

**DECISION PACKET OF THE
NATIONAL COLLEGIATE ATHLETIC ASSOCIATION
DIVISION I INFRACTIONS APPEALS COMMITTEE**

March 8, 2024

Decision No. 572

Jeremy Pruitt

Former Head Football Coach

University of Tennessee, Knoxville

Knoxville, Tennessee

Includes:

- Decision Summary
- Full Decision

NCAA DIVISION I INFRACTIONS APPEALS COMMITTEE

DECISION SUMMARY

FOR JEREMY PRUITT, FORMER HEAD FOOTBALL COACH

UNIVERSITY OF TENNESSEE, KNOXVILLE

MARCH 8, 2024

**NCAA DIVISION I INFRACTIONS APPEALS COMMITTEE
DECISION SUMMARY
FOR JEREMY PRUITT, FORMER HEAD FOOTBALL COACH
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Key Points Related to Jeremy Pruitt, Former Head Football Coach, in the NCAA Division I Committee on Infractions July 14, 2023, Decision

- The infractions case included impermissible direct cash payments to recruits, student-athletes or their parents; the provision of false or misleading information to enforcement; and violation of the head coach responsibility rule.
- The case was determined, by the Committee on Infractions, to be a Level I-Aggravated case for Mr. Pruitt, and a six-year show-cause order was prescribed by that committee. If Mr. Pruitt becomes employed in an athletically related position at an NCAA school during the show-cause order, he shall be subject to a suspension from 100% of the first season of his employment.

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

Mr. Pruitt appealed to the Infractions Appeals Committee the following findings of violations related to his involvement in the provision of:

- Money to the mother of a prospective student-athlete.
- Money to the mother of an enrolled student-athlete.
- False and misleading information during the investigation.

He generally challenged the credibility of the mothers and the information relied on by the Committee on Infractions to find that violations occurred.

Determination and Rationale by the Infractions Appeals Committee

The Infractions Appeals Committee **AFFIRMED** the appealed findings of violations because Mr. Pruitt failed to:

- Demonstrate that there was no information in the case record to support the Committee on Infractions' determinations. He merely highlighted information that could, at best, support an alternative reading or application of the information.
- Demonstrate that no reasonable person would have made the same determinations regarding the credibility of the individuals heard and information reviewed by the Committee on Infractions.

Members of the Infractions Appeals Committee for this Appeal¹

¹ Infractions Appeals Committee member David Shipley was recused from this appeal, and Infractions Appeals Committee member Alejandra Montenegro Almonte was unable to join the Dec. 18, 2023, deliberations for this appeal.

- Ellen M. Ferris, committee chair and senior associate commissioner for governance and compliance at the American Athletic Conference.
- Jonathan Alger, president of James Madison.
- Tom Goss, insurance chairman and executive.
- Allison Rich, director of athletics at New Hampshire.
- Julie Vannatta, retired senior associate general counsel for athletics at Ohio State.

Appellate Review and Timeline

- This appeal was reviewed on the written record.² The case was considered by the Infractions Appeals Committee Dec. 18, 2023.
- Key Dates:

July 14, 2023	Committee on Infractions issues decision.
July 28, 2023	Submission of a notice of intent to appeal by Mr. Pruitt.
Sept. 8, 2023	Submission of the written appeal by Mr. Pruitt.
Oct. 12, 2023	Submission of the Committee on Infractions response.
Oct. 27, 2023	Submission of the rebuttal by Mr. Pruitt.
Nov. 6, 2023	Submission of written submittal by NCAA enforcement.
Nov. 17, 2023	Submission of response to written submittal by Mr. Pruitt.
Dec. 18, 2023	Infractions Appeals Committee deliberation.
Dec. 19, 2023 to March 7, 2024 ³	Decision drafting and review by the Infractions Appeals Committee.
March 8, 2024	Infractions Appeals Committee decision released.

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

³ Note, this timeline includes the Dec. 23, 2023 to Jan. 1, 2024 NCAA national office holiday closure and the 17-day decision review and release process.

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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 (LSDBi).

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Knoxville, Tennessee

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I. INTRODUCTION.

Jeremy Pruitt, former head football coach at University of Tennessee, Knoxville, appealed to the NCAA Division I Infractions Appeals Committee specific findings of violations by the NCAA Division I Committee on Infractions. In this decision, the Infractions Appeals Committee addresses the issues raised by Mr. Pruitt (hereinafter referred to as former head coach or appellant).

II. BACKGROUND.

On July 14, 2023, the Committee on Infractions issued Infractions Decision No. 572 in which the committee found violations of NCAA legislation in the football program. On the basis of those findings, the Committee on Infractions determined that this was a Level I-Aggravated infractions case for the former head coach and prescribed penalties accordingly.

