

Response to the:

NCAA NOTICE OF ALLEGATIONS

By:

The Ohio State University

July 7, 2011

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Introductory Statement

This issue was self-detected and self-reported by The Ohio State University (University). The institution is very surprised and disappointed by the lack of action in this matter by then Head Football Coach Jim Tressel. His behavior in this situation is out of character for him, as he has been a man of integrity and high moral standards since his hiring as the head football coach in 2001. His lack of action in this matter appears to have been the result of indecisiveness regarding the appropriate actions to take in this specific situation in which he was placed, as opposed to a blatant disregard of NCAA legislation. Nevertheless, he should have forwarded this information in some manner to appropriate institutional officials. He did not, and both he and the institution understand the significance of this issue. The institution will not excuse such behavior. As a result, the institution has imposed significant corrective and punitive actions upon itself and sought and received the resignation of Tressel.

I. INTRODUCTION

A. Overview of Inquiry

1. Information Received in December 2010 – A December 7, 2010, letter from the U.S. Department of Justice to the University's Office of Legal Affairs indicated that Mr. Ed Rife, the owner of Fine Line Ink Tattoos and Piercings in Columbus, Ohio, was the subject of a criminal investigation for narcotics trafficking and, as a result of a search warrant, certain Ohio State University sports memorabilia had been seized. The letter questioned whether the University or certain student-athletes had ownership interest in these items. The letter identified 10 student-athletes; six were current student-athletes, two recently had left the institution (one of which subsequently was identified in Allegation #1), and two former student-athletes who had graduated several years ago. Utilizing the information provided in the letter, the University immediately began an inquiry.

   As will be reviewed later in this response, after being alerted to this information by the United States Department of Justice, several meetings were promptly held among institutional officials in mid-December, including with Tressel. The University also conducted interviews with the identified student-athletes who were still enrolled.

2. SAR Requests – On December 19, 2010, the institution submitted a self-report of a violation of Bylaw 12.1.2.1.6 to NCAA Vice President of Academic and Membership Affairs Kevin Lennon and NCAA Director of Secondary Enforcement Chris Strobel.

This report involved six then current football student-athletes who sold institutionally-issued awards or received discounted services. At the time this report was submitted to the NCAA, the University believed that the first notice received by any institutional official of this matter was contained in the December 7, 2010, U.S. Department of Justice letter.

The six student-athletes with eligibility remaining who were identified in the letter included:

[redacted] [redacted] [redacted]

The institution declared the six student-athletes ineligible on December 19, 2010, and sought reinstatement through the NCAA Student-Athlete Reinstatement (SAR) Staff. On December 23, the SAR Staff reinstated the student-athletes, subject to each repaying the amount of the benefit, and all but [redacted] being withheld from the first five contests of the 2011 football season. ([redacted] will be withheld from the first game on September 3, 2011). (See Exhibit 1-2 for additional information).

The University appealed the decision for the five student-athletes who received a withholding penalty of five games. A telephone call between the institution and the Division I SAR Committee occurred on March 15, 2011, and the SAR Staff's decision was upheld.

3. Discovery of Additional E-mails in January 2011 – On January 13, 2011, while reviewing information on an unrelated legal issue, the institution's Office of Legal Affairs discovered an e-mail from Tressel that referred to the subject matter of certain activities contained in the University's December 2010 NCAA self-report. The Office of Legal Affairs notified appropriate institutional officials, and an additional inquiry began immediately.

One of the first actions undertaken by the institution was a search of Tressel's e-mail account, telephone records, and text messages. This search uncovered three e-mail

strings between Tressel and Columbus area attorney Chris Cicero relating to this matter and to certain student-athletes. Two strings occurred in April 2010 and one in June 2010.

E-mail searches then were conducted by the University of all football coaching staff members and other football administrative staff members. After these searches, it concluded that no other institutional staff member, including institutional administrators, athletics administrators, football coaches, or other football administrative staff member, had any knowledge of the football student-athletes' activities set out in the University's December 19 NCAA self-report. As a result, the institution has concluded that Tressel was the only football coaching or other administrative staff member aware of these activities prior to December 2010.

On January 16, 2011, three days after the initial Tressel/Cicero e-mail was discovered, Tressel was questioned by institutional officials about his correspondence with Cicero, and he acknowledged receiving and responding to these e-mails. On January 21, 2011, the institution retained Chuck Smrt and Beth Chapman with The Compliance Group (TCG) to serve as outside consultants on this matter. University President Gordon Gee was in China on University business in late January and did not return until early February. Upon the President's return, a detailed discussion occurred regarding this issue.

On February 4, 2011, Smrt informed NCAA Vice President for Enforcement Services Julie Roe Lach of this information and invited the enforcement staff to participate in the institution's ongoing investigation.

4. NCAA Inquiry – On February 8, 2011, the NCAA and institutional representatives conducted an interview of Tressel. Additional joint interviews conducted by the University and the NCAA were held with various individuals over the following two weeks, which resulted in a self-report to the enforcement staff on March 9, 2011. A few additional joint interviews were conducted by the enforcement staff and institutional representatives during the ensuing weeks.

Despite numerous requests by University representatives and the enforcement staff, Ed Rife refused to be interviewed. Also, the enforcement staff requested numerous materials from the institution. These included the provision of rules education materials and monitoring procedures (primarily in the areas of preferential treatment and extra benefits). The additional requests in these areas resulted in no additional allegations against the institution.

The Notice of Inquiry letter was mailed to the institution on April 1, 2011, and the Notice of Allegations was mailed on April 21, 2011.

B. Case Severity

1. Nature of Violations – The violations in this case primarily involve: (i) student-athletes selling awards or apparel/gear provided to them by the institution and/or receiving free or discounted tattoos (preferential treatment); and (ii) the actions of the then head football coach in failing to report his knowledge that the student-athletes might have been involved in selling such awards or apparel/gear (unethical conduct).

The awards sold by the student-athletes were provided by the institution primarily as a result of team performance. These include Big Ten Championship rings, "gold pants" charms for victories against the University of Michigan, Rose Bowl watch, etc. The awards were the student-athletes' personal property, but NCAA legislation prohibits student-athletes from selling merchandise until after their eligibility expires.

Tressel was not involved in the selling of any awards on behalf of the student-athletes. His transgression was that he did not report to the appropriate institutional officials the information he learned in April 2010 that two student-athletes identified in the emails with remaining eligibility might have sold such awards or received discounts. The institution believes such behavior is not appropriate and, as a result, took a significant employment action against him.

2. Reasons Case is Major – The institution acknowledges that this case is major due to the ethical conduct citation in Allegation #2 and the Bylaw 14.11.1 portion of

Allegation #1. The University believes that little institutional responsibility exists for the preferential treatment violations in Allegation #1. While the University recognizes that the institution must take responsibility for its employee's actions with respect to Allegation #2, the responsibility is upon Tressel. No other institutional personnel were aware of the preferential treatment violations, and Tressel had an obligation to report the potential violation to the appropriate institutional officials.

3. Repeat Violator Legislation

a. Overview of Applicability – As noted above, the institution acknowledges that the self-reported violations in this response are major. On March 10, 2006, the Division I Committee on Infractions issued an infractions report to the University that primarily involved the men's basketball program. The report indicated that the University was subject to the provisions of NCAA Bylaw 19.5.2.3 for a five-year period, beginning on March 10, 2006. The major violations involving institutional responsibility in this case occurred in April of 2010 when Tressel should have reported that possible NCAA violations likely were committed, and he did not report such information to the appropriate institutional officials. As a result, the institution agrees it is subject to the repeat violator legislation.

b. Reasons Repeat Violator Penalties Should Not Be Imposed – The institution believes that the repeat violator penalties are inappropriate for the following reasons:

i. The violations in this case are not similar to those in 2006 – The 2006 case primarily involved men's basketball and recruiting violations involving two international student-athletes. The case also included extra benefits, academic fraud, a lack of monitoring, and unethical conduct for involvement in violations. The violations in this case are not similar to those violations from the 2006 case;

ii. This case involves the football program only;

iii. The vast majority of the significant violations in the 2006 case were the result of actions that occurred as far back as 1998 – The 2006 case involved violations that occurred almost 13 years ago; and

iv. (See also the specific items listed below under mitigating circumstances).

4. Mitigating Circumstances – The institution notes the following mitigating circumstances in this case:

i. The institution discovered and promptly self-reported these violations and took decisive action against a very successful coach in a very popular sport in a very short period of time. The NCAA was consulted immediately after the institution's president was notified, and the University and the NCAA have worked cooperatively since that time;

ii. Institutional responsibility is limited. Allegation #1 primarily relates to preferential treatment violations. While some institutional responsibility exists in any preferential treatment violation, nearly all are classified as secondary, and the most significant impact is upon the student-athletes' eligibility.

Regarding Allegation #2, primary responsibility for unethical conduct findings generally is upon the named individual. While an institution always is responsible for the actions of its current and former employees, in this case, institutional responsibility is minimal because, but for the knowledge of a former employee, the institution had no knowledge that a possible violation had occurred;

iii. Tressel's transgression was a failure to act on knowledge of a potential violation as opposed to committing the initial violation;

iv. The individual (Ed Rife) involved in the provision of preferential treatment was not a representative of the University's athletics interests and is not a contributor to the University. Rife and two of the student-athletes named in Allegation #1 met at a local nightclub;

v. The Notice of Allegations does not contain a failure to monitor or lack of institutional control allegation; and

vi. The institution has imposed significant penalties, which have mitigated the competitive advantage that it gained. These include seeking and accepting the resignation of Tressel and a vacation of games.

C. Overview of Corrective and Punitive Actions

1. Corrective Actions – (Pages 4-1 and 4-2 of Information Question #4 in this response details the corrective actions taken by the institution). Below is a summary:

a. Implement several additional measures to enhance its already extensive monitoring efforts for football student-athletes related to the receipt of institutional awards and apparel, including:

i. requiring proof of possession for previously received rings and watches;
ii. issuing "rivalry" or other apparel upon completion of the student-athlete's eligibility;
iii. combining existing monitoring forms to develop an automated monitoring form that tracks distribution and retention of commemorative awards;
iv. prohibiting purchase of certain apparel until eligibility is expired; and
v. Increasing the number of compliance staff accompanying football team to away contests.

b. Increase the number the full-time members of the compliance staff from six to eight. Although the institution believes it has an exemplary compliance program, this increase will further enhance its educational and monitoring efforts. (This number does not include part-time staff or interns which consistently range from 4-6. See pages 10-1 and 10-2 of Information Question #10 for a detailing of the University compliance staff).

c. Review both the institution's formal protocol for reporting of violations policy and NCAA Bylaw 10.1 with all coaching staff members on a quarterly basis during the 2011-12 academic year and review semiannually in subsequent years. This will include requiring the Director of Athletics and Faculty Athletics Representative to routinely communicate with coaching staff members about the necessity to report violations to appropriate institutional officials when they occur;

d. Informed all student-athletes that they are prohibited from visiting Fine Line Ink for any reason or to associate with Ed Rife. The institution also sent a letter of disassociation to Rife. (See Exhibit 1-8); and

e. Increased the level of education provided to: (i) student-athletes on preferential treatment, with particular emphasis on the sale of awards or other apparel. (This began in the fall of 2009 and continues); and (ii) Columbus metropolitan area businesses. The office plans to partner with an organization titled Experience Columbus to communicate the message that businesses may not provide any benefits/preferential treatment to student-athletes based on their status. The compliance staff also plans to provide brochures with this message to all restaurants, bars, and service businesses (e.g., barbers and tattoo parlors) either located near campus or known by the compliance staff to be frequented by students.

2. Punitive Actions – (Pages 4-1 and 4-2 of Information Question #4 in this response detail the punitive actions taken by the institution). Below is a summary:

a. Vacate all victories during the 2010 football season, including the 2011 Allstate Sugar Bowl;
b. Vacate the 2010 Big Ten Conference Football Championship (co-champions);
c. Imposed a two-year probationary period effective July 8, 2011;
d. Withhold four current student-athletes named in Allegation #1 from the first five games of the 2011 football season (additionally, one student-athlete who would have been withheld for five games has departed the institution to pursue a professional football career);
e. Withhold one student-athlete named in Allegation #1 from the first game of the 2011 football season and withhold another student-athlete named in Allegation #1 from those number of games resulting from the decision of the SAR Staff; and
f. Sought and accepted the resignation of Tressel on May 30, 2011.

3. Reasons these Actions are Appropriate – In assessing penalties, the University analyzed those that should be imposed upon the institution (OSU's penalties) and those upon Tressel (Tressel's penalties).

Regarding OSU's penalties, the institution acknowledges that the use of these five student-athletes in the fall of 2010 season resulted in a competitive advantage. However, since these student-athletes were suspended for five games by the SAR Staff (with the exception of [redacted] who was only declared ineligible for one game), the institution believes this advantage was limited to the first five games of the 2010 season. If Tressel would have forwarded the information he possessed or if the Department of Justice progressed in its inquiry to alert the University prior to the 2010 football season, it is assumed that five of the student-athletes would have been penalized for five games. Despite this fact, the institution recognized that Tressel competed ineligible players for the entire 2010 football season. Therefore, the institution vacated all games from the 2010 season, including the 2011 Sugar Bowl.

Regarding Tressel's penalties, the institution's analysis was that Tressel's penalties should reflect the seriousness of the position in which he placed both himself and the University. One of his penalties was suspension for the first five games of the 2011

season, which was the same as the student-athletes' penalties. The University also intended to prohibit all of his off-campus recruiting activities for one year, which reflected the seriousness of Tressel's failure to report. The University eventually determined that it was in the best interest of the University and Tressel for Tressel to resign, and he agreed to do so.

In summary, the University believes that the corrective and punitive actions are appropriate and negate any competitive advantage gained by the institution as a result of these violations. The University asks the Committee on Infractions to accept these penalties and take no further action.

