



Oregon School Activities Association

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October 7, 2015

Minda Vaughan
Principal
McLoughlin High School
120 S Main St
Milton-Freewater, OR 97862

Subject: Antonio Lara-Urueta

Status: Not Eligible

Dear Minda:

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. Antonio first entered the 9th grade in September 2011 at McLoughlin High School. His four consecutive years of eligibility expired at the conclusion of the 2014-15 school year.
2. Antonio has not graduated from high school. He has accumulated 20 credits thus far and still needs 5.5 required credits to graduate (Language Arts 2.0, Science 1.0, Applied Arts/Fine Arts 1.0, Government .5, Personal Economics .5, Health .5).
3. Antonio had the opportunity to be enrolled