



August 6, 2015

Tom Welter
Executive Director
Ext. 230
tomw@osaa.org

Mark Hazelton
Principal
Kings Valley Charter School
38840 Kings Valley Hwy
Philomath, OR 97370-

Brad Garrett
Assistant Executive Director
Ext. 229
bradg@osaa.org

Subject: TANNER J. SIMMONS

Status: Not Eligible

Dear Mark:

Cindy Simmons
Assistant Executive Director
Ext. 227
cindys@osaa.org

I have thoroughly reviewed the Eligibility Request Form that has been submitted seeking a waiver of OSAA Rule 8.2 (Fifth Year). From the documentation that you have submitted I have concluded the following:

Peter Weber
Assistant Executive Director
Ext. 231
peterw@osaa.org

Findings of Fact:

1. Tanner first entered the 9th grade in September 2011 at Kings Valley Charter School and his 4 consecutive years of eligibility expired at the conclusion of the 2014-15 school year.
2. Tanner has not graduated from high school. He has accumulated 23.84 credits thus far and still needs 0.16 credits to graduate. (Elective 0.16)
3. Tanner was enrolled in school and received academic credit during each of his 8 consecutive semesters in high school.

Kyle Stanfield
Assistant Executive Director
Ext. 239
kyles@osaa.org

Conclusions:

OSAA Rule 8.2.4 lists specific criteria that must be considered when evaluating a request for a Fifth Year of eligibility. From the information submitted I conclude the following regarding these criteria:

Marci McGillivray
Associate Director
Ext. 233
marcim@osaa.org

1. The student has not graduated from high school. Tanner meets this criteria as he still needs 0.16 credits to receive his high school diploma.

Steve Walker
Sports Information Director
Ext. 232
stevew@osaa.org

2. The student must meet one of the following criteria:
 - a. The Student's Individualized Education Program (IEP) Team has determined that the student has a "disability" as determined under the Individuals with Disabilities Education Act (IDEA), and that the student was meeting the requirements of the student's IEP, yet was unable to graduate from high school within eight semesters after entering the 9th grade primarily because of the disability. There is nothing in the documentation submitted to indicate that Tanner has a disability as defined under IDEA. Therefore, he does not meet this criteria.
 - b. Due to circumstances beyond the control of each of the student and the student's parent(s), there has been both a significant absence from school (not less than one semester) and an inability to obtain academic credit during that period of absence. There is no such gap in Tanner's academic record. In fact, the record indicates that Tanner "...decided not to take the necessary classes to graduate so that he can return for another school year". Therefore, Tanner does not meet this criteria.

Therefore, I conclude that the student does not meet the criteria for a fifth year of eligibility as outlined in Rule 8.2.4 and is NOT ELIGIBLE to participate in OSAA activities during the 2015-16 school year.

According to OSAA rules, "A decision of the Executive Director may be appealed to the Executive Board." If you would like to schedule an appeal, please forward a written request to the OSAA office. As per OSAA Executive Board Policy "Eligibility Appeal Filing Fee", there is a non-refundable \$100.00 filing fee to defray the costs of the appeal.

Sincerely,

Tom Welter
Executive Director

TW/ar

cc: Ron Simmons, Athletic Director



503.682.6722

Oregon School Activities Association
25200 SW Parkway Avenue, Suite 1, Wilsonville, OR 97070

FAX 503.682.0960

http://www.osaa.org

Scan to: eligibility@osaa.org

Page 1 of 2

Eligibility Request Form

1. Complete all steps on front and back of this form.
2. Attach copy of student's official transcripts with this form.
3. Requests with incomplete enrollment records will not be considered.
4. Allow five working days to process.

