



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

503.682.6722

www.osaa.org

Form ID Number
20150074

Student Eligibility Request Form

Type of Waiver

Non-CSIET Foreign Student Meeting CSIET Criteria in Rule 8.6.3 Hardship Appeal
OSAA Rule 8.6.3 - Handled by the OSAA Executive Director

Submitted 8/21/2015
2015-16 School Year

Roseburg High School Information

400 W Harvard Ave
Roseburg, OR 97470
(541) 440-4142

Jill Weber, Principal
jweber@roseburg.k12.or.us
(541) 440-4142

Russ Bolin, Athletic Director
rbolin@roseburg.k12.or.us
(541) 440-4162

Student Information

Rafael M Fernandes
Brazil

DOB: 7/7/1999

Age: 16 years 2 months (as of 9/24/15)

Current Address
Kelsey and Cheryl Wood
Foreign Exchange Host Family
340 Page Rd
Winchester, OR 97495

Last Year's Address
Ricardo Fernandes
Parent (Mother/Father)
Dr. Hortencio Mendonca Ribeiro, 1264
Sau Paulo, Brazil 14.026-090
Sau Paulo, Brazil, OR 97471

Attends: Roseburg High School

Grade: 12

Has IEP? No

Meeting IEP? N/A

Enrollment Record

SY	GR	Period	Dates	School	# Credits Earned	# Classes Passed
No student enrollment records have been added.						

Notes

Mr Welter the student is not on any program. His family lives in Brazil, his father had attended RHS on an exchange program long ago and he has sent his son's to RHS to live with the same host family that he had. The father arranges this with the family. Would this be a transfer without change of joint residence? Russ

Affirmation Statement

Under penalty of perjury, the parties below have affirmed 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, they authorized release of permanent school records to the Oregon School Activities Association.

E-signed by Principal/Superintendent, 8/18/15

/ Jill Weber /
Jill Weber

E-signed by parent, 8/18/15

/ Cheryl Wood /
Cheryl Wood

Directions

Keep a copy of this Student Eligibility Request Form for your school's records. The OSAA has received your form electronically. If additional information is required, your form will be returned as insufficient in order to allow you the opportunity to edit your form and re-submit. Allow five business days for your request to be processed. Once a decision is made, your school will be notified by e-mail.

Do not send a printed version of this form to the OSAA office. An electronic copy has been received.

OSAA Executive Director Decision

This section is to be filled out by the OSAA Executive Director.


Signature

8 / 25 / 2015

Date

Approved

Denied

Notes:

Appeals Process

Appeals of decisions made by the OSAA Executive Director are heard by the OSAA Executive Board. Appeals must be requested in writing, or e-mail, and submitted to the OSAA Executive Director.

Any party filing an appeal of a decision made by the OSAA Executive Director to the OSAA 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.

If a waiver is denied by the OSAA Executive Board, an appeal can be made to a Hearings Officer under OSAA Handbook Rule 9, "Hearings Officer." Appeals to the Hearings Officer shall include an appeal fee of \$250.

For additional information, please refer to the OSAA Handbook available at www.osaa.org/governance/handbooks.

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/ Jill Weber /
Jill Weber

E-signed by parent, 8/18/15

/ Cheryl Wood /
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This section is to be filled out by the OSAA Executive Director.

Signature

Date

Approved

Denied

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Roseburg Public Schools

August 17, 2015

Mr. Welter,

Roseburg High School is requesting a hardship for Rafael Fernandes to play soccer this year for the Indians. Rafael is a non CSIET foreign exchange student from Brazil.

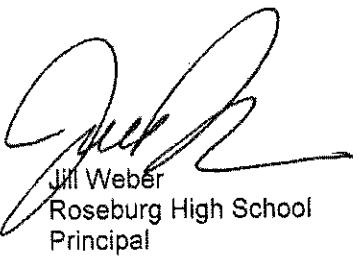
Rafael's dad, Ricardo, had attended Roseburg High School on an exchange program many years ago and has arranged for his sons to stay with the same host family that hosted him. Mr. Fernandes has had two older sons do this and were very successful.

Roseburg is asking that Rafael get a chance to participate on our boy's soccer team.

