



October 8, 2015

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Mairie Scott-Aguirre
Principal
Centennial High School
3505 SE 182nd Ave
Gresham, OR 97030

RE: Trina Varney's Eligibility Appeal

Dear Mairie:

The OSAA Eligibility Appeals Board (EAB) met Monday, September 28, 2015 to review the eligibility request waiver of OSAA Rule 8.6 *Transfer without Change of Joint Residence* for Trina Varney, whose athletic eligibility had been denied by the District Athletic Committee of the 6A-Mt. Hood Conference. The hearing was conducted at the OSAA office in Wilsonville with one (1) Appeals Board member participating by conference call.

The Appeals Board reviewed all of the written information that had been submitted on behalf of the student. During the hearing, the Board listened to comments and testimony by Trina Varney, the student; Michael Ladich, Trina's father; and Brent Child, Athletic Director, Centennial H S. Following the dialogue and questions, the Eligibility Appeals Board convened into executive session.

From the written documentation submitted and the oral testimony provided at the hearing, the Eligibility Appeals Board concluded the following:

Findings of Fact:

1. Trina is an incoming freshman to Sam Barlow H S. During the summer Mr. and Mrs. Ladich purchased a lot and started construction of a new home within the Centennial H S attendance area. During construction the family has remained living in the Sam Barlow H S attendance area. The original move-in date to the new home was late August but there have been several delays and the new projected move-in date is late October. Mr. Ladich acknowledged that the family did not have a definitive plan in place for Trina's school enrollment for possible construction delays
2. Mr. and Mrs. Ladich realized that logistics, time constraints, travel, and work schedules were going to be more difficult to manage having Trina enrolled at Sam Barlow H S. On September 1, 2015 Mr. Ladich contacted the athletic office at Centennial H S about enrolling Trina at Centennial H S. Mr. Ladich indicated that Trina had practiced volleyball one (1) week at Sam Barlow H S. Mr. Child informed him that Trina would be ineligible to participate at Centennial H S.
3. Trina attended volleyball camps, participated in clinics, played beach volleyball and received private lessons most of the summer to play volleyball. She was on the JV2 volleyball team the week she practiced with Sam Barlow H S. She has been practicing with the varsity team at Centennial H S. A letter from Sam Barlow H S's principal supports Trina's transfer to Centennial H S and does not believe the transfer was athletically motivated.
4. Centennial HS submitted an Eligibility Request Form to the 6A-Mt. Hood Conference District Athletic Committee the second week of September, 2015. The DAC denied the eligibility request on September 16, 2015 and Centennial H S and the family requested an appeal on September 17, 2015.

Conclusions:

The EAB may grant an exception to the transfer rule "when in its 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." After reviewing the facts and testimony presented, the EAB concluded that the decision to transfer Trina Varney to Centennial H S was made in the family and Trina's best interest and not for athletic gain.

Therefore, the Eligibility Appeals Board voted (5-0) to overturn the DAC denial of eligibility. Trina Varney is eligible to participate in OSAA activities effective September 28, 2015.

It is our sincere hope that this waiver will be of benefit to the student.

Sincerely,



Peter Weber
Assistant Executive Director

PW/ar

cc: Brent Child, Athletic Director, Centennial H S
Michael and Ling Ladich, Parents
Wade Bakley, Principal, Reynolds H S, 6A-Mt. Hood Conference, DAC Chairperson



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

503.682.6722

www.osaa.org

Student Eligibility Request Form

Form ID Number
20150219

Type of Waiver

Transfer to School with Affiliation Hardship Appeal
OSAA Rule 8.6.5 - Send directly to District Athletic Committee

Submitted 9/9/2015
2015-16 School Year

Centennial High School Information

3505 SE 182nd Ave
Gresham, OR 97030
(503) 762-6180
Mairie Scott-Aguirre, Principal
mairie.scott-aguirre@centennial.k12.or.us
(503) 762-6130
Brent Child, Athletic Director
brent.child@centennial.k12.or.us
(503) 762-6136

Student Information

Trina Varney DOB: 2/12/2001 Age: 14 years 6 months (as of 9/9/15)

Current Address

Michael and Ling Ladich
Parent (Mother/Father)
4159 SW Brixton Ave
Gresham, OR 97080

Last Year's Address

Same as current address

This student is a 9th grader

Attends: Centennial High School
Previous: Sam Barlow High School

Grade: 9

Has IEP? No

Meeting IEP? N/A

Enrollment Record

SY	GR Period	Dates	School	# Credits Earned	# Classes Passed
2015-16	9 1st Semester	9/15/15 to 6/16/16	Centennial High School	0	0

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 Oregon School Activities Association.

