

**DECISION PACKET OF THE
NATIONAL COLLEGIATE ATHLETIC ASSOCIATION
DIVISION I INFRACTIONS APPEALS COMMITTEE
February 10, 2026**

Sean Brosnan
Former Assistant Cross Country and Track and Field Coach
University of California, Los Angeles
Los Angeles, California

Includes:

- Decision Summary
- Full Decision

NCAA DIVISION I INFRACTIONS APPEALS COMMITTEE

DECISION SUMMARY

**FOR SEAN BROSINAN, FORMER ASSISTANT CROSS COUNTRY
AND TRACK AND FIELD COACH**

UNIVERSITY OF CALIFORNIA, LOS ANGELES

FEBRUARY 10, 2026

**NCAA DIVISION I INFRACTIONS APPEALS COMMITTEE
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Key Points Related to Sean Brosnan, Former Assistant Cross Country and Track and Field Coach, in the July 8, 2025, NCAA Division I Committee on Infractions Decision

- This infractions case involved Mr. Brosnan’s impermissible contact (subsequently referred to as tampering)¹ with the parents of two student-athletes at other schools (prospective student-athletes) and his failure to cooperate with the investigation in a timely manner.
- The Committee on Infractions determined this case to be a Level II-Mitigated case for Mr. Brosnan and prescribed a one-year show-cause penalty. If Mr. Brosnan becomes employed in an athletically related position at an NCAA school during the period of the one-year show-cause penalty, he is prohibited from participating in recruiting activities by phone and off campus for a period of six months; he is required to attend the annual NCAA Regional Rules Seminar at his own expense; and the NCAA school must provide biweekly education to Mr. Brosnan during his first three months of employment.

Issues Raised on Appeal and Reviewed by the NCAA Division I Infractions Appeals Committee

Mr. Brosnan appealed to the Infractions Appeals Committee the following findings of violations:

- Mr. Brosnan’s violation of tampering rules when he communicated with the fathers of two prospective student-athletes who had not entered the NCAA Transfer Portal.
- Mr. Brosnan’s violation of the cooperation rules when he refused to participate in an interview with the NCAA enforcement staff, which unnecessarily delayed the investigation.

Mr. Brosnan argued:

- That the Committee on Infractions overbroadly applied the tampering rules to conversations with the prospective student-athletes’ fathers that he characterized as nonrecruiting communications based purely upon long-standing friendships.
- That he should not be penalized for the conversations with the prospective student-athletes’ fathers because UCLA failed to properly educate him on the Transfer Portal and tampering rules and he relied on explicit assurances from school’s compliance staff and his head coach that conversations with the fathers were permissible so long as recruiting was not discussed.

¹ The bylaw specifically restricts contacts and communications with four-year prospective student-athletes, which some refer to as a form of tampering. For consistent reference to the Committee on Infractions decision and the parties’ arguments before this committee, we will refer to violations at issue as tampering.

- That the failure-to-cooperate violation was not appropriate because his temporary refusal to interview arose solely from legitimate concerns over privacy and the NCAA's mishandling of personal data. Further, his later cooperation should have mitigated penalties.

Determination by and Rationale of the Infractions Appeals Committee

The Infractions Appeals Committee **AFFIRMED** the appealed findings of violations because:

- Mr. Brosnan failed to demonstrate that there was no information in the case record to support the hearing panel's determinations. He also failed to demonstrate that no reasonable person would have determined that the violations occurred.

Members of the Infractions Appeals Committee for this Appeal

- Julie Vannatta, acting committee chair and public member.
- Colleen Hanycz, president at Xavier.
- Allison Rich, director of athletics at New Hampshire.
- David Shipley, law professor and faculty athletics representative at Georgia.
- Maura Smith, associate commissioner/governance and compliance at the Sun Belt Conference.