OSAA Eligibility ID #

49544

STEP 1**Student Information****RECEIVED**

AUG 04 2014

OSAA

School: Kings Valley Charter School Phone: 541-929-2134
 Student: (Last) Simmons (Middle) Tanner (First) James
 Date of Birth: 2/17/98 Age: 17
 Parent: Ronald & Cindy Simmons
 Address: 23957 Maxfield Creek Rd Philomath 97370
 Person with whom student lives: Currently: Parents Last Year: Same
 Relationship to student: Mother & Father
 Address where student lives: Same

STEP 2**Type of Waiver****A. SEND DIRECTLY TO OSAA (see checklist in Step 4)**

Age Rule 8.3
 Fifth Year Rule 8.2
 Grade Deficiency Rule 8.1.1
 Satisfactory Progress Toward Graduation Rule 8.1.2
 All Non-CSIET Foreign Students – Must also meet CSIET criteria in Rule 8.6.3(c)
 All CSIET Foreign Students not meeting criteria in Rule 8.6.3(c)

B. SEND DIRECTLY TO DISTRICT COMMITTEE

Transfers without change of Joint Residence Rule 8.6 (including transfers where the student also has a Grade Deficiency and / or is not making Satisfactory Progress Toward Graduation).
 Transfers to a school with affiliation Rule 8.6.5.

STEP 3**Enrollment Record****Fill in All Sections**

Has an Individualized Educational Program (IEP) been created for this student? Yes No
 If yes, is the student meeting the requirements of the Individualized Educational Program (IEP)? Yes No

Grading Period	Date Attended	School Attended	# Credits Earned	# Classes Passed
Example → → → → →	9/5/99 to 1/12/00	Oregon High School	3.0	6
9 th – 1 st semester/trimester	1/6/11 to 1/26/12	Kings Valley Charter	3.5	10
9 th – 2 nd semester/trimester	1/25/12 to 6/15/12	"	3.5	10
9 th – 3 rd trimester	1/1 to 1/1	N/A	—	—
10 th – 1 st semester/trimester	1/10/12 to 1/26/13	Kings Valley Charter	3.5	9
10 th – 2 nd semester/trimester	1/27/13 to 6/12/13	"	3.25	7
10 th – 3 rd trimester	1/1 to 1/1	N/A	—	—
11 th – 1 st semester/trimester	1/9/13 to 1/22/14	Kings Valley Charter	2.57	6
11 th – 2 nd semester/trimester	1/23/14 to 6/11/14	"	2.76	7
11 th – 3 rd trimester	1/1 to 1/1	N/A	—	—
12 th – 1 st semester/trimester	1/8/14 to 1/21/15	Kings Valley Charter	3.76	9
12 th – 2 nd semester/trimester	1/28/15 to 6/12/15	" credits in progress →	1	2
12 th – 3 rd trimester	1/1 to 1/1	N/A	—	—

STEP 4

Letter From Previous School Principal (Transfers only)

A letter from the principal of the school previously attended is required. Letter may refer to high school activities previously participated in, whether student was in good standing at the time of transfer, any outstanding fees / lost materials, etc.

STEP 5

Eligibility Hardship Checklist

Prior to OSAA consideration of eligibility, this Eligibility Request Form and the following information must be received by the OSAA Executive Director.

Transcripts

Current high school
Previous high schools

Letters of Explanation

Student
Parents or Legal Guardian
School Representative
Optional – Other letters as relevant

Age & Fifth Year Additional Documentation

Gap in student's academic process
Credit deficiency
Classes needed to graduate
Individualized Educational Program (IEP)
Student's disability as defined by ADA

School Records

Attendance records
Letter authorizing release of school records to OSAA

STEP 6

Affirmation Statement

Under penalty of perjury, I do affirm that no coach, parent, administrator, teacher, or other representative of the current school initiated contact or offered any inducements for the purpose of having the student attend the current school for athletic participation. Further, I authorize release of permanent school records to the OSAA.

Both signatures required for all Eligibility Requests

Signature of Parent (Host Family if Non-CSIET student)

Signature of Principal / Superintendent

(Principal/Superintendent is encouraged to attach any specific comments regarding this student's eligibility request.)