II. ALLEGED VIOLATIONS.

1. [NCAA Bylaws 12.1.2.1.6, 14.11.1, 16.1.4, and 16.11.1.6]

It was reported that between November 2008 and June 2010, football student-athletes [redacted] and [redacted], and then football student-athlete [redacted] received preferential treatment from and, other than [redacted], sold institutionally issued athletics awards, apparel and/or equipment to Edward Rife, owner of a local tattoo parlor, as set forth below:

a. In April 2009, [redacted] sold his 2008 Big Ten Conference championship ring to Rife for $1,000. [NCAA Bylaws 12.1.2.1.6 and 16.1.4]

b. In the summer of 2009, [redacted] sold a 2008 national championship game jersey, a pair of game pants and a pair of game shoes to Rife for a total of $1,000, and received two free tattoos from Rife's tattoo parlor, valued at $150 total. [NCAA Bylaws 12.1.2.1.6, 16.1.4 and 16.11.1.6]

c. In June 2009, [redacted] sold his 2008 Big Ten Conference championship ring to Rife for $1,200 and received an estimated $50 discount on a tattoo from Rife's tattoo parlor. [NCAA Bylaws 12.1.2.1.6 and 16.1.4]

d. In May or June 2009, [redacted] sold his 2008 Big Ten Conference championship ring, his 2008 "gold pants" team award and his 2009 Tostitos Fiesta Bowl sportsmanship award to Rife for a total of $2,500. [NCAA Bylaws 12.1.2.1.6 and 16.1.4]

e. Between February and November 2009, [redacted] sold his 2008 Big Ten Conference championship ring ($1,000) and his 2008 "gold pants" team award ($350) to Rife for a total of $1,350, and received an estimated $155 discount on five tattoos from Rife's tattoo parlor. [NCAA Bylaws 12.1.2.1.6 and 16.1.4]

f. In the summer of 2009, [redacted] received an estimated $150 discount on three tattoos from Rife's tattoo parlor. [NCAA Bylaw 12.1.2.1.6]

g. Between November 2008 and May 2010, [redacted] sold his 2008 Big Ten Conference championship ring ($1,500), his 2008 and 2009 "gold pants" team award ($250 each), a game helmet ($150) and pair of game pants ($30) from the 2009 contest against University of Michigan, and his 2010 Rose Bowl watch ($250) to Rife for a total of $2,430, and received an estimated $55 discount on two tattoos from Rife's tattoo parlor. Additionally, [redacted] received $100 for obtaining team autographs on two replica football helmets belonging to Rife, an estimated $2,420 discount on the purchase of a used vehicle and an $800 loan for vehicle repairs from Rife. [NCAA Bylaws 12.1.2.1.6, 16.1.4 and 16.11.1.6]

h. Between August 2009 and June 2010, [redacted] received 12 free tattoos from Rife's tattoo parlor, valued at $900 total. [NCAA Bylaw 12.1.2.1.6]

Additionally, Jim Tressel, then head football coach, knew or should have known that at least two football student-athletes received preferential treatment from and sold institutionally

issued athletics awards, apparel and/or equipment to Rife, but he failed to report the information to athletics administrators and, as a result, permitted football student-athletes to participate in intercollegiate athletics competition while ineligible, as set forth in Allegation No. 2. [NCAA Bylaw 14.11.1]

Please indicate whether this information is substantially correct and whether the institution agrees that violations of NCAA legislation occurred. Submit evidence to support your response.

OVERVIEW OF UNIVERSITY'S POSITION

The University agrees with the facts in this allegation and that these facts constitute violations of NCAA legislation. Bylaws 12.1.2.1.6, 14.11.1, 16.1.4, and 16.11.1.6 (preferential treatment) were violated on several occasions from November 2008 through summer 2010 when six current football student-athletes and two former football student-athlete received payment for institutionally-issued awards and/or the receipt of free or discounted services from Edward Rife, the owner of the Fine Link Ink tattoo parlor. Additionally, then Head Football Coach Jim Tressel violated Bylaw 14.11.1 in that based upon information he received, he should have known in April 2010 that at least two football student-athletes with eligibility remaining violated the preferential treatment legislation by selling institutionally-issued athletics awards, apparel, and/or equipment to Rife. The institution agrees Tressel failed to report this information to institutional administrators and, as a result, permitted at least two football student-athletes to participate in intercollegiate athletics competition while ineligible. The institution provides more detailed information relative to the allegation involving Tressel in its response to Allegation #2.

As mentioned in the Introductory Section of this response, institutional administrators initially became aware of information relating to these violations after the institution's Office of Legal Affairs received a December 2010 letter from the U.S. Department of Justice (See Exhibit 1-1). The letter included the names of several current and former student-athletes who had possible ownership interests in items seized from Rife as well as values of the items, which had been assigned by Rife. Due to upcoming competition, the institution's focus in December was upon the enrolled student-athletes who were identified in the U.S. Department of Justice letter. Based upon the information in the letter, the six then current student-athletes named in Allegation #1(a) through (f) were interviewed. During these interviews,

they generally reported that they had sold the items to Rife or received discounted prices for tattoos at Fine Line Ink.

Upon conclusion of the interviews, the institution examined the student-athletes' statements and conducted additional research to establish the values of the benefits the young men received. After interviews with student-athletes, the NCAA and the institution agreed on the values set forth in the allegation. It should be noted that, if Rife is unable to pay the fine to be levied as a part of his sentence (proposed to be $50,000 in the Plea Agreement) from his existing assets, the memorabilia would be sold at public auction through forfeiture proceedings and the proceeds would be used by the federal government as substitute assets to pay the fine. If Rife is able to pay the fine from his existing assets, the memorabilia will be returned to him. On June 28, 2011, Rife entered a guilty plea in United States District Court, at which time he provided a check drawn on his attorney's trust account in the amount of $50,000.

The six then current student-athletes were declared ineligible, and restoration was requested on December 20, 2010. The eligibility for those five student-athletes named in Allegation #1(a) through (e) was reinstated by the NCAA SAR Staff on December 23, 2010 (See Exhibit 1-2), based on the following:

i. The student-athletes' repayment to a charitable organization of the value of the impermissibly sold item(s) and/or the cost of the impermissible discount(s) received;
ii. Withholding from the first five football contests of the 2011 season; and
iii. Withholding from the first football contest of the 2011 season for one student-athlete.

Five then current student-athletes who had to repay funds as part of the reinstatement process signed repayment plans on January 2 and 3, 2011, which then were filed with NCAA Associate Director of Academic and Membership Affairs Kelly Groddy (See Exhibit 1-3). Monthly payments began in February 2011 and range from $30 to approximately $1,000 depending upon the total value of impermissible benefits each student-athlete received. Payments will conclude by November 2011, prior to the student-athletes exhausting their athletics eligibility in football.

The six student-athletes were allowed to participate in the 2011 Allstate Sugar Bowl on January 4. Prior to the institution seeking reinstatement for the six involved student-athletes, Tressel confirmed with the student-athletes that they would return to the institution to serve any reinstatement conditions and bypass declaring for the National Football League draft in early 2011. While a few of the student-athletes had opportunities to attempt to play professional football, all except one [redacted]) will return to the institution to satisfy their reinstatement conditions and compete in the remainder of the 2011 season. In June 2010, [redacted] elected to submit his name to the NFL supplemental draft and forego his senior year of eligibility.

During the joint inquiry by the institution and the enforcement staff in February and March, 2011, the student-athletes identified in the Department of Justice letter who recently left the institution were interviewed. One reported information concerning possible violations and is the basis for Allegation #1(g). Based upon the information in a recent [redacted], the institution and enforcement staff identified one additional current student-athlete who received discounts on tattoos and is the basis for Allegation #1(h). The institution has declared the student-athlete ineligible and will submit a restoration request on his behalf in the near future.

[As noted earlier, the institution's investigative efforts in December 2010 were focused on those enrolled student-athletes who were identified in the U.S. Department of Justice letter. In early January 2011, its efforts were focused on the discovery of the e-mails to Tressel that relate to this case. In late January, the University began efforts to ensure that no other University enrolled student-athletes received discounts or sold awards and apparel/gear. On February 4, a questionnaire was distributed in person to all football student-athletes by Director of Athletics Gene Smith and the compliance staff. The questionnaires requested information about the student-athlete's presence at Fine Line Ink, the receipt of any discounts, or the sale of any awards.]

Of note:

– Transactions for six of the student-athletes named in Allegation #1(a) through (f) ([redacted], and [redacted]) occurred during a seven-month

period (between April 2009 and November 2009). In November 2009, the institution increased its educational efforts to specifically address the selling of institution-issued apparel. The two student-athletes named in Allegation #1(g) and (h) ([redacted]) continued to receive discounts after this increased education;

– The former student-athlete in Allegation #1(g) was the first to meet Rife and had the longest period of impermissible transactions; and
– All of the student-athletes who sold their awards explained that they sold the items in question in order to ease various levels of financial strain they had faced in previous months due to family issues, as set forth more fully below for each student-athlete.

REVIEW OF INFORMATON

Overview of Edward Rife and Fine Line Ink

Ed Rife was not a representative of the University's athletics interests. He has never attended the University nor has he donated any funds to the University or its athletics program. Fine Line Ink was a tattoo parlor located at 2762 Sullivant Avenue in Columbus, Ohio, which is approximately seven and a half miles from the University's campus. Based upon information provided by the involved student-athletes, then student-athlete [redacted] and then student-athlete [redacted] met Rife at a club in the Columbus area in early 2008. In the fall of 2008, [redacted] visited the tattoo parlor and sold some items. While the recollections of the involved student-athletes vary, the institution believes it is probable that one student-athlete told another about Fine Line Ink.

On May 27, 2011, the United States Attorney filed a Criminal Information charging Edward A. Rife with two counts: (1) conspiracy to distribute marijuana; and (2) money laundering. Simultaneously, the United States Attorney and Rife filed a Plea Agreement that recites applicable sentencing and an agreement to a $50,000 fine. Rife's plea hearing took place on June 28, at which time he plead guilty and provided a check drawn on his attorney's trust account in the amount of $50,000.

Overview of Awards and Tattoos

Under the provisions of NCAA Bylaw 16.1, student-athletes may receive certain awards for either their participation in a particular sport; the team's performance in winning conference and national championships; or certain special achievements by the student-athletes. Similar to most Bowl Championship Series institutions, the University has a program that allows student-athletes to receive certain memorabilia due to the student-athlete's participation in events or for winning certain championships. The institution also has provided the opportunity for student-athletes to receive or purchase certain equipment from high-profile games when such equipment no longer can be used (i.e., University of Michigan rivalry jersey).

Below is a chart that describes the awards or equipment that Rife purchased as outlined in the allegation:

Item	# of Items Purchased by Rife	Applicable Legislation and Availability
2008 Big 10 Championship Ring	4	In accordance with Bylaw 16.1.4.2, all team members received a championship ring.
2008 National Championship Game Jersey	1	In accordance with Bylaw 16.11.1.6, student-athletes were provided their national championship game jersey. All participants for this game received such a jersey.
2008 and 2009 Gold Pants	4	In accordance with Bylaw 16.1.4.3, student-athletes are provided with a "Gold pants" pendant (usually worn on a chain) in a season during which the football team beats the University of Michigan. The "pants" are distributed in the spring. Some online memorabilia sites sell OSU gold pants, which the University believes were obtained from former student-athletes who sold them after their eligibility expired. Gold pants have been distributed after victories over Michigan for decades.
Rivalry Series Game Jersey	4	In accordance with Bylaw 16.11.1.6, student-athletes were provided with the institution's "rivalry name" jersey during the years in which it was produced. In 2009, Nike began creating "rivalry" uniforms to be worn by OSU in the OSU-UM game only. Since this uniform is expendable because it can only be worn for one year, student-athletes were provided with a jersey. Additionally, student-athletes were provided the opportunity to purchase the "rivalry series" game helmet for $150.
Fiesta Bowl Sportsmanship Award	1	In accordance with Bylaw 16.1.4.3, a student-athlete received the sportsmanship award for the 2009 Fiesta

		Bowl.
Rose Bowl Watch	1	In accordance with Bylaw 16.1.4.1, the team members who participated in the Rose Bowl received a watch for their participation in the 2008 Rose Bowl.

Regarding tattoos, four of the eight student-athletes identified in this allegation ([redacted], [redacted], [redacted], and [redacted]) received discounts on tattoos. The four student-athletes were involved in a total of 11 tattoos, with a total amount of $410 or an approximate average of a $37 discount per tattoo. Two student-athletes ([redacted] and [redacted]) received a total of 13 free tattoos.

Overview of Information Reported by Each Student-Athlete

A chart outlining each student-athlete's circumstances relative to this allegation is included below for a summary reference. Following the chart is a section on each student-athlete that includes additional information concerning the student-athlete's reason they sold the items:

	Preferential Treatment Violation		
Student-Athlete/First Semester of FT Enrolment	Discounted /Free Tattoos or other items Received	Items Sold to Rife	Reinstatement Conditions
[redacted]	N/A	Big Ten championship Ring	(1) repayment of the value of the impermissibly sold item(s) and/or the cost of the impermissible discount(s) received; and (2) withholding from the first five contests of the 2011 season.
[redacted]	12 tattoos ($900)	N/A	Pending
[redacted]	Two (free of charge - $150 value)	2008 national championship game jersey, pants and shoes	(1) repayment of the value of the impermissibly sold item(s) and/or the cost of the impermissible discount(s) received; and (2) withholding from the first five contests of the 2011 season.
[redacted]	One ($50 discount)	Big Ten championship ring	(1) repayment of the value of the impermissibly sold item(s) and/or the cost of the impermissible discount(s) received; and (2) withholding from the first five contests of the 2011 season.
[redacted]	N/A	(1) 2008 Big Ten championship ring; (2) 2008 "gold pants" team award; and (3) 2009 Tostitos Fiesta Bowl sportsmanship award	(1) repayment of the value of the impermissibly sold item(s) and/or the cost of the impermissible discount(s) received has already been received; (2) withholding from the first five contests of the 2011 season; and (e) has rendered himself ineligible by signing with an agent while pursuing professional football career.
[redacted]	Five ($155 discount)	(1) 2008 Big Ten championship ring; and (2) 2008 "gold pants" team award	(1) repayment of the value of the impermissibly sold item(s) and/or the cost of the impermissible discount(s) received; and (2) withholding from the first five contests of the 2011 season.
[redacted]	Three ($150 discount)	N/A	(1) repayment of the value of the impermissibly sold item(s) and/or the cost of the impermissible

			discount(s) received; and (2) withholding from the first contest of the 2011 season.
*	Two ($55 discount); 2003 Tahoe SUV ($2,420 discount); and $800 loan (repaid)	(1) 2009 Big 10 championship ring; (2) helmet, jersey, pants and shoes from the 2009 Michigan game; (3) two gold pants charms; (4) a Rose Bowl plaque and a Rose Bowl watch; and (5) paid for getting two helmets signed by team members	N/A – Former SA; reinstatement not sought.