Appellate Review and Timeline

- This appeal was reviewed on the written record.²
- Key Dates:

July 8, 2025	Committee on Infractions issued public decision.
July 23, 2025	Submission of a notice of intent to appeal by Mr. Brosnan.
Aug. 24, 2025	Submission of the written appeal by Mr. Brosnan.
Sept. 25, 2025	Submission of the Committee on Infractions' response.
Oct. 8, 2025	Submission of the rebuttal by Mr. Brosnan.
Oct. 16, 2025	Submission of written submittal by NCAA enforcement.

² A review on the written record means that the Infractions Appeals Committee reviewed the documents submitted by Mr. Brosnan, the appeals advocate for the Committee on Infractions and the NCAA enforcement staff to resolve the appeal. An oral argument was not conducted for this appeal.

Oct. 27, 2025	Submission of response to written submittal by Mr. Brosnan.
Nov. 18, Dec. 2 and Dec. 17, 2025	Infractions Appeals Committee deliberations. ³
Nov. 21, 2025, to Feb. 9, 2026	Decision drafting and review by the Infractions Appeals Committee. ⁴
Feb. 10, 2026	Infractions Appeals Committee decision released.

Full Decision of the Infractions Appeals Committee

The full decision of the Infractions Appeals Committee, which includes the details of the violations, penalties and the committee's determinations and rationale, is available on the [Legislative Services Database for the Internet](#).

³ New committee member, Hugh Fraser, observed the deliberations, but did not comment or participate in discussions during the deliberations. Alejandra Montenegro Almonte was unavailable to participate in the resolution of this case.

⁴ Note, this timeline includes the Dec. 24, 2025, to Jan. 1, 2026, NCAA national office holiday closure and the 17-day final decision review and release process.

**DECISION OF THE
NATIONAL COLLEGIATE ATHLETIC ASSOCIATION
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February 10, 2026

Sean Brosnan

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University of California, Los Angeles

Los Angeles, California

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I. INTRODUCTION.

Sean Brosnan, former assistant cross country and track and field coach at University of California, Los Angeles, appealed to the NCAA Division I Infractions Appeals Committee specific findings of violations and application of aggravating factors, and the resultant case level and classification as determined by the NCAA Division I Committee on Infractions.⁵ In this decision, the Infractions Appeals Committee addresses the issues raised by Mr. Brosnan (hereinafter referred to as Mr. Brosnan or appellant).

II. BACKGROUND.

On July 8, 2025, the Committee on Infractions issued its public infractions decision related to UCLA including Mr. Brosnan in which the committee found violations of NCAA legislation in the cross country and track and field programs. On the basis of those findings, the Committee on Infractions determined that this was a Level II-Mitigated infractions case for Mr. Brosnan and prescribed penalties accordingly.

This case centered on violations of NCAA bylaws governing impermissible contacts (hereinafter referred to as tampering)⁶ and failure to cooperate.

After the Committee on Infractions issued its decision, Mr. Brosnan filed a timely notice of intent to appeal July 23, 2025. A written appeal was filed August 24, 2025. The Committee on Infractions filed its response September 25, 2025. Mr. Brosnan filed his rebuttal to the Committee on Infractions response October 8, 2025. NCAA enforcement filed its submittal October 16, 2025, and the appellant filed his response to the submittal October 27, 2025. The case was considered on the written record by the Infractions Appeals Committee November 18, December 2 and December 17, 2025 (see Section IX below).

III. FINDINGS OF FACT AS DETERMINED BY THE COMMITTEE ON INFRACTIONS.

See Committee on Infractions decision for UCLA Page Nos. 3 through 9. A copy of the decision may be accessed via the NCAA Legislative Services Database for the Internet (LSDBi) by clicking [HERE](#).

IV. ANALYSIS AS DETERMINED BY THE COMMITTEE ON INFRACTIONS.

See Committee on Infractions decision for UCLA Page Nos. 9 through 14. A copy of the decision may be accessed via LSDBi by clicking [HERE](#).

⁵ Mr. Brosnan did not identify any penalty for appeal on his notice of intent to appeal form, but he challenged his penalty in his written submissions, which is addressed in Sections VI and X.