STEP 7

OSAA / District Committee Authorization

Decision

The District Committee should forward copies of all District Committee decisions and rationale for that decision to the OSAA.

Director's / Chairperson's Signature:

Tuttle

Date 8/5/15

Chairperson's School:

Comments

Letter # 1 - 5th Year Denial

(see attached letter)

Approved

Denied

STEP 8

Appeals Process

DISTRICT COMMITTEE DECISIONS: Appeals of District Committee decisions will be heard by the OSAA Eligibility Appeals Board.

- "Any party filing an appeal of a decision by the District Athletic Committee to the Eligibility Appeals Board...shall be assessed a filing fee of \$100 to defray the costs to the Association of assembling the respective appeals bodies to hear the appeal." (Excerpt OSAA Handbook, Executive Board Policies, "Eligibility Appeal Filing Fee")
- If denied by the OSAA Eligibility Appeals Board, an appeal may be made to a Hearings Officer under **Rule 9, "Hearings Officer."** Appeals to the Hearings Officer shall include an appeal fee of \$200.

OSAA EXECUTIVE DIRECTOR DECISIONS: Appeals of OSAA Executive Director decisions, regarding age, fifth year, grade deficiency, and non-CSIET foreign students are heard by the OSAA Executive Board.

- "Any party filing an appeal of a decision by...the Executive Director to the Executive Board shall be assessed a filing fee of \$100 to defray the costs to the Association of assembling the respective appeals bodies to hear the appeal." (Excerpt OSAA Handbook, Executive Board Policies, "Eligibility Appeal Filing Fee")
- If denied by the OSAA Executive Board, an appeal may be made to a Hearings Officer under **Rule 9, "Hearings Officer."** Appeals to the Hearings Officer shall include an appeal fee of \$200.

KINGS VALLEY CHARTER SCHOOL

Student Name: Simmons, Tanner			
Legal:	Simmons, Tanner		
Preferred:	Simmons, Tanner		
Address:	23957 Maxfield Creek Philomath OR 97370		
Social Security #:	Cohort Year:	Gender:	Phone:
XXX-XX-0000	1112	MALE	541-231-5444
Birth Place:	Date of Birth:		
Albany, OR	2/17/1998		

Parent/Guardian:
Simmons, Cindy - LIVES WITH
Simmons, Ronnie - LIVES WITH

GRADE LEGEND:

11/12 THRU 12/13
A - MASTERY OF SUBJECT
B - GOOD QUALITY WORK
C - AVERAGE WORK

ACADEMIC HISTORY:

S1 Kings Valley Charter School 11/12

ADVANCED PE/WEIGHTS	A	.13 PE
AP ENVIRONMENTAL SCIEN	B*	.50 SC
CONTEMP. WORLD ISSUES	A	.50 SS
ENGLISH LITERATURE	B	.50 LA
FRENCH 1	A	.50 AA
HEALTH	A	.25 HE
INTEGRATED MATH 1	B	.50 MA
PHYSICAL ED	A	.25 PE
SAILING	A	.12 EL
TECH/LEAD/CAREER FND B	A	.25 EL
UNITS: 3.50	GPA: 3.57	CUM: 3.57

S1 KINGS VALLEY CHARTER SCHOOL 01/24/14

ADVANCED PE/WEIGHTS	A	.19 EL
AP US HISTORY	A	.50 SS
CHEMISTRY	A	.50 SC
HONORS AMERICAN LITERA	A	.50 LA
INTEGRATED MATH 3	A	.50 MA
TECH/LEAD/CAREER FND C	A	.38 EL
UNITS: 2.57	GPA: 4.00	CUM: 3.75

PLAN-K0 KV Graduate 2015

AREA	REQUIRE	COMPLETE	REMAIN
LA Language Arts	4.00	4.00	.00
MA Mathematics	3.00	3.00	.00
SS Social Sci.	3.00	3.00	.00
SC Science	3.00	3.00	.00
HE Health	1.00	1.00	.00
PE Physical Ed.	1.00	1.00	.00
AA Applied Arts	2.50	2.50	.00
CT Career Intern	.50	.50	.00
EL Elective	6.00	5.84	.16
" TOTALS	24.00	23.84	.16

Essential Skills in Reading MET, 02/01/2012.

