

Podcasts | February 20, 2025

# Rescission of DOE Guidance

## Highway to NIL Podcast

### SPEAKERS

[Callan G. Stein](#) | [Michael S. Lowe](#)

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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 Locke attorneys Cal Stein and Mike Lowe discuss the Trump administration's recent rescission of a Department of Education (DOE) guidance document issued by the outgoing Biden administration. The rescinded document addressed Title IX implications for NIL compensation for student-athletes. The episode explores the potential implications of this rescission and the need for legislative clarity in the NIL space.

Specific topics include:

- Summary of the DOE guidance document and its rescission (3:04);
- The incoming DOE's criticisms of the guidance document (10:46);
- New DOE position on NIL as compensation vs. financial aid (13:07);
- What next? Replacement guidance or federal legislation? (18:01).

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