

# IMPORTANT INFORMATION

## FAQs for Kiwi Players

### What are the different US College Pathways?

The U.S. college athletic landscape is structured into several organisations and divisions (collectively known as the US college sports system), with the NCAA being the largest, followed by the NAIA and NJCAA (junior colleges). These organisations offer different levels of competition, scholarship opportunities, and academic requirements.

### Main Governing Organisations & Divisions

- **NCAA (National Collegiate Athletic Association):**
  - **Division I (D1):** The highest level, featuring 365 schools with the largest budgets and highest athletic scholarship potential.
  - **Division II (D2):** A balanced, partial-scholarship model offering a mix of high-level competition and academic flexibility.
  - **Division III (D3):** The largest division with roughly 450 schools; no athletic scholarships are awarded but academic scholarships can be provided, allowing a focus on academics.
- **NAIA (National Association of Intercollegiate Athletics):** Smaller colleges, often considered similar in competition level to NCAA Division II, with roughly 250+ institutions.
- **NJCAA (National Junior College Athletic Association):** Two-year colleges that serve as a pathway for students to improve grades or skills before transferring to a 4-year NCAA or NAIA institution. Also has three divisions which is based on the level of athletic scholarship allowed.
- **NCCAA (National Christian College Athletic Association):** Consists mostly of Christian, faith-based college programs.

Each organisation has its own rules and eligibility requirements.

### What is the NCAA, and How Does It Work for Basketball?

The NCAA (National Collegiate Athletic Association) is a nonprofit organisation that oversees sports at about 1,100 U.S. schools. Around 350 schools are playing in Division I, the highest level of NCAA competition for men's and women's basketball. The NCAA sets rules for eligibility, scholarships and payments, managed by a Board of Governors and, specifically for Division I, by a Board of Directors and administrative committee made up of school and conference representatives. Student-athletes must familiarise themselves with the NCAA's rules, as well as with the regulations of the relevant Conference, to avoid any problems with respect to eligibility.

### What Are NCAA Division I Basketball Conferences?

NCAA Division I basketball conferences are groups of schools that compete against each other in men's and women's basketball, organising regular-season games and postseason tournaments. There are currently 32 conferences, including the Power Four conference (Big Ten, SEC, ACC and Big 12) known for their top competition and resources, and others like the Big

East known for their strong basketball programs. Conference tournament winners earn automatic bids to the NCAA Tournament, a high-profile event showcasing the best basketball programmes in the U.S. The level of competition, available resources, and exposure to professional scouts vary by conference.

### **What Are the Requirements to Fulfil to Play in the NCAA?**

To play NCAA basketball, you must meet academic, amateurism, and timing rules:

1. **Academic Requirements:** Student-athletes must meet specific academic standards. This includes completing the required high school courses and maintaining a minimum Grade Point Average (GPA). International students must also submit translated transcripts and proof of graduation from an institution that gives access to undergraduate studies. Once enrolled, you must study as a full-time student and make steady progress toward your degree. For full details and the most up-to-date academic requirements, visit the [NCAA Eligibility Center](#).
2. **Amateurism Requirements:** To compete in college sports, you must have maintained amateur status before your enrolment. This means you can't have been paid to play basketball beyond basic expenses, such as travel or lodging, and you can't have signed professional contracts or endorsement deals based solely on your athletic ability. If you've played professionally (such as in FIBA-related domestic leagues), you may need a waiver from the NCAA to confirm your eligibility. Some pre-enrolment payments, such as prize money or Olympic benefits, may be permitted under recent rule changes, provided they comply with NCAA guidelines. For full details, visit the [NCAA Eligibility Center](#).
3. **Five-Year Rule:** You have four seasons to play within five years from your first full-time college enrolment. Gap years, national team service or other non-collegiate activities do not start the clock. Waivers can extend eligibility for reasons beyond your control, such as injuries or unforeseen circumstances that delay your eligibility. Visit the [NCAA Eligibility Center](#) for further details. Note that there is no age limit for enrolment, allowing players of any age to participate if they meet all other requirements.