Essential Skills in Writing MET, 04/01/2014.

Essential Skills in Mathematics MET, 03/12/2013.

Plan and Profile Met

Career Related Learning Met

Extended Application Met

ENROLLMENT HISTORY:

	PRES	ABS	GD
09/08/14 - 06/12/15 KINGS VALLEY CHARTER S	153.0	13.0	12
09/09/13 - 06/11/14 KINGS VALLEY CHARTER S	157.5	7.5	11
09/10/12 - 06/12/13 KINGS VALLEY CHARTER S	161.5	9.5	10
09/06/11 - 06/15/12 KINGS VALLEY CHARTER S	160.5	3.5	09

IMMUNIZATION:

D/T: COMPLETE
4/98 6/98 8/98 5/99 3/03 4/09
POLIO: COMPLETE
4/98 6/98 5/99 3/03
MEASLES: COMPLETE
5/99 3/03
MUMPS: COMPLETE
5/99 3/03
RUBELLA: COMPLETE
5/99 3/03
HEP B: COMPLETE
2/98 4/98 8/98
VARIC: COMPLETE
10/00
HIB: COMPLETE
4/98 6/98 8/98 5/99

SCHOOL ACTIVITIES:

14/15 KINGS VALLEY CHARTER S
Student Body Officer
Student Government
12/13 KINGS VALLEY CHARTER S
Basketball, Boys Varsity
Football, Varsity
Student Government
11/12 KINGS VALLEY CHARTER S
Football, Varsity

S1 KINGS VALLEY CHARTER SCHOOL 01/29/13

ADVANCED PE/WEIGHTS	A	.13 EL
AP HUMAN GEOGRAPHY	B*	.50 SS
BIOLOGY	A	.50 SC
FRENCH 2	A	.50 AA
INTEGRATED MATH 2	A	.50 MA
PHYSICAL EDUCATION A	A	.50 PE
TECH/LEAD/CAREER FND A	A	.25 EL
VOCAL AND INSTRUMENTAL	A	.12 AA
WORLD LITERATURE	A	.50 LA
UNITS: 3.50	GPA: 3.86	CUM: 3.62

S2 KINGS VALLEY CHARTER SCHOOL 06/12/15

AP HUMAN GEOGRAPHY	A*	.50 SS
BIOLOGY	A	.50 SC
FRENCH 2	A	.50 AA
HEALTH A	A	.50 HE
INTEGRATED MATH 2	A	.50 MA
TECH/LEAD/CAREER FND A	A	.25 EL
WORLD LITERATURE	A	.50 LA
UNITS: 3.25	GPA: 4.00	CUM: 3.71

GRADE LEGEND:

13/14 THRU 14/15
A - MASTERY OF SUBJECT
B - GOOD QUALITY WORK

CUM GPA: 3.7692

Signature: 

Transcript is unofficial unless signed by school official.

