

Why La. Ruling May Open NIL Deals For Int'l Student-Athletes

By **Rhakeem Brown, Brice Kenfack and Britta Todd** (March 10, 2026)

A continuing case could reshape how international student-athletes may engage in name, image and likeness deals moving forward, following the U.S. District Court for the Middle District of Louisiana's Sept. 19 decision in *Poa v. Jaddou* — in which the federal court denied the government's motion to dismiss.[1]

In 2024, Last-Tear Poa, the plaintiff and a full-time student-athlete previously at Louisiana State University, filed a petition with U.S. Citizenship and Immigration Services in order to change her F-1 student visa status to a P-1A athlete to potentially pursue NIL deals without jeopardizing her full-time student status. USCIS denied her application, finding that she failed to demonstrate she was eligible for such a status change.

That same year, Poa filed a lawsuit against the agency, then-USCIS Director Ur Mendoza Jaddou and California Service Center Director Tracy Tarango in the Middle District of Louisiana.

The lawsuit asked that the court: (1) set aside the USCIS denial as arbitrary, capricious and not supported by law; (2) declare that Poa met the requirements for a P-1A visa; (3) order the defendants to approve her petition to change status; and (4) grant her attorney fees and costs.

The defendants moved to dismiss Poa's lawsuit for failure to state a claim pursuant to Rule 12(b)(6) of the Federal Rules of Civil Procedure, arguing that Poa could not meet the eligibility requirements for a P-1A nonimmigrant visa.

The defendants said the applicable statutory language found in Title 8 of the U.S. Code, Section 1184(c)(4), limits that status to foreign nationals coming to the U.S. temporarily to be an athlete "solely for the purpose of performing as such an athlete with respect to specific athletic competition."

The defendants contended that as a student-athlete, Poa could not meet that requirement because she did not come to the U.S. solely to perform as an NCAA athlete; to compete, she had to primarily be a student.

The court denied the defendants' motion. Siding with Poa, the court held that the issue before it — whether USCIS' interpretation of the phrase "temporarily and solely for the purpose of performing" in USCIS' decision to deny Poa's petition was capricious and arbitrary — involved a question of fact that it could not decide without the benefit of a full administrative record.

With this decision, the court effectively foreclosed USCIS' rigid understanding that the statutory language of Section 1184(c)(4) strictly prohibits an F-1 student-athlete from qualifying as a P-1A nonimmigrant.



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Indeed, the court held that whether an F-1 student may change her status to a P-1A nonimmigrant while retaining her status as a student depends on the facts and circumstances of each applicant.

The ruling emphasized that determining a visa applicant's purpose is a factual matter requiring a full review of the administrative record. The court rejected the government's argument that NCAA athletes cannot qualify for P-1A status because their primary purpose is education, not athletic competition.

Instead, the court acknowledged the dual role student-athletes play and the evolving nature of collegiate athletics in the NIL era.

Why This Matters

This decision could have significant implications for international student-athletes seeking to monetize their NIL rights. Historically, the F-1 visa status for international students has made it extremely difficult, if not impossible under certain circumstances, to benefit from commercial activities.

The P-1A nonimmigrant status, which allows athletes to be paid, may provide an answer for qualifying F-1 student athletes who seek to benefit from their NIL — if courts continue to recognize the legitimacy of NIL-related performance as part of an athlete's purpose for entering the U.S.

Legal Considerations Moving Forward

Attorneys, universities and agents representing international student-athletes should closely monitor the Poa case and similar litigation as the legal landscape surrounding NIL rights and immigration status continues to evolve.

The court's willingness to challenge the government's rigid interpretation of immigration statutes signals a potential shift in how international student-athletes may engage in commercial activities without jeopardizing their visa status. Five key legal considerations, discussed below, emerge from this development.

1. Visa Strategy and Classification Flexibility

The Poa decision opens the door for a more nuanced approach to visa classification. Traditionally, the F-1 visa has been restrictive, prohibiting most forms of off-campus employment, including NIL-related activities.