There are different eligibility requirements for playing for schools in other US college sports systems (such as NJCAA or NAIA) so it is important that you are aware of these requirements as they differ from NCAA rules.

### **What is NIL?**

NIL stands for Name, Image, and Likeness and refers to a student-athlete's right to earn money for the use of their name, their image, and who they are as a public figure. When you receive money for your NIL rights, the party that pays for such rights acquires the right to use your name, image and likeness in photos, ads or social media posts (within the agreed scope). Student-athletes can be paid for their NIL rights by schools themselves (in which case the amounts paid count towards the \$20.5 million cap for the school) or they can also be part of outside deals (Third-Party NIL). All NIL agreements, be it with a school directly or under a Third-Party NIL, must follow NCAA rules to protect your eligibility ([NCAA Bylaw 12.1.2](#), [House Settlement QA](#), [Questions E12, E18, Pages 32–33](#)).

The amount of NIL a student-athlete may receive varies widely, depending on a lot of factors such as the playing level, your position, your role on the team and the resources of the school

and third-party collectives. All US college sports systems allow third-party NIL agreements, and in some cases, schools may also be permitted to make direct payments.

### Key Entities Offering NIL Deals

- **NIL Collectives:** These are the most prominent, school-specific organisations, often founded by alumni or donors to pool funds and create NIL opportunities for athletes at a particular university.
- **Third-Party Brands & Corporations:** National and local brands (e.g., Nike, Gatorade, local restaurants) pay athletes for endorsements, social media posts, and appearances.
- **Individuals/Boosters:** Fans and donors can directly engage in NIL deals, provided they are not used as illegal "pay-for-play" inducements.
- **NIL Marketplaces:** Platforms like Opendorse set up to provide a platform where athletes can connect with supporters for compliant NIL deals
- **Athletes Themselves:** Athletes can earn money through their own branded merchandise, memorabilia, or by running camps/clinics.

It is important to understand what types of NIL opportunities your school can offer and how it will help you stay eligible and comply with visa rules. The school should also guide you in handling Third-Party NIL deals to make sure these agreements don't put your athletic eligibility or immigration status at risk. For more advice on NIL we recommend you contact Deloitte ([link here](#))

Receiving money through NIL deals, scholarships, or other opportunities can be exciting — but it also brings new responsibilities. For most athletes, NIL income is temporary and it can be irregular and unpredictable. Learning good money habits early can help protect your earnings and set you up for long-term success. Consider speaking with an accountant or financial adviser experienced with athletes, particularly if the income becomes significant. For athletes and parents wanting to better understand the financial responsibilities that come with NIL income, Basketball New Zealand has made available a NIL checklist prepared by Deloitte, covering key tax and money-management considerations.

### What are the rules to know about Third-Party NIL for NCAA student-athletes?

A Third-Party NIL deal means getting paid by someone outside your school, like a company, a brand, or even a big fan (called a booster), to use your name, photo, or reputation (NIL Rights). This could be for social media posts, ads, appearances, or product promotions. However, there are important rules you must follow, especially in the U.S. These rules are designed to maintain fairness and prevent individuals from secretly compensating athletes to join or play for a team. If you are considering entering Third-Party NILs, you must consider the following:

1. **If You Earn \$600 USD or More, You Must Report It** If you agree to a NIL deal worth \$600 or more, you must report it within five days to an official platform called [NIL Go](#), which an external company manages. You must submit the written agreement showing what the deal is, who is paying you, how much, and what you'll be doing in exchange for the payment. Even if the agreement involves small payments that add up to \$600 over time, you still need to report it. If any details are missing or your school doesn't respond quickly to questions, there may be delays in getting the deal approved. You can submit an agreement to NIL Go before signing it, and if the deal does not meet the rules, you

can make changes or cancel it. The approval of NIL deals may be delayed or rejected if the school does not confirm the identity of the paying party.

