

Podcasts | February 27, 2023

NCAA Enforcement Standards

Highway to NIL Podcast

SPEAKERS

[Callan G. Stein](#) | [Christopher M. Brolley](#) | [Sam Hatcher](#)

The *Highway to NIL Podcast* analyzes the legal landscape concerning college athletics and the regulation of name, image, and likeness (NIL) rights of student athletes. The podcast provides key insights into the current state of affairs, focusing on the NIL guidance and policies coming directly from the NCAA; the various passed and amended state NIL laws; and NIL enforcement, including how the NCAA, state attorneys general, and other regulators may investigate and punish schools for NIL violations.

In this installment, Troutman Pepper litigators Cal Stein, Chris Brolley, and Samuel Hatcher review key takeaways from the NCAA's recently issued memorandum, which addresses the standard of review for NIL violations.

Specific topics include:

- Background on NCAA Memorandum (2:30);
- NCAA Charging Standard and the “Presumption” of NIL Violations (4:50);
- Factors Bearing on the “Presumption” of NIL Violations (7:12);
- Overview of NCAA NIL Infractions Process: Investigation, Charging, and Adjudication (9:43);
- Key Points from NCAA VP of Enforcement Jon Duncan’s Comments on NIL Enforcement (15:40);
- Practical Takeaways From the Memorandum (18:50); and
- Renewed Importance of Implementing a NIL Compliance Program (22:20).

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