Date: 6/24/15

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6/24/2015

14/15

Tanner James Simmons			
Date	Day	Day Meet Patter	St Rpt Absence
6/11/2015	Thursday	Thursday	1
6/10/2015	Wednesday	Wednesday	1
6/5/2015	Friday	Friday	0
5/22/2015	Friday	Friday	0
5/21/2015	Thursday	Thursday	0
5/20/2015	Wednesday	Wednesday	0
5/19/2015	Tuesday	Tuesday	0
5/12/2015	Tuesday	Tuesday	0
5/5/2015	Tuesday	Tuesday	0
5/1/2015	Friday	Friday	0
4/28/2015	Tuesday	Tuesday	0
4/23/2015	Thursday	Thursday	1
4/21/2015	Tuesday	Tuesday	0
4/17/2015	Friday	Friday	1
4/16/2015	Thursday	Thursday	1
4/15/2015	Wednesday	Wednesday	1
4/14/2015	Tuesday	Tuesday	1
3/31/2015	Tuesday	Tuesday	0
3/13/2015	Friday	Friday	0.5
3/6/2015	Friday	Friday	0.5
2/24/2015	Tuesday	Tuesday	0
2/23/2015	Monday	Monday	1
2/17/2015	Tuesday	Tuesday	0.5
2/11/2015	Wednesday	Wednesday	0
1/29/2015	Thursday	Thursday	1
1/27/2015	Tuesday	Tuesday	0
1/16/2015	Friday	Friday	0
1/8/2015	Thursday	Thursday	0
12/15/2014	Monday	Monday	0.5
12/12/2014	Friday	Friday	0
12/8/2014	Monday	Monday	1
10/15/2014	Wednesday	Wednesday	0
10/1/2014	Wednesday	Wednesday	1

13/14

Tanner James Simmons			
Date	Day	Day Meet Pattern	St Rpt Absence
6/9/2014	Monday	A Days M/W	0
6/5/2014	Thursday	B Days T/TH	0
5/16/2014	Friday	C Days Friday	0
5/9/2014	Friday	C Days Friday	0
4/25/2014	Friday	C Days Friday	0
4/22/2014	Tuesday	B Days T/TH	0
4/14/2014	Monday	A Days M/W	1
4/1/2014	Tuesday	B Days T/TH	0.5
3/31/2014	Monday	A Days M/W	1
2/11/2014	Tuesday	B Days T/TH	0
2/5/2014	Wednesday	A Days M/W	0
2/4/2014	Tuesday	B Days T/TH	0
1/24/2014	Friday	C Days Friday	0
1/16/2014	Thursday	B Days T/TH	1
1/10/2014	Friday	C Days Friday	0
1/6/2014	Monday	A Days M/W	0.5
12/13/2013	Friday	C Days Friday	0
11/22/2013	Friday	C Days Friday	0
11/19/2013	Tuesday	B Days T/TH	1
11/1/2013	Friday	C Days Friday	1
10/24/2013	Thursday	B Days T/TH	0
10/15/2013	Tuesday	B Days T/TH	0.5
10/1/2013	Tuesday	B Days T/TH	0
9/24/2013	Tuesday	B Days T/TH	1
9/20/2013	Friday	C Days Friday	0
9/19/2013	Thursday	B Days T/TH	0
			7.5

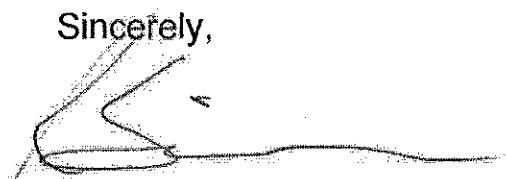
Tanner James Simmons		
Date	Day	St Rpt Absence
6/3/2013	Monday	1
5/31/2013	Friday	1
5/21/2013	Tuesday	0
4/9/2013	Tuesday	1
4/8/2013	Monday	1
4/2/2013	Tuesday	0
4/1/2013	Monday	1
2/21/2013	Thursday	1
2/5/2013	Tuesday	0
2/4/2013	Monday	0
1/25/2013	Friday	0
1/22/2013	Tuesday	0.5
1/18/2013	Friday	0
12/6/2012	Thursday	0
11/30/2012	Friday	0.5
11/6/2012	Tuesday	1
11/5/2012	Monday	1
11/2/2012	Friday	0
10/26/2012	Friday	0
10/11/2012	Thursday	0
9/28/2012	Friday	0.5
9/14/2012	Friday	0
		9.5