2. **The Deal Must Be for a "Valid Business Purpose "** You must be paid to do something tangible, such as promoting a product or service available to the public. You cannot be paid solely for playing your sport or joining a team. That's not allowed under the rules. If a person or group primarily wants to donate money to athletes to support a school's sports program, that is not a valid reason, even if the payment is labelled as an event or sponsorship.
3. **The Payment Must Be Fair** You should only be paid a fair amount for the work you're doing. This means the payment should reflect the real market value of the activity, like promoting a product or attending an event, not just what other athletes are getting. NIL Go considers factors such as what you're being asked to do, your visibility as an athlete, and how similar deals are typically valued to ensure the payment is reasonable. The goal is to maintain fairness and prevent hidden payments intended to reward athletic performance or influence recruiting.
4. **Deals with Donors or "Boosters" Are Reviewed More Carefully** A "booster" is someone who supports a college's sports teams by donating money, helping with recruiting, or providing other support. Boosters can pay you through NIL deals, but only for a Valid Business Purpose, like promoting their company. They are not allowed to use NIL money to convince you to join or stay at a school. Also, anyone who donates \$50,000 USD or more to your school or helps with recruiting athletes is considered "associated with the school. So, if a donor or a "booster" pays you through an NIL deal, that deal will be scrutinised more closely to ensure they follow the rules.
5. **What is a "Collective"?** A collective is a group that raises money from fans or businesses to help pay athletes through NIL deals. They may set up deals for you to promote products, attend events, or use your image in a campaign. But they cannot pay you just for playing or to recruit you. All deals worth \$600 USD or more must still be reported to the NIL Go platform and meet the same fairness and purpose rules explained above.
6. Every NIL deal should be clearly written down. It should explain how much you'll be paid, what you're expected to do, and who's involved. Before signing anything, consider having a lawyer or someone you trust who understands contracts review it. The school should also support you in managing NIL deals with outside companies or individuals, so you don't risk your eligibility or visa status. And don't forget to read the full contract carefully—including the fine print—so you understand all the terms and conditions. If anything is unclear, ask the school and/or a trusted advisor for help before signing. Getting advice early can help you avoid serious problems later.

Each US college system has its own rules around third-party NIL rules so it is important if you are playing for a school within another US college sports system (such as NAIA or NJCAA) that you are aware of their rules and requirements.

### **What is the House v. NCAA Settlement?**

Starting July 1, 2025, the House v. NCAA settlement allows Division I schools to pay basketball players directly, up to a cumulative amount of \$20.5 million per school year across all sports,

with the amount projected to increase to approximately \$33 million by 2035. This money comes from school sports revenue (e.g., ticket sales, TV deals) and can include payments for promoting the school or academic achievements. The settlement also replaces scholarship limits with roster limits (15 players each for men's and women's basketball), allowing scholarships for all rostered players (NCAA Bylaw 15, *House QA Question A1*). Schools decide how much, if any, of their sport revenue they pay to athletes (which may be less than \$20.5 million) and how to split their sport revenue (up to the maximum permitted revenue share of, currently, \$20.5 million) among athletes, often prioritizing stars in men's and women's basketball or football due to their revenue generation. Payments may cover NIL deals, academic bonuses, or other benefits, but must be reported to the Cap Management Reporting System (CAPS) in conjunction with written agreements. To this extent, it is important to ask about the specific payments or benefits that may be available to you.

For more on House Settlement, see the FAQ on the College Sports Commission website [here](#). In addition, as part of the settlement back payments were awarded to current and former Division I student-athletes (generally Division I athletes who competed between 2016 and 2024) to compensate them for past lost NIL-related opportunities. Eligibility and payment amounts vary depending on factors such as the school, conference, and scholarship status. While the payments have not yet been paid, the settlement payments may be taxable and BBNZ would recommend that independent professional advice is sought.

### **What are the Visa Requirements and Tax Implications for International (non-U.S.) Players? (May need to define this for Kiwi athletes specifically)**

If you are a New Zealand student-athlete planning to be or at a U.S. college, it is important to understand both visa rules and tax obligations before accepting any payments or NIL (Name, Image and Likeness) deals.

#### *Visa considerations*

Most international student-athletes study in the U.S. on an F-1 student visa, which has strict rules around earning income. In many cases, earning money while in the U.S. - including through NIL deals - can be treated as unauthorised employment and may put your visa status at risk.