*Represents former student-athlete

[redacted] is an [redacted] who initially enrolled at the University in [redacted] of the [redacted] academic year. [redacted] reported that two family issues, which occurred during the 2008-09 year, prompted him to sell his 2008 Big Ten Conference championship ring to Rife in April 2009. [redacted]. [redacted] stated he [redacted]. Because he needed [redacted], he offered Rife his ring, not realizing such a sale would constitute a NCAA violation. [redacted] received $1,000 from Rife for the ring.

While [redacted] received one tattoo from Fine Line Ink, the institution's investigation supported [redacted] statement that he paid the full value of the tattoo.

[redacted] is a [redacted] from [redacted], and was a [redacted] during the 2007-08 academic year. [redacted] had just completed his freshman year when he sold three items to Rife. [redacted] stated he was not aware that the sale of these items violated NCAA legislation since he thought they were given to him for his personal use. [redacted] sold the following items to Rife for a total of $1,000: (1) a 2008 national championship game jersey; (2) a pair of game pants; and (3) a pair of game shoes. [redacted] explained that he thought the items sold to Rife partially offset the cost of two free tattoos he received from Fine Line Ink in 2009. The institution valued the tattoos at $75 each.

[redacted] reported that in 2008, [redacted]. Because of this financial crisis, his family was not able to support him as they had in past years. [redacted] therefore was prompted to sell the items to Rife in order to obtain cash to offset his incidental expenses while at the institution.

[redacted] is a [redacted] from [redacted], and was a [redacted] during the 2008-09 academic year. In June 2009, [redacted] sold his 2008 Big Ten Conference championship ring to Rife for $1,200. He reported that when this transaction took place, he was not aware that selling the ring constituted a NCAA violation. [redacted] explained that at that time, he had [redacted]. Because [redacted], his family was facing severe financial hardship in the summer of 2009. [redacted] discussed selling his ring [redacted] and later provided the cash he received from Rife to his mother in order to ease her financial situation. In addition to the sale of his ring, [redacted] received a discount, estimated by the institution to be $50, on a tattoo at Fine Line Ink. [redacted] indicated he paid $25 for the tattoo, which the institution estimated to be valued at $75.

[redacted] was a [redacted] from [redacted], and was a [redacted] during the 2008-09 academic year. He sold items to Rife in May or June of 2009, following his first year at the institution. Around this time, [redacted]. His mother was [redacted]. [redacted] reported he provided the money Rife gave him for the institutional items to his mother in order to support his family. He explained that he feared [redacted]. [redacted] also stated he did not know selling these items would violate NCAA legislation. [redacted].

While [redacted] also purchased two tattoos from Fine Line Ink, the institution concluded he paid the full value of these services and did not receive a discount.

[redacted] is a [redacted] from [redacted], and was a [redacted] during the 2007-08 academic year. Between February and November 2009, [redacted] sold to Rife the following for a total of $1,350: (1) 2008 Big Ten Conference championship ring ($1,000); and (2) 2008 gold pants team award ($350). He reported that he felt these items belonged to the student-athlete recipients and did not know selling them would constitute a NCAA violation. [redacted] stated that he provided $1,000 of the proceeds from these sales to [redacted]. [redacted] and unable to financially support his family at the time [redacted] provided this money to [redacted].

The institution's investigation determined that [redacted] received a total discount of $155 on tattoos from Fine Line Ink during 2009. [redacted] reported he paid $220 for five tattoos he received from the establishment. The institution determined the appropriate value for these services was $375.

[redacted] is a [redacted] from [redacted], and was a [redacted] during the 2009-10 academic year. [redacted] did not sell any institutionally-issued items to Rife. The U.S. Department of Justice letter listed a helmet that Rife claimed he purchased from [redacted]. However, the institution's investigation confirmed the helmet in question was a replica sold to the general public and had not been issued to any football student-athlete.

During the summer of 2009, [redacted] received an estimated $150 discount on three tattoos from Fine Link Ink. [redacted] reported he paid $75 for the tattoos, while the institution determined the appropriate value for these services was $225.

[redacted] initially enrolled in the institution during the [redacted] academic year and left after the [redacted] academic year. He currently resides and works in the [redacted] and is not currently enrolled in a collegiate institution. [redacted] was interviewed by the NCAA and the institution on March 31, 2011. [redacted] indicated he met Rife in the early fall of [redacted] at a club in Columbus. At that time, Rife gave [redacted] his card and told [redacted] he could receive a good deal on tattoos at Fine Line Ink. [redacted] said he subsequently received the following three tattoos from Rife: (1) one in November [redacted] for which he paid $100; (2) a slight enhancement of an existing tattoo in May [redacted] at no charge; and (3) a tattoo on his inner

arms in late summer [redacted]. The institution agrees [redacted] received a collective $55 discount on the tattoos he received from Fine Line Ink.

In addition to these services, [redacted] sold several items to Rife. He indicated he kept in touch with Rife after they met in [redacted] and that he considered Rife a friend. [redacted] explained he was nervous about selling items to Rife and thought there was a chance he would get in "trouble". [redacted] added, however, that he also did not think selling the items was wrong because his family needed the money due to financial issues.

[redacted] reported that he bought a 2003 Tahoe sports utility vehicle from Rife in approximately January 2009 for $2,500. [redacted] stated that he felt this amount was the car's true value because it was in poor condition. He stated that when the Tahoe broke down, Rife initially paid for the $800 repair, and [redacted] reimbursed Rife in two $400 payments a few weeks later with PELL grant money. [redacted] said he sold the Tahoe to a junkyard for $1,500 in June 2009.

[redacted] is a [redacted] from [redacted], who enrolled full time at the institution in the fall of [redacted] He reported that during the next year, he received approximately 11 tattoos from Fine Line Ink. [redacted] was not named in the Department of Justice letter but was [redacted]. He reported that he heard from other teammates about Fine Line Ink and that on each occasion, he attempted to pay the artist, but the artist refused. On a few occasions, Ed Rife also refused his offer to pay. [redacted] acknowledged that the institution's compliance staff told the student-athletes it was impermissible to receive "free things" and that he tried to pay. [redacted] explained that since the tattoo parlor refused his money, and he did not believe receiving the tattoos was a "big deal" since he was not "harming anyone."

Bylaw 14.11.1

The University acknowledges that in the spring of 2010, Tressel knew or should have known that at least two football student-athletes had sold institutionally-administered awards or apparel, which affected the student-athletes' eligibility. This position is based upon the

information in the discovered e-mails and testimony from Tressel during his February 8, 2011, interview.

Regarding the discovered e-mails, the following are quotes from a portion of the e-mails to Tressel that relate to two student-athletes possibly selling their memorabilia:

a. (April 2, 2010, 2:32 p.m. e-mail from Chris Cicero to Jim Tressel) – *I am being told* [redacted] *and other players have taken Eddie Rife signed Ohio State memorabilia (shirts/jerseys/footballs) to Eddie who has been selling it for profit. I don't know if he gives any money in return to any players. I have been told OSU players, including* [redacted]*, have been given free tattoos in exchange for signed memorabilia.*

b. (April 16, 2010, 9:43 a.m. e-mail from Chris Cicero to Jim Tressel)) – *I had Eddie Rife in my office for an hour and a half last night. What I tell you is confidential. He told me* [redacted]*… He told me has about 15 pairs of cleats (with signatures), four to five jerseys, all signed by players, the 2009* [redacted] *game ball (whoever that was awarded to). He told me he has nine rings Big 10 Championship, among them* [redacted]*… These kids are selling these items for not that much.*

c. (June 1, 2010, 4:09 p.m. e-mail from Chris Cicero to Jim Tressel) – *No more names as the federal government appears to have reached a resolution for a guilty plea for Eddie Rife to go to prison… The names I gave you for the two current players are still good. Those are beautiful rings.*

Regarding the February 8, 2011, interview, Tressel was asked if he was "aware" that violations regarding student-athletes, particularly [redacted] and [redacted], had either occurred or likely occurred, and his response was "yes." He was asked whether he was aware "that as a result of these violations that the student-athletes likely would be ineligible for participation during the 2010 season," and he responded that, "No, I really didn't think of it like that." Upon further questioning, he acknowledged that he understood that [redacted] and [redacted] had been involved in violations before the start of the 2010 season and that they intended to participate during the season. In response to a question on whether he was prepared to go forward with the student-athletes participating even though he knew that NCAA violations had occurred, Tressel responded that he understood that the institution was "going to get as

our works deserve" and that "we were going to pay the fiddler." As he indicated throughout his February interview, Tressel believed there was a "hierarchy" of issues, with the federal criminal investigation having the highest priority. He indicated that the NCAA issues would be resolved once the ramifications of the federal investigation were resolved.

Institutional Educational Efforts related to Preferential Treatment and Extra Benefit Legislation

The institution is committed to a comprehensive compliance program that educates its constituents, including institutional coaches, staff, and student-athletes. The Athletics Compliance Office (ACO) has the primary responsibility for coordinating these efforts.

The allegations in this case primarily relate to preferential treatment, amateurism, and extra benefits. Based upon Tressel's testimony to the NCAA and the institution, Tressel was aware of the applicable NCAA legislation and his responsibility to self-report violations.

Regarding coaching staff education, during the 2007-08 through 2010-11 academic years, the institution's football coaches and staff were educated on many occasions about institutionally-issued athletic awards, preferential treatment, and extra benefits. The ACO specifically covered these areas both in coaches' meetings and sessions for the student-athletes attended by coaching staff members during the period of the allegations. Below is an overview of these efforts.

Education concerning institutionally-issued athletic awards was provided through the following educational sessions and materials:

i. December 2007 Bowl Game memorandum outlining NCAA and Big Ten rules related to bowl participation. The memorandum specifically outlined the impermissibility of student-athletes selling or exchanging awards or tickets for another item of value. (See Exhibit 1-4).
ii. December 2008 Bowl Game memorandum outlining NCAA and Big Ten rules related to bowl participation. The memorandum specifically outlined the impermissibility of student-athletes selling or exchanging awards or tickets for another item of value. (See Exhibit 1-4).

iii. In November 2009, the ACO met with football student-athletes and coaches in person and outlined the impermissibility of student-athletes selling or exchanging awards or tickets for another item of value. (See Exhibit 1-4).

iv. In December 2009, the ACO met with football student-athletes and coaches in-person and outlined the impermissibility of student-athletes selling or exchanging awards or tickets for another item of value. Student-athletes signed a form confirming that they understood the rules. (See Exhibit 1-4).

v. In December 2010, the ACO met with football student-athletes and coaches in-person and outlined the impermissibility of student-athletes selling or exchanging awards or tickets for another item of value. Student-athletes signed a form confirming that they understood the rules. (See Exhibit 1-4).

vi. E-mails were sent to coaches and student-athletes warning them about individuals who may solicit student-athletes because they are seeking to receive institutionally issued items (presumably to sell as memorabilia). (See Exhibit 1-4).

vii. E-mails were sent to coaches and student-athletes warning them about the consequences of student-athletes selling or exchanging institutionally issued items or tickets for another item of value. (See Exhibit 1-4).

Education concerning preferential treatment and/or extra benefits was provided through the following educational sessions and materials:

i. On several occasions during all athletics department staff meetings, the ACO covered topics related to preferential treatment and/or extra benefits. Additionally, during this meeting, the athletic director covered the consequences for committing intentional violations and failure to report violations to the athletic compliance staff; During in-person football coaches' meetings, the athletic compliance staff provided education related to preferential treatment and/or extra benefits on at least six occasions;

ii. During at least 15 team meetings attended by student-athletes and coaches, the compliance staff provided education related to preferential treatment and/or extra benefits;

iii. The ACO conducted targeted educational sessions with 16 specific athletics department units addressing preferential treatment and/or extra benefits as well as compliance topics and rules that are specific to each particular unit;

iv. The ACO included this information in eight newsletters (which are distributed on a monthly basis) to the athletics department, Student Athlete Support Services Office (SASSO), Schottenstein Center, Office of the President, Office of Legal Affairs, Athletics Council, and Varsity O Club providing education related to preferential treatment and/or extra benefits;

v. The ACO distributed 24 "Tips of the Week" (which are distributed on a monthly basis) to the athletics department, SASSO, and Schottenstein Center providing education related to preferential treatment and/or extra benefits;

vi. The ACO distributed 11 "Hot Topic" e-mails to the athletics department, SASSO, and Schottenstein Center related to preferential treatment and/or extra benefits;

vii. The ACO provided numerous written interpretations (and numerous verbal interpretations) to the football coaches and staff related to preferential treatment and/or extra benefits;

viii. Prior to departure for a bowl game, the athletic compliance office conducts a football team meeting with student-athletes and coaches during which NCAA bowl game

affidavits are signed. At that meeting, the athletic compliance office provides general education about extra benefits as they relate to bowl gifts. Specifically, student-athletes are reminded that they cannot sell or trade bowl gifts, tickets or institutionally issued items for another item of value. This education takes place before bowl participation gifts are provided to student-athletes. These participation gifts typically include items such as gift cards, gaming systems, etc. and do not include athletic awards or apparel;

ix. The ACO distributes educational materials to and insert a total of approximately 720,000 ticketholders (180,000 per year in the sports of football, men's basketball, women's basketball and men's ice hockey) addressing preferential treatment and/or extra benefits;

x. The institution makes public announcements and displays educational messages on its videoboards concerning compliance issues, including preferential treatment and/or extra benefits, at football, men's basketball, women's basketball, and men's ice hockey games. Among these events, the compliance messages are heard or viewed by approximately 1,000,000 individuals during each academic year, including students, faculty, staff, season ticket holders, and fans of the institution;

xi. The ACO conducts annual educational presentations for parents and relatives in the sports of football and men's basketball focusing on preferential treatment and/or extra benefits as well as other pertinent topics; and

xii. The ACO distributes educational materials regarding preferential treatment and/or extra benefits and conducts in-person education sessions with booster groups as well as local businesses such as car dealers, restaurants and bars. The institution will expand its educational outreach regarding preferential treatment and/or extra benefits to include tattoo parlors, barber shops, hair salons, movie theaters and housing complexes as well as businesses within the immediate campus area.

