

Name, Image, and Inequality: Gendered Outcomes in College Athlete NIL Markets

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AUTHOR BIO

Elyssa Lei is a Grade 12 student at The Bishop Strachan School in Toronto, Ontario. Her academic work centers on the intersection of mathematics, statistics, and social advocacy, with a specific interest in how data-driven analysis can reveal structural inequalities in modern policy. This research on Name, Image, and Likeness (NIL) rights reflects her focus on gender equity and the evolving economic landscape of collegiate athletics. Through her analysis, she aims to explore the balance between institutional accountability and individual opportunity in competitive sports.

ABSTRACT

The implementation of Name, Image, and Likeness (NIL) rights has fundamentally transformed collegiate athletics by allowing student-athletes to monetize their personal brands. While these policies were intended to provide universal economic opportunity, the emerging marketplace frequently reinforces long-standing structural inequalities rather than dismantling them. This study investigates the gendered disparities in NIL access, examining how market dynamics, institutional support, and media representation influence the experiences of male and female athletes. The analysis demonstrates that male athletes, primarily in high-profile revenue sports, benefit from an established media infrastructure and significant institutional investment, allowing them to secure lucrative deals based on athletic performance. Conversely, female athletes must often navigate a "gig-ified" marketplace, performing a distinct "athletic labour of femininity" to manufacture visibility through social media engagement. Furthermore, the rise of third-party collectives and asymmetrical school spending patterns continues to favour male-dominated programs, complicating the future of Title IX compliance. Ultimately, this study concludes that while NIL has provided new avenues for financial capitalization, it has primarily shifted the burden of visibility onto individual female athletes, embedding historical gender norms into the new economic valuation of collegiate sport.

Keywords: *NIL, Gender Disparities, College Athletes, Title IX Compliance, Athletic Labour of Femininity, Social Media Economy, Third-Party Collectives, Triple Labour, Institutional Investment, Structural Inequality*

INTRODUCTION

When the National Collegiate Athletic Association (NCAA) implemented its interim Name, Image, and Likeness (NIL) policy in July 2021, it effectively dismantled the long-standing amateurism doctrine, transforming student-athletes into marketable brands (Christenson, 2025, p. 4). This shift was a reactive concession following the Supreme Court's ruling in *NCAA v. Alston* (2021), which challenged the organization's authority to restrict education-related benefits (Adamson, 2023, p. 5). While the policy promised a universal marketplace for all athletes to monetize their brands, the resulting NIL ecosystem has instead become a mirror for long-standing structural inequalities (Sailofsky, 2024, para. 2).

The disparities in NIL access are rooted in decades of asymmetrical institutional investment and media representation. Historically, men's "Big Three" sports—football, basketball, and baseball—have dominated televised sports news and highlights, creating a self-reinforcing cycle of visibility and sponsorship (Cooky et al., 2021, p. 348). Consequently, NIL opportunities for male athletes often mirror traditional revenue-sport dominance, with a significant majority of deals concentrated in football and men's basketball (Christenson, 2025, p. 2). Conversely, for female athletes, particularly those in sports with limited professional exit opportunities, NIL represents a unique window for financial capitalization (Sailofsky, 2024, para. 1). However, this opportunity often requires a distinct form of "gig-ified" labour, in which women must leverage social media self-presentation and engagement rates to overcome the "one and done" nature of traditional sports media (Sailofsky, 2024, para. 6; Cooky et al., 2021, p. 353).

This paper focuses on the central research thesis: NIL opportunities differ between male and female college athletes. The analysis aims to determine whether NIL markets provide equal benefits to all athletes or exacerbate gender-based disparities, particularly with respect to the "athletic labour of femininity" and the legal implications of Title IX compliance in a third-party marketplace (Sailofsky, 2024, para. 8; Rivera, 2024, p. 402).

EARNINGS AND ATHLETIC PERFORMANCE

Financial compensation in the Name, Image, and Likeness (NIL) landscape varies significantly by sport, with gender a primary determinant of market success. While the policy shift promised a decentralized marketplace, data indicate that it primarily highlights existing inequities in total compensation and institutional backing (Christenson, 2025, p. 9). Earnings remain heavily concentrated within high-profile programs; specifically, a significant majority of documented agreements are secured by football and men's basketball players (Christenson, 2025, p. 2). Observations of student-athlete experiences at the University of Texas support this, showing a wide range of compensation from \$0 to roughly \$90,000, with values heavily skewed toward revenue-generating sports (Adamson, 2023, p. 22). Stahler and Pennington (2025) conclude that these markets tend to favour athletes already positioned within established programs, reinforcing historical advantages rather than creating a more equitable distribution of wealth.

