



October 6, 2015

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RE: Seven (7) Scotts Valley School Students' Athletic Eligibility

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The OSAA Eligibility Appeals Board (EAB) met Wednesday, September 23, 2015 to review the eligibility request waiver of OSAA Rule 8.6 *Transfer without Change of Joint Residence* for William McKinney, Noah Loeliger, David McKinney, Max Slavit, Jonah Whetstone, Adam Kling, and Alexander Fletcher, whose athletic eligibility had been denied by the District Athletic Committee of the 1A-Skyline League. The hearing was conducted at the OSAA office in Wilsonville.

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The Appeals Board reviewed all of the written information that had been submitted on behalf of the students. The EAB received the original information submitted to the District Athletic Committee. During the hearing, the Board listened to comments and testimony by Brian Berry, Principal, Yoncalla H S; Debbie Arts, Athletic Director, Yoncalla H S; Jad Thommen, On-Site Supervisor, Scotts Valley School; and the 7 students/boarders at Scotts Valley School. Following the dialogue and questions, the Eligibility Appeals Board convened into executive session.

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

Findings of Fact:

1. Scotts Valley School was established in 2007 as a licensed therapeutic boarding school within the Yoncalla School District. Students attending Scotts Valley School are placed at the facility by a program coordinator in Washington State in consultation with the parent(s). Staff at the facility have no input on who will be attending nor the period of time they will be a student at the facility. Originally, the students took on-line classes through BYU but were not part of the academic process at Yoncalla H S.
2. In 2008 the Yoncalla S D Superintendent and the owner of Scotts Valley School began discussing Yoncalla S D offering on-line educational opportunities to SVS students to meet the State of Oregon's educational requirements and working towards diplomas. SVS also talked to the OSAA and was allowed to become an Associate Member, allowing SVS students to participate in athletics or activities at Yoncalla H S. That association with Yoncalla H S has continued until the first week of September 2015. After a conversation with Brian Berry, Tom Welter, OSAA Executive Director, and the OSAA Executive Board determined that Scotts Valley School does not meet the requirements of an OSAA associate member school because the Yoncalla S D provides the educational opportunities towards graduation for the young men or women boarding at SVS. The students residing at the boarding school (not living with their parents) becomes translated as transferring without a change of joint residence.
3. Yoncalla H S considers the SVS students as enrolled in their school and includes them in their Oregon Department of Education ADM numbers. Yoncalla H S offers seven (7) periods a day/four (4) days a week and requires 26 credits to graduate. The OSAA Executive Board allowed the SVS students to participate with Yoncalla H S until October 1, 2015 while Yoncalla H S submitted Eligibility Requests to its District Athletic Committee for the seven (7) students participating in athletics from Scotts Valley School.

4. The students at Scotts Valley School earn the opportunity to attend classes through Yoncalla H S and participate in athletics. The standards are very high and stringent. If those expectations are not maintained they are pulled from athletic participation by SVS. The SVS students have built a strong bond with the Yoncalla H S team members and don't want to let them down. Debbie Arts states that Yoncalla H S students have embraced the SVS students and the administration has never had any trouble with SVS students. The young men recognize that the experiences on the football team help improve their confidence and teamwork, plus provide opportunities to use the skills and tools they have learned at SVS on a daily basis.

5. Yoncalla HS submitted an Eligibility Request Form to the 1A-Skyline League District Athletic Committee on September 17, 2015. The DAC denied the eligibility request on September 22, 2015 and Yoncalla H S requested an appeal on September 22, 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 because these students are randomly placed at Scotts Valley School to address emotional and/or behavioral issues is a situation that is beyond the students' control. The OSAA staff will be working with the Executive Board to review the process and procedures used in determining whether or not a school meets the requirements of an Associate membership.

Therefore, the Eligibility Appeals Board voted (4-1) to overturn the DAC denial of eligibility. William McKinney, Noah Loeliger, David McKinney, Max Slavit, Jonah Whetstone, Adam Kling, and Alexander Fletcher are eligible to continue participating in OSAA activities.

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

Sincerely,



Brad Garrett
Assistant Executive Director

BG/ar

cc: Debbie Arts, Athletic Director, Yoncalla H S
 Jad Thommen, On-Site Supervisor, Scotts Valley School
 Jeremy Williams, VP/AD, Camas Valley School, 1A-Skyline League, DAC Chairperson