Regarding student-athlete education, all student-athletes are required to attend compliance education sessions during the fall and spring academic terms and complete accompanying compliance paperwork. Each educational session provides general rules education as well as sport-specific reminders. All student-athletes also receive educational reminders from the compliance office in the form of e-mails and text messages. The ACO also has frequent in-person e-mail and telephone correspondence with student-athletes regarding NCAA legislation and interpretations. In the sports of football and men's basketball, the ACO also conducts supplemental student-athlete educational sessions.

Prior to 2009, the institution verbally discussed extra benefits and awards generally at these student-athlete meetings but did not explicitly state that it was impermissible for student-athletes to sell athletic awards or institutionally-issued apparel. Beginning in the fall of 2009, the ACO enhanced its educational efforts in the areas of preferential treatment and extra benefits. Specifically, the ACO conducted compliance education informing the student-

athletes that they could not sell athletic awards or institutionally-issued apparel. The ACO also required all student-athletes to review and sign a form acknowledging that they understood this compliance education and were aware of NCAA rules related to selling institutionally issued items and that the sale of such items was impermissible. (Other monitoring activities are listed below).

The institution is committed to a comprehensive compliance program that educates numerous constituents about the importance of adhering to NCAA, Big Ten, and institutional rules. The institution, through its ACO, provides education to a vast constituency, including:

- more than 1,000 student-athletes;
- approximately 350 full-time athletics department staff members;
- approximately 2,000 part-time athletics department staff members;
- more than 64,000 current Ohio State University students;
- 40,000 current Ohio State University employees;
- residents of Columbus, Ohio—the 15th largest city in the country and its surrounding metropolitan area; and
- fans of Ohio State athletics across the country.

The goal of the institution and athletics department is to create a "compliance conscience" atmosphere within the institution and throughout the community. Maintaining a commitment to compliance through effective educational programs ensures institutional control over the Department of Athletics and furthers the mission of The Ohio State University.

An overview of the means of educating these various constituencies by the institution's ACO is included in Exhibit 1-4. The University also recently forwarded to Shep Cooper and made part of the record a binder that included an example of the educational materials it utilizes during an average year.

Institutional Monitoring Efforts Related to Preferential Treatment and Extra Benefit Legislation

The institution extensively monitors its student-athletes – especially football and high-profile student-athletes – in several areas in order to detect possible extra benefits and/or preferential treatment or amateurism issues. Monitoring in these areas involves several facets, including the establishment of effective procedures in many areas, including those listed below:

i. Awards tracking – The compliance office requires two layers of awards declaration each academic year. First, the institution requires that each athletic program complete a team declaration of awards form (See Exhibit 1-6). On this form, the specific program indicates all of the awards received by student-athletes during a given academic year, and provides the listed values of these awards to be reviewed by the compliance staff. The compliance staff reviews this information to determine whether the awards provided to student-athletes are permissible and within the allowable award limits.

Additionally, the compliance office requires all student-athletes to complete a Student-Athlete Awards Declaration (See Exhibit 1-6) at their spring check-out meeting. This form is required to verify receipt of varsity participation awards as well as any award received from an entity outside of the University.

Several recent changes have been implemented and are detailed in the listing of corrective actions in Information Question #4.

ii. Issuance of football equipment and apparel – Equipment and apparel are provided on an issue-and-retrieval basis. Specifically, the football equipment manager and his staff have two computerized systems – one for tracking equipment and one for tracking apparel.

For equipment, the equipment staff checks out an equipment item to a student-athlete to be utilized for practice or competition. The items included in this category are larger pieces of equipment such as helmets, shoulder pads, etc. Equipment is not

permitted to leave the football training complex, and the equipment staff routinely checks these items while in the student-athletes' lockers to ensure that equipment is not missing, as well as to ensure that it is not damaged and safe to utilize. While the institution occasionally allows student-athletes to purchase items (e.g., helmets used in the rivalry game with Michigan for $150), records are maintained of these purchases.

For apparel, the equipment staff checks out these items to student-athletes to be utilized for practice or competition. Items included in this category are shoes, gloves, girdle pads, etc. The equipment staff provides a new piece of apparel to a student-athlete only if the student-athlete returns the initially-issued apparel, and the equipment staff determines a replacement item is necessary. The equipment staff keeps a written log of these transactions detailing the reason the apparel was returned and the identification of the student-athlete and equipment staff member involved in the transaction. The football equipment manager periodically reviews these logs to determine whether there is a pattern of a student-athlete abusing equipment or apparel privileges and whether there is any issue with a specific equipment staff member possibly providing preferential treatment among student-athletes. If the football equipment manager identifies a possible issue, he holds a meeting with the student-athlete and/or equipment staff member and prohibits the two individuals from future transactions. The student-athlete then is required to work directly with the football equipment manager.

An additional monitoring technique is the fact that the football equipment manager also marks all equipment and apparel items issued to student-athletes in a special way that allows him to identify institutionally-issued equipment. If a question about equipment or apparel belonging to the institution arises, the mark may be used as an identifier.

The equipment staff and compliance staff regularly work together when questions arise about the issuance of equipment or apparel. For example, the compliance office occasionally receives tips about the possible sale of football-related items such as helmets, jerseys, pants, etc. When these tips arise, the compliance office contacts the

football equipment manager to determine whether the item is authentic. The institution frequently encounters counterfeit items being sold as authentic institutionally-issued equipment and apparel. Consequently, the compliance office uses the equipment staff as a starting point to determine whether a particular item could belong (or could have belonged) to a student-athlete.

iii. Donations – Donation requests are submitted directly to the compliance office. As a general rule, most "donations" are actually footballs autographed by the coaching staff that are purchased from the institution. The compliance office handles all of these requests to determine whether the "donation" is permissible under NCAA rules and fits within the parameters for donation requests established by the athletics department.

iv. Partnering with T&L – The compliance staff works closely with the institution's Office of Trademark & Licensing (T&L) to shut down sales or distribution of University items that may be impermissible under NCAA legislation as well as trademark and licensing laws. For example, if the compliance office receives a tip about an autographed photograph of a particular student-athlete being sold on a website, the compliance office will send a notification to T&L who has the capability of stopping the sale. During the previous year, these efforts have shut down approximately 2,000 websites and over $1,000,000 worth of impermissible sales of University items.

The compliance office also regularly meets with the T&L staff in an effort to brainstorm ways to reduce the number of impermissible items sold—particularly photographs of current student-athletes. These discussions include the identification and credential revocation for photographers who are determined to be non-compliant with Big Ten Conference media credential policies. In many of these cases, the compliance office has consulted with T&L, local police, and the local Federal Bureau of Investigation.

Additionally, the compliance office regularly sends cease and desist letters when possible impermissible sales are brought to the attention of the institution—often in conjunction with cease and desist letters that are sent by T&L.

vi. Anonymous Tips/Possible Investigations – The institution utilizes the services of Ethics Point. This service provides the University with a simple means for individuals to anonymously and confidentially report activities that may involve unethical or otherwise inappropriate activities or behavior in violation of the University's established polices or NCAA legislation. An individual can telephone a number and report information on NCAA issues. This also is available online (See Exhibit 1-5). For the online form, questions include:

- Are you an employee of Ohio State?
- Do you wish to remain anonymous?
- Please identify the persons engaged in this behavior.
- Do you suspect or know that a supervisor is involved?
- What is the general nature of this information?
- Is management aware of this problem?
- Where did this incident occur?
- How did you become aware of it?
- Did any individuals attempt to conceal this problem?

This has been a valuable opportunity for the institution to monitor its program and helps the University discover, investigate and self-report violations. Over the past few years, the institution has received a small number of comments regarding preferential treatment, none of which related to Rife or Fine Line Ink.

In addition to these areas of monitoring, the University also undertakes monitoring efforts in other areas related to preferential treatment that do not relate to the allegations in this case. They are detailed in Exhibit 1-6.

Also, please provide the following:

a. An overview of the attendance and athletics participation at the institution for the identified student-athletes, including the (1) dates of enrollment at the institution and any other two- or four-year institution, (2) eligibility for practice and competition for each academic year enrolled, (3) amount of athletically related financial aid provided for each academic year, (4) average number of minutes and average number of contests participated in for each season of competition, (5) number of contests started for each season of competition, and (6) number of postseason events participated in for each season of competition.

Student-Athlete	Dates of Enrollment at OSU and Any Other Two- or four-Year Institution	Eligibility for Practice and Competition for Each Academic Year Enrolled			Amount of Athletically-Related Financial Aid Provided for Each Academic year			Average Number of Contests Participated in for Each Season of Competition				Average Number of Contests Started for Each Season of Competition				Number of Postseason Events Participated in for Each Season of Competition		
		10	09	08	10	09	08	10	09	08	AVG	10	09	08	AVG	10	09	08
[redacted]	[redacted]	Y	Y	Y	[redacted]													
		Y	Y	Y														
		Y	Y	Y														
		Y	Y	Y														
		Y	Y	Y														
		Y	Y	Y														
		Y	Y	Y														
		Y	Y	Y														

NA = Was not a student-athlete during this time period
FS = Full Scholarship

b. A statement indicating whether any of the student-athletes identified in the allegation have remaining eligibility issues. Please include copies of all correspondence between the institution and the NCAA student-athlete reinstatement staff concerning the restoration of eligibility for the student-athletes named in the allegation.

The student-athletes identified in Allegation #1a through #1f have had their eligibility resolved. The student-athlete identified Allegation #1g has left the institution but has remaining eligibility. The student-athlete identified in Allegation #1h remains at the institution, with remaining eligibility, but as of the date of this response, the University has not submitted a restoration request.

c. A copy of the letter from the United States Department of Justice dated December 7, 2010, concerning Ohio State memorabilia seized during a federal investigation.

(See Exhibit 1-1).

d. A detailed explanation of the institution's valuation of the preferential treatment received by the student-athletes, including the discounted tattoos and the specific dollar amounts for the sale of each athletics award, piece of equipment and apparel item. Please explain any discrepancies between the values reached by the institution and those represented in the letter from the Department of Justice.

The University believes the values detailed in the Department of Justice letter, as reported by Rife, were excessive. It should be noted that the value of any property

seized by the federal government from Rife would be deducted from any fine that Rife may be required to pay.

e. *A statement describing the "gold pants" team award, including the size, cost and purpose of the award.*

"Gold pants" are a pendant (approximately 1" long) that is provided to all football student-athletes as a result of a victory over Michigan that year. The cost of the pendant is $40.00. (See Exhibit 1-7 – Picture of pants).

f. *A detailed description of the institution's review of other football student-athletes' potential involvement in the sale or exchange of athletics awards, apparel and equipment to or receipt of preferential treatment from Rife.*

As noted in the response, the institution's review in December 2010 focused upon the current student-athletes identified in the U.S. Department of Justice letter. After discovering the Tressel e-mails, the institution began its efforts to ensure that no other student-athletes with eligibility remaining had received any free or discounted tattoos or sold memorabilia. On February 4, 2011, the institution distributed a questionnaire to all football student-athletes about their attendance at or purchases from Fine Line Ink and determined that based upon the information provided, there were no additional violations.

g. *A statement describing NCAA rules education provided to football student-athletes during the 2007-08 through 2010-11 academic years related to the sale of institutionally issued athletics awards, apparel and equipment, as well as the receipt of preferential treatment.*

(See pages 1-15 to 1-16 in Review of Information and Exhibit 1-4).

h. *An overview of the institution's compliance procedures during the 2007-08 through 2010-11 academic years for monitoring the sale of institutionally issued athletics awards, apparel and equipment, as well as the receipt of preferential treatment by football student-athletes to ensure compliance with NCAA legislation.*

(See pages 1-17 to 1-20 in Review of Information and Exhibit 1-6).

i. *A statement describing Rife's relationship to the institution and its intercollegiate athletics program. In that regard, please indicate whether Rife has (1) participated in or is a member of an agency or organization promoting the institution's intercollegiate athletics program; (2) made financial contributions to the institution, its intercollegiate athletics program or an athletics booster organization; (3) a personal relationship in any manner with any current or former members of the institution's athletics programs; (4) been involved in any manner with the recruitment of a prospective student-athlete; (5) provided benefits in any manner to any enrolled student-athletes, prospective student-athletes or their families; or (6) been involved in any manner in the promotion of the institution's intercollegiate athletics program. Also, please indicate if the institution believes Rife to be a representative of the institution's athletics interests and, if so, the date he became a representative.*

Rife has never contributed to the institution or its athletics department. Other than the reduced services detailed in the allegation and the provision of cash in exchange for memorabilia, the institution is not aware of any benefits he has provided student-athletes or their families.