Thanks,



Russ Bolin
Roseburg High School
Athletic Director



Jill Weber
Roseburg High School
Principal

Roseburg Public Schools
Administration
1419 N.W. Valley View Dr.
Roseburg, OR 97471
Voice (541)440-4015
Fax (541)440-4003

Eastwood Elementary School
2550 S.E. Waldon
Roseburg, OR 97470
Voice (541)440-4180
Fax (541)440-4182

Fir Grove Elementary School
1360 W. Harvard Avenue
Roseburg, OR 97471
Voice (541)440-4085
Fax (541)440-4086

Fullerton IV Elementary School
2560 W. Bradford Drive
Roseburg, OR 97471
Voice (541)440-4081
Fax (541)440-4082

Green Elementary School
4498 S.W. Comes Road
Roseburg, OR 97471
Voice (541)440-4127
Fax (541)440-4017

Hucrest Elementary School
1810 N.W. Kline
Roseburg, OR 97471
Voice (541)440-4188
Fax (541)440-4191

John C. Fremont Middle School
850 W. Keady Court
Roseburg, OR 97471
Voice (541)440-4055
Fax (541)440-4060

Joseph Lane Middle School
2153 N.E. Vine Street
Roseburg, OR 97470
Voice (541)440-4104
Fax (541)440-4100

Melrose Elementary School
2960 Melrose Road
Roseburg, OR 97471
Voice (541)440-4077
Fax (541)440-4078

Roseburg High School
400 W. Harvard Avenue
Roseburg, OR 97470
Voice (541)440-4142
Fax (541)440-8296

Sunnyslope Elementary School
2230 S.W. Cannon Road
Roseburg, OR 97471
Voice (541)440-4192
Fax (541)229-7815

Winchester Elementary School
217 Pioneer Way/PO Box 778
Winchester, OR 97495
Voice (541)440-4183
Fax (541)440-4187

*Whatever
it takes!*

www.roseburg.k12.or.us

To: Whom it may concern

RE: Proposed FERNANDES Exchange Full year 2015-16 Roseburg High School.

The FERNANDES family tradition of Education started with Ricardo DeCastro Fernandes in the 1980's. Ricardo attended Roseburg High school and was hosted by Gordon and Phyllis Wood and their three sons Scott, Peter, and Kelsey Wood. Kelsey and Ricardo attended school together at Roseburg High and became "brothers".

Ricardo realized after marrying and having a family that the exchange program was very valuable and wanted the tradition to continue with his sons. He also realized that he had such a wonderful experience in Roseburg with the Wood family and they had become his American family. Ricardo knew that the Wood family would be a great experience and they also would be familiar with him and his family. He planned to send his three sons to the same American city to be hosted by the Wood family. To date we have been able to host his two oldest sons. The oldest Vitor FERNANDES stayed with Phyllis Wood and Peter Wood was the sponsor. Mateos the next oldest was hosted with Peter Wood. Now it is time for the youngest, Rafael, to have the experience and Kelsey Wood has agreed to host him for the school year. All of the FERNANDES have participated in the Roseburg community when they were here including High school academics and sports.

Thank you for any assistance in fulfilling Ricardo's wishes and making this experience a success for all concerned.



Kelsey & Cheryl Wood

340 Page Rd.

Winchester, OR

541-673-5816

Kelsey Work: Gordon Wood Insurance 541-672-4466

STUDENT: Rafael Machado FERNANDES dob/July 7, 1999

Rua: Dr. Hortencio Mendonca Ribeiro, 1264

Ribeirao Preto, Sao Paulo , Brazil 14.026-090

Father: Ricardo DeCastro Fernandes.

email: rickfernandes@bol.com.br



Oregon School Activities Association

25200 SW Parkway Avenue, Suite 1

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503.682.6722 fax: 503.682.0960 <http://www.osaa.org>

August 26, 2015

Jill Weber
Principal
Roseburg High School
400 W Harvard Ave
Roseburg, OR 97470

Subject: Rafael M. Fernandes

Status: Not Eligible

This letter is in response to the Eligibility Request Form that you recently submitted to our office on behalf of a foreign student who is not on a CSIET approved exchange program.

OSAA Board Policy now dictates that all non-CSIET foreign students (international students) athletic eligibility requests must be submitted to the Executive Director for approval. All international students who are attending a member school are to be treated like any other transfer student who is not living with a parent. Consequently, the student is not eligible for one year unless a true hardship exists (circumstances beyond the control of each of the student and the student's parent(s) that cause the student to be ineligible). In this case, the student is a "direct placement" to a family and is not on a CSIET approved exchange program.

After carefully reviewing the information and documentation that you have submitted, I have concluded that the non-CSIET foreign student listed above is NOT ELIGIBLE.

You have a right to appeal my decision to the OSAA 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,

A handwritten signature in black ink that reads "Tom Welter".

Tom Welter
Executive Director

TW/ar

cc: Russ Bolin, Athletic Director

Amerilyn Rivett

From: Peter Weber
Sent: Wednesday, September 23, 2015 12:55 PM
To: Russell Bolin
Cc: Amerilyn Rivett
Subject: RE: Rafinha Soccer EUA just english.docx and Middle Sister Summit portrate

Will do. Talk to you then.