This case centered on violations of NCAA bylaws governing recruiting, extra benefits, unethical conduct and head coach responsibility.

After the Committee on Infractions issued its decision, the former head coach filed a timely notice of appeal July 28, 2023. A written appeal was filed September 8, 2023.⁴ The Committee on Infractions filed its response October 12, 2023. The former head coach filed his rebuttal to the Committee on Infractions response October 27, 2023. NCAA enforcement filed its submittal November 6, 2023, and the former head coach responded November 17, 2023. The case was considered by the Infractions Appeals Committee December 18, 2023 (see Section VIII below).

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

See Committee on Infractions' decision for Tennessee Page Nos. 7 through 31. 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 Tennessee Page Nos. 31 through 59. A copy of the decision may be accessed via LSDBi by clicking [HERE](#).

V. APPEALED FINDINGS OF VIOLATIONS FOUND BY THE COMMITTEE ON INFRACTIONS.⁵

The former head coach appealed three violations found by the Committee on Infractions. The appealed violations are:

IV.A.3. Members of the football staff knowingly provided impermissible recruiting inducements and benefits to prospect 2 and his mother, including the head coach's provision of cash to the prospect's mother to assist with medical bills. For a period of

⁴ Appellate options were clarified, and the scope of appeal narrowed from the filing of the notice of appeal to the written appeal filing.

⁵ The descriptions of the findings of violations are copied from the Committee on Infractions decision.

more than two years, the head coach, recruiting director and assistant recruiting director knowingly arranged and/or provided approximately \$12,707 in impermissible recruiting inducements and benefits to prospect 2 and/or his mother. As a result, prospect 2 competed and received expenses while ineligible.

IV.A.4. Members of the football staff knowingly provided impermissible recruiting inducements and benefits to prospect 1 and his mother, including the provision of cash by the head coach and his wife to assist prospect's mother with car and rent payments.

For a period of two and a half years, members of the football staff knowingly provided impermissible recruiting inducements and extra benefits to prospect 1 and his family members—most notably, his mother. During the prospect's recruitment, the recruiting director arranged and provided inducements in connection with the prospect's unofficial visits, and the head coach arranged or provided the prospect's mother with \$6,000 cash to make a down payment on a car. After the prospect enrolled at Tennessee, the recruiting director, and assistant coaches 1 and 2 provided additional extra benefits to the prospect and his mother. The head coach's wife also provided the prospect's mother with cash payments. As a result of the inducements and benefits, prospect 1 competed and received expenses while ineligible.

IV.B.4. The head coach, assistant coach 1, the recruiting director and the recruiting assistant violated the principles of ethical conduct and failed to cooperate when they knowingly provided false or misleading information to the institution and enforcement staff after their separation from the institution. After their separations from Tennessee, the recruiting director, the recruiting assistant, assistant coach 1 and the head coach provided false or misleading information to the institution and enforcement staff when they denied their involvement in NCAA violations. Their denials were refuted by information in the record—particularly their own agreements and admissions.

For the other violations found by the Committee on Infractions, see Committee on Infractions' decision for Tennessee Page Nos. 7 through 31. A copy of the decision may be accessed via LSDBi by clicking [HERE](#).

VI. APPEALED PENALTIES PRESCRIBED BY THE COMMITTEE ON INFRACTIONS.

All penalties prescribed by the Committee on Infractions for the former head coach were core penalties that fall within the range of the 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.

For the penalties prescribed by the Committee on Infractions and application of aggravating and mitigating factors, see Committee on Infractions' decision for Tennessee Page Nos. 61 through 81. A copy of the decision may be accessed via LSDBi by clicking [HERE](#).

VII. ISSUES RAISED ON APPEAL.

In his written appeal, the former head coach asserted that the findings of violations in relation to the former head coach's provision of monetary benefits to the mothers of a prospective student-athlete and an enrolled student-athlete and engagement in unethical conduct as determined by the Committee on Infractions, were not supported by the case record to the extent that no reasonable person could have made the decisions after considering the case record.

VIII. APPELLATE PROCEDURE.

In considering the former head coach's appeal, the Infractions Appeals Committee reviewed the notice of intent to appeal; the record and transcript of the institution's April 19 and 20, 2023, hearing before the Committee on Infractions and the submissions by the former head coach, the 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 December 18, 2023.