Regarding Rife's status as a representative, based upon a strict interpretation of Bylaw 13.02.14, Rife became a representative in April 2010 when Tressel learned that Rife had arranged or provided discounted prices on tattoos. The University does not believe if (or when) Rife became a representative is significant to the overall severity of this case. Rife was not (and continues to not be) affiliated with the University and did not have a relationship with any athletics department staff members. It appears that the nexus of the relationship was a chance meeting between Rife and two student-athletes at a local nightclub. Nevertheless, the institution sent Rife a letter (see Exhibit 1-8) disassociating him indefinitely from any contact with the University and its student-athletes. In December 2010, the compliance staff informed all student-athletes that they could not visit Fine Line Ink nor could they have any contact with Rife and specifically requested them to "defriend" Rife from their Facebook accounts.

j. A statement indicating the reason the violations occurred in light of NCAA legislation prohibiting the sale by student-athletes of institutionally issued athletics awards, apparel and equipment, and the receipt of preferential treatment.

(See Overview of Information Reported by Each Student-Athlete in the Review of Information section, pages 1-7 to 1-11).

2. [NCAA Bylaw 10.1]

It was reported that Jim Tressel, head football coach, failed to deport himself in accordance with the honesty and integrity normally associated with the conduct and administration of intercollegiate athletics as required by NCAA legislation and violated ethical-conduct legislation when he failed to report information concerning violations of NCAA legislation and permitted football student-athletes to participate in intercollegiate athletics competition while ineligible. Specifically, in April 2010, Tressel received email notification that football student-athletes, including [redacted] and [redacted], received preferential treatment from and sold athletics awards, apparel and/or equipment to Edward Rife, owner of a local tattoo parlor; however, Tressel failed to report the information to athletics administrators. Additionally, Tressel withheld the information from April 2010 until the institution discovered the emails in January 2011, including throughout the 2010 football season when he permitted football student-athletes to compete while ineligible and during the institution's investigation of the violations in December 2010. Further, in September 2010, Tressel falsely attested that he reported to the institution any knowledge of NCAA violations when he signed the institution's certification of compliance form, which is required under Bylaw 18.4.2.1.1.4.

Please indicate whether the information is substantially correct and whether the institution agrees that violations of NCAA legislation occurred. Submit evidence to support your response.

OVERVIEW OF UNIVERSITY'S POSITION

The University agrees with the facts in this allegation and that these facts constitute a violation of NCAA Bylaw 10.1. This violation was self-discovered and self-reported by the institution. This Allegation contains two parts – that then Head Football Coach Jim Tressel: (i) failed to report his knowledge concerning potential violations; and (ii) permitted student-athletes to participate while ineligible. (The University notes that Allegation #1 also includes language referencing Tressel allowing the student-athletes to participate while ineligible, resulting in a violation of Bylaw 14.11.1). The University believes Allegation #1 has institutional responsibility because the institution assumes some responsibility for Tressel allowing the student-athletes to compete, while the reference in this Allegation has more responsibility upon Tressel.

The institution is embarrassed by the actions of Tressel in this matter. The University sufficiently educated him (and all coaching staff members) pertaining to a coach's responsibility under NCAA legislation to report information concerning potential violations of NCAA legislation and the means for this to occur. This failure to report not only violated

NCAA legislation but also the institution's protocol for reporting of violations. Tressel should have informed the compliance staff or other institutional administrators of the information he received beginning in April 2010. The institution's policy regarding this reporting, as detailed in the athletics department's policies and procedures, is communicated to all coaches on a regular basis. The policy, in part, is detailed below:

> *"Any employee, student-athlete, or other individual associated with The Ohio State University Athletics Department must notify the Compliance Office immediately of any possible or potential violations of University, Big Ten, or NCAA rules."*

Tressel's employment agreement also obligated him to inform the compliance staff and the director of athletics of any likely violations of NCAA legislation.

In this allegation, the enforcement staff has detailed the following four time periods when Tressel had a specific opportunity to provide information relative to the NCAA violations but failed to do so. Tressel:

i. Received information in e-mails from Chris Cicero in April 2010 that at least suggested violations had occurred;
ii. Signed the NCAA Certificate of Compliance Form on September 13, 2010, indicating he has reported his knowledge of any possible violations to the institution;
iii. Allowed, at least, the two student-athletes mentioned in the Cicero e-mails to compete during the 2010 season; and
iv. Did not report this information to the institution in early December 2010 when: (a) he initially learned from University officials on or around December 9 that information had been received from the Department of Justice regarding some student-athletes potentially violating NCAA legislation for selling memorabilia and receiving discounted services; and (b) asked by institutional officials about his knowledge of the student-athletes' involvement in these activities on December 16, 2010.

During a January 16, 2011, meeting with institutional officials and during his February 8, 2011, interview with the NCAA and the University, Tressel explained his reasons for not

forwarding this information. During these discussions, he indicated that he understood that he mishandled this situation after receiving the Cicero e-mails. He believed that there were unusual extenuating circumstances that outweighed him informing the University of the information he had learned. Tressel explained that a primary concern was whether any of his players were associating with individuals involved in criminal activities. He said he also was protecting the confidentiality of the attorney (which the attorney requested) and of the federal criminal investigation. [Chris Cicero's request that Tressel treat this information as confidential was a legitimate concern. Since Cicero's communication to Tressel has become public, Cicero recently has been charged by the Office of Disciplinary Counsel for violating client confidences.] Tressel added that he prioritized potential criminal activity and the possibility of interfering with an ongoing criminal investigation over potential NCAA violations. Tressel stated that after receiving the information, his concerns about his players associating with individuals involved with potential criminal activity caused him to talk to team members more often about with whom they should associate.

While explaining the extenuating circumstances surrounding his failure to report the information, Tressel admitted during his February 8, 2011, interview that he understood that: (i) not reporting the information constituted a NCAA violation; (ii) "there would be consequences," including NCAA violations involving the student-athletes for selling memorabilia at some point; (iii) he did not "look at" eligibility issues prior to December 2010, although he thought the involved student-athletes would eventually be ineligible; and (iv) the "inevitable" would occur at some point if the student-athletes were involved in criminal and/or NCAA violations.

The University emphasizes the distinction between information available only to Tressel and the knowledge of other institutional officials regarding this matter. As noted in the Introduction Section of this report, upon receiving information about this matter from the Department of Justice in December 2010, University officials acted immediately, declared student-athletes ineligible, and sought reinstatement. In early 2011, after learning of the e-mails, the NCAA was contacted, several interviews were conducted, and the University determined that a NCAA Bylaw 10.1 violation occurred. It subsequently imposed significant corrective and punitive measures upon Tressel and the football program. In both the initial inquiry and in the determination of appropriate corrective and punitive actions, the faculty

athletics representative, key attorneys from the Office of Legal Affairs, and the President's Office became engaged in the inquiry.

REVIEW OF INFORMATON

Overview of Involved Individuals

On April 2, 2010, Chris Cicero, a former football student-athlete at the University in the early 1980s, sent an e-mail to Tressel. This started a series of e-mails over the next two months between Cicero and Tressel concerning Ed Rife, a local tattoo parlor owner who possessed numerous Ohio State University memorabilia. Tressel forwarded one of these e-mails to Ted Sarniak, [redacted].

Chris Cicero is a 1984 graduate of the University. He attended Toledo Law School and graduated in the spring of 1987. He took the Ohio State Bar and passed in February 1988. He was a walk-on member of the football team during the 1980, 1981, 1982, and 1983 football seasons. While Tressel was an assistant coach at the time of Cicero's enrollment, Cicero was an outside linebacker and not coached by Tressel. Cicero is neither a season ticket holder nor a contributor to the athletics program. He recalled donating to the Earle Bruce Foundation on one occasion several years ago when it was established, as Earle Bruce was his head coach.

Cicero does not have an ongoing relationship with Tressel nor did he have conversations with Tressel over the past few years. Cicero indicated that he has no interaction with any current student-athletes. Cicero knew Tressel only as an assistant coach when he was a member of the football team. Cicero recalled that the University invited him to speak to the team about criminal offenses such as drinking and driving a few summers ago, and that he spoke to the team. He could not recall any e-mails or telephone calls with Tressel prior to the April 10, 2010, e-mail. He reported that he had no telephone or in-person conversations with Tressel during the spring and summer of 2010. He recalled that on Christmas Eve day in 2010, he received a text message from Tressel, who asked if the information that had just recently been released concerning the reinstatement of six student-athletes related to the information

he (Cicero) had provided Tressel earlier in the year. Cicero said he confirmed with Tressel that it was the same information.

In response to a question on why he sent the initial e-mail to Tressel, Cicero reported that he had heard that the government had raided the home of Rife, and he had known Rife for a long time as a drug dealer. Subsequently, he met with Rife as a prospective client and learned more facts about the matter, including Rife telling him that [redacted] and [redacted] were selling awards to Rife. Cicero indicated that the intent of the e-mails was to tell Tressel to tell the student-athletes to stay away from Rife and the people who associate with him. Cicero reported that at that time, he did not know it was a violation of NCAA legislation to sell memorabilia. He said his purpose "solely" was to get [redacted] and [redacted] away from Rife and his friends.

Ted Sarniak owns a company that employs many youth in Jeannette, Pennsylvania, the [redacted]. Sarniak reported that [redacted]. The University monitored the [redacted]. The University has no concerns that [redacted] is contrary to NCAA legislation and has regularly and successfully used Sarniak's [redacted] with [redacted].

Sarniak reported that prior to receiving the e-mail from Tressel on April 3, 2010, he had a telephone conversation with Tressel. (University telephone records indicate a call occurred from Tressel's cell telephone to Sarniak's cell telephone on April 2, 2010, for 15 minutes at 9:19 p.m.). Sarniak did not have a detailed recollection of the call but remembered that Tressel said he would be sending him an e-mail. He recalled Tressel informing him that [redacted]." Sarniak stated that while he may call Tressel on an occasional basis, it is unusual for Tressel to call him. This was the only conversation he recalled having with Tressel about this situation. He did not recall Tressel mentioning during this conversation that Tressel had received information about

apparel nor did he remember Tressel saying the phrase "selling of memorabilia." Sarniak had not heard any information about student-athletes selling memorabilia prior to this e-mail.

Sarniak recalled asking [redacted] subsequent to Tressel's telephone call and e-mail [redacted]. Sarniak stated he did not mention Rife nor did he have any other conversations [redacted] about this subject.

Overview of E-mails

Below is a chart that summarizes the date, time, recipients, and general subjects of the e-mails:

No.	Date	Time	From	To	Regarding/Summary
1	04/02/10	2:32 p.m.	Cicero	Tressel	Initial e-mail introducing information about Rife
2	04/02/10	6:32 p.m.	Tressel	Cicero	Thank you, "I will get on it ASAP"
3	04/03/10	8:01 a.m.	Tressel	Sarniak	Forwarded 4/2/10 CC to JT e-mail
4	04/03/10	10:12 a.m.	Sarniak	Tressel	"Received the information"
5	04/16/10	9:43 a.m.	Cicero	Tressel	Detailed more information; mentions [redacted]
6	04/16/10	11:20 a.m.	Tressel	Cicero	"I hear you, keep me posted, I will keep pounding these kids"
7	04/16/10	2:24 p.m.	Cicero	Tressel	Tell [redacted] and [redacted] not to call Rife
8	04/16/10	2:31 p.m.	Cicero	Tressel	Tell [redacted] and [redacted] to contact you if they get approached by Feds
9	04/19/10	11:10 a.m.	Tressel	Cicero	"I told [redacted] and [redacted] to stay clear"; can I get all the names of student-athletes?
10	04/20/10	8:10 a.m.	Cicero	Tressel	Contact district attorney and will they tell you what they told me
11	04/20/10	8:21 a.m.	Tressel	Cicero	Thanks
12	06/01/10	7:33 a.m.	Tressel	Cicero	Rings arrived; do you have names?
13	06/01/10	4:09 p.m.	Cicero	Tressel	Resolution for guilty plea for Rife, he will go to prison; my communications with district attorney ceased; names I gave you for two current players are still good
14	06/06/10	9:15 p.m.	Tressel	Cicero	Thanks (for the update)

The actual wording of each e-mail, as numbered in the chart above, follows:

1. April 2, 2010, 2:32 p.m., Cicero to Tressel – *A lot of my friends are in law enforcement. The Federal Government raided the house of one of my former clients yesterday. His name is Edward "Eddie" Rife. He lives on/off Quail Valley Blvd off Sunbury Road and 161 near Little Turtle. His wife's name is Melissa Dean. He owns and operates a tattoo parlor call Fine Line Ink off Hague and Sullivant. When the Federal Government raided his house yesterday they seized 70,000 in cash and a lot of Ohio State Memorabilia; including championship rings.*

I am being told [redacted] *and other players have taken Eddie Rife signed Ohio State memorabilia (shirts/jerseys/footballs) to Eddie who has been selling it for profit. I don't know if he gives any money in return to any players. I have been told OSU players including* [redacted] *have been given free tattoos in exchange for signed memorabilia. Just passing this on to you.*

Hope all is well with you. Have a Blessed Easter.

p.s. Eddie was convicted about 9 years ago for felony forgery and possession of criminal tools in Franklin County. Case number 01 CR-3245.
p.s.s. He also was with his friends (most in drug trafficking) at the Doll House in Feb 2003 where he witnessed the homicide of one of his friends that night in the parking lot; and where he was the State's chief witness in that case 03 CR-922.
p.s.s.s The Federal Government was at his house for alleged drug trafficking, but they knew about the memorabilia before they even got there.