The P-1A visa, by contrast, is designed for internationally recognized athletes and allows for compensation related to athletic performance. The court's recognition that a student-athlete may simultaneously pursue academic and athletic goals challenges the binary view that one must choose between being a student or a professional athlete.

Legal practitioners should now consider whether a dual-purpose interpretation of visa intent could be viable. This may involve advising clients on the feasibility of transitioning from F-1 to P-1A status, or even exploring other visa categories such as O-1 (individuals with extraordinary ability) or B-1 (business visitor) in limited circumstances.

Each option carries its own risks and benefits, and the facts of each case — such as the athlete's level of recognition, the nature of the NIL deal and the athlete's long-term goals —

will be critical in determining the best path forward.

2. Structuring NIL Agreements With Immigration Compliance in Mind

As NIL opportunities expand, so too does the complexity of constructing agreements that comply with both NCAA regulations and immigration law. For international student-athletes, NIL contracts must be carefully drafted to avoid triggering unauthorized employment under F-1 visa rules. This includes the following.

- Agreements should clearly define whether the athlete is being compensated for promotional appearances, social media endorsements or other permissible activities.
- Contracts that resemble traditional employment — e.g., fixed hours and employer control — may raise red flags with immigration authorities.
- Activities conducted outside the U.S. may not violate F-1 restrictions but must still be evaluated for tax and contractual implications.

Attorneys should vet NIL deals for compliance and advise clients on how to document their activities in case of future visa applications or audits.

3. Institutional Responsibilities and Risk Management

Universities have a vested interest in ensuring that their international student-athletes remain in compliance with immigration laws. Institutions should consider:

- Developing internal NIL compliance protocols tailored to international student-athletes, including preapproval processes for NIL deals and regular check-ins with designated school officials;
- Training athletic departments and compliance officers on the nuances of immigration law as it intersects with NIL; and
- Collaborating with legal counsel to create educational materials and workshops for international athletes, agents, and third-party sponsors.

Failure to adequately support international student-athletes could expose institutions to reputational harm, NCAA sanctions or even liability, if students are found to be in violation of immigration rules.

4. Regulatory Alignment and Future Litigation

The Poa decision underscores the need for greater alignment between immigration policy, NCAA rules and the evolving NIL marketplace. As courts begin to recognize the legitimacy of NIL-related activities as part of an athlete's purpose for being in the U.S., federal agencies may be compelled to revisit outdated interpretations of visa statutes.

This could lead to:

- USCIS issuing new guidance or policy memoranda clarifying how NIL activities are treated under various visa categories;

- Congress considering amending immigration statutes to explicitly address the unique status of student-athletes in the NIL era; and
- Other international athletes challenging visa denials or restrictions, potentially creating a patchwork of case law that shapes future policy.

Attorneys should stay abreast of these developments and be prepared to litigate or advocate for clients whose NIL rights are constrained by outdated immigration frameworks.

5. Broader Implications for Athlete Mobility and Global Talent

The intersection of NIL and immigration law also raises broader questions about the mobility of athletic talent and the global competitiveness of U.S. collegiate sports. If international athletes are unable to fully participate in the NIL economy, they may be disincentivized from attending U.S. institutions, potentially weakening athletic programs and diminishing diversity.

Conversely, a more flexible and inclusive visa regime could enhance the appeal of U.S. colleges and universities as destinations for elite global talent. Legal professionals, policymakers and educational institutions must work collaboratively to ensure that immigration policy keeps pace with the realities of modern collegiate athletics.

Conclusion

As NIL continues to evolve, so too must the legal frameworks applicable to student-athletes — including foreign nationals. The Poa decision is a reminder that courts are willing to challenge rigid interpretations of immigration law in light of modern collegiate athletics.

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[1] Poa v. Jaddou, No. 24-CV-00887 (M.D. La., Sept. 19, 2025).