

Dr. Steve Gallon, III, Board Member

**SUBJECT: NAME, IMAGE, AND LIKENESS (NIL) IN INTERSCHOLASTIC
SPORTS IN MIAMI-DADE COUNTY PUBLIC SCHOOLS**

COMMITTEE: PERSONNEL, STUDENT, SCHOOL & COMMUNITY SUPPORT

LINK TO STRATEGIC

PLAN: SAFE, HEALTHY & SUPPORTIVE LEARNING ENVIRONMENT

Miami-Dade County Public Schools (M-DCPS) is committed to students' participation in interscholastic sports. In doing so, it recognizes athletics as a mainstay of school districts, schools, and more important, the learning and life experiences of students. In fact, research has shown that athletics, specifically at the high school level, provides a vehicle that improves students' citizenship, sportsmanship, self-discipline, physical and emotional wellness, and their grade point averages.

In the development, implementation, and enforcement of policies governing high school athletics, M-DCPS has worked with the Florida High School Athletic Association (FHSAA), the governing body of high school athletics in the state of Florida. For nearly a century, the FHSAA – through the cooperative efforts of its member schools – has provided opportunities for high school students in Florida to participate on a fair and equitable basis in interscholastic athletic programs that produce vital educational benefits.

As with the FHSAA, M-DCPS remains committed to policies and practices that support and promote the same spirit of fair and equitable participation and competition. In fact, School Board Policy 2431, Interscholastic Athletics affirms that “All high schools shall be members of and governed by the Florida High School Athletic Association (FHSAA) rules and regulations.”

Recently, at its meeting of June 4, 2024, the FHSAA voted unanimously to approve a policy allowing high school athletes to profit from Name, Image, and Likeness (NIL) in certain circumstances, making Florida the 36th state to allow NIL for amateur athletes participating in high school athletics in some form or fashion. The FHSAA's new bylaw states that athletes and their parents must conduct NIL discussions separate from the school and the FHSAA, and that they cannot use school logos or other products in public. Also, student-athletes and/or their parents will have to negotiate their private NIL agreements and that such agreements cannot include anything related to the school. If a student transfers midseason, the student cannot secure another NIL agreement for that school year.

The recent adoption of this new FHSAA bylaws has caused concern and consternation among coaches, administrators, parents, and community stakeholders. Thus, a review of NIL provision and related impact on interscholastic sports in Miami-Dade County Public Schools, as well as policy review and/or amendments would be prudent.

This item seeks to direct the Superintendent to review the recent NIL bylaws adopted by the FHSAA and its anticipated implementation and impact on interscholastic sports in Miami-Dade County Public Schools; establish a working group comprised of district staff, principals, athletic directors, coaches, parents, and related and relevant community stakeholders to solicit input and feedback on NIL implementation and/or policy revisions in Miami-Dade County Public Schools; initiate rulemaking to adopt and/or amend relevant School Board polices to ensure alignment and/or compliance with newly adopted state statutes and FHSAA bylaws governing NIL agreements in schools; and provide an update to the School Board at a Personnel, Student, School, and Community Support Meeting no later than September 30, 2024.

This item has been reviewed by the Office of the General Counsel as to form and legal sufficiency.

**ACTION PROPOSED BY
DR. STEVE GALLON III:**

That The School Board of Miami-Dade County, Florida, direct the Superintendent to:

1. review the recent NIL policy provisions adopted by the FHSAA and its anticipated implementation and impact on interscholastic sports in Miami-Dade County Public Schools;
2. establish a working group comprised of district staff, principals, athletic directors, coaches, parents, and related and relevant community stakeholders to solicit input and feedback on NIL implementation and/or policy revisions in Miami-Dade County Public Schools;
3. initiate rulemaking to adopt and/or amend relevant School Board polices to ensure alignment and/or compliance with newly adopted state statutes and FHSAA bylaws governing NIL in schools; and
4. provide an update to the School Board at a Personnel, Student, School, and Community Support Meeting no later than September 30, 2024.