2. April 2, 2010, 6:32 p.m., Tressel to Cicero – *Thanks Chris. I will get on it ASAP. Happy Easter to you as well!! Go Bucks!!*

3. April 3, 2010, 8:01 a.m., Tressel to Sarniak – *This guy, Chris Cicero, is a criminal lawyer in town. He played here when I was an assistant coach in the early 1980's. He has always looked out for us.*

4. April 3, 2010, 10:12 a.m., Sarniak to Tressel – *Received the information.*

5. April 16, 2010, 9:43 a.m., Cicero to Tressel – *Good morning. I hope I am not bothering you. I know you are busy with Spring practice. And, I hope you are doing well and being blessed.*

I had Eddie Rife in my office for an hour and a half last night. What I tell you is confidential. He told me [redacted]*, but I don't know the year. He told me he has about 15 pairs of cleats (with signatures), 4-5 jerseys-v-all signed by players, the 2009* [redacted] *game ball (whoever that was awarded to).*

He told me he has about 9 rings Big Ten Championship, among them were [redacted], [redacted] *(no surprise here), etc. (I didn't press him for all the names because I didn't want to emphasize this part of our meeting more than others). TJ. Downing's National Championship ring (no surprise here either). He will not talk publicly about this. If he retains me, and he may, I will try to get these items back that the government now wants to keep for themselves; which is screwed up in and of itself. I know who specifically in the District Attorney's office that is working on this matter and know both of them well so I will try if the opportunity presents itself.*

These kids are selling these items for not that much and I can't understand how they could give something so precious away like their trophy's and rings that they worked so hard for. In their life they will have children or maybe a parent who can really appreciate their hard work for what they earned, My father had two jobs; he worked 30 years at Republic Steel in Cleveland, and when he got off work he spent 26 as a police officer. I gave him my 1984 Fiesta Bowl watch he wore every day while on duty as a police officer. He died in 2001 at age 67. I now have the watch which sits in my office that I won't even wear because it meant so much to me that HE wore with pride. I don't get it and I am still old fashion. Just passing this info on, especially now that I actually talked to Mr. Rife. Take care Coach.

6. April 16, 2010, 11:20 a.m., Tressel to Cicero – *I hear you!! It is unbelievable!! Thanks for your help keep me posted as to what I need to do if anything. I will keep pounding these kids hoping they grow up.*

7. April 16, 2010, 2:24 p.m., Cicero to Tressel – *Only thing we can do is keep him, his house, his tattoo parlor off limits to players. I would also make sure you tell* [redacted] *and* [redacted] *(and whoever else) NOT to call him on his cell phone too because if he gets arrested, and that seems to be the plan, we don't want their phone numbers in his cell phone that the government will trace. He really is a drug dealer. And I know* [redacted] *has his phone number and has called him. All I tell you is factual. He is in really big trouble. The federal government has told him that his best offer is to take 10 years in prison. He wanted my opinion yesterday on his situation. I will get you a*

slate photograph of him from the sheriff so you can show these guys you know what is going on and know who they are dealing with.

I have to sit tight and wait to see if he retains me, but at least he came in last night to do a face to face with me. One correction from my first email to you, he did confirm to me that he put out on the street the government took 70,000 from his house, but he made that up so other associates of his would think it; so they wouldn't do a home invasion on him and his family. But, he had that much cash just lying around.

Okay. That is all for now. I like the world you live in a lot better than the one I do with regard to dealing with people, despite loving what I do for a living. Take care. I will keep you posted as relevant information becomes available to me. Just keep our emails confidential. Thank you.

8. April 16, 2010, 2:31 p.m., Cicero to Tressel – *Sorry Coach. My suggestion is to tell* [redacted] *and* [redacted] *(and any other current player) who has had contact with him, that if they are approached in person, by phone, by "target" letter, by any person in law enforcement, tell them that BEFORE they talk to anybody, or respond to anybody that they MUST contact you first...especially if some stupid media would get 'wind' of this...ok.*

9. April 19, 2010, 11:10 a.m., Tressel to Cicero – *I told* [redacted] *and* [redacted] *to steer clear...is there any way I could get all the ring names...I have a little plan once this year's rings arrive.*

10. April 20, 2010, 8:10 a.m., Cicero to Tressel – *I will place a call to the district attorney for you this morning. One of his agents has the rings so I will tell you what they tell me.*

11. April 20, 2010, 8:21 a.m., Tressel to Cicero – *Thanks!!*

12. June 1, 2010, 7:33 a.m., Tressel to Cicero – *Our rings arrive this week for 2009 Big Ten…any names from our last discussion?? I would like to hold some collateral if you know what I mean.*

13. June 1, 2010, 4:09 p.m., Cicero to Tressel – *Coach, I am sorry for not getting back to you earlier. Since we last talked I had an emergency appendectomy and while they were at it, fixed a sports hernia – two for one surgery, I am fine now. No more names as the federal government appears to have reached a resolution for a guilty plea for Eddy Rife to go to prison. As a result, all communication between myself and the district attorney had to cease. The names I gave you for the two current players are still good. Those are some beautiful rings. I hope they cherish them forever.*

14. June 16, 2010, 9:15 p.m., Tressel to Cicero – *Thanks Chris! Hope you are feeling better!! Go Bucks!!*

Opportunities Available for Tressel to Come Forth with Information

As noted above, the allegation details four opportunities during which Tressel could have come forth with the information he received from Cicero. Below is additional information about each:

1. Tressel received information in April 2010 that alleged violations had occurred – Initial information was sent from Cicero to Tressel on Good Friday. This was also during spring football practice. For the reasons mentioned above, Tressel did not forward the information to the institution. However, he did forward the information to Sarniak. According to Tressel, [redacted]. Sarniak had always been an individual who Tressel believed was [redacted]. Tressel indicated that [redacted], he thought it was important to ensure that Sarniak knew of the information.

Tressel reported that subsequent to receipt of the Cicero e-mails, probably in April or May, he had brief individual conversations with [redacted] and [redacted]. Tressel reported that he did not ask them directly about selling awards or apparel but told them to make proper choices and be careful with whom they associate. Tressel said the intent of the conversation was to discourage any impermissible association between the student-athletes and these types of individuals.

2. Tressel signed the NCAA Certificate of Compliance Form – Tressel signed the form on September 13, 2010, indicating he had reported his knowledge of any potential violations to the institution. (See Exhibit 2-1).

3. Tressel allowed at least two student-athletes mentioned in the Cicero e-mails to compete during the 2010 season – Tressel had specific knowledge of only two student-athletes ([redacted] and [redacted]) who were involved. The initial e-mail on April 2 identified [redacted] "and other players" who have sold memorabilia. In the April 16 Cicero e-mail, Cicero again mentioned [redacted] and that there were other memorabilia, including 15 pairs of cleats, four to five jerseys, etc. Cicero mentioned [redacted] and former student-athlete [redacted] for the first time in the April 16 e-mail. Future e-mails also reference [redacted] and [redacted], but no other current student-athletes. Tressel pressed Cicero to discover if any other student athletes were involved, and Cicero never named any other current student-athletes.

   Based upon the e-mails, Tressel knew that two of the student-athletes likely had sold awards. There was information that suggested that Rife had possession of other memorabilia, some of it signed, but there was no indication that it was signed by student-athletes with current eligibility.

4. Tressel did not report his knowledge during the institution's initial inquiry in December 2010 – In December, upon learning of the information in the Department of Justice letter, the institution held several meetings in which Tressel was in attendance. He was informed by institutional officials of the information in the letter and how this information could affect the student-athletes' eligibility. Tressel was aware that the institution was self-reporting this information and that the student-

athletes' eligibility was being affected. Nevertheless, he did not mention his knowledge of this situation nor did he inform institutional officials of the e-mails between he and Cicero.

Also, on December 16, 2010, the six student-athletes whose eligibility was affected were interviewed by institutional representatives. Shortly after the conclusion of the last student-athlete interview, Director of Athletics Gene Smith and Tressel met briefly with those institutional officials who had conducted the interviews to ask about the status of the information and its implications on the anticipated eligibility restoration requests. During that conversation, University officials asked Tressel about his knowledge of the information. More specifically, Senior Associate General Counsel for Athletics Julie Vannatta asked Tressel if he had been contacted by anyone about this matter or if he knew anything about it. Tressel replied that while he had received a tip about general rumors pertaining to certain players, such information was not specific and pertained to the players' off-field choices. The University interpreted his responses to mean that the tip related to the social decisions/choices being made by certain student-athletes. Tressel also mentioned during this December conversation that he did not recall from whom he received the tip and that he did not know that any items had been seized. Nevertheless, the conversation represented another opportunity when Tressel could have informed the institution of his previous e-mails with Cicero.

Reasons Tressel Did Not Report the Information to Appropriate Institutional Officials

Tressel was interviewed by the institution on January 16, 2011, after the University learned of the e-mails between Tressel and Cicero. When shown the e-mails, he acknowledged these exchanges with Cicero. He was interviewed more formally by institutional representatives and the NCAA on February 8, 2011. During these interviews, when asked to respond why he did not come forward with the information concerning the two student-athletes, Tressel provided the following reasons:

i. His primary concern was student-athletes associating with criminals;

ii. His belief that the information from Cicero was confidential; and

iii. There was an ongoing criminal investigation.

Regarding his concern of the student-athletes being associated with criminals, Tressel reported that when he read information in the e-mail about drug trafficking, homicide, and possession of "criminal tools," he said "it was a bad situation that scared him." He indicated that he has had a player murdered, a player incarcerated, "a couple of guys" who became involved with drugs, and another player who obstructed justice and served a ten-year sentence. Through experiences with these student-athletes, he said he "remembers these bad situations the same way he remembers a bad play in a game, as opposed to the 77 good plays" and he was "frightened." He stated that the most frightening items were that drug trafficking was involved, Rife was a chief witness to a homicide, and that student-athletes were involved with this individual.

Regarding his belief that his communications with Cicero were confidential, Tressel stated that in Cicero's second e-mail to him, Cicero stated that the information he was providing was confidential. (The second e-mail was the first time Cicero mentioned that the information was confidential). Tressel became concerned about what action he should take since the information in the second e-mail caused him to become more "distraught." Tressel believed the information Cicero provided in the first e-mail contained hearsay, but when he received the second e-mail that stated the information was confidential, it raised his level of awareness more than after the first e-mail. Tressel said he decided he would not forward the information to University personnel due to the federal implications (obstruction of justice) and the fact that Cicero stated in his e-mail that the information provided should remain confidential.

Regarding his belief that this was an ongoing criminal investigation, Tressel stated that if team members were involved with drug trafficking (based upon Cicero's e-mail about Rife's activities), a criminal investigation would take precedence. Tressel stated he was confident that when the criminal investigation was completed, the information would come out. He believed that at some point, it was likely that the two named student-athletes could be involved in criminal activities or NCAA issues.

Also, please provide the following:

a. *A copy of the emails Tressel received in the spring of 2010 concerning the violations, including any replies and forwarded messages, as well as a statement regarding when and how the institution discovered the emails.*

The Review of Information section contains a chart that summarizes the date, time, recipients, and general subjects of the e-mails. The actual wording of each e-mail also is included (See page 2-6 to 2-10).

As indicated in the Introductory section of this response, the e-mails were discovered by the institution's Office of Legal Affairs in January 2011 in response to an open-records request on an unrelated issue.

b. *A statement identifying Chris Cicero, including his relationship to the institution and degree of contact with Tressel and other members of the football staff.*

(See pages 2-4 to 2-5 in Review of Information).

c. *A statement identifying Ted Sarniak, [redacted], and a statement regarding the reason Tressel forwarded him an email concerning violations of NCAA legislation.*

(See pages 2-5 to 2-6 in Review of Information).

d. *A statement regarding any action Tressel took to address the email notification he received concerning NCAA violations.*

Tressel did not notify any institutional officials. Based upon the information reported during the investigation, the only person, other than Cicero, that knew of the existence of an e-mail was Sarniak, who only knew of the initial e-mail. Tressel did not inform any institutional officials or any coaching staff members of this information until the e-mails were discovered in January 2011when he confirmed their existence.

e. *A copy of the institution's March 8, 2011, self-report to the NCAA enforcement staff concerning violations of NCAA legislation.*

(See Exhibit 2-2).

f. *A copy of the institution's document titled "Protocol for Reporting of Violations" from the 2009-10 and 2010-11 academic years as well as the certification of compliance form signed by Tressel and dated September 13, 2010.*

(See Exhibit 2-3).

g. *A statement indicating the dates Tressel was interviewed by the institution and/or enforcement staff and those present for each interview.*

Tressel was interviewed on January 16, 2011. Present for this interview were Associate Director of Compliance Doug Archie; Senior Assistant General Counsel for Athletics Julie Vannatta; and Director of Athletics Gene Smith. Tressel was interviewed again on February 8, 2011. Present for this interview were NCAA staff members Tim Nevius and Chance Miller; TCG staff members Beth Chapman and Chuck Smrt; Associate Director of Compliance Doug Archie; and Senior Associate General Counsel for Athletics Julie Vannatta.

h. *A copy of the transcript from Tressel's February 8, 2011, interview with the enforcement staff and institution.*

(See Exhibit 2-4).

i. *A statement describing NCAA rules education provided to the football staff during the 2007-08 through 2010-11 academic years related to the sale by student-athletes of institutionally issued athletics awards, apparel and equipment; the receipt of preferential treatment; and the responsibility to report information concerning violations of NCAA legislation.*

(See Review of Information in Allegation #1).

j. *The identities of all athletics department staff members involved in or having knowledge of the receipt of the preferential treatment by the football student-athletes. Also, provide a description of this involvement or knowledge prior to, at the time of and subsequent to the receipt of the preferential treatment.*

No other athletics department staff members, besides Tressel, were involved in or had knowledge of the receipt of preferential treatment by football student-athletes until December 2010 when the Department of Justice letter was received by the institution.

k. *A statement indicating the reasons student-athletes were permitted to participate in intercollegiate athletics competition despite their involvement in NCAA violations.*

Student-athletes were permitted to participate in intercollegiate athletics competition during the 2009 football season because no one at the institution had any knowledge of the student-athletes' involvement in NCAA violations. Tressel was the only individual who had some knowledge that two student-athletes might be competing while ineligible during the 2010 regular football season.

III. INFORMATION REQUESTED BY THE COMMITTEE ON INFRACTIONS.

3. Please provide all information concerning other possible violations of NCAA legislation discovered by the institution as a result of its review of this matter. In that regard, please indicate the means by which the information was discovered and the institution's position on whether a violation occurred.