Both signatures are required.

Parent Signature (or host family)

Principal / Superintendent

Directions

Ensure the Affirmation Statement section has both signatures. Send this printed Student Eligibility Request Form and any attached files to your District Athletic Committee. Do not send this to the OSAA office. Keep a copy for your school's records. Allow five business days for your request to be processed. Once a decision is made, the District Athletic Committee will notify your school.

Send a printed version of this form directly to your District Athletic Committee with any other printed attachments.

District Athletic Committee Decision

This section is to be filled out by the District Athletic Committee. Once a decision has been made, the committee shall contact the school regarding the outcome and forward a copy of this completed form and any supplemental materials to the OSAA office.

Chairperson's Name (print)

Date

Chairperson's Signature

☐ Approved

☒ Denied

Chairperson's School & Position

Notes:

Upholding OSAA policy. Practiced at Barlow but now wanting to move "mid-year" to a home that doesn't yet exist. Residency has not been established and is not yet proven. Just because the home is being built doesn't prove that the family will actually be moving there. Transfer of student is being made out of convenience, not hardship. In addition, she took the place of a kid who might have made the team at Barlow and may impact an intact team at Centennial.

Appeals Process

Appeals of decisions made by the District Athletic Committee are heard by the OSAA Eligibility Appeals 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 District Athletic Committee to the OSAA 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.

If a waiver is denied by the OSAA Eligibility Appeals 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.

Sam Barlow High School

HOME OF THE BRUINS



5105 SE 302nd Avenue • Gresham, OR 97080
PHONE (503) 258-4850 • FAX (503) 258-4840

To Members of the District Athletic Committee:

Sam Barlow High School supports the transfer of Trina Varney to Centennial High School and her desire to play sports. Trina started volleyball at Barlow this fall as a freshman. During this time, her parents decided to have a home built in the Centennial School District and would like for her to attend and compete for Centennial. She is applying for a hardship due to affiliation and we have no issue for her to receive this hardship.

Sincerely,

Bruce Schmidt

Principal Sam Barlow High School

To Whomever,

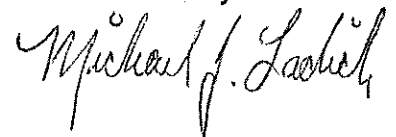
I, Michael J. Ladich, legal guardian of Trina Varney, along with my wife Ling, mother of Trina, wish to have Trina attending high school at Centennial. Though we have made the decision to transfer somewhat late, it is our intention to provide Trina with the best education available within the district.

Trina has played volleyball most of this past year. She's attended camps, been in clinics, played beach volleyball, and had private lessons almost all summer with little break. She tried out for the Barlow volleyball team thinking we would stay in the district and made the team. They practiced for a week before her mother and I realized the logistics, time, driving, and our work schedules and decided to make the change to Centennial to make everything more manageable for our family. We believe this to be a sound decision. Trina wants very much to be able to play volleyball for Centennial and is ready to go.

As our family has grown in size, our current living arrangement was unacceptable. We began looking for a larger home and found a development in the Centennial District to accommodate the needs of our family. The projected completion date on our house is for late October, and we anticipate a smooth transition.

Living closer to school will give us better flexibility with our schedules, more quality time together as a family, and the assurance our daughter is given every opportunity to excel with her education. Trina is an exceptional student/athlete and will be an asset to any program she is a part of. If there are any questions concerning Trina's desire to play volleyball or her ability to play, please don't hesitate to ask. We hope you allow her to participate in the sport she truly loves.

Thank you

A handwritten signature in cursive script that reads "Michael J. Ladich". The signature is written in dark ink and is positioned below the printed text "Thank you".

9/7/15

To: Mt. Hood Conference District Athletic Committee

On Tuesday, September 1st, Michael Ladich, who is the father of Katrina (Trina) Varney, made contact with the athletic office at Centennial High School. At that time Mr. Ladich began asking questions about the possibility of enrolling at Centennial High School. Mr. Ladich and his wife Ling are currently building a house in the Centennial School District (see attached contract). After a few minutes of discussion, Mr. Ladich stated to me that his daughter was a volleyball player at Sam Barlow High School. I mentioned to him that since Trina, who is a 9th grader, began practice with the Barlow team would automatically make her ineligible for participation at Centennial High School.