⁶ The bylaw specifically restricts contacts and communications with four-year prospective student-athletes, which some refer to as a form of tampering. For consistent reference to Committee on Infractions decision and the parties' arguments before this committee, we will refer to violations at issue as tampering.

V. APPEALED FINDINGS OF VIOLATIONS FOUND BY THE COMMITTEE ON INFRACTIONS.⁷

Mr. Brosnan appealed the following violations found by the Committee on Infractions:

IV.A.2 **Brosnan violated tampering legislation when he communicated with the fathers of two prospects who were not in the transfer portal.** From September 16 through December 12, 2022, Brosnan exchanged multiple phone calls with the fathers of prospects 1 and 2 while the prospects were enrolled at other NCAA member institutions and before the prospects entered the transfer portal. Specifically, Brosnan spoke with prospect 1's father on 11 occasions and with prospect 2's father on three occasions during this time. Brosnan acknowledged that these contacts occurred. His conduct violated Bylaw 13.1.1.3, which prohibits all contact with student-athletes – and individuals associated with student-athletes – who are not in the transfer portal.

IV.B.2 **Brosnan's refusal to interview with the enforcement staff unnecessarily delayed the investigation and violated NCAA principles of cooperation.** From December 18, 2023, until April 16, 2024, Brosnan delayed the investigation in this case when he refused to participate in an interview with the enforcement staff. Specifically, Brosnan cancelled the interview he had scheduled for December 18, 2023, after the enforcement staff denied his request to release metadata related to the imaging of his cell phone. He continued to refuse to interview for the next four months, finally agreeing to the enforcement staff's request on April 16, 2024, the day after the enforcement staff shared with him the specific details of the allegations it had developed.

For the other violations found by the Committee on Infractions, see Committee on Infractions decision for UCLA Page Nos. 9 through 14. A copy of the decision may be accessed via LSDBi by clicking [HERE](#).

VI. APPEALED PENALTIES PRESCRIBED BY THE COMMITTEE ON INFRACTIONS.

All of the penalties prescribed by the Committee on Infractions related to Mr. Brosnan were core penalties that fall within the range of the case level and classification, as determined by the Committee on Infractions, noted in Figure 19-1, and were not directly appealable pursuant to NCAA [Bylaw 19.13.1.3](#).

⁷ The descriptions of the findings of violations are copied directly from the Committee on Infractions decision.

For the penalties prescribed, see Committee on Infractions decision for UCLA Page Nos. 15 through 19. A copy of the decision may be accessed via LSDBi by clicking [HERE](#).

VII. APPEALED AGGRAVATING AND/OR MITIGATING FACTORS.

On the notice of intent to appeal form, Mr. Brosnan marked each of the following aggravating factors applied by the hearing panel for appeal:

- a. [Bylaw 19.12.3.2-\(a\)](#) – Multiple Level I and/or multiple Level II violations.
- b. [Bylaw 19.12.3.2-\(b\)](#) – Failing to take appropriate steps to resolve the matter.
- c. [Bylaw 19.12.3.2-\(d\)](#) – Person of authority condoned, participated in, or negligently disregarded the violation or wrongful conduct.
- d. [Bylaw 19.12.3.2-\(e\)](#) – One or more violations caused ineligible competition.

However, Mr. Brosnan did not specifically make any arguments regarding these aggravating factors in his written submissions.

For the other aggravating and/or mitigating factors applied or rejected by the Committee on Infractions, see Committee on Infractions decision for UCLA Page Nos. 15 through 18. A copy of the decision may be accessed via LSDBi by clicking [HERE](#).

VIII. ISSUES RAISED ON APPEAL.

In his written appeal, Mr. Brosnan asserted that the findings of violations against him should be set aside and the penalty modified because: (1) the tampering bylaw was overbroadly applied by penalizing communications he described as non-recruiting, friendship-based conversations; (2) the institution failed to provide him with proactive education on the NCAA Transfer Portal and scope of the tampering bylaw and that he relied on explicit assurances from institutional compliance and his head coach that preexisting friendships were permissible so long as recruiting was not discussed until the prospective student-athletes were in the Transfer Portal; and (3) his temporary refusal to interview arose solely from legitimate concerns over privacy and mishandling of personal data, not obstruction, and his belated cooperation should have mitigated, not aggravated penalties. Mr. Brosnan also raised arguments claiming violations of freedom of association, privacy and due process under the U.S. and California Constitutions and California state law.