Whether a particular NIL arrangement is allowed depends on factors such as:

- where the activity takes place,
- what services you are providing,
- who is paying you, and
- how the income is classified under U.S. immigration rules.

There is no one-size-fits-all answer, and some activities may be permitted while others are not. Always speak with your university's international student office (and, if needed, an immigration specialist) before signing any NIL agreement or receiving payment.

#### *U.S. tax implications*

Even though you are not a U.S. citizen, income earned in connection with the U.S. (including NIL income or certain payments from your school) may be taxable in the United States.

Most New Zealand student-athletes are treated as non-resident aliens for U.S. tax purposes. This often means:

- tax may be withheld at a default rate of up to 30%, and
- you may be required to file U.S. federal and state tax returns.

The actual tax you owe may be lower than the amount withheld, particularly if:

- the New Zealand–U.S. tax treaty applies to you, or
- you are entitled to a refund after filing a tax return.

State taxes are separate from federal taxes. Some states tax income from the first dollar earned, while others have minimum thresholds. Not all states have income tax, and each state has its own system, forms, and deadlines.

#### *New Zealand tax implications*

If you remain a New Zealand tax resident while studying in the U.S., New Zealand may also tax your overseas income. However, New Zealand generally allows a foreign tax credit for U.S. tax paid, which helps reduce the risk of being taxed twice on the same income.

The interaction between U.S. and New Zealand tax rules can be complex, especially for NIL income.

#### *Dual citizens*

If you are a dual citizen of New Zealand and the United States, different tax and reporting rules apply. You should seek independent professional advice.

#### *Get advice early*

Because visa breaches and tax mistakes can have serious consequences — including loss of visa status, unexpected tax bills, penalties, or future travel issues — student-athletes and families are strongly encouraged to seek advice from:

- the university’s international student office, and
- an advisor experienced in U.S. and New Zealand tax and immigration issues.

Getting advice before signing agreements can help avoid serious problems later. For athletes and parents, Basketball New Zealand has made available a NIL checklist prepared by Deloitte to help identify important tax and financial considerations. Basketball NZ has also partnered with Deloitte to provide support for student-athletes who are navigating this. Please reach out to Deloitte (add link to flyer) directly if you would like to discuss your specific situation.

#### **Can I Use a Representative (Agent) as a Prospective or Current Student-Athlete?**

Yes. prospective and current student-athletes can use a representative (agent), but only within strict limits. Across U.S. college sport systems (including the NCAA, NAIA, and NJCAA), athletes are generally permitted to work with agents for NIL-related activities such as sponsorships, endorsements, social media deals and brand management. However, agents cannot represent you or negotiate professional playing contracts while an athlete remains eligible for college sport, and their role must be clearly limited to permitted NIL activities. Disclosure or approval from the school is often required, and using an agent outside these rules can put your eligibility at risk. Athletes should always check their organisation’s rules and confirm expectations with their school before signing any representation agreement.

If you do choose to work with an agent for NIL, make sure you understand what you're agreeing to. Read the contract carefully, especially the sections regarding the fees and the terms for ending the agreement if things don't work out. In the U.S., there's not much regulation around NIL agents, so it's up to you to ask questions, compare options, and get legal advice from someone you trust. Deloitte has a network of professional advisors that it can recommend assisting in providing legal review. If a representative tries to discourage you from obtaining independent legal advice on their proposed agent contract, this is a clear red flag.

Be cautious of representatives (agents) who make big promises, pressure you to sign quickly, or talk about guaranteed money or playing time. A good representative (agent) will respect NCAA rules, support your long-term goals, and be transparent about their approach. If possible, talk to other athletes who've worked with the agent to hear about their experience. Always keep your school informed; they're there to help you stay eligible and protected.