Peter Weber, OSAA Assistant Executive Director
503.682.6722 x231 | peterw@osaa.org

-----Original Message-----

From: Russell Bolin [mailto:RBolin@roseburg.k12.or.us]
Sent: Wednesday, September 23, 2015 11:40 AM
To: Peter Weber <peterw@osaa.org>
Subject: RE: Rafinha Soccer EUA just english.docx and Middle Sister Summit portrate

Peter, thanks so much. You can bill the school for the 100.00. Talk with you Monday morning.

Russ

-----Original Message-----

From: Peter Weber [mailto:peterw@osaa.org]
Sent: Wednesday, September 23, 2015 11:22 AM
To: Russell Bolin <RBolin@roseburg.k12.or.us>
Cc: Amerilyn Rivett <amerilynr@osaa.org>; Tom Welter <tomw@osaa.org>
Subject: RE: Rafinha Soccer EUA just english.docx and Middle Sister Summit portrate

Thanks Russ. I've been able to confirm at least 6 voting members for the conference call appeal so we are all set for Monday at 9:30am. We have all the information that was previously submitted, along with the additional letter we discussed this morning from Vitor Fernandes. Please let me know if you have any additional information as we'll be sending the entire packet to the Board on Friday.

I will be in contact on Monday morning at 9:30am with calling instructions once the Board is ready to hear your appeal. School personnel, the student, the host family, etc are all welcome to participate in the call.

As a reminder, there is a \$100 Eligibility Appeal Filing Fee for appeals of the Executive Director's decisions. Let us know how you want to pay for that (we can bill the school or receive a check from the family, etc.)

Thanks,
Peter

Peter Weber, OSAA Assistant Executive Director
503.682.6722 x231 | peterw@osaa.org

-----Original Message-----

From: Russell Bolin [mailto:RBolin@roseburg.k12.or.us]
Sent: Monday, September 21, 2015 9:26 AM

To: Peter Weber <peterw@osaa.org>
Subject: RE: Rafinha Soccer EUA just english.docx and Middle Sister Summit portrate

X Peter, yes this is something that we would like to pursue. Let me know what I need to do on my end.

Russ

-----Original Message-----

From: Peter Weber [mailto:peterw@osaa.org]
Sent: Monday, September 21, 2015 9:18 AM
To: Russell Bolin <RBolin@roseburg.k12.or.us>
Subject: RE: Rafinha Soccer EUA just english.docx and Middle Sister Summit portrate

X Thanks Russ. Tom's denial may be appealed to the Executive Board. Here is the language for that process.

8.9.1. All Other Requests (Except Transfer, Fifth Year and Age Requests)

The Executive Director, in individual cases may, at his/her discretion, and upon terms and conditions as he/she may impose, waive or modify any eligibility rule, except the transfer, fifth year and age rules, when in his/her opinion there are circumstances beyond the control of each of the student and the student's parent(s), or other circumstances whereby enforcement of the rule would work an undue hardship upon the student.

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."

Let me know if that's something you would like to pursue.

Peter

Peter Weber, OSAA Assistant Executive Director
503.682.6722 x231 | peterw@osaa.org

-----Original Message-----

From: Russell Bolin [mailto:RBolin@roseburg.k12.or.us]
Sent: Monday, September 21, 2015 8:40 AM
To: Peter Weber <peterw@osaa.org>
Subject: FW: Rafinha Soccer EUA just english.docx and Middle Sister Summit portrate

X Peter, the hardship for Rafael was completed and denied by Tom due to Rafael being directly placed and not involved in any certified exchange program. Can this hardship be appealed to the appeals board? Thanks.

Russ

-----Original Message-----

From: Kelsey Wood [mailto:kwood@gordonwoodinsurance.com]
Sent: Friday, September 18, 2015 9:08 PM
To: Russell Bolin <RBolin@roseburg.k12.or.us>
Cc: peterw@osaa.org; vitor.fernandes@br.pwc.com
Subject: FW: Rafinha Soccer EUA just english.docx and Middle Sister Summit portrate

Good morning Russ.

As discussed, after my phone conversation with assistant director Peter Weber, would you request another appeal for waiver of Rafael Fernandes from OSAA Executive Director Tom Welter? Please give him the below/ attached letter from

Rafael's family and explain that there is no intent on anyone's behalf to unfairly compete, and this action against Rafael only hurts him and his American Host family. To please consider a waiver to allow Rafael to play any remaining games, instead of sitting on the bench. His exchange student arrangement is from a 39 year old standing family exchange with his Father and two older brothers, all of whom actively played on the RHS Varsity team during their enrollment at RHS.