IX. APPELLATE PROCEDURE.

In considering Mr. Brosnan's appeal, the Infractions Appeals Committee reviewed the notice of appeal; the record and transcript of the April 24, 2025, hearing before the Committee on Infractions; the July 8, 2025, Committee on Infractions public infractions decision; and the submissions by Mr. Brosnan, Committee on Infractions and enforcement referred to in Section II of this decision.

This appeal was reviewed on the written record by the Infractions Appeals Committee November 18, December 2 and December 17, 2025.

X. INFRACTIONS APPEALS COMMITTEE'S RESOLUTION OF THE ISSUES RAISED ON APPEAL.

In reviewing the decision in this case pursuant to the standards of review established by the membership, the Infractions Appeals Committee must affirm the Committee on Infractions hearing panel's factual findings and its conclusion that one or more violations occurred⁸ if there "is information in the case record supporting the hearing panel's decision." Additionally, the Infractions Appeals Committee may not set aside a hearing panel's factual findings and conclusions except on a showing by the appellant that "no reasonable person could have made such determinations after considering the case record."⁹

The Committee on Infractions determines the credibility of the information in the case record before it.

It is the appellant's burden to demonstrate that there is no information in the case record to support the hearing panel's determinations and that no reasonable person would have reached the same determinations as the hearing panel based on the case record before it. The standard requires that the appellant demonstrate more than the existence of an alternative reading or application of the information. Further, the level of deference historically provided by this committee to the hearing panel's determinations is not diminished under the current standard of review.

⁸ The same standard of review is applicable to appealable penalties, however none of Mr. Brosnan's penalties were directly appealable. Section VI of this decision.

⁹ [Bylaw 19.13.1.1](#).

Arguments by Appellant Regarding the U.S. and California Constitutions Related to Freedom of Association, Privacy and Due Process.

As an initial matter, this committee notes that Mr. Brosnan raised freedom of association, privacy and due process Constitutional arguments as well as conflicts with state law arguments in his written submissions. This committee is in agreement with the hearing panel, as noted in their response to the appeal, that any such arguments are beyond the purview of this appeal process and, therefore, will not be addressed by this committee.

Appealed Aggravating Factors Not Addressed in Appellant's Written Submissions.

In his notice of intent to appeal form, Mr. Brosnan indicated that he intended to appeal the aggravating factors assessed against him by the hearing panel. However, Mr. Brosnan's written submissions did not specifically address these aggravating factors and did not explain why they should not be applied to him.

Therefore, the appellant has failed to meet his burden to overturn the application of aggravating factors, and we affirm those aggravating factors.

Violation IV.A.2 – Tampering.

a. Preexisting Relationships

Mr. Brosnan argued that the tampering bylaw was overbroadly applied by penalizing conversations he had with the prospective student-athletes' fathers before the prospective student-athletes entered the Transfer Portal, which he characterized as "non-recruiting" and "friendship based." (Written Appeal Page No. 3) Mr. Brosnan noted that he was a first-year NCAA coach hired directly from a highly successful high school program and maintained longstanding personal friendships with the families of athletes that he coached or knew prior to entering the collegiate ranks. (Written Appeal Page No. 2) The prospective student-athletes and their parents all testified that recruiting was never discussed until the prospective student-athletes entered the Transfer Portal, and both fathers testified that when questions about transfer arose, Mr. Brosnan explicitly stated: "I cannot talk about that until she is in the portal." (Written Appeal Page Nos. 3 and 4)