As indicated earlier in this report, the violations in this case were self-discovered and self-reported by the institution. As part of the review by the enforcement staff in early 2011, prior to the Notice of Allegations, it made extensive requests of the institution for various information related to the University's monitoring and educational efforts, primarily concerning the preferential treatment area. Neither the staff nor the institution believes any additional violations of NCAA legislation resulted from that review.

Information was reported to the University and the enforcement staff subsequent to the Notice of Allegations that still is being reviewed. This review continues and the University will report any additional violations if necessary in the future.

4. *Please provide a detailed description of any corrective or punitive actions implemented by the institution as a result of the violations acknowledged in this inquiry. In that regard, explain the reasons the institution believes these actions to be appropriate and identify the violations upon which the actions were based. Additionally, indicate the date that any corrective or punitive actions were implemented.*

Corrective Actions – The institution has undertaken or will undertake the following actions:

a. Expanded the compliance staff to add two additional staff members. The institution believes it has done an effective job of education and monitoring in the past, but believes these two additional individuals will allow the University to further increase its monitoring efforts. This brings the staff size to a total of eight individuals, not including part-time staff and interns. (See pages 10-1 through 10-3 of Informational Question #10);
b. Reviewed both the institution's formal protocol for reporting of violations policy and NCAA Bylaw 10.1 with all coaching staff members on a quarterly basis during the 2011-12 academic year and review semiannually in subsequent years;
c. Required the Director of Athletics and Faculty Athletics Representative to routinely communicate with coaching staff members about the necessity to report violations to appropriate institutional officials when they occur;
d. Informed all student-athletes that they are prohibited from visiting Fine Line Ink for any reason or to associate with Ed Rife. The institution also sent a letter of disassociation to Rife. (See Exhibit 1-8).
e. Increased the level of education provided to student-athletes on preferential treatment, with particular emphasis on the sale of memorabilia or other apparel. (This began in the fall of 2009 and continues); and
f. Expand the scope of its current education to local businesses to include targeted education to tattoo parlors, barber shops, hair salons, movie theaters, and housing complexes in the Columbus metropolitan area, as well as businesses within the immediate campus area.
g. Implemented additional measures to enhance its already extensive monitoring efforts for football student-athletes related to the receipt of institutional awards and apparel, including the following:

    i. Watches – Issue championship rings and bowl game watches to football student-athletes, as they are earned based on team performance in a given academic year. However, at least annually, student-athletes will be required to provide proof that either the student-athlete or a family member of the student-athlete has possession of the ring and/or bowl game watch;
    ii. Apparel – Issue either a "rivalry" jersey from the Ohio State vs. Michigan game or bowl game jersey to football student-athletes at the first opportunity in their academic career, if earned. All other jerseys that may be issued to a student-athlete will be securely held by the institution until each student-athlete has completed his eligibility;
    iii. Team Travel – Require a senior compliance staff person to accompany both the football and men's basketball teams on all away-from-home contest travel. This measure will allow compliance staff to monitor activities of and build relationships with student-athletes in high-profile sports. Additionally, this step will place the compliance staff in a position to monitor recipients of

complimentary admissions and inappropriate autograph seekers and detect potential NCAA violations (e.g., contacts by recognizable agents);

iv. Require coaches to complete the awards form electronically, which will populate a form requiring each student-athlete to access and verify receipt of the award. Currently, coaches in all sports are responsible for listing, on a hard copy form that is provided to compliance, all awards each student-athlete has received. However, student-athletes do not always take possession of awards assigned to them (e.g., if they are not notified the award needs to be picked up);

v. Require student-athletes who have previously received a ring or watch from championship or bowl game participation to verify to the compliance staff that they still have possession of all rings or watches received from past seasons prior to receiving the new award. This verification can be made by student-athletes bringing the items to the compliance staff or submitting (or having a relative submit) a date-stamped photograph of the items. If a student-athlete cannot provide proof of their (or a relative's) possession of the previously-issued items, they will be assessed a fine (from $100 up to the cost of the missing item) prior to receiving the new ring or watch for which they are eligible. Student-athletes will not be penalized for missing items if he or she reports the theft or loss within 30 days of the occurrence; and

vi. Prohibit football student-athletes from purchasing helmets they wore in University of Michigan games until after their final year of competition.

Punitive Actions – The institution has undertaken the following actions:

a. Vacate all of the 2010 football season victories, including the Sugar Bowl game.
b. Vacate the co-championship of the Big Ten Conference for the 2010 season;
c. Withhold five student-athletes ([redacted], and [redacted]) from the first five games of the 2011 football season, one game for one student-athlete ([redacted]), and the required number of games for student-athlete [redacted] during the 2011 football season subject to his final restoration determination (See Exhibit 4-1 for the 2011 schedule);
d. Sought and accepted the resignation of the then Head Football Coach Tressel; and
e. Imposed a two-year probationary period effective July 8, 2011.

The institution announced its intention to impose the following actions prior to Tressel's resignation:

a. Suspend Tressel for the first five games of the 2011 football season. This suspension precluded Tressel from: (i) participating in any game-day activities; (ii) being in the facilities where the games are played during game day; or (iii) having any contact with members of his coaching staff while the games are ongoing;
b. Suspend Tressel from all off-campus recruiting activities from the period of June 1, 2011, through May 31, 2012;
c. Require Tressel to attend a NCAA Regional Rules Seminar in the spring of 2011;
d. Issue a public reprimand to Tressel for his involvement with the activities in this report. (This action was implemented prior to Tressel's resignation); and
e. Require Tressel to issue a public apology for his role in this situation. (This was done on several occasions in March 2011).

5. *Please provide a detailed description of all disciplinary actions taken against any current or former athletics department staff members as a result of violations acknowledged in this inquiry. In that regard, explain the reasons that the institution believes these actions to be appropriate and identify the violations upon which the actions were based. Additionally, indicate the date that any disciplinary actions were taken and submit copies of all correspondence from the institution to each individual describing these disciplinary actions.*

The institution self-reported that Tressel violated the provisions of Bylaw 10.1.1 and took many of the actions as detailed in Information Question #4 above. Some of these actions became moot due to Tressel's resignation. The institution believes these actions are appropriate based upon the information reported in Allegation #2.

6. *Please provide a statement indicating the dates and titles of all positions at the institution held by individuals identified during the inquiry as allegedly having significant involvement in NCAA violations as well as a brief overview of each position. Additionally, provide the dates, title and employer of all positions held by such individual(s) during the five years prior to the dates of the alleged violations. Furthermore, provide a brief review of the previous major infractions case history for the identified individuals.*

The only involved staff member in the allegations is former Head Football Coach Jim Tressel. He became the head coach at the University in the spring of 2001 and completed his tenth season during the 2010 football season. On May 30, 2011, Tressel resigned from the institution. Below is an overview of his background and coaching career:

Tressel was born in Mentor, Ohio. He spent most of his childhood in Berea, Ohio. A 1971 Berea High School graduate, Tressel played for his father at Baldwin Wallace College, earning four letters as quarterback and winning all-conference honors as a senior in 1974. He graduated cum laude in 1975 with a degree in education.

He embarked upon his coaching career in the fall of 1975 as a graduate assistant at Akron, where he remained through the 1978 season, serving in a full-time capacity his last three seasons as coach of the quarterbacks, receivers, and running backs. While at Akron, he earned his master's degree.

Tressel spent the 1979 and 1980 seasons as quarterbacks and receivers coach at Miami University (Ohio). He left in 1981 to become the quarterbacks coach at Syracuse, where he spent two seasons before returning to Ohio in 1983 as a member of Earle Bruce's Ohio State staff and stayed for three seasons (1983, 1984, and 1985).

In 1984 and 1985, Tressel was given the added responsibility of coaching the University's running backs. In 1986, he became the head coach at Youngstown State (YSU). In 1987, he guided YSU to an 8-4 record and their first appearance in the Division I-AA playoffs. YSU won the Ohio Valley Conference title and Tressel was named OVC Coach of the Year. In 1989, he began a stretch of six consecutive playoff appearances, winning three national championships, and playing in four straight title games between 1991 and 1994. Tressel's first national crown came in 1991, when Youngstown State defeated Marshall, 25-17, in the championship game.

YSU lost a championship rematch with Marshall the following year, but won the following year for their second I-AA title in three years. YSU won its third crown in four years in 1994. Tressel's fourth national title came in 1997, when YSU defeated McNeese State, 10-9, in the championship game. YSU also played for the title in 1999, but lost to Georgia Southern in the finals. In 2000, YSU posted a 9-3 record and its 10th playoff appearance.

Tressel became the head coach at the University for the 2001 season and completed his tenth season in 2010. He won six Big Ten titles and participated in three national championship games.

Years	**Position**	**Institution**
1975	Graduate Assistant	Akron
1976-78	Quarterbacks, Receivers, Running Backs Coach	Akron
1979-80	Quarterbacks, Receivers Coach	Miami (Ohio)
1981-82	Quarterbacks Coach	Syracuse
1983-85	Quarterbacks, Receivers, Running Backs Coach	Ohio State
1986-2000	Head Coach	Youngstown State
2001-2011	Head Coach	Ohio State

7. Please provide a short summary of every major infractions case involving the institution. In this summary, provide the date of the infractions report, a description of the violations found by the NCAA Committee on Infractions, the individuals involved, and the penalties and corrective actions. Additionally, please provide a copy of any major infractions reports involving the institution that were issued by the Committee on Infractions.

Since 1953, the institution has been involved in four major infractions cases. Below is a summary of these cases:

Year	Sport
1957	Football
1978	Football
1994	Men's Basketball
2006	Men's Basketball

Regarding the 1957 case, the finding was that the then head football coach administered a private emergency fund, which he utilized to loan student-athletes money during a five-year period (1951 to 1955). Some of these transactions were paid back, and others were not. They ranged from $10 to $100, and the total amount over the five-year period was approximately $1,700. The institution was placed on probation for one year and was ineligible for postseason competition during that period.

Regarding the 1978 case, the institution self-reported that a representative of its athletics interests provided extra benefits to a few student-athletes, and an assistant coach loaned his automobile to a student-athlete on a few occasions. The institution received a public reprimand, but no probation. No other sanctions were imposed.

Regarding the 1994 case, the case primarily involved impermissible contacts, provision of money to high school coaches for entertainment, a few recruiting violations by representatives of its athletics interests, and a lack of institutional control. The institution received a one-year probationary period and a reduction in the number of scholarships in men's basketball by one. The head coach was prohibited from recruiting off campus for three months.

Regarding the 2006 case, it primarily involved the men's basketball program with violations relating to recruiting, extra benefits, academic fraud, unethical conduct, and a failure to monitor. The institution received three years of probation and a reduction in the number of official visits. It was required to reimburse to the NCAA an amount equal to 90 percent of revenue resulting from the Big Ten Conference distribution for the 1999, 2000, 2001, and 2002 championships; vacation of team and individual records for the 1999, 2000, 2001, and 2002 tournaments (including a Final Four appearance); a show cause order was imposed upon the former head coach and former assistant coach for two years; and a recruiting ban and show cause order was imposed upon the former assistant coach for one year.

Copies of these infractions reports have been sent under separate cover to NCAA Director of Committees on Infractions Shep Cooper.

8. Please provide a chart depicting the institution's reporting history of secondary violations for the past five years. In this chart, please indicate for each academic year the number of total secondary violations reported. Also, please include the applicable bylaws for each violation, and then indicate the number of secondary violations involving the football program for the same five-year time period.

Academic Year	# of Secondary Violations Involving Institution or Individuals Named in NOA	# of Secondary Violations Involving Football Team	Applicable Bylaws for Each Violation (Football Highlighted)
2010-11	31	6	12.3.1.2; 11.3.2.5; 13.2.1; 13.6.7.5; 13.4.1; 13.1.3.1.4; 13.11.1; 13.4.1.2; 17.20.2; 14.1.8.1; 13.02.5.4; 16.1.4; 16.11.1.6; 12.1.2.1.6; 13.11.2.3; 13.1.2.1; 11.1.6(a); 11.7.2.2; 13.02.5.3; 16.1.1.1; 13.5.3; 12.5.1.1 (h); 13.6.8; 16.2.1.3; 16.11.2.1; 14.3.1; 16.8.1.2.1; 16.02.3; 14.10(c); 15.5.3.1.2; 15.5.2.1
2009-10	26	7	15.01.5; 11.3.2.5; 13.4.1; 13.02.11; 13.2.1; 13.6.7.9; 13.7.3; 13.10.5; 14.1.8.1; 13.12.1; 13.12.1.5.1; 11.7.1.1.1; 13.5.1; 13.5.1.2; 16.11.21; 16.11.2.2.3; 13.1.2.1; 13.1.1.1; 13.02.4.2; 12.1.2.1.6; 16.8.1.2; 13.4.1.2; 13.10.1; 13.15.1; 13.15.1.2; 16.11.2.3; 13.1.3.1; 16.02.3; 13.1.7.2
2008-09	31	8	13.7.6.2; 13.12.1.5.1; 13.15.1; 12.5.3; 13.1.2.1; 13.2.1; 13.6.9; 13.7.1; 13.7.2.1.1; 13.12.1.3; 13.1.2.7; 13.1.3.1; 12.1.2; 12.1.2.1.4.1; 12.1.2.1.5; 12.1.2.3; 13.11.2.3.3; 13.4.2.1; 12.5.1.7; 13.12.1.5.1; 13.2.5; 13.11.1; 13.11.3.10; 13.4.1; 14.1.9.1; 14.5.1.1; 14.5.5.2.10; 16.8.1.2; 15.2.8.1.2; 12.1.2.1.6; 16.02.3; 11.7.4; 16.8.1.1; 13.4.1.2; 12.5.1.1(d); 12.5.1.1(i); 17.1.6.2; 14.01; 14.1.3.1; 14.1.4.1; 14.10.1; 13.4.1; 11.5.1; 13.02.4.3; 13.1.1; 13.1.1.1; 13.1.2.1; 13.1.2.1.1; 30.10.3; 13.02.11; 13.2.1; 11.6.2; 16.11.2.1; 17.28.1
2007-08	26	5	16.8.1.2.3; 13.11.2.2; 13.1.3.1; 12.1.2.1.6; 17.1.1; 17.1.3; 17.1.6.2; 13.6.3(d); 17.1.6.3.6; 13.10.3.2; 13.1.1.1; 13.02.4.2; 11.01.3(h); 13.1.3.4.1; 14.7.1; 15.3.3.1; 13.2.1; 13.2.2; 15.3.1; 13.6.7.1.1; 13.11.1.2; 12.5.1.1(h); 14.10.2; 13.02.11; 13.11.1; 12.1.1.1.3; 12.1.1.1.3.1; 14.31; 14.3.5.1.1; 13.4.1.1
2006-07	30	5	13.11.2.3.2; 13.6.6.2; 13.1.3.1.5; 13.2.1; 14.1.5; 12.1.2.1.6; 11.3.2.5; 15.2.2.1; 13.4.1.1; 14.11.1; 11.01.3(g); 13.11.1; 13.4.4.1; 13.6.6.5; 13.1.3.1; 13.1.8.8; 13.02.4.4; 16.02.3; 16.12.2.1; 13.4.1; 13.10.7

