

College Sports Law Practice

Success requires not only a winning team, but also an understanding of the laws, rules, and regulations covering the ever-changing college athletics landscape. Goulston & Storrs' College Sports Law Practice represents and advises colleges, universities and athletic conferences in such diverse areas as reopening in the wake of COVID-19; diversity & inclusion training and education; employment relations and internal investigations; sports-related contracts; e-sports; media and product licensing; intellectual property including name, image and likeness (NIL), data privacy, agent relations and data privacy; sponsor/hospitality contracts; construction and retrofitting of stadia and arenas; Title IX; and risk assessment and litigation.

Our team of attorneys represent a broad range of practices, including [Sports](#), [Entertainment](#), [Corporate](#), [Financing](#), [Employment](#), [Hospitality](#), [Intellectual Property](#), [Litigation](#), and [Real Estate](#). They have been especially selected because of their expertise, legal skills and diverse backgrounds.

We provide advice and representation in the following areas, among others:

- **COVID-19 and Related Safety Issues:** Goulston & Storrs' cross-disciplinary team advises and guides colleges, universities and athletic conferences on the considerations and risks involved in reopening, compliance with state and local governmental orders and the privacy issues involved, for example, in testing, obtaining and using biometric data. Goulston & Storrs has developed and regularly updates a detailed [checklist of reopening considerations](#), including best practices and alternatives that various schools are pursuing.
- **Diversity & Inclusion and Employment Relations:** In the increasingly public and toxic revelations of gender and race bias, Goulston & Storrs has developed a unique cultural awareness program to educate and train administrators, coaches and athletes concerning these [diversity and inclusion issues](#). Through its employment expertise, Goulston & Storrs also works with its clients to create employment contracts for athletic directors and coaches that align with the college's values and commitments and provides guidance concerning potential breaches.
- **Investigations and Dispute Resolution:** Goulston & Storrs investigates and guides colleges, universities, and athletic conferences regarding student-athlete's initial and continuing eligibility, transfer waivers and rule violation accusations.
- **E-sports:** E-sports is developing into a multi-billion dollar industry with millions of participants and fans, including at the college level. Goulston & Storrs helps its clients realize the revenue potential of e-sports while educating them about compliance with the National Association of Collegiate Esports (NACE) governance structure and state (and federal) statutes dealing with sports betting.
- **Sponsorship, Media Licensing, Product Licensing, and Concession Agreements:** Goulston & Storrs advises and represents colleges, universities and athletic conferences in

the numerous contractual relations they have including sponsorship deals, agreements with apparel and equipment manufacturers, vendor and concession agreements and media and product licensing arrangements.

- **NIL and Agent Relations:** Recent court decisions and state NIL laws permit athletes to be compensated for use of their name, image, and likeness. Goulston & Storrs helps navigate the NCAA rules, state laws and regulations, and potential federal law, by keeping its clients up-to-date about changing laws. As athletes retain agents to negotiate for them, Goulston & Storrs can negotiate with professional sports agents and third-party NIL companies who will be representing student-athletes and draft the NIL contracts.
- **Hospitality Services/Marketing:** Game Day concerns include ADA compliance, digital marketing and ticketing strategies, privacy and the collection of digital data and concession agreements. Goulston & Storrs can assist in addressing the legal concerns and liability risks, including health and safety, digital data ownership, Wire Act issues and state and federal regulations.
- **Facilities:** Many colleges and universities conduct their athletic programs in aging or non-compliant stadia and arenas. Goulston & Storrs can help reduce the risks of such facilities by working to ensure that stadia and arenas are compliant with federal, state, and local laws. Also, Goulston & Storrs assists its clients in negotiating agreements to finance the construction of new or retrofitted athletic facilities, in land acquisitions and in dealing with environmental concerns.
- **Contract, Regulatory and Antitrust Advice and Guidance:** Goulston & Storrs advises, litigates and arbitrates claims for colleges, universities and athletic conferences. These include representing schools when sponsors, apparel or other partners seek to avoid contractual obligations; in enforcing and registering intellectual property rights to, among other things, brands, logos, marks and digital data; in interpreting media and other licensing agreements; and in dealing with their rights and obligations under the law, existing contracts, statutes, NCAA regulations and court decisions.
- **Title IX:** Title IX represents federal policy. With the pandemic and gender-based questions about compliance, including recent LGBTQ decisions, Goulston & Storrs can help steer through the morass of regulations to achieve compliance.