BBNZ or FIBA endorsed representatives are familiarised with the contents of FIBA Internal Regulations and the international transfer process. For reference, the list of the FIBA-Licensed representatives is available [here](#) and BBNZ endorsed representatives can be found [here](#)

### **What is the Transfer Portal and How Does It Work in NCAA Basketball**

The Transfer Portal is an official NCAA system that allows student-athletes to publicly declare their intention to transfer from one school to another. Think of it as a digital list; once your name is in the portal, other schools can see you're available and may contact you with new opportunities. In the past, you had to sit out for a full season after transferring more than once, but that rule changed in 2024.

Under the current rule in the NCAA, players typically enter the transfer portal during a specific window after the season concludes. For basketball, these windows usually run from the end of March to the end of April each year. Please note that, although the window period to enter the Transfer Portal will be similar for men's and women's Basketball, the specific dates may differ. You should check each year for the specific dates to enter the Transfer Portal. For example, for the 2025-2026 season, the windows are as follows: men's Basketball, March 23–April 21 (30 days); women's Basketball, March 30–April 28 (30 days).

Once you "enter" the Transfer Portal, i.e. declare your intention to transfer, coaches from other schools are allowed to reach out to you. If you meet the academic requirements, you can then transfer each year and be eligible to play right away at your new school. The portal has generated significant movement, with thousands of basketball players switching schools annually.

There are benefits to using the portal. It can help you find more playing time, a better academic fit, or a stronger team environment. Some players also use it to access better coaching or increase their visibility for future professional opportunities, including NIL deals. But there are also risks. Once you enter the portal, your current school is not required to keep your scholarship or your spot on the team, even if you decide not to transfer. With so many players in the portal each year, there's no guarantee that another school will offer you a better situation. When you enter the Transfer Portal, there is always a risk that you end up with fewer options, less stability, or no team at all. Transferring frequently can also slow down your academic progress and limit your development as a player.

In short, the Transfer Portal gives basketball players more flexibility, but it should be used with caution. Before entering, it's important to talk to your coach, academic advisor, and someone who understands your long-term goals, so you don't risk your scholarship, your playing time, or your future.

The transfer portal is designed for NCAA to NCAA transfers. Athletes from the other US college sports systems (such as NJCAA, NAIA, or NCCAA institutions) who are hoping to play at NCAA level do not directly enter the NCAA portal, but must follow specific procedures to transfer to an NCAA school, which usually involve obtaining permission to contact and registering with the [NCAA Eligibility Center](#). We would recommend checking out the [NCAA transfer page](#) for further information on the transfer process.

### **What Should I Know About Recruitment Practices?**

When exploring college basketball opportunities in the U.S., it's important to understand that not everything said during recruitment is guaranteed. Sometimes coaches, school staff, or Boosters may make verbal promises about things like playing time, scholarships, or NIL deals. However, unless these promises are clearly written in an official document, such as a National Letter of Intent (NLI) or a formal NIL contract, they may not be enforceable.

Scholarships in the NCAA are usually awarded on a year-by-year basis, meaning they can be changed or not renewed after each academic year. However, in most major programs, student-athletes receive multi-year scholarship guarantees. For NIL deals, whether they are offered by the school or by outside companies or individuals, the terms must be written clearly and meet NCAA and visa requirements. If a deal is vague, confusing, or non-compliant, it could lead to serious problems such as not being paid, losing eligibility, or even facing issues with your student visa.

It's also possible that during recruitment, some offers may be exaggerated or not fully explained, especially when made verbally. If you rely only on informal conversations or verbal agreements, you may find later that the reality does not match what you expected, especially when it comes to money, your role on the team, or academic support.

Approach recruitment and NIL opportunities with care. Make sure every agreement, or even offers, are written down clearly and in compliance with the relevant rules so that you can make confident, informed decisions about your future. If possible, consult a lawyer or advisor who is familiar with college athletics and student visas. Speaking with current or former players can also help you get a better sense of a coach's or school's reliability and whether past promises have been kept.

### **What if I have an existing contract with a club?**

If you have an existing contract with a club, it's important to understand that joining the NCAA does not automatically cancel or override that agreement. Respecting existing contracts is not only a matter of legal responsibility, but also of professional integrity. Walking away from a signed agreement without following the proper steps could lead to expensive and time-consuming disputes, damage your reputation, and even affect your eligibility to play in FIBA competitions later on.

