Well, it was nice talking football for a week. After a brief pause from scandal talk here in the Leaves, we are dragged back to it by a major development in the Ohio State-Jim Tressel saga.

Ohio State formally responded Friday to the NCAA's Notice of Allegations, self-imposing what they feel are appropriate penalties for the violations alleged by the sport's governing body, and at the same time asking the NCAA to refrain from adding additional sanctions. As the saying goes....good luck with that.

Anticipating one penalty that was going to come down one way or another, Ohio State has elected to voluntarily vacate the entire 2010 season , including the Sugar Bowl win. The university also placed its football program on two years probation effective immediately, and vacated the 2010 Big Ten Championship.

It was also revealed in the OSU statement that one player in addition to the original six named in December will be subject to a suspension for accepting free tattoos. The player, yet unnamed by the university, is likely to receive the same five-game suspension handed out to Pryor, Posey, Herron, Thomas and Adams.

OSU also announced that they are “implementing additional measures” to improve in areas like compliance and monitoring, while also continuing to work closely with the NCAA to review new information that has come to light since the initial violations were reported.

Smith: “take no further action”

The Ohio State administration closed their statement as follows...*”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.”*

OSU Athletic Director Gene Smith told the *Dispatch* that he would be prepared to appeal if the NCAA adds any sanctions to the self-imposed penalties, such as post-season bans or scholarship reductions. Excerpting the *Dispatch* report:

"I'll be shocked and disappointed and on the offensive," Smith said, if the NCAA adds punishments that cause students or the school to lose money. "Unless something new arises from where we are today, it'll be behavior (from me) you haven't witnessed."

Post-season bans and scholarship reductions are just two of the options still held by the NCAA, although no school has received a post-season ban in the absence of either a “lack of institutional control” or a “failure to monitor” finding, neither of which has been alleged against Ohio State.

On the other hand, scholarship loss penalties are often associated with the use of ineligible players, and that remains an option with precedent for the NCAA to use in the OSU case. In addition to that, the 2-year probation self-imposed by OSU could be increased by the NCAA.

Here is the site with links to all the documents and exhibits contained in the formal OSU response to the NCAA notice of allegations. The main text of OSU's response is here
(pdf)

No Contest

It is important to note that Ohio State is not refuting either of the two primary allegations put forward by the NCAA, effectively throwing themselves on the mercy of the court. After self-reporting the violations in the first place, they invited the NCAA into their athletic department offices for three months and dealt with the main rules violators, Tressel and Terrelle Pryor, in the severest way possible.

They fully admit first, that several players received improper benefits, and second, that Tressel "failed to report his knowledge concerning potential violations", which resulted in players being allowed to participate while ineligible.

The OSU administration has also been at pains to make clear that no other Ohio State, coach, official, or administrator besides Tressel had any knowledge of the potential violations until they became public knowledge. In politics they refer to this kind of scapegoating as throwing someone under the bus. Now that Tressel is gone from the scene, he is receiving the full Greyhound treatment, at least in terms of how the school is portraying the situation to the NCAA.

In private OSU negotiations with Tressel however, relations between employer and former employee seem cozier than all that. It was revealed that Tressel's termination from the university will now be termed a "retirement", and also that he will not have to pay the $250,000 fine that was originally levied against him. One Ohio reporter thinks this softening of Tressel's landing looks bad after all that has happened, and maybe the NCAA will agree. But presumably the school has learned some lessons from Jim O'Brien's successful wrongful termination suit against them a few years ago, and is acting...well, judiciously.

This two-sided view of Tressel as both a figure to be respected and appreciated, yet also as the font of everything that went wrong for the football program comes across in the introductory paragraph to the official Ohio State response to the NCAA:

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.

The whole drama is spelled out in excruciating detail in the university's response if you have masochistic tendencies and a lot of time on your hands. But the position of OSU is that no further penalties are called for because there was no institutional involvement in the violations beyond Jim Tressel, and both he and the offending players have already been severely punished. They also make the case that the vacation of the entire 2010 season, including a BCS bowl victory, and the two years of probation, are significant and adequate sanctions for the university.

Two Kinds of Examples

The great unknown at this point is the extent to which the NCAA will agree with this assessment of how ”justice” should be served. There do not appear to be any additional violations under consideration by the NCAA since the Tressel cover-up was disclosed this spring, a state of affairs confirmed last week by Gene Smith. So it would be a surprise if a second “notice of allegations” were forthcoming.

It may be hard to measure the benefits to OSU, if any, of their self-reporting culture in the athletic department, or of their open-door policy and cooperation with NCAA investigators throughout this whole affair. But you can bet that schools around the country will be watching closely to see if, in the OSU sanctions, they can discern any upside to that kind of self-policing and cooperation.

As much as the NCAA may wish to make an example of Ohio State with sanctions severe enough to deter other potential rules violators, they also should remember that OSU has been exemplary in their self-reporting, and in their conduct after the fact, and that other member schools should not be discouraged from doing likewise.

Time is the Enemy

In a perfect world for Luke Fickell and the Ohio State football team, all the questions surrounding the extent of NCAA sanctions would be answered tomorrow. That would allow Fickell to salvage something from the 2012 recruiting season by at least removing the uncertainty in the minds of some elite recruits about whether or not they’ll be allowed to play in a post-season game as freshmen.

It won’t help them to know if Fickell will be around for more than one season, but it would help lift the dark cloud off of the program and get the focus back on football. Unfortunately, it is probably going to drag out September or October before the NCAA renders a decision, leaving Fickell and the remaining top 2012 prospects in recruiting limbo for a while longer.

SI's way of apologizing?

Seth Mandel of SI is one of the first national writers I've seen placing the OSU violations in some realistic perspective relative to other recent rules violators. He calls OSU's self-imposed sanctions "completely reasonable", while acknowledging that there will be a widespread national perception that they are too light if they are not enhanced by the NCAA.

He notes the role of *Sports Illustrated* in helping to create that perception, (linking to George Dohrmann's largely discredited SI article) but he also correctly points out that OSU has not been charged with any institutional violations, unlike USC in 2006, or North Carolina this year. Mandel suggest that an NCAA penalty of two scholarship losses for each ineligible player used (in OSU's case, seven) would be "within the realm of possibility".

Looking for other informed reactions, *The Dispatch* asked some lawyers and others familiar with how the NCAA operates to weigh in on how appropriate OSU's self-imposed penalties were.

But the NCAA is unbound by precedent, and they remain mysterious and unpredictable. That's why almost no one is going out on a limb to predict how they'll find in the end. There will be more questions to be answered at the August 12th hearing, and then it will be back to the waiting game.

Loose Leaves

There has still been no official confirmation from OSU that Mike Vrabel *(pictured at top)* has been hired by Fickell to be OSU's linebackers coach, but Vrabel's name is coming up in a search of the university's employee directory with the title of "Assistant Coach - Football". That's good enough for me. An announcement is expected Monday. Ramzy has more at 11W

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The official Ohio State athletics website has a new look. Check it out

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