The hearing panel argued that the tampering bylaw is straightforward because no communication can occur before the prospective student-athletes enter the Transfer Portal. Since Mr. Brosnan's conduct clearly violated the bylaw (he acknowledged speaking with both fathers, and his phone records confirmed the timing and frequency of these calls), the hearing panel argued that a tampering violation occurred. The hearing panel stated that the bylaw makes no exception for friendly

conversations based upon preexisting relationships and makes no distinction between recruiting and non-recruiting communications. (Committee on Infractions Response Page Nos. 5 and 6) In addition, the hearing panel noted that it identified various information in the case record to support a reasonable inference of a recruiting nexus to the discussions.¹⁰ (Committee on Infractions Response Page No. 6, Footnote No. 4) Further, the hearing panel argued that a Level II case designation was warranted based on the multiple contacts over a three-month period showing they were not isolated or limited and that there was more than a minimal recruiting advantage gained by the conversations due to both individuals transferring and competing for the appellant. (Committee on Infractions Response Page No. 7, Footnote No. 5)

As we noted above, it is the appellant's burden to meet the standard of review and show that there is no information in the record to support the hearing panel's determination and that no reasonable person, after considering the record, could have made the same determination as the hearing panel. After reviewing the case record and the parties' arguments, we find that Mr. Brosnan has failed to meet his burden to overturn the hearing panel's finding that contact violations occurred. We agree that the bylaw, under these facts, is straightforward and agree with the hearing panel's finding that Mr. Brosnan communicated with the prospective student-athletes' fathers before the prospective student-athletes entered the portal. Further, the hearing panel's well-written decision clearly articulated their measured view of the full record before it and the weighing of various aggravating and mitigating factors in reaching a thoughtful and balanced determination. The hearing panel's assessment as to the number and timing of calls to the prospective student-athletes' families relative to the prospective student-athletes entering the Transfer Portal and indicating they did not want to be contacted by any institutions, as well as the fact that the prospective student-athletes actually transferred to UCLA, reasonably supports the tampering violation. In addition, the fact that both prospective student-athletes transferred to other institutions after Mr. Brosnan's departure further supports the reasonableness of the hearing panel's determination.

Therefore, this committee finds that the hearing panel's determination that Mr. Brosnan's actions were in violation of the tampering bylaw was reasonable.

¹⁰ The case record includes information about the number, duration and proximity of calls relative to the prospective student-athletes entering the Transfer Portal and transferring to UCLA. Further, it also included one prospective student-athlete's recollection that her father told her that Mr. Brosnan expressed interest in her transferring to UCLA. ([Committee On Infractions Decision Page Nos. 3 through 6](#))

b. Institutional Education and Assurances

Mr. Brosnan argued that despite being a first-year collegiate coach hired directly from a highly successful high school program and having longstanding personal friendships with families of athletes he coached or knew prior to entering the collegiate ranks, the institution failed to provide him with proactive education on the Transfer Portal and scope of the tampering bylaw as it related to his preexisting relationships with his former athletes and their families. Additionally, Mr. Brosnan argued that the record shows that he relied on explicit assurances from institutional compliance and his head coach that preexisting friendships were permissible so long as recruiting was not discussed until the prospective student-athletes were in the Transfer Portal. (Written Appeal Page Nos. 2 and 3)

The hearing panel argued that Mr. Brosnan's mistaken belief that his conduct was permissible, whether based on bad advice or lack of education, is irrelevant to the question of whether a tampering violation occurred. Therefore, if the conduct occurred, as Mr. Brosnan acknowledged it did, then the violation occurred regardless of his mistaken belief that his conduct was permissible. (Committee on Infractions Response Page No. 8) The hearing panel further noted its decision was sympathetic to Mr. Brosnan's arguments before the hearing panel and accounted for his lack of intent when applying and weighing aggravating and mitigating factors and prescribing penalties. Nevertheless, the hearing panel concluded that UCLA's actions and inactions did not cure Mr. Brosnan's tampering violation. (Committee on Infractions Response Page Nos. 6 through 8)

After reviewing the case record and the parties' arguments, this committee finds that Mr. Brosnan has failed to meet his burden to overturn the hearing panel's finding that a tampering violation occurred, as he has not shown that there is no information to support the hearing panel's decision. We find that the hearing panel's thorough and well-reasoned articulation in its decision of the information in the case record supports the finding that a tampering violation occurred. Further, we find that the hearing panel reasonably accounted for the unique circumstances surrounding UCLA's compliance and head coach conversations with Mr. Brosnan and lack of education by its application and weighing of aggravating and mitigating factors and by classifying the case downward from standard to mitigated.