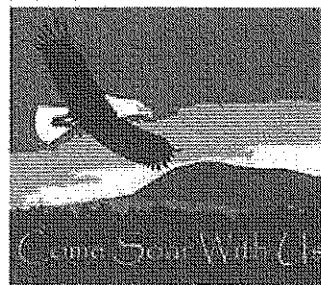
12/13

To whom it may concern,

I feel as the parent of Tanner Simmons I need to explain how this request for a 5th year came about. Tanner is an extremely bright child. When he was in 4th grade he was doing the class work of a 6th grader so my wife, Tanner and I decided to move him up one grade. Skipping ahead to when he entered high school as a 9th grader he joined the football team. During his 9th grade year he obtained a football related injury that limited him to only play in 2 games (and that is a stretch as he plays in the 1a, and as a 9th grader did not receive a lot of playing time). This past year going into the last semester we/he decided not to take the necessary classes to graduate so that he can return for another school year in turn to take as many AP courses that fit his schedule. This was done so that would help offset future college cost. AP courses may apply towards college credits. There never has been a issue with his grades as he currently holds near 3.8 gpa. He has also scored in the top 5% in the nation in science. Kings Valley Charter School is ranked 44th nationally for their rigorous academics. Tanner will not turn 18 until 2016. Allowing him to play his senior year would mean a lot to him.

Sincerely,

A handwritten signature in black ink, appearing to read "Tanner Simmons".



Kings Valley Charter School

38840 Kings Valley Highway
Philomath, Oregon 97370
541.929.2134
fax: 541.929.8179
www.kvschool.org

July 16, 2015

Please consider Tanner Simmons for a 5th year of eligibility for Football in 2015-2016.

We advanced Tanner a grade level when he was very young and he has done well academically. However, as he approached the middle of the 2014-2015 school year he and his parents had second thoughts about going on to college being a year younger. In addition, the opportunity to gain college credit in high school is significant enough to delay graduation. In short the reasons for delaying graduation were well thought through and an extra ordinary situation.

Given that Tanner missed his first year of Football due to an injury and that his age is still as a typical 12th grader, he should not present an unfair advantage to other teams.

Tanner believes that playing a sport helps him focus on his academics and will keep him engaged in school. Tanner has been a good student participating in athletics each year. His formula for success has merit.

He enjoys playing football. I think his participation will bring some joy to us all.

I appreciate your consideration of this application.

Thank You,

Mark Hazelton
Director
Kings Valley Charter School

Executive Director

Jaron Ellingson

SCHOOL BOARD MEMBERS 2014-2015

Sally Lammers, Chair 929-4376 Diana Barnhart, Treasurer/Secretary 929-4111 Cascy Krauter 503-838-0861 Bill Mahr 541-929-5376

Hi guys. Thank you for your time,

I missed my first year of football due to a hamstring injury. I was unable to play for a majority of the football season. The injury prevented me from practicing as well.

I am a fifth year senior because of my age. When I was younger, my parents decided to bump me up a grade. I was always a year younger than all my classmates and less mature. When it came time to graduate, my parents and I decided we should wait a year, to allow me to mature and develop a plan for when I graduate.

If I got another year of football, it would mean more memories and experiences. It would also allow me to focus more on academics. I have found that, while participating in sports, I am able to perform better in school (and it certainly helps with time management, which I certainly need!)

My plans for during my fifth year are to take as many Advanced Placement classes so I can have a foot forward for when I do graduate and move onto college. My plans for college include going to Oregon State University to get a degree in education and become a high school teacher. Another possibility is going up to Arrowhead Bible College in Montana for a couple years. I wish, not only to be a teacher, but as a Youth Pastor.

Thank you.

Tanner Simmons

Tom Welter

5th Year

From: Ronnie Simmons <rsimmons@kvschool.org>
Sent: Wednesday, June 03, 2015 10:13 AM
To: Tom Welter
Subject: 5th year

Tom,

I have a student who would like to apply for a 5th year hardship. His circumstances are a bit unique. This student also happens to be my son not that it matters. I have the paperwork filled out but I do not know what else needs to go along with it so that is why I am writing this to you. My son skipped a grade in elementary school so when he was a freshmen he really should have been a 8th grader. He went out for football and going into the (the week of practice) second game of his freshmen year sustained a injury and did not return until the final game. So essentially he only was available to play 2 games (not that he played much since it is 8-man football and he was a freshmen). Anyway, going into our last semester of this school year he withdrew from some classes that would allow him to graduate. He did this so that he could take more ap courses our school offers. I could go on and on but essentially he is an extremely bright kid and was just hoping to get to play football a total of 4 years. He was able to play 4 years of basketball so this would be for football only.