9. *Please provide the institution's overall NCAA division and conference affiliation, as well as the total enrollment on campus and the number of men's and women's sports sponsored.*

The institution sponsors the following men's sports:

Baseball	Basketball	Cross Country
Fencing	Football	Golf
Gymnastics	Ice Hockey	Lacrosse
Soccer	Swimming	Diving
Tennis	Indoor Track	Outdoor Track
Volleyball	Wrestling	

The institution sponsors the following women's sports:

Basketball	Cross Country	Fencing
Field Hockey	Golf	Gymnastics
Ice Hockey	Lacrosse	Rowing
Soccer	Softball	Swimming
Diving	Synchronized Swimming	Tennis
Indoor Track	Outdoor Track	

The institution sponsors the following coed sports:

Pistol	Rifle

The institution is a member of the Big Ten Conference.

The institution has a total enrollment of over 60,000 students on all six campuses of which over 50,000 are enrolled on the Columbus campus. Of the approximately 6,600 new freshmen on the Columbus campus, approximately 82 percent are Ohio residents, 14 percent are out of state, and approximately four percent are international students.

10. Please provide a statement describing the general organization and structure of the institution's intercollegiate athletics department, including the identities of those individuals in the athletics department who were responsible for the supervision of all sport programs during the previous four years, and whether the institution conducts a systematic review of NCAA and institutional regulations for its athletics department employees. If a review is performed, identify the agency, individual or committee responsible for this review, and describe the responsibilities and functions of each identified.

President Gee

Overall responsibility for the institution's athletics program rests with President Gee. Dr. Gee has been the president of The Ohio State University since 2007. Prior to his service at Ohio State, he led Vanderbilt University (2001-2007), Brown University (1998-2000), The Ohio State University (1990-97), the University of Colorado (1985-90), and West Virginia University (1981-85).

Gee graduated from the University of Utah with an honors degree in history and earned his J.D. and Ed.D degrees from Columbia University. He clerked under Chief Justice David T. Lewis of the U.S. 10th Circuit Court of Appeals before being named a judicial fellow and staff assistant to the U.S. Supreme Court. Gee returned to Utah as an associate professor and associate dean in the J. Reuben Clark Law School at Brigham Young University, and was granted full professorship in 1978. One year later, he was named dean of the West Virginia University Law School, and, in 1981, was appointed to that university's presidency, his first presidency as noted above.

Overview of Athletics Department

The University fully funds 36 varsity sports and has more than 1,000 student-athletes. The athletics department is completely self-supporting and receives no University funds, tax dollars, or student fees. Exhibit 10-1 is an organizational chart for the athletics department structure at the University.

Gene Smith is the Director of Athletics and Associate Vice President. He is in his sixth year at the University and was named to his current position in March of 2005. Smith previously was the Director of Athletics at Eastern Michigan from 1985 to 1993. In 1993, he became Director of Athletics at Iowa State University where he remained until 2000. He was the Director of Athletics at Arizona State University from 2000 to 2005. Smith attended the University of Notre Dame on a football scholarship and received his bachelors degree in business administration in 1977. Following graduation, he joined the Notre Dame football coaching staff and remained in that capacity for four years.

Doug Archie is the Associate Athletics Director for Compliance and was hired to that position in June 2006. Prior to that time, he was the associate director of compliance at the University of Utah for 4 years. He worked on the NCAA staff for seven years in the Enforcement Services and Membership Services areas prior to his employment at Utah. He was the Assistant Athletics Director for Compliance at the University of North Dakota prior to his employment at the NCAA. He received a bachelors degree in economics from York University in Toronto and a Masters of Science and Physical Education from Ohio

University in 1990, and his law degree from the University of Toledo College of Law in 1993.

The compliance office consists of the following full time positions:

- Doug Archie, Associate Athletics Director/Compliance
- Chris Rogers, Assistant Athletics Director/Compliance
- Jessica Olms, Associate Director/Compliance
- Phil Wille, Associate Director/Compliance*
- Kala Andrews, Assistant Director/Compliance
- Carly Grimshaw, Assistant Director/Compliance
- Khadian Kelly, Assistant Director/Compliance – Monitoring*
- Michael Warinner, Assistant Director/Compliance – Financial Aid
- Brad Chandler, Intern
- Tonilyn Rogers, Intern

As noted in the corrective and punitive actions section of this report, the institution has added two positions to bring to a total of eight full-time positions. [Note – new positions are noted by * above.]

The compliance office currently consists of the following part-time intern positions:

- Sean Barber, Intern
- Jaclyn Chapple, Intern
- Kelly Clark, Intern
- Desmond Cox, Intern
- Clark Crum, Intern
- Jamie Giangreco, Intern
- Paia LaPalombara, Intern
- Bryce Winter, Intern

IAC Athletics Representative

Dr. John P. Bruno is the Faculty Athletics Representative. He earned his Ph.D. at John Hopkins University in 1980. He then received postdoctoral training at the North Carolina Division of Mental Health at the Dorothea Dix Hospital. Dr. Bruno also completed additional postdoctoral training at the University of Pittsburgh. Subsequently, he joined the faculty at Pittsburgh before arriving at Ohio State in 1986.

Compliance Responsibilities

The institution utilizes the University's Department of Internal Audit to conduct reviews on an annual basis in order to meet The provisions of NCAA Bylaw 22.2.1.2.(e).

Regarding the overall individuals or committees responsible for the compliance functions, the institution also has an Executive Compliance Committee. The compliance committee reviews general strategic compliance issues and assists the compliance department with any and all questions raised before the committee. This group includes the following individuals:

- Dolan Evanovich, Vice President of Enrollment Services
- Brad Myers, University Registrar
- Dr. John Bruno, Faculty Athletic Representative

- Chris Culley, Senior Vice President and General Counsel
- Diane Stemper, Director of Student Financial Aid
- David Graham, Assistant Provost/Associate Athletics Director for Student-Athlete Success
- Ben Jay, Senior Associate Athletics Director for Finance and Operations
- John Wanzer, Assistant Provost of Undergraduate Education
- Eugene Smith, Associate Vice President and Director of Athletics
- Tim Quinlan, Program Coordinator for Athletic Academic Eligibility
- Wayne Carlson, Vice Provost and Dean of Undergraduate Education
- Miechelle Willis, Senior Associate Athletics Director
- Julie Vannatta, Senior Associate Athletics Director – Legal/Senior Assistant General Counsel for Athletics

11. Please provide the following information concerning the football program:

- *The average number of initial and total football grants-in-aid that have been awarded during the past four academic years.*

	FOOTBALL	
Year	INITIAL	TOTAL
2009-10	23	85
2008-09	14	85
2007-08	21	85
2006-07	21	85
Total	79	340
Avg.	19.75	85

- *The number of initial and total football grants-in-aid in effect for the 2010-11 academic year and the number anticipated being in effect for the 2011-12 academic year.*

	FOOTBALL	
Year	INITIAL	TOTAL
2011-12	18 (projected)	85 (projected)
2010-11	17	85

- *The identities of all football student-athletes anticipated to be on athletically related financial aid as of the first semester of the next academic year who will have four years of remaining eligibility and five years of enrollment (per the NCAA's five-year rule) to complete those four years; the identities of all football student-athletes who have three years of remaining eligibility and four years of remaining enrollment to complete those three years; the identities of all football student-athletes who have two years of remaining eligibility and three years of remaining enrollment to complete those two years; and the identities of all football student-athletes who have one year of remaining eligibility and two years of remaining enrollment to complete that year.*

Number of Student-Athletes and Years of Eligibility
at Beginning of 2011-12 Academic Year

Sport	Number of Student-Athletes	4 Years Eligibility/5 Academic Years to Use	4 Years Eligibility/4 Academic Years to Use	3 Years Eligibility/4 Academic Years to Use	3 Years Eligibility/3 Academic Years to Use	2 Years Eligibility/3 Academic Years to Use	2 Years Eligibility/2 Academic Years to Use	1 Year Eligibility/2 Academic Years to Use	1 Year Eligibility/1 Academic Year to Use
FB	116	17	24	6	20	4	19	2	24

- *The average number of football student-athletes during the previous four years who have redshirted and the number who are expected to redshirt during the upcoming academic year.*

Year	FB
2010-11	53
2009-10	49
2008-09	51
2007-08	34
Total	187
Average	46

- *The number of football student-athletes in each of the previous four years who were awarded athletically related financial aid but who withdrew from the squad for reasons other than graduation or loss of eligibility.*

Year	FB
2010-11	1
2009-10	6
2008-09	3
2007-08	6
Total	16
Average	4

- *A list of the institution's football win-loss record for the past four seasons and the dates and results of all postseason competition in which the institution has participated during those years. If there was postseason competition, please indicate how this was earned (e.g., conference automatic bid, at-large bid).*

	FB	
Year	Reg. Season	Bowl Appearance/Result
2010-11	11-1	Ohio State vs. Arkansas (31-26) Won
2009-10	10-2	Ohio State vs. Oregon (26-17) Won
2008-09	10-2	Ohio State vs. Texas (21-24) Lost
2007-08	11-1	Ohio State vs. LSU (24-38) Lost

- *The average number of official paid visits provided by the institution to prospective football student-athletes during the past four years.*

Year	FB
2010-11	31
2009-10	29
2008-09	30
2007-08	26
Total	116
Average	29

- *The cost of room, board, books and tuition at the institution for the past four academic years.*

	In-State	Out-of-State
2010-11	$22,258	$36,422
2009-10	$20,938	$34,510
2008-09	$20,293	$33,532
2007-08	$19,735	$32,344

- *Copies of the institution's football squad lists for the past four academic years.*

  The squad lists were sent to the Committee on Infractions members through Shep Cooper.

- *One copy of the institution's media guides for the past four academic years to be sent to Mr. Shep Cooper, director of the Committees on Infractions, and, if available, the Internet URL(s) for the members of the committee to use to review the same information contained in these media guides. If this information is not available through the Internet, then the provision of one complete set of media guides to Mr. Cooper will suffice.*

  The institution does not publish media guides. The link to the media guides is as follows:

  2010:
  http://www.ohiostatebuckeyes.com/fls/17300/pdf/fb/m-footbl-2010-Games.pdf?DB_OEM_ID=17300

  2009:
  http://www.ohiostatebuckeyes.com/fls/17300/pdf/fb/m-footbl-2009-Games.pdf?DB_OEM_ID=17300

  2008:
  http://www.ohiostatebuckeyes.com/fls/17300/pdf/fb/m-footbl-2008-Games.pdf?DB_OEM_ID=17300

  2007:
  http://www.ohiostatebuckeyes.com/fls/17300/pdf/fb/m-footbl-2007-Games.pdf?DB_OEM_ID=17300

- *A review of the institution's obligations (contractual or otherwise) concerning live telecasts of contests during the next three seasons. These should include, but should not be limited to, contractual agreements negotiated by the institution's conference and opponent or through its sports network affiliations.*

  Pursuant to an Assignment Agreement (executed in May, 2006) between the institution and The Big Ten Conference, OSU assigned all of its rights to the Conference to telecast OSU's home football games for an extended period, including the next three football seasons (2011-2013). In turn, the Conference has entered into Telecast Rights Agreements with ABC/ESPN and with Big Ten Network pursuant to which ABC/ESPN

and Big Ten Network have the collective right and obligation to telecast all of OSU's home football games for these seasons. The Conference has no telecast rights for any non-Conference football games where OSU is the visiting team, with the home team or the home team's conference in those games controlling those rights. The Conference has also entered into post-season football bowl agreements with various bowl partners, and those agreements provide for the live telecast of the applicable games, including any games in which OSU may be selected to participate.

- *A statement indicating whether the provisions of NCAA Bylaws 31.2.2.3 and 31.2.2.4 apply to the institution as a result of the involvement of student-athletes in violations noted in this inquiry.*

  The University's football program is involved with the Bowl Championship Series, and as a result, is not involved with a NCAA football championship. As a result, the provisions of these bylaws do not apply.

- *A statement indicating whether the provisions of NCAA Bylaw 19.5.2.2-(e) apply to the institution as a result of the involvement of student-athletes in violations noted in this inquiry.*

  The institution understands that seven student-athletes competed while ineligible during the 2010 football season. Six of the seven would have been withheld from greater than one game had appropriate institutional officials been aware of their involvement in violations. The institution believes that six of these student-athletes would have been reinstated no later than the sixth game of the 2010 season. (At the time of the printing of this response, [redacted] eligibility status had not been resolved). As a result, the institution has vacated the all of the games of the 2010 season. The University does not believe any games should be vacated for the 2009 football season because no institutional staff member knew of the violations during that season.