

## NOTICE OF ALLEGATIONS

to the

President of The Ohio State University

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 May 2010, football student-athletes

██████████ and then football student-athlete ██████████ received preferential treatment from and, other than ██████████ 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, ██████████ 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, ██████████ 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, ██████████ 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, ██████████ sold his 2008 Big Ten Conference championship ring, his 2008 "gold pants" team award and his ██████████ ██████████ 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, ██████████ 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, ██████████ 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, ██████████ 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, ██████████ received \$100 for obtaining team autographs on two replica football helmets belonging to Rife, an

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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]

Additionally, Jim Tressel, 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. 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.
- 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.
- 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.
- 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.
- e. A statement describing the "gold pants" team award, including the size, cost and purpose of the award.

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- 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.
- 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.
- 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.
- 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.
- 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.

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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] 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. 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.
- 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.
- c. A statement identifying Ted Sarniak, including his relationship to [REDACTED], and a statement regarding the reason Tressel forwarded him an email concerning violations of NCAA legislation.
- d. A statement regarding any action Tressel took to address the email notification he received concerning NCAA violations.
- e. A copy of the institution's March 8, 2011, self-report to the NCAA enforcement staff concerning violations of NCAA legislation.
- 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.

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- g. A statement indicating the dates Tressel was interviewed by the institution and/or enforcement staff and those present for each interview.
- h. A copy of the transcript from Tressel's February 8, 2011, interview with the enforcement staff and institution.
- 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.
- 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.
- k. A statement indicating the reasons student-athletes were permitted to participate in intercollegiate athletics competition despite their involvement in NCAA violations.

### Requested Information

- 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.
- 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.
- 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.

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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.
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.
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.
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.
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.
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.
  - 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.

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- 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.
- 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.
- 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.
- 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).
- The average number of official paid visits provided by the institution to prospective football student-athletes during the past four years.
- The cost of room, board, books and tuition at the institution for the past four academic years.
- Copies of the institution's football squad lists for the past four academic years.
- 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.
- 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.

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- 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.
- 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.

Any additional information or comments regarding this case are welcome.