Thanks,
Ronnie

Tom Welter

From: Ronnie Simmons <rsimmons@kvschool.org>
Sent: Wednesday, June 03, 2015 10:15 AM
To: Tom Welter
Subject: 5th year

Please feel free to call me if you need further explanation 541-929-2134 or 541-231-5489.

Thx,
R

Tom Welter

To: Kings Valley Charter School Ron Simmons (rsimmons@kvschool.org)
Subject: 5th Year Request

Ronnie,

I received the Eligibility Request Form that you submitted for Tanner Simmons. I need several additional items of information before I can render a decision:

1. Copy of transcript
2. Copy of attendance records
3. Letter from student
4. Letter from parents
5. Letter from school representative
6. Explain gap in academic record
7. List of classes/credits needed to graduate

Here is the language from the OSAA Handbook regarding 5th year requests:

8.2.4. Fifth Year Hardship Appeals Procedure. The Executive Board, or as it may provide, the Executive Director, may in individual cases, upon written request *once the student has begun his/her last transcripted grading period prior to exhausting his/her eligibility*, declare eligible for up to one year a student who would otherwise be ineligible under Rule 8.2., "Duration of Eligibility/Graduation" because more than eight semesters have passed after the student entered the 9th grade if the student has not previously been granted eligibility based upon a fifth year or age hardship appeal and all of the following conditions are met:

- (a) the student has not graduated from high school;
- (b) the student establishes, to the reasonable satisfaction of the Executive Board or the Executive Director, as the case may be, either:
 - (1) that the student's Individualized Education Program Team has determined that the student has a "disability" (as defined below), and that the student was meeting the requirements of the student's IEP, yet was unable to graduate from high school within eight semesters after entering the 9th grade primarily because of the disability; or
 - (2) due to circumstances beyond the control of *each of* the student *and* the student's parent(s), *there has been both a significant absence from school (not less than one semester) and an inability to obtain academic credit during that period of absence;* and
- (c) the student establishes, to the reasonable satisfaction of the Executive Board or Executive Director, as the case may be, that the student's participation would not constitute an undue risk to the health or safety of other participants.
- (d) Without limiting the evidence that may be considered, the Executive Board or Executive Director, as the case may be, may consider the following in determining whether the student's participation would constitute an undue risk to the health or safety of other participants:
 - (1) whether the student has presented a report from a physician regarding the student's height, weight and whether the student is likely to pose an undue risk to the safety and health of other participants; the student shall submit to an independent medical examination by a physician selected by and paid for by the Association at the request of the Executive Board or Executive Director; and
 - (2) whether the sport is a contact or a non-contact sport.
- (e) Should an otherwise ineligible student who has already been granted a year of eligibility under the provisions of this rule apply for eligibility for a subsequent year, the Executive Board, or as it may provide, the Executive Director may consider the following factors in addition to those previously stated in this rule:

- (1) Whether the student has previously participated in the sport for which eligibility is sought, or a similar sport; and
- (2) Whether the student's skill level in the sport for which eligibility is sought is such that the student was ever a member of a starting team or was the recipient of league or other honors as a result of participation in the sport; and
- (3) Whether the student has participated in a prior state championship competition (either in an individual sport or a team sport).

For purposes of this Rule 8.2.4, "disability" shall have the meaning provided in the [Individuals with Disabilities Education Act, 20 U.S.C. § 1401\(a\)](#).

[Individuals](#)

The Executive Board or the Executive Director may grant eligibility as to one sport and deny it as to another sport.

