the article below are against free speech and transparency. They are arguing against disclosure and clarity. They do not want others to see what their athletes are being paid. Ironically, the University of Utah will host the 2024 Presidential Debate in October 2024 and is willing to provide an open environment for the candidates for U.S. president to discuss the most important issues of the day, but they are unwilling to provide simple basic information about their student athletes.

As I and others have [noted before](#), what we really need is a federal system that requires all of these NIL deals to be completely disclosed and not hidden behind these rules. These schools could require the athletes to voluntarily disclose this info but do not. The federal government could do so, too, but does not. The conferences could require them to do so but do not.

Several bills have been introduced in Congress, and many states have enacted some form of NIL legislation. But the patchwork has created confusion and uneven standards.

Five Utah universities are challenging a State Records Committee decision that college athletes' name, image and likeness contracts are public records.

The University of Utah, Utah State, Weber State, Utah Valley and Southern Utah filed a complaint in 3rd District Court in Salt Lake City on Wednesday asking a judge to reverse the panel's order. The schools argue that NIL contracts are protected under the federal Family Education Rights and Privacy Act, or FERPA, and are not subject to Utah's public records law. They also contend the committee lacks the authority to order disclosure of the records.

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