

## **A content and discourse analysis of NIL collective websites: What are boosters and athletes being told?**

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With the unfolding of era of name, image, and likeness (NIL) comes increased risk and responsibilities for institutions and athletics departments, particularly concerning donor/sponsors and athlete involvement in NIL collectives. Through a content and discourse analysis of NIL collective websites across the Atlantic Coast Conference (ACC) ( $N = 26$ ) in Fall 2022, this research examined content provided for donors/sponsors and athletes and what values were conveyed through this communication. Four themes emerged from the collective websites, centering values related to finance/compliance, athlete development, prestige of the collective, and campus/local community care. With this knowledge, athletic administrators and collective stakeholders can better understand the underlying purpose of collectives and what that purpose means for supporting—or not supporting athletes.

### **Background**

The National Collegiate Athletic Association (NCAA) updated policies in the summer of 2021 to allow athletes to monetize their rights of publicity, commonly known as name, image, and likeness (NIL) (Brutlag Hosick, 2021). This monetization occurs various ways, including endorsing products/services, promoting charities, hosting their own camps/clinics, and selling their own jerseys. One way donors and sponsors found to engage athletes and their NIL opportunities was through collectives. NIL collectives are distinct entities from athletics departments designed to pool funds from businesses, alumni, fans, and donors/sponsors to help athletes monetize their NIL (Osterman, 2022; Prisbell, 2022). Importantly, collectives support an institution's team(s), but not the institution itself (Lawrence, 2022). Still, with the NCAA's updated NIL policies (NCAA, 2022), athletics departments have an increased ability to engage with collectives.

Despite the rise in prominence of NIL collectives, not much is fully understood about what collectives communicate to their donors/sponsors and athletes via their websites (Osterman, 2022; Prisbell, 2022). However, this communication is important for two reasons. First, the discourse strategies employed by collective websites offer insights into the evolving system of college athletics in the NIL era. This examination is beneficial in understanding the role of communication in relationships, particularly between collectives and donors/sponsors and athletes. Second, with collectives on the rise, they will have increasing control or “say” in college sports and so their discourse strategies are influential in writing the future of college athletics.

Thus, through content and discourse analysis (Patton, 2002) the purpose of this study was to examine values communicated to donors/sponsors and athletes by NIL collective websites in the ACC ( $N = 26$ ).

### **Findings**

At the time of data collection—Fall of 2022—the ACC, including the University of Notre Dame, had 26 collectives with functioning websites. Collective websites were analyzed using content analysis and discourse analysis. The former method is a “sense-making effort that takes a volume of qualitative material and attempts to identify core consistencies and meanings” (Patton, 2002, p. 453), while the latter method considers “the creative use of language as a social practice” to highlight implicit and explicit assumptions and beliefs communicated through text and media (Mullet 2018, p. 119). With these analyses, four themes came through pertaining to values expressed to donors/sponsors and athletes. These values related to finance/compliance, athlete development, prestige of the collective, and campus/local community care.

## **Finance/Compliance**

Given the interconnectedness of NIL finances and compliance, these two values are coupled into one theme with two subcategories: tax status and compliance regulations. ACC collective websites centered financial/compliance content, especially for donors/sponsors, with one of the biggest areas being the tax deductibility donations (Winter & Tompkins, 2022). Of the 26 collectives, 14 were classified as LLCs/corporations, seven were denoted as non-profits, and five were hybrid models. Still, eight collectives did not directly communicate the tax-deductibility/non-deductibility of donations such as through a statement at the bottom of the main webpage or in the frequently asked questions (FAQs) section.

In focusing more on compliance, 14 collectives contextualized the recent shift in athletes' ability to profit from NIL. This information generally noted the historical legacy of NCAA bylaws prohibiting athlete NIL monetization, and the state or NCAA's adoption of NIL in 2021. The 502 Circle collective stated: "NIL gives players the right to publicity that ordinary citizens already have, but that the NCAA previously didn't allow," while the Hokie Way provided: "As of July 1, 2021, student-athletes at Virginia Tech and other NCAA schools are permitted to receive compensation for the use of their name, image or likeness (NIL) for commercial activities." Such background information was likely included to educate donors/sponsors and athletes about the shift and ease concerns that the collective was non-compliant with state and/or NCAA policies.

Still, only a handful of collectives linked out to NCAA or state documents to support their compliance statements. Also, at the time of collection, collectives had not updated their websites to reflect the NCAA's 2022 more relaxed NIL policies (NCAA, 2022). Thus, most compliance statements were vague. For example, TigerImpact's website claimed that NIL was the "wild, wild West" and failed to address how it would combat this issue and still be compliant through the "Clemson Way."