For female athletes, competitive success alone is frequently insufficient to secure high-value endorsements. Their market is largely characterized by a reliance on digital self-presentation and high engagement rates to compensate for the relative absence of traditional media coverage (Sailofsky, 2024, para. 14). While elite women may receive performance-based endorsements, their earnings more frequently depend on personal visibility and brand appeal outside of competition. This contrast highlights a structural imbalance: male athletes in the "Big Three" sports are rewarded for their success within an ecosystem that already accounts for over 90% of televised sports news (Cooky et al., 2021, p. 348). Consequently, men benefit from a pre-funded cycle of attention, whereas women must often supplement their on-field performance with gendered branding labour to achieve comparable financial standing (Sailofsky, 2024, para. 8). This gap is further widened by institutional spending patterns; schools with high NIL activity often allocate greater resources to male sports, even in the absence of a football program, perpetuating asymmetrical access to financial opportunities (Christenson, 2025, p. 15).

SOCIAL MEDIA ECONOMY AND VISIBILITY

One of the most significant shifts introduced by NIL is the role of social media in athlete valuation, serving as a critical alternative to traditional media. Thilo Kunkel et al., in their study titled "There Is No NIL in NIL," demonstrated that social media engagement, including likes, comments, and interaction rates, is a key predictor of NIL value. Importantly, their research found that athletes outside of major revenue sports can still generate significant income through digital influence (Kunkel et al., 2021, p. 24). Kunkel et al. further explain that women athletes often outperform men in engagement metrics, even when they have fewer followers. This finding helps explain why female athletes in sports such as gymnastics, volleyball, and women's basketball have secured high-value NIL deals despite lower traditional media exposure. This digital visibility is a necessary response to the "long eclipse" of women's sports in televised news and highlights, where women's stories are often a case of "one and done," a single story obscured by a cluster of longer-running men's stories (Cooky et al., 2021, p. 348).

While social media offers opportunities, it also introduces new pressures and a different category of labour. Sailofsky (2024) characterizes NIL as a "gig-ified" marketplace that forces women athletes to engage in the "athletic labour of femininity." This phenomenon describes a state of "triple labour," in which women athletes must excel athletically, succeed academically, and perform continuous branding and emotional labour online to remain marketable (Sailofsky, 2024, para. 8). In contrast, male athletes in the "Big Three" sports (football, basketball, and baseball) often benefit from a self-reinforcing cycle of institutional investment and media attention that allows them to rely more heavily on sports performance alone to attract sponsors (Cooky et al., 2021, p. 348; Christenson, 2025, p. 15). Furthermore, while male athletes are often compensated through "collectives" or large-scale institutional support, women athletes are frequently left to navigate the "gig" economy of individual brand deals, where their valuation is tied to their ability to perform gendered expectations of appearance and lifestyle (Sailofsky, 2024, para. 10; Christenson, 2025, p. 2). This discrepancy highlights how NIL markets do not simply reflect neutral performance metrics but instead embed gender norms and structural media biases into economic valuation.

BRAND BUILDING AND GENDERED EXPECTATIONS

As NIL opportunities increasingly depend on personal branding, gender expectations significantly influence athletes' experiences and the requirements of their labour. Female athletes are frequently expected to maintain polished, attractive, and emotionally engaging online profiles to appeal to sponsors, a requirement that creates a marketplace where visibility must be manufactured (Sailofsky, 2024, para. 21). Many women athletes experience persistent pressure to manage their social media presence, making deliberate decisions regarding appearance, tone, and the extent of personal disclosure. This performance of gendered expectations ensures they remain marketable, often prioritizing aesthetic self-presentation over purely athletic achievements (Sailofsky, 2024, para. 8). This labour extends well beyond athletic performance and requires sustained emotional and creative investment, forming a distinct category of work that characterizes the female NIL experience.