Also, if any student was displaced by Rafael's addition to the team, it is his "American host-family Brother" Tristan Wood, who was rejected from Varsity this year. By prohibiting Rafael from playing, not these two families and their boys are penalized twice, and for no discernible consequence to any other student.

OSAA - Oregon School Activities Association
To the Executive Director Tom Welter

This small letter from our family searches to cordiality clarify some information about my brother, the exchange student Rafael Machado Fernandes, the reasons that had taken him to attend the Roseburg High School, the importance of the athletic activity for him during the period where he will live in U.S.A. Also, I hope this letter relieves the resulting harm from mis-interpretation of how he entered the circumstances to be at Roseburg High School, and the regulation of the championship of the OSAA. I hope to present arguments that demonstrate, assure the regulations are not being broken for the participation of the student in question.

Understanding the intention of the regulation of the Oregon School Activities Association is to protect student's educational development above of the athletic activity is clear and praiseworthy the in close association of State-wide sports competition. With the objective above cited, it is well-known in the regulation of the athletic activity, the clear intention to prevent the location of foreign students or transferred students from other schools with exclusive objective of making strong teams for the competition. This fact that would compromise the natural event of the competition, as well as could harm students.

We verify, in such a way, that the rational of the rule is to hinder that the teams buy players, fact that is not in-line with the objectives of the league, harming the involved championship and students. Fact that does not occur clearly in the case in question, as we will clarify below.

The student Rafael Machado Fernandes, as well as other exchange students who might also participate in school and athletic activity, is here to know more of the rich culture of U.S.A., to learn the English language better, and should reach this objective better with the relationship with local citizens in his daily activities. But in doing so, this great cultural chance provides difficulties to be faced with, to leave his parents of origin, as well as his other family members, to live for a period of time in U.S.A., a foreign country.

These difficulties would be minimized by the fact that if the student were to carry through this interchange in an environment of minimum unknown, an environment where the people of his daily conviviality are familiar, or care for him as family. A home where he can belong, a home with known friendship and who are known to be reliable. A family where the hosts also collaborates with his own family, who has the certainty to be receiving this student who possesses similar values, these would be the reasons which would take the student Rafael to the home of the Wood family. And this is of easy verification though the registers of

RHS, that the student Rafael possesses a long-standing (37 years) tie with the Wood family. You see, more than the thirty years ago, Rafael's father, Mr. Ricardo Fernandes, was an enrolled student at RHS for the period of one year and stayed with the Wood Family, as was repeated later, with his two older sons Vitor and Mateus Fernandes, Rafaels older brothers. They too, stayed at the same school, and lived with this same Wood family, each for a year, and also participated in the athletic activity competitions promoted by the OSAA/ on the RHS Soccer team as Varsity players.

From this information, we can verify that any form of damage to the right does not exist which if intends to protect with the criteria of eligibility of athlete for the OSAA. Also for the fact that the student in question possesses all the items in your eligibility check list.

The rule displayed in topic 8.6.3 (7) searches to hinder that students are placed of direct form for some of the teams of the competition, fortifying the team of intentional form. It is clearly for the displayed factors that this did not happen with Rafael, as he is with the family Wood for a reciprocal agreement between the families who more than coexist in harmonic way the last thirty years, ant not previously caused any form of damage in any sports competition or athletes.

We notice that all the regulation of the OSAA aims at academic preparation ie, mainly, the preparation of the students for the adult life. One notices that the participation of the student in question in school activities as well, is an important factor of preparation for all the involved ones. The relationship with citizens of different nationalities for certain periods of time allows the evolution of all involved, not only the student Brazilian, but also, teammates and even the adversaries who come to play against the team.

The young in question all carried through the program of training next to his teammates, fact that joined the same ones, creating cultural bonds of friendship and experiences between each, that the notice that he could not participate in the competitions promoted by the OSAA, was a shock to all the members of the team. This must be for the lack of clarification the determination of his ineligibility go against all the intentions and objectives of the OSAA. We cannot perceive that any offence exists in the written rules of the OSAA, but only one situation not foreseen for this exchange, for Rafael to participate in way to construct a rich exchange student experience with his local family, but to have exchanged in a formal program.

We believe in the good intentions and common-sense of all the involved ones in this question. We are certain that a solution without the damage of any involved will allow that

the young student to be able to share in the games of soccer promoted by the OSAA as an RHS Varsity player.

We thank for the expended attention and time for this question.

Sincerely,
Vitor Fernandes.