If your contract includes a buy-out clause or other conditions for early termination, make sure you understand them fully before making any decisions. You should speak with a trusted

advisor who understands contracts and both FIBA and NCAA rules. They can help you navigate the transition properly and avoid unnecessary complications.

Being transparent with your future NCAA school is also key. Let them know early in the recruitment or transfer process if you have an existing contract with a club. This allows you to resolve any issues and ensures that if you decide to engage in college basketball, such a transition is smooth, respectful, and compliant with both FIBA and NCAA frameworks.

### **How can I choose the best school for my NCAA career, especially with all the changes around NIL and the House settlement?**

Choosing the right school for your NCAA career is a big decision, especially with all the changes happening around NIL and the House settlement. Begin by familiarising yourself with the local reality, examining the level of competition in various conferences, and considering whether it aligns with your current skills and offers growth opportunities. Some schools or conferences might provide more exposure, while others could give you more playing time or development opportunities that suit your playing style.

When selecting a college or university, make sure the school offers the academic major you're interested in and has strong support systems in place, especially if you're an international student balancing sport and study. It's also important to check out the basketball programme, look at the facilities, the coaching staff, and whether they have a good track record of helping players improve. You may find it valuable to connect with both current and former athletes to hear firsthand about their experiences within the program. To gain a deeper understanding, speak with players who have been part of the team, both past and present, to grasp the program's culture and expectations better.

Additionally, inquire about the school's support for athletes in NIL opportunities. Some schools are more active in helping players understand contracts, taxes, and visa rules. And with the House settlement potentially changing how schools share revenue with athletes, it's worth asking how the school is preparing for those changes. In the end, the best school is one that supports your growth as a student, as a player, and as a person, on the court, in the classroom, and beyond.

### **Can I still play for my National Team if I'm playing for a US College?**

Yes, you absolutely can (subject to below), and you should feel proud to represent your country. Playing for your National Team is not only a great honour, but also an important part of your development as a player.

NCAA rules do allow basketball student-athletes to represent their National Team, but there are important limitations around timing, type of competition, and approval.

In basketball, student-athletes are generally restricted from playing for outside teams during the academic year. However, the NCAA provides specific exceptions for official National Team competitions, such as Olympic qualifiers, World Cups, and other sanctioned international events.

Not all games qualify. Official, sanctioned National Team events are treated differently from exhibitions, friendlies, or non-national team competitions. Participation usually requires advance approval from the university's compliance office, and missed class time must be managed carefully.

Because basketball rules are stricter than most other sports, athletes should never assume National Team participation is automatically permitted. Always confirm with your school before committing.

The other organisations such as NJCAA and NAIA have less strict requirements but approval may be required and often actively encourage student-athletes to play for their country.

It's important to let your university know from the beginning, during recruitment, transfer, or when signing NIL deals, that playing for your National Team is part of your plan. This helps avoid misunderstandings and ensures your school supports you when national team duties come up, whether during summer or international windows.

Keep in mind that some NIL sponsors, collectives, or third-party partners may pressure you to stay on campus or skip national team commitments. Don't let that discourage you. Be clear about your priorities. If playing for your National Team is an option you want to protect, make sure your NIL agreements don't conflict with your ability to represent your country.

### **Do I need a Letter of Clearance (LoC) when I return from the NCAA?**

Yes. While the NCAA is not currently part of the official FIBA transfer system, players who finish their college eligibility and wish to return to play in a FIBA-affiliated league will need a Letter of Clearance (LoC) under FIBA rules. This document confirms that the National Federation and the club in the country where you last played before entering the NCAA have no objections to your registration with a new club in a different country. LoCs are a standard requirement under FIBA regulations, ensuring your transfer is recorded correctly and also recognised.

Players sometimes assume that their NCAA experience replaces previous registrations, but that's not the case. If you've been away from your home country or are changing clubs in different countries, the LoC becomes especially important. Without it, your registration could be delayed or blocked. This is why it is crucial, before moving to the NCAA, to clarify with your current club the terms of your exit.