

## NEGOTIATED RESOLUTION<sup>1</sup>

James Lenahan – Case No. 020226

December 18, 2024

### **I. CASE SYNOPSIS**

James Lenahan (Lenahan), assistant football coach at Fordham University (Fordham), and the NCAA enforcement staff agree with the violations and penalties detailed below. The parties also agree that this case should be resolved as Level II – Standard for Lenahan.<sup>2</sup>

The case originated December 20, 2022, when the institution's Information Technology (IT) department alerted human resources to a suspicious file connected to Lenahan's institutional device. IT discovered that someone used Lenahan's institutional device and credentials to access his FanDuel account on nine occasions and also used his credentials to do the same on another device on 19 occasions. As a result, the institution blocked Lenahan's credentials and informed the enforcement staff. The enforcement staff agreed to allow the institution's human resources department to conduct further investigation. As a result, Lenahan came forward and acknowledged placing a total of approximately 123 bets through FanDuel totaling \$21,253 on professional (63 bets) and intercollegiate (60 bets) sports competitions, the latter of which did not include any FCS football bets. Lenahan was placed on leave and subsequently suspended by the institution for two weeks without pay. Since then, Lenahan has been receiving professional help to address this indiscretion.

On May 9, 2023, the institution self-reported Lenahan's sports betting violations to the enforcement staff. After receipt, the enforcement staff began a collaborative investigation with the institution. The investigation confirmed that the institution properly educated Lenahan on the prohibition of sports betting and that Lenahan acted alone and without anyone's knowledge.

### **II. PARTIES' AGREEMENTS**

#### **A. Agreed-upon findings of fact, violations of NCAA legislation and violation levels.**

1. [NCAA Division I Manual Bylaws 10.01.1, 10.3 and 10.4 (2022-23)] (Level II)

Lenahan and the enforcement staff agree that from October 3, 2022, through January 9, 2023, Lenahan violated the NCAA principles of honesty and sportsmanship when he knowingly participated in sports betting activities. Specifically, Lenahan placed a total of 123 bets totaling \$21,253 on professional (63 bets) and intercollegiate (60 bets) sports competitions.

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<sup>1</sup> In reviewing this agreement, the hearing panel made editorial revisions pursuant to NCAA Division I Committee on Infractions (COI) Internal Operating Procedure (IOP) 4-7-1-2. These modifications did not affect the substance of the agreement.

<sup>2</sup> Pursuant to NCAA Division I Bylaw 19.1.1.1, the institution's portion of the case was processed separately as a Level III violation.

**B. Agreed-upon aggravating and mitigating factors.**

Pursuant to NCAA Bylaw 19.10.3-(e), the parties agree that the aggravating and mitigating factors identified below are applicable.

The parties assessed the factors by weight and number and agree that this case should be properly resolved as Level II – Standard.

**Involved Individual (Lenahan):**

1. Aggravating factors (Bylaw 19.12.3.2).
  - a. Violations were premeditated, deliberate or committed after substantial planning [Bylaw 19.12.3.2-(c)].
  - b. Conduct intended to generate pecuniary gain for the individual [Bylaw 19.12.3.2-(h)].
  - c. Intentional, willful or blatant disregard for NCAA bylaws [Bylaw 19.12.3.2-(i)].
2. Mitigating factors (Bylaw 19.12.4.2).
  - a. Prompt acknowledgement and acceptance of responsibility for the violations [Bylaw 19.12.4.2-(b)].
  - b. Affirmative steps to expedite final resolution of the matter, including timely submission of a negotiated resolution pursuant to Bylaw 19.10 [Bylaw 19.12.4.2-(c)].
  - c. The absence of prior conclusions of Level I, Level II or major violations committed by the involved individual [Bylaw 19.12.4.2-(e)].

**III. OTHER VIOLATIONS OF NCAA LEGISLATION SUBSTANTIATED; NOT ALLEGED**

None.

**IV. REVIEW OF OTHER ISSUES**

None.

## V. PARTIES' AGREED-UPON PENALTIES

Pursuant to Bylaw 19.10.3-(e), the parties agree to the following penalties:

### **Core Penalties for Level II – Standard Violations (Bylaw 19.12.7)**

1. Show-cause order: Lenahan violated the principles of honesty and sportsmanship when he knowingly participated in sports betting activities. Therefore, Lenahan shall be subject to a two-year show-cause order from **December 18, 2024, through December 17, 2026.**<sup>3</sup> In accordance with Bylaw 19.12.7.4 and Committee on Infractions Internal Operating Procedure 5-15-5, any employing institution shall require Lenahan to attend the annual NCAA Regional Rules Seminar at his own expense.<sup>4</sup> Fordham, or any member institution that employs Lenahan in an athletically related position during the two-year show-cause period, shall abide by the terms of the show-cause order unless it contacts the office of the Committees on Infractions to make arrangements to show cause why the terms of the order should not apply.
2. Suspension: Lenahan violated the principles of honesty and sportsmanship when he knowingly participated in sports betting activities. Bylaw 19.12.7.4 and Figure 19-1 penalty guidelines contemplate suspensions. Therefore, Fordham or any employing member institution shall suspend Lenahan from two contests during the 2024-25 season.<sup>5</sup> The provisions of this suspension apply to all athletically related duties and require that Lenahan not be present with or have contact or communication with football coaching staff members or student-athletes during the suspension period. The prohibition includes all coaching activities for the suspension period that begins at 12:01 a.m. on the day of each of two selected contests and ends at 11:59 p.m. on the day of each selected contest. During the suspension period, Lenahan may not participate in any coaching activities, including, but not limited to, team travel, practice, video study, recruiting and team meetings. Any employing institution may not utilize Bylaw 11.02.2.2 to replace Lenahan on a temporary basis during the period of suspension.

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<sup>3</sup> All penalties must be completed during the time periods identified in this decision. If completion of a penalty is impossible during the prescribed period, Lenahan shall make the Committee on Infractions aware of the impossibility and must complete the penalty at the next available opportunity.

<sup>4</sup> Lenahan served this penalty in June 2024.

<sup>5</sup> Lenahan served this penalty on October 12 and November 23, 2024.

**Additional Penalties for Level II – Standard Violations (Bylaw 19.12.9)**

3. The institution prohibited Lenahan's participation in athletically related activities in January 2023. (Self-imposed)
4. Lenahan sought and participated in counseling sessions at his own expense to address his gambling indiscretion. (Self-imposed)
5. Public reprimand and censure through the release of the negotiated resolution agreement.

**VI. PARTIES TO THE CASE**

**A. In agreement with the negotiated resolution (the parties).**

Lenahan

**B. Not in agreement with the negotiated resolution.**

None.

**C. Not participating in the case.**

None.

**VII. OTHER AGREEMENTS**

The parties agree that this case will be processed through the NCAA negotiated resolution process as outlined in Bylaw 19.10, and a hearing panel comprised of members of the Committee on Infractions will review the negotiated resolution. The parties acknowledge that the negotiated resolution contains agreed-upon findings of fact of NCAA violations and agreed-upon aggravating and mitigating factors based on information available at this time. Nothing in this resolution precludes the enforcement staff from investigating additional information about potential rules violations. The parties agree that, pursuant to Bylaw 19.1.3, the violations identified in this agreement occurred and should be classified as Level II – Standard.

If a hearing panel approves the negotiated resolution, Lenahan agree that they will take every precaution to ensure that the terms of the penalties are observed. Lenahan acknowledge that he has or will impose and follow the penalties contained within the negotiated resolution, and these penalties are in accordance with those prescribed in Bylaws 19.12.7, 19.12.8, 19.12.9 and 19.12.10. The office of the Committees on Infractions will monitor the penalties during their

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effective periods. Any action by Lenahan contrary to the terms of any of the penalties or any additional violations may be considered grounds for prescribing more severe penalties or may result in additional allegations and violations.

The parties acknowledge that this negotiated resolution may be voidable by the Committee on Infractions if any of the parties were aware or become aware of information that materially alters the factual information on which this negotiated resolution is based.

The parties further acknowledge that the hearing panel, subsequent to its review of the negotiated resolution, may reject the negotiated resolution. Should the hearing panel reject the negotiated resolution, the parties understand that the hearing panel will issue instructions for processing of the case pursuant to hearing resolution (Bylaw 19.8) or limited resolution (Bylaw 19.9) and prior agreed-upon terms of the rejected negotiated resolution will not be binding.

Should a hearing panel approve the negotiated resolution, the parties agree that they waive NCAA hearing and appellate opportunities.

### **VIII. DIVISION I COMMITTEE ON INFRACTIONS APPROVAL**

Pursuant to NCAA Bylaw 19.10.1, the panel approves the parties' negotiated resolution agreement. The panel's review of this agreement is limited. Panels may only reject a negotiated resolution agreement if the agreement is not in the best interests of the Association or if the agreed-upon penalties are manifestly unreasonable. *See* Bylaw 19.10.4. In this case, the panel determines the agreed-upon facts, violations, aggravating and mitigating factors, and classifications are appropriate for this process. Further, the parties classified this case as Level II-Standard for Lenahan. The agreed-upon penalties align with the ranges identified for core penalties for Level II-Standard cases in Figure 19-1 and Bylaw 19.12.7 and the additional penalties available under Bylaw 19.12.9. Pursuant to Bylaw 19.10.6, this negotiated resolution has no precedential value.

The COI advises Lenahan that he should take every precaution to ensure that he observes the terms of the penalties. Any action by Lenahan contrary to the terms of any of the penalties or any additional violations shall be considered grounds for prescribing more severe penalties and/or may result in additional allegations and violations.

NCAA COMMITTEE ON INFRACTIONS PANEL

Jeremy Jordan

Kay Norton, chief hearing officer

Mary Schutten