

In The News

Akerman Partners LaKeisha Marsh and Montoya Ho-Sang Offer NIL Profit Considerations for Historically Black Colleges

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Headlines like “Shedeur Sanders Signs Historic NIL with Gatorade,” and “Ky’Wuan Dukes’s NIL Deal is Part of an HBCU Football Renaissance” have dominated college sports news since June 30, 2021, when the NCAA announced that student-athletes would be permitted to profit from their name, image and likeness, or NIL. Higher Education Practice and Collegiate Athletics Practice Chair [LaKeisha Marsh](#) in Chicago and partner [Montoya Ho-Sang](#) in Atlanta authored a *Law360* article discussing the importance of Historically Black Colleges and Universities in sports, providing a potential solution to the underfunding issues HBCUs face through the use of NILs, and outlining considerations college attorneys should address with their clients regarding NIL.

The authors wrote: “... NIL, sometimes referred to as ‘the ultimate equalizer,’ could be the answer to the underfunding issues most HBCUs face.

While NIL endorsements put money directly in student-athletes’ pockets, it also highlights the particular institution the student-athlete plays for and attends.”

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“Deals with high-profile brands not only provide a financial benefit to an institution’s players but also bring attention and resources to the institutions themselves. HBCUs, in particular, stand in a unique position as companies, big and small, clamor to enter history as the first in their respective industries to sign NIL deals with HBCU student-athletes.

Furthermore, the publicity that these NIL deals bring could reengage alum, particularly high profile alum. It’s no secret that the HBCU community is notoriously tight-knit and strongly supportive of not only one’s respective institution but of HBCUs in general.”

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