



Office of Legal Affairs

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March 8, 2011

Ms. Julie Roe Lach
Director of Enforcement Services
National Collegiate Athletic Association
P.O. Box 622
Indianapolis, Indiana 46202-6222

Dear Ms. Roe Lach:

This is in reference to the recent conversation between representatives of The Ohio State University ("University" or "institution") and the NCAA Enforcement Staff and constitutes a self-report of a violation of NCAA legislation involving the institution's head football coach. More specifically, the University reports that:

Between the period of April 2, 2010, and January 15, 2011, Head Football Coach Jim Tressel violated the provisions of NCAA Bylaw 10.1 when he failed to notify institutional officials of information he received beginning in April 2010 that concerned potential violations of NCAA preferential treatment legislation with student-athletes on the football team. Coach Tressel received e-mails from an attorney that provided specific information about two student-athletes selling memorabilia to a local tattoo parlor owner. These e-mails also indicated that one student-athlete may have received free and/or discounted services at a tattoo parlor. Although Coach Tressel had the information, he did not inform institutional officials.

Upon receiving information about this matter in January 2011, University officials acted immediately. The Faculty Athletics Representative, key administrators from the Office of Legal Affairs, and the President's Office became engaged in the inquiry. After conducting several interviews, the University has determined the above NCAA violation occurred and is imposing significant corrective and punitive measures upon Coach Tressel and the football program. This letter will review the institution's inquiry and also detail these corrective and punitive actions, which include suspending him from coaching two games during the 2011 football season and reducing his salary.

Overview of Inquiry

On December 19, 2010, the institution submitted a self-report of a violation of Bylaw 12.1.2.1.6 and an eligibility reinstatement request to NCAA Vice President of Academic and Membership Affairs Kevin Lennon and NCAA Director of Secondary Enforcement Chris Strobel. This report involved six current football student-athletes who sold institutionally-issued memorabilia or received discounted services. At the time this report was submitted to the NCAA, the University believed that the first notice received by institutional officials was contained in a December 7, 2010, letter from the U.S. Department of Justice to the University's Office of Legal Affairs. In essence, the letter indicated that certain Ohio State University sports memorabilia had been seized in a criminal investigation and questioned whether the University or

certain student-athletes had ownership interest in these items. Utilizing the letter to begin its investigation, the University conducted an inquiry and submitted the December 19, 2010, self-report.

However, on January 13, 2011, while reviewing information on an unrelated legal issue, the institution's Office of Legal Affairs discovered an e-mail from Coach Tressel that was the subject matter of some of the activities pertaining to the University's December 2010 NCAA self-report. The Office of Legal Affairs notified appropriate institutional officials and an additional inquiry began. One of the first actions was to conduct a search of Coach Tressel's e-mail account. This search uncovered three e-mail strings between Coach Tressel and an attorney relating to this matter and to certain student-athletes. Two strings occurred in April 2010, and one in June 2010.

E-mails searches were then conducted by the University of all football coaching staff members and other football administrative staff members. After these searches, it was concluded that no other e-mail correspondence to Coach Tressel or any other football coaching or other football administrative staff member existed that related to the football student-athletes' activities set out in the University's December 19 NCAA self-report. As a result, the institution believes that no other football coaching or other administrative staff member was knowledgeable prior to December 2010 of these activities and needed to be interviewed.

On January 16, 2011, three days after the initial e-mail was discovered, Coach Tressel was questioned by institutional officials about his correspondence with the attorney and he acknowledged receiving these e-mails. On January 21, 2011, the institution retained The Compliance Group (TCG) to serve as an outside consultant on this matter. As you know, shortly thereafter, you were informed of this information and invited to participate in the institution's ongoing investigation. On February 8, the NCAA and institutional representatives conducted an interview of Coach Tressel. Additional joint interviews with the University and the NCAA were conducted with various individuals over the following two weeks resulting in this self-report.

The institution will continue its inquiry in conjunction with the NCAA Enforcement Staff but believes that at this point, it is appropriate to report this information.

Overview of E-mail

The e-mails discovered by the University indicated that the attorney initially e-mailed Coach Tressel on April 2, 2010, with information pertaining to football student-athletes' alleged visits to a local tattoo parlor. The e-mail also indicated that the owner of the parlor possessed Ohio State football memorabilia, that one specific student-athlete may have been given free or reduced tattoo services, and that the owner of the parlor had a criminal background and was the subject of a criminal investigation. Coach Tressel replied "I will get on it ASAP" in an e-mail response on the same day.

The attorney e-mailed Coach Tressel again on April 16, 2010 with additional information, including that two student-athletes were selling their Championship rings. Coach Tressel e-mailed a reply of "keep me posted as to what I need to do, if anything."

Finally, on June 1, Coach Tressel initiated an e-mail to the attorney asking if the attorney had additional names of football student-athletes involved in these activities. The attorney replied the same day that he did not have additional names. On June 6, Coach Tressel thanked the attorney for his response. No other e-mail correspondence between the attorney and Coach Tressel (or the attorney and any other football coaching staff member and other football administrative staff members) was discovered by the institution.