A decision of the Executive Director may be appealed to the Executive Board. A decision of the Executive Board may be appealed to a Hearings Officer under Rule 9, "Hearings Officer."

Please feel free to call me if you have any questions regarding this issue.

Thank you.

Tom

Tom Welter, Executive Director

503.682.6722 x230 | tomw@osaa.org



Oregon School Activities Association

OSAA.org



Tom Welter

From: Ronnie Simmons <rsimmons@kvschool.org>
Sent: Wednesday, June 10, 2015 9:27 AM
To: Tom Welter
Subject: Re: 5th Year Request

Tom,
Thank you for getting back to me. I will try and get those to you by the end of the week.

Thx,
R

On Wed, Jun 10, 2015 at 8:55 AM, Tom Welter <tomw@osaa.org> wrote:

Ronnie,

I received the Eligibility Request Form that you submitted for Tanner Simmons. I need several additional items of information before I can render a decision:

1. Copy of transcript
2. Copy of attendance records
3. Letter from student
4. Letter from parents
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6. Explain gap in academic record
7. List of classes/credits needed to graduate

Here is the language from the OSAA Handbook regarding 5th year requests:

8.2.4. Fifth Year Hardship Appeals Procedure. The Executive Board, or as it may provide, the Executive Director, may in individual cases, upon written request *once the student has begun his/her last transcribed grading period prior to exhausting his/her eligibility*, declare eligible for up to one year a student who would otherwise be ineligible under Rule 8.2., "Duration of Eligibility/Graduation" because more than eight semesters have passed after the student entered the 9th grade if the student has not previously been granted eligibility based upon a fifth year or age hardship appeal and all of the following conditions are met:

(a) the student has not graduated from high school;

(b) the student establishes, to the reasonable satisfaction of the Executive Board or the Executive Director, as the case may be, either:

(1) that the student's Individualized Education Program Team has determined that the student has a "disability" (as defined below), and that the student was meeting the requirements of the student's IEP, yet was unable to graduate from high school within eight semesters after entering the 9th grade primarily because of the disability; or

(2) ~~due to circumstances beyond the control of *each of* the student *and* the student's parent(s), there has been both a significant absence from school (not less than one semester) and an inability to obtain academic credit during that period of absence;~~ and

(c) the student establishes, to the reasonable satisfaction of the Executive Board or Executive Director, as the case may be, that the student's participation would not constitute an undue risk to the health or safety of other participants.

(d) Without limiting the evidence that may be considered, the Executive Board or Executive Director, as the case may be, may consider the following in determining whether the student's participation would constitute an undue risk to the health or safety of other participants:

(1) whether the student has presented a report from a physician regarding the student's height, weight and whether the student is likely to pose an undue risk to the safety and health of other participants; the student shall submit to an independent medical examination by a physician selected by and paid for by the Association at the request of the Executive Board or Executive Director; and

(2) whether the sport is a contact or a non-contact sport.

(e) Should an otherwise ineligible student who has already been granted a year of eligibility under the provisions of this rule apply for eligibility for a subsequent year, the Executive Board, or as it may provide, the Executive Director may consider the following factors in addition to those previously stated in this rule:

(1) Whether the student has previously participated in the sport for which eligibility is sought, or a similar sport; and

(2) Whether the student's skill level in the sport for which eligibility is sought is such that the student was ever a member of a starting team or was the recipient of league or other honors as a result of participation in the sport; and

(3) Whether the student has participated in a prior state championship competition (either in an individual sport or a team sport).

For purposes of this Rule 8.2.4, "disability" shall have the meaning provided in the *Individuals with Disabilities Education Act, 20 U.S.C. § 1401(a).*

The Executive Board or the Executive Director may grant eligibility as to one sport and deny it as to another sport.

A decision of the Executive Director may be appealed to the Executive Board. A decision of the Executive Board may be appealed to a Hearings Officer under Rule 9, "Hearings Officer."

Please feel free to call me if you have any questions regarding this issue.

Thank you.

Tom

Tom Welter, Executive Director

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