



Oregon School Activities Association

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September 24, 2015

Filip Hristic
Principal
Roosevelt H S
6941 N Central St
Portland, OR 97203

Subject: Shabani Butoyi

Status: Not Eligible

Dear Filip:

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:

Findings of Fact:

1. Shabani first entered the 9th grade in September 2011 at Reynolds High School. His four consecutive years of eligibility expired at the conclusion of the 2014-15 school year at Roosevelt High School.
2. Shabani has not graduated from high school. He has accumulated 23 credits thus far and still needs 3 required credits to graduate (Language Arts 1.5, Math .5, Science .5 and Social Studies .5).
3. Shabani was enrolled in school during each of his 8 consecutive semesters in high school.

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:

1. The student has not graduated from high school. Shabani meets this criteria as he still needs 3 credits to receive his high school diploma.
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 Shabani 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. Shabani has been enrolled in high school for 4 consecutive years and has had the opportunity to gain academic credit in each of those years. Therefore, Shabani 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,

A handwritten signature in black ink that reads "Tom Welter". The signature is fluid and cursive, with "Tom" on the top line and "Welter" on the bottom line.

Tom Welter
Executive Director

TW/ar

cc: Stuart Smith, Athletic Director