

insights

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

Finally, a path forward to read NIL contracts!

Some smart attorneys at the *Desert News* figured out how to review the NIL contracts that athletes at five Division I Utah schools signed. They of course sued under a public records act. The universities of course argued against disclosing these contracts instead of simply providing this information.

As I have noted before, the NCAA, Congress and states should act or the universities themselves should voluntarily provide this level playing field. Ironically, each and every school should agree to abide by the same rule book and voluntarily provide on their website exactly what NIL deal every student athlete receives from whatever source, detailing the terms and conditions. They should post copies of every contract each player signs. That should be a condition of each contract. Transparency should be key.

Some have argued that divisions among players could result, but anyone who has never been on a team has no idea on how team dynamics work anyway. Some team members start, and some do not. Members learn to get along for the betterment of the team. Excellent teams often learn to learn to align team with individual goals, working through these various dynamics.

More important, in order for any accountability in college athletics, we need this sort of transparency to see who in fact is paying these athletes and how much. It is not just the university through scholarships today. Too much money is flowing through these NIL deals not to disclose these amounts and who is paying them.

Recognizing strong feelings some might have about keeping college athletes' NIL contracts private, a Utah governmental body concluded that they become public records under state law when they are shared with a university.

In an order issued Monday, the State Records Committee explained its reasoning for requiring five Division I schools in Utah to release the contracts requested by the Deseret News under the state's public records law.

The order calls for the universities to disclose the contracts with an athlete's name, sport and compensation, as well as the name of the business. Universities are allowed to redact personal information such as home addresses, phone numbers and email addresses. Commercial information can be redacted only if the athlete included a confidentiality claim when the contract was submitted to the school.

www.deseret.com/...



authorsTest

david

David J. Kaufman