It is apparent to me that the Ladich's made an honest mistake by having their daughter practice with the Barlow team, while their house is being built in the Centennial district. They will be making a physical move on or around October 8th when construction is finished. After talking with Eric Stauffer at Sam Barlow, his belief is that the move is not athletically motivated, and that Trina should be allowed to participate with Centennial as soon as possible.

Mr. & Mrs. Ladich have gone through the proper channels of enrolling Trina at Centennial. My hope is that Trina will not be penalized from participating in volleyball, as this was simply an honest mistake.

Sincerely,

Brent Child
Athletic Director
Centennial High School



Addendum to the Purchase and Sale Agreement
NOTIFICATION OF ADDRESS CORRECTION

Between Pacific Lifestyle Homes, Inc. ("Seller/Builder")

And Michael Ladich ("Buyer")

Concerning: 4159 SW Brixton Avenue, Gresham, Oregon 97080 / Brookside Lot 86 ("Property")

It is agreed between the Buyer and Seller as follows:

This Addendum is notification to all concerned parties that the correct house number for Brookside at Pleasant Valley, lot 86 is **4159** SW Brixton Avenue, Gresham, Oregon 97080. Please use this address for all documents moving forward.

All other terms and conditions of said agreement remain unchanged.

DocuSigned by:

Michael Ladich

9/2/2015 | 11:00 AM PT

41F25ECFB20647A...

Buyer

Date

A handwritten signature of Michael Ladich in black ink.

9/2/15

Seller/Builder

Date



First American

First American Title Company of Oregon
9200 SE Sunnybrook Blvd., Ste 400

Clackamas, OR 97015
Phn - (503)659-0069
Fax - (866)902-9870

Michael Ladich
2634 NE 133rd Place
Portland, OR 97230

July 24, 2015
[REDACTED]

Re: Property: **4519 SW Brixton Avenue, Gresham, OR 97080**

Congratulations on your purchase of the property referenced above. **First American Title Company of Oregon** will be handling your transaction. I, **Christine Jensen**, am your escrow officer and I can be reached at **(503)659-0069** or **cjensen@firstam.com**. Please do not hesitate to call or email me at any time during your transaction.

ENCLOSED please find the following for your records:

- Foreign Investment in Real Property Tax Act - Notice
- Escrow **Action** Items (these are items that may require your attention prior to close of escrow)
- Privacy Policy Notice
- Preliminary Report to follow

YOU WILL BE REVIEWING, APPROVING AND SIGNING IMPORTANT DOCUMENTS AT CLOSING. LEGAL CONSEQUENCES FOLLOW FROM THE SELECTION AND USE OF THESE DOCUMENTS. THESE CONSEQUENCES AFFECT YOUR RIGHTS AND OBLIGATIONS. YOU MAY CONSULT AN ATTORNEY ABOUT THESE DOCUMENTS. YOU SHOULD CONSULT AN ATTORNEY IF YOU HAVE QUESTIONS OR CONCERNS ABOUT THE TRANSACTION OR ABOUT THE DOCUMENTS. IF YOU WISH TO REVIEW TRANSACTION DOCUMENTS THAT YOU HAVE NOT YET SEEN, PLEASE CONTACT THE ESCROW AGENT.

Should you have any questions or need further assistance, please contact the undersigned. We appreciate the opportunity to serve you.

First American Title Company of Oregon

Jennie Engles, Assistant for
Christine Jensen, Escrow Officer

Amerilyn Rivett

From: Brent Child <brent_child@centennial.k12.or.us>
Sent: Thursday, September 17, 2015 2:10 PM
To: Tom Welter; Peter Weber; Amerilyn Rivett
Subject: Trina Varney appeal
Attachments: Trina V. Appeal.pdf

Hello. This e-mail is in regard to the decision of our District Athletic Committee. By a vote of two to one, our committee denied the eligibility case of Trina Varney. After speaking with the family about the situation, we have agreed to appeal the decision to the OSAA Eligibility Appeals Board. We look forward to hearing from you.

Sincerely, Brent Child

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Brent Child, Athletic Director
Centennial High School
Phone: 503-762-6136
Fax: 503-762-6193