Publications

November 4, 2020

Recruitment, Revenue and Risks: Navigating Intercollegiate Esports

November 2, 2020

Taking a Hit: College Athletics Downsize in Response to COVID-19 Related Financial Losses

October 14, 2020

The New Name, Image and Likeness Playing Field for Colleges and Universities - What You Need to Know

October 12, 2020

N.W.H.L. Prioritizes Independent Team Ownership in New Model

New York Times

October 9, 2020

Making Meaningful Cultural Change in Athletic Departments

September 18, 2020

College Sports Legal Field Expands as Goulston & Storrs Launches Practice

Sportico

September 2, 2020

New York Court Declares Fantasy Sports Betting Unconstitutional

August 31, 2020

How Contract Provisions and Common Law Principles Will Impact the Sports Business

August 28, 2020

State of Play: Reopening Considerations for College and University Athletic Programs

Consultants

Len DeLuca, Founder, Len DeLuca & Associates, LLC

Len DeLuca has been a leader in sports entertainment for IMG, ESPN and CBS Sports since 1980. Since 2015 he serves as SVP of Original Content or Senior Consultant at Endeavor | IMG. DeLuca runs Len DeLuca & Associates, LLC in 2010, a media strategy firm that has represented TBT – The Basketball Tournament, UConn, Tennis Channel, New York Racing Association, Mountain West Conference, Professional Bowlers Association, and now Goulston & Storrs, PC.

DeLuca served as Senior VP, Programming & Acquisitions at ESPN from 1996-2010. He was responsible for “ESPN on ABC” in 2007, “Saturday Night Football”, MLB, Little League World Series, Tennis Grand Slams, the NBA, and NCAA Championship content. Len led the programming guidelines and conditions unit for the ESPN networks. He was one of the forces behind the creation of ESPN Original Entertainment.

Prior to ESPN, DeLuca served as a VP or Director, Programming at CBS Sports 1979-1996. He was responsible for CBS’ first 15 NCAA Men’s Basketball Championships, “The Road To The Final Four” and extensions through 2000. He made football deals with the NCAA, CFA, creating the SEC and Big East on CBS package in 1994. In 1995, *College Sports Magazine*, the forerunner of *Sports*

Business Journal, named CBS Sports President Dave Kenin and DeLuca, the “most influential persons” in college sports.

Len is an assistant professor at the prestigious NYU Stern EMT. Len also teaches at NYU’s SPS Tisch Institute for Global Sport since 2014, and at Seton Hall Stillman School of Business. A native Rhode Islander, Len practiced trial law after earning his B.A. *magna cum laude*, and J.D. from Boston College and Boston College Law School. He and his wife of 39 years, Geraldine, Vice Chair of St. Anselm College Board of Trustees, reside in Manhattan.

Tim Lewis, *Founder*, TLL Advisory Services

Dr. Tim Lewis is a consultant, business strategist, educator, speaker, and life-long learner. Dr. Lewis is the former Associate Director, Engagement and Strategic Partnerships with the NCAA.

Tim spearheaded a newly created department that leveraged relationships through strategic partnerships designed to increase NCAA certifications of high-profile football and basketball athletes. He cultivated relationships with college athletic departments, college and high school coaches, professional sports leagues, apparel companies, sports agents and multi-level athletes, particularly as they relate to high profile basketball and football athletes. Tim also has monitored legislative issues consistent with the practices of the eligibility center and NCAA national office.

Tim also worked closely with the NCAA Diversity and Inclusion Team. He was named Co-Chair of the People of Color Employee (POC) Resource Group that focused on diversity and inclusion within the NCAA National Office. He created a strategic plan for the POC group that advanced diversity and inclusion initiatives and increased POC membership. Tim also participated in cross-departmental diversity and inclusion initiatives and programs.

Before the NCAA, Tim was a strategic planner and business developer at the University of Alabama at Birmingham, where he aided in creating a global strategic plan for the health system that encompassed education, finance, and clinical and non-clinical operations. Tim spearheaded a shared service project that projected a savings of \$75,000,000 and led a budgeting process that forecasted annual volume and target market growth for 35 clinical services. Tim has coached over 25+ All-Conference athletes and six All American athletes.

Tim also played division-one basketball for Mike LaPlante at Jacksonville State from 2003-2006. Tim received his BS from Jacksonville State University, MS and MBA from The University of Alabama and Ed.D. from East Tennessee State University.