Therefore, for the above reasons, we affirm violation IV.A.2.

Violation IV.B.2 - Failure to Cooperate.

Mr. Brosnan disputes the hearing panel's determination of a failure to cooperate violation. Mr. Brosnan argued that his temporary refusal to interview arose solely from legitimate

concerns over privacy and mishandling of personal data, not obstruction. He argued that his belated cooperation should have mitigated, not aggravated penalties. (Written Appeal Page Nos. 5 and 6) In particular, he contended that his phone was imaged and accessed by the NCAA and the institution before he could review or withhold private, irrelevant files. He also argued that the enforcement staff admitted he was not properly informed of his right to review prior to disclosure.

In its response, the hearing panel noted that current and former staff members have a duty to fully cooperate with the infractions process, which includes timely participation in interviews. The hearing panel claimed that Mr. Brosnan failed to fulfill this duty when he canceled a scheduled interview and then, for a four-month period, he refused to participate in an interview with the enforcement staff due to them not agreeing to release metadata showing who had viewed the images from his cell phone. (Committee on Infractions Response Page No. 9) The hearing panel acknowledged that the enforcement staff departed from its usual practice by not allowing Mr. Brosnan the opportunity to review and withhold personal records before they were shared with the enforcement staff and UCLA. However, the hearing panel stated that this departure from usual practices did not cure the failure to cooperate violation. (Committee on Infractions Response Page No. 10) The hearing panel also argued the failure to cooperate violation was supported by: (1) the sequence of events related to the imaging of Mr. Brosnan's phone and his subsequent refusal to interview; and (2) the fact that Mr. Brosnan only cooperated after the enforcement staff provided his counsel with the fully developed allegations which were prepared for the enforcement staff's allegation review board. (Committee on Infractions Response Page No. 9) Finally, the hearing panel argued that along with Mr. Brosnan's eventual cooperation (which was helpful to the investigation), it accounted for the enforcement staff's conduct by classifying the case as Level II instead of Level I (failure to cooperate is a presumptive Level I violation) and in the classification and prescription of penalties for Mr. Brosnan. (Committee on Infractions Response Page No. 10)

After reviewing the case record and the parties' arguments, this committee finds that Mr. Brosnan has failed to meet his burden to overturn the hearing panel's determination that he failed to cooperate with the investigation, as required by NCAA bylaws. There is information in the case record to support the hearing panel's determination. As noted above, Mr. Brosnan argued that the actions of the enforcement staff should have resulted in an exculpation of the violation. However, the hearing panel clearly and fully articulated why Mr. Brosnan's interview cancellations and delays constituted a failure to cooperate and explained how Mr. Brosnan's concerns about disclosure of personal records did not nullify the violation. In addition, this committee finds that the hearing panel reasonably accounted for the enforcement staff's departure from usual data imaging processes by reducing the case level from Level I to Level II.

Therefore, for the above reasons, we affirm violation IV.B.2.

XI. CONCLUSION.

The findings of violations IV.A.2 and IV.B.2 as well as the application of aggravators, as applicable to Mr. Brosnan, are affirmed.

NCAA Infractions Appeals Committee¹¹

Julie Vannatta, acting chair

Colleen Hanycz

Allison Rich

David Shipley

Maura Smith.

¹¹ New committee member, Hugh Fraser, observed the deliberations, but did not comment or participate in discussions during the deliberations. Alejandro Montenegro Almonte was unavailable to participate in the resolution of this case.