## **Athlete Development**

Given the athletes' rights movement that sparked their access to increased financial compensation via NIL (Smith, 2021), one might expect more direct content on collective websites tailored toward athlete-related values, particularly athlete development. However, only seven ACC collectives provided detailed content concerning this subcomponent.

Specifically, three collectives—Micconope 1851, Cavalier Futures, and the Golden Touch—emphasized athletes' development/education through NIL. Micconope 1851 described a mentorship series designed to assist athletes in professional development stating: "These events can be essential in acquiring internships, life skills and potentially an amazing job after their degree completion." Cavalier Futures stressed athlete development as an organizational pillar, offering that the entity "provides education, readiness, and networking in order to maximize student-athletes' potential through NIL, professional readiness and long-term career placement." Finally, the Golden Touch explained why donors/sponsors should give to the collective due to its unique athlete development goals: "A dramatically distinctive purpose sets us apart – every deal done on Golden Touch helps support Golden Minds, our online community to help athletes prioritize mental wellness."

The most prominent way ACC collectives ( $n = 11$ ) communicated athlete growth through collective involvement was highlighting athletes as influencers and the importance of athletes building their brands. TigerImpact noted that athletes are "respected 'influencers', perfectly positioned and now able to leverage their fan-base and (social media) platform for good—to raise awareness and promote engagement for select community oriented non-profit organizations, cultivating Clemson's culture of caring as student athletes." Interestingly, at the time of data collection, only two collective websites—TigerImpact and the Fund Foundation—offered explicit content for athletes about *how* they would receive their compensation.

## **Collective Prestige**

ACC NIL collectives also expressed values related to prestige by focusing on exclusivity and winning/competition and tradition. Exclusivity was both financial and social. Considering financial

exclusivity, collectives offered various ways potential members could donate with recurring and one-time donation options being the most common. Generally, ACC collectives provided donation level options, offering fans a minimum of three to a maximum of seven different one time or recurring possibilities. In general, the lowest monthly donation a fan could select was \$5, while the highest monthly donation was \$2,000.

Simply being a member of a collective is exclusive; however, the donation levels described above offer even further economic stratification and exclusivity. For example, only those who can afford the highest giving levels can pay to be a member of that part of the collective. So, those who can only pay the \$60 annual fee or other more modest donations do not receive the same benefits of those who can give \$24,000 or more per year. This stratification provides prestige to this latter group of donors/sponsors compared to those at the lower giving levels.

Rising Spear stated that as a member of a certain donation levels, “will receive exclusive opportunities to support Florida State Student Athletes through Rising Spear events featuring student athletes and alumni.” The use of “you” hones in on the emotional connection a fan may have toward the Seminoles and elevate their perception of their own significance in giving to the collective (Mullet, 2018). Similarly, the 502Circle collective noted that membership levels offer “exclusive access and benefits” for donors, while the Chestnut Hill NIL Club stated that donors can meet their “favorite athletes on members-only video calls and hang with other CHNC members.” Thus, the economic prestige discourse used by the collectives’ websites can also result in social prestige (Mullet, 2018).

### **Campus/Local Community Care**

Twelve ACC collectives expressed the value of campus/local care which was communicated through discourse around “making a difference” and the “countless lives to positively impact” through joining the collective. Other collectives noted athletes served campus/local areas as stewards of their institutions. For example, the 412 Alliance stated athletes in the collective were ambassadors for “the University of Pittsburgh and city of Pittsburgh for the betterment of the entire student body.”

In a unique example of the campus/local care theme, Cavalier Futures stated athletes utilize their NIL “branding to better the University and Charlottesville communities through community/social activism.” This was the only example of a collective explicitly noting the role of activism in caring for the campus and local community. This is particularly interesting given the recent rise in college athlete activism (Springer et al., 2023).

### **Implications**

As the NIL era continues, this research documented and analyzed 26 ACC NIL collectives’ communication and values. Overall, findings revealed that collective websites were designed to communicate more with donors/sponsors compared to athletes. With this information, athletics administrators are positioned to better understand these entities and improve their support for athletes engaging with collectives. Indeed, athletes may need more support from athletics departments, instead of collectives, when it comes to navigating the NIL landscape. Additionally, with growing engagement between athletics departments and collectives, it behooves athletics leaders and collective directors to consider website improvements such as more information for athletes and more direct compliance information. As the NIL era continues to change, keeping these websites updated is critical for all stakeholders.

Ultimately, this study chronicled a significant change in college sports history, allowing future scholars to situate their work in this space and expand research into collective examination. Future research should consider changes to the values/themes that emerged concerning finance/compliance, college athlete development, prestige, and campus/local community care. Additionally, future studies could explore the experiences of collective leaders, donors/sponsors, and athletes in collectives for an even more in-depth understanding of these entities. While the ramifications of collectives are unknown, it is clear they are here to stay.

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