These expectations reflect broader cultural norms that emphasize women's approachability and emotional accessibility. While some female stars have successfully leveraged their social media presence to grow the popularity of their sport, this success is often conditional upon their ability to navigate the racial capitalist structuring of elite sport (Sailofsky, 2024, para. 1). In contrast, male athletes—particularly those in the "Big Three" sports of football, basketball, and baseball—more often secure agreements based on athletic performance, team association, or positional significance (Cooky et al., 2021, p. 348; Christenson, 2025, p. 2). Because men's sports receive over 90% of traditional media coverage, male athletes benefit from a built-in infrastructure of visibility that requires fewer demands related to individual lifestyle branding or aesthetic presentation (Cooky et al., 2021, p. 348).

Furthermore, the disparity in how these brands are built is reinforced by institutional spending. Data from the Equity in Athletics Disclosure Act shows that schools with high NIL activity tend to allocate more total money to male sports, creating a cycle where male marketability is supported by the institution, while female marketability is outsourced to individual digital efforts (Christenson, 2025, p. 15). This imbalance is further exacerbated by the rise of third-party collectives, which primarily focus on revenue-generating male sports, leaving female athletes to navigate the marketplace without comparable institutional backing (Adamson, 2023, p. 14; Rivera, 2024, p. 411). Ultimately, these market dynamics reinforce gender norms within economic valuation, rendering women's marketability both conditional and labour-intensive, while complicating the future of Title IX compliance in a marketplace driven by external entities (Rivera, 2024).

ETHICAL MARKETING AND ATHLETE WELLBEING

The market-driven approach to NIL raises critical ethical questions regarding fairness, representation, and athlete well-being. While these rights provide greater earning power, they also shift the burden of securing visibility and negotiating revenue directly onto athletes. This transition is particularly taxing for female athletes, who face unique pressures to manufacture their own public image to remain competitive in a marketplace that lacks the built-in media infrastructure enjoyed by male

counterparts (Cooky et al., 2021, p. 348; Sailofsky, 2024, para. 8). Without consistent institutional protection, maintaining a constant digital presence can lead to significant stress and burnout.

These challenges are compounded by a lack of oversight. Legal analysis suggests that the current reliance on free-market rules may exacerbate inequality rather than mitigate it. Furthermore, the prevalence of third-party collectives often bypasses the equity protections schools are traditionally required to provide (Rivera, 2024, p. 411; Adamson, 2023, p. 14). This creates an ethical vacuum where the university benefits from the athlete's brand while abdicating responsibility for the labour required to sustain it.

Rivera (2024) argues that universities must provide robust education and marketing support to ensure NIL does not widen existing gender gaps. Currently, institutional spending patterns often reinforce these disparities; research shows that schools with high NIL activity tend to allocate more total funds to male sports, even in the absence of a football program (Christenson, 2025, p. 15). This systemic underinvestment suggests that if schools remain passive, the NIL era will continue to operate as a system where opportunity is dictated by existing market bias rather than fundamental fairness (Stahler & Pennington, 2025, p. 198). Ultimately, protecting athlete well-being requires moving away from a model that treats athletes as isolated contractors and toward an institutional framework that actively supports the professional development of all student-athletes (Sailofsky, 2024, para. 10; Rivera, 2024, p. 425).

Conclusion

Disparities in NIL opportunities persist due to underlying structural inequalities, particularly in media coverage and institutional investment, which ensure that male athletes maintain a substantial inherent advantage (Cooky et al., 2021, p. 348). While the policy shift granted athletes long-overdue economic rights, this analysis demonstrates that the benefits are not distributed equally; male athletes leverage traditional revenue-sport dominance and an existing media infrastructure, whereas female athletes must rely on digital self-presentation to circumvent traditional barriers. Although social media enables female athletes to monetize their brands directly, it shifts the responsibility for visibility from institutions to individuals, creating a marketplace where brand interest is often conditional on the performance of gendered expectations (Sailofsky, 2024, para. 21). This shift is further reinforced by institutional spending patterns, as schools with high NIL activity tend to allocate more funds to male sports, even in the absence of a football program (Christenson, 2025, p. 15). Furthermore, the rise of third-party collectives, which frequently prioritize the "Big Three" male sports, bypasses the equity protections schools are traditionally required to provide under Title IX (Rivera, 2024, p. 411; Adamson, 2023, p. 14). Ultimately, without proactive institutional intervention and a commitment to providing equal marketing resources, NIL risks intensifying existing gender-based gaps rather than resolving them (Rivera, 2024, p. 425; Christenson, 2025, p. 2). To achieve true fairness, future policies must balance individual opportunity with collective equity by increasing institutional investment in women's sports and providing comprehensive protections that alleviate the disproportionate branding burden currently placed on female athletes.

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