

Collegiate Athletics

National leader in Title IX athletics compliance



Serving complex and multi-faceted legal needs of collegiate athletics departments.

With a nationwide reputation in Title IX gender equity matters, we are deeply engrained in all aspects of the rapidly evolving collegiate sports industry to provide athletics departments with valuable advice and powerful representation, positioning them for success on and off the field. We develop proactive solutions across myriad matters including but not limited to the areas of Title IX, Name, Image, and Likeness (NIL), strategic planning, facilities, and revenue generation, and litigation.

Nelson Mullins' dedicated collegiate athletics attorneys serve as trusted business partners to college athletics departments from Division I to Division III on Title IX and NCAA compliance strategies; name, image, and likeness (NIL) matters; legal aspects of athletics strategic planning initiatives; internal investigations; and litigation. This holistic, 360-degree representation has spanned 29 states plus Washington D.C., and includes top research institutions in 18 states, since 2019. Our team's success in the courtroom and the boardroom is reflective of our clients' immense and intentional investment in their student-athletes — Nelson Mullins has proudly represented 26 current NCAA National Championship programs (2021-2022 academic year).

Our team engages with athletics directors, senior woman administrators, university general counsel, boards of trustees, and other athletics stakeholders to advance our clients' educational and athletics missions. We focus heavily on practical solutions and implementation strategies to blend our legal advice with our clients' strategic plans.

Title IX

We leverage our prior experience as athletics administrators, student-athletes, and industry professionals to conduct Title IX athletics audits and reviews to improve legal compliance. These comprehensive assessments include all areas of Title IX athletics compliance: participation opportunities, athletics financial assistance allocations, and equitable treatment of student-athletes. Our team is thorough, creative, and nimble in providing legal counsel through a gender equity lens regarding sport offerings, today's student-athlete experience, and preparing for tomorrow's developing NIL markets.

Related Practice Areas

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Name, Image, and Likeness

We have already helped myriad schools with legal matters in the developing NIL era. We develop NIL policies and procedures (as well as policies and procedures related to Alston benefits), negotiate NIL agreements, and assist with intellectual property matters including group licensing and guarding against trademark dilution. We also serve as counsel to schools in national NIL litigation.

Proactive Strategic Planning

We lead external due diligence projects and provide practical, strategic advice to universities and their athletics departments on construction and facilities issues, intellectual property and licensing issues, revenue generation strategies, litigation avoidance strategies, and NCAA compliance.

Litigation

When universities face Title IX complaints, NCAA inquiries, or other legal or enforcement actions, we defend them in litigation and help them navigate through challenging, high-stakes federal Office for Civil Rights (OCR) investigations.

Nelson Mullins' collegiate athletics attorneys are actively engaged in matters involving:

- Title IX compliance assessments, strategic planning, education, investigations, and litigation
- Name, image, and likeness (NIL) policies, revenue generation strategies, and related legal matters
- Alston educational benefits
- Internal investigations, including related to team culture and sexual misconduct matters
- Strategic planning initiatives
- Litigation, including defense of class actions in the areas of Title IX, NIL, and concussions, among other areas
- OCR investigations and resolution agreements
- NCAA compliance, investigations, and appeals
- Licensing and intellectual property, including group licensing and trademark dilution concerns related to NIL
- Construction, facilities, and finance matters
- Legal aspects related to alternative revenue streams, including revenue generation strategies
- Changing conference affiliations and sports offerings
- Cost-containment measures

Why Nelson Mullins?

- Representation includes universities in every Power Five and Group of Five conference
- Represented 25+ NCAA National Championship programs
- Deep understanding of the legal, financial, operational, competitive, and political forces impacting collegiate athletics departments
- Leverage our prior experience as athletics administrators, student-athletes, and industry professionals to maintain and improve legal compliance
- National reputation for successful onboarding of new, high-caliber women's athletics teams

Experience

Following is a selected sampling of matters and is provided for informational purposes only. Past success does not indicate the likelihood of success in any future matter.

- Represented several dozens of universities regarding proactive Title IX compliance and strategic planning matters
- Defended universities subject to class actions and other litigation and federal OCR investigations for alleged gender discrimination related to athletics matters, resulting in dismissal of legal actions and successful resolutions
- Assisted in successful pre-suit resolution of threatened Title IX athletics litigation, which then enabled the proactive addition of two high-caliber, preeminent women's Division I athletics teams
- Lead HBCU Initiative focused on using Title IX compliance strategies to help drive male enrollment and alumni engagement through increased athletics offerings
- Led internal investigations, including those related to team culture and sexual misconduct matters
- Defended schools in national NIL litigation
- Won dismissal of CTE concussion case
- Led legal due diligence related to changing conference affiliations
- Successfully defended universities and dozens of student-athletes in NCAA compliance investigations