Information Relating to the Violations

The University contends that Coach Tressel violated NCAA Bylaw 10.1 and also failed to follow the institution's protocol for reporting of violations by not informing compliance or other institutional administrators of the information he received beginning in April 2010. This policy is communicated to all coaches and staff 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."

Coach Tressel's employment agreement also obligates him to inform compliance and the Director of Athletics of any violations or likely violations of NCAA rules.

Besides not coming forth unsolicited to the Director of Athletics or a member of the University's compliance staff, below are the occasions when the institution believes Coach Tressel had a specific opportunity to provide information relative to the NCAA violation reported in December but failed to do so. Coach Tressel:

- i. Signed the NCAA Certificate of Compliance Form on September 13, 2010, indicating he has reported any knowledge of possible violations to the institution;
- ii. Did not report the information in the e-mails or his knowledge of potential violations to the institution in early December 2010 when he initially learned from University officials on or around December 9 that information had been received from the Department of Justice regarding the student-athletes potentially violating NCAA legislation for selling memorabilia and receiving discounted services; and
- iii. Did not report the information in the e-mails or his knowledge of potential violations on December 16, 2010, when asked by institutional officials about his knowledge of the student-athletes' involvement in these activities. More specifically, while conducting its inquiry, institutional officials interviewed the six involved student-athletes. Following the interviews, University officials informally questioned Coach Tressel about his knowledge of this information. When Coach Tressel was asked if he had been contacted about the matter or knew anything about it, he replied that while he had received a tip about general rumors pertaining to certain of his players, that information had not been specific, and it pertained to their off-field choices. He implied that the tip related to the social decisions/choices being made by certain student-athletes. He added he did not recall from whom he received the tip. He also stated that he did not know that any items had been seized.

During the January 16, 2011 meeting with institutional officials and during his February 8, 2011, interview with the NCAA and the University, Coach Tressel explained that based on a few of his past experiences with student-athletes, his primary concern after receiving the attorney's e-mails was whether any of his players were associating with individuals involved in criminal activities. He added that he did not report the information to the institution because he believed that there were unusual extenuating circumstances that outweighed him informing the University of the information he had learned. In particular, he was protecting the confidentiality of the attorney (which the attorney requested) and of the federal criminal investigation. He prioritized potential criminal activity and the possibility of interfering with an ongoing criminal investigation over potential NCAA violations. Coach 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. During these discussions, he indicated that he now understood that he mishandled this situation.

While explaining the extenuating circumstances surrounding his failure to report the information, Coach Tressel admitted during his February 8, 2011 interview that he understood that: (i) not reporting the information constituted a NCAA violation; (ii) he knew "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.

Corrective and Punitive Actions

Based upon this information, the institution has undertaken significant and swift corrective and punitive actions. Several are detailed below:

A. Corrective Actions

1. Review both the institution's formal "Protocol for Reporting of Violations" and NCAA Bylaw 10.1 with all coaching staff members on a quarterly basis through the conclusion of the 2011-12 academic year, and semi-annually in subsequent years. The expectation of strict compliance with these provisions will be communicated by, among others, the Director of Athletics and the Faculty Athletics Representative.
2. Require Coach Tressel to attend a 2011 NCAA Regional Rules Seminar by September 2011. This attendance will be certified and reported to appropriate institutional officials.

B. Punitive Measures

1. Issue a public reprimand to Coach Tressel for his involvement with the activities in this report. Additionally, Coach Tressel will issue a public apology.
2. Suspend Coach Tressel from the first two games of the 2011 season. This suspension shall preclude Coach Tressel from: (i) participation 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.
3. Fine Coach Tressel \$250,000. This money will be used to pay for the direct costs of the investigation (i.e., travel, outside consultant, etc.) from the annual compensation provided to Coach Tressel.


Conclusion

This issue was self-detected by the institution, and the University's "Investigating Possible Violations" policy was adhered to in the conduct of a thorough and expeditious investigation. The FAR, Office of Legal Affairs and President's Office directed and were involved in every step of both the investigation and the formulation of significant corrective and punitive measures. These same individuals also will ensure strict compliance with the penalties.

The institution is very surprised and disappointed in Coach Tressel's lack of action in this matter. His behavior in this situation is out of character for him and is contrary to his proven history of promoting an atmosphere of NCAA compliance within the football program. Since his hiring as the head football coach in 2001, he and his staff have attended NCAA rules education sessions on a consistent basis, regularly sought interpretations, and self-reported secondary violations. 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, we recognize that he should have forwarded this information in some manner to appropriate institutional officials. With the exception of this mistake, he is a man of integrity and high moral standards.


The institution appreciates the cooperation of your staff in this inquiry.

Sincerely,

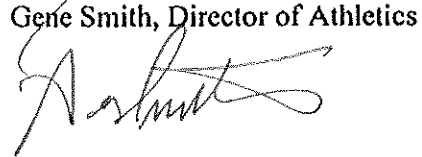


Gordon Gee, President

John Bruno, Faculty Athletics Representative



Gene Smith, Director of Athletics



cc: Mr. James E. Delany