IX. INFRACTIONS APPEALS COMMITTEE'S RESOLUTION OF THE ISSUES RAISED ON APPEAL.⁶

In reviewing the decision in this case pursuant to the new standards of review established by the membership effective January 1, 2023, the Infractions Appeals Committee shall affirm the Committee on Infractions hearing panel's factual findings and its conclusion that one or more violations occurred 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.⁷ As the appellant has noted in his submissions, this appeal is the first to come before the Infractions Appeals Committee after changes to its standard of review became effective January 1, 2023.

The appellant and hearing panel spent an extensive amount of their submissions discussing the appropriate evidentiary standard for the hearing panel. Specifically, whether the evidentiary standard created by the adoption of NCAA Division I Proposal No. 2022-17⁸, which appellant argued should have been used by the hearing panel, introduced a new "sufficiency of information" analysis not employed by the hearing panel. In this case, the hearing panel utilized

⁶ In this section of the decision, the cites to NCAA bylaws will be linked to the full text of the bylaws in LSDBi.

⁷ [Bylaw 19.13.1.1](#).

⁸ Bylaw 19.7.2 Committee on Infractions Decision Standard. In all matters before the Committee on Infractions, a hearing panel shall conclude a violation occurred if it determines an allegation is supported by credible and sufficient information (direct or circumstantial) on which a reasonable person could rely.

the previous evidentiary standard.⁹ Additionally, the appellant noted a lack of appropriate procedural notice regarding the hearing panel's use of the previous evidentiary standard.

The hearing panel argued that the evidentiary standard set forth in Proposal No. 2022-17 was made for clarification and streamlining purposes only. The hearing panel noted that, for purposes of evaluating the evidence, the standards in [Bylaws 19.7.2](#) and the 19.7.8.3¹⁰ are effectively the same.

However, under the specific circumstances of this case, this committee need not resolve this dispute to determine whether or not the appellant has met his obligation under the current appellate standard of review. Rather, the appellant's burden is 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. As noted in the rationale, NCAA Division I Proposal No. 2022-18 raised the standard, resulting in an increased burden for the appellant to meet as compared to the previous standard of review.

In relation to violations IV.A.3 and IV.A.4, the appellant questioned the credibility of the two mothers as to the source of the money they received and speculated about the impact of additional bank records not produced. Further, the appellant acknowledged that overturning violation IV.B.4 is predicated on reversal of violations IV.A.3 and IV.A.4 as those violations support the underlying basis to conclude that the appellant provided false or misleading information denying the payments. The hearing panel argued that there was sufficient credible direct and circumstantial information in the case record to support the findings of violations IV.A.3 and IV.A.4, which in turn, supported the finding of violation IV.B.4.

⁹ Bylaw 19.7.8.3 Basis of Decision. The hearing panel shall base its decision on information presented to it that it determines to be credible, persuasive and of a kind on which reasonably prudent persons rely in the conduct of serious affairs. The information upon which the panel bases its decision may be information that directly or circumstantially supports the alleged violation. (Adopted: 10/30/12 effective 8/1/13, Revised: 8/8/18)

¹⁰ The full text of this bylaw may be found on this page in Footnote No. 9.

The level of deference historically provided by this committee to the hearing panel's determination regarding credibility of individuals and information is in no way diminished by the adoption of the new standard of review noted above. The appellant's burden continues to require more than the demonstration of the existence of an alternative reading or application of the information, and speculation as to what additional information that is not part of the case record may have shown is not sufficient.

Here, there is information in the case record that supports the hearing panel's conclusion that either evidentiary standard (the new [Bylaw 19.7.2](#) or the old Bylaw 19.7.8.3¹¹) was satisfied in that sufficient, credible and persuasive information existed to determine that the appellant committed rules violations.

After our review of the case record, we find that the appellant failed to demonstrate that there was no information in the case record to support the hearing panel's determination and merely highlighted information that could, at best, support an alternative reading or application of the information. In addition, the appellant failed to demonstrate that no reasonable person would have made the same determinations as the hearing panel regarding the credibility of the individuals and information before it. Therefore, we find no basis on which to set aside these findings of violations.

X. CONCLUSION.

The findings of violations IV.A.3, IV.A.4 and IV.B.4, as applicable to the former head coach, are affirmed.

NCAA Infractions Appeals Committee¹²

Ellen M. Ferris, chair
Jonathan Alger
Tom Goss
Allison Rich
Julie Vannatta.

¹¹ The full text of this bylaw may be found on Page No. 4 of this decision in Footnote No. 9.

¹² Infractions Appeals Committee member David Shipley was recused from this appeal and Infractions Appeals Committee member Alejandra Montenegro Almonte was unable to join the December 18, 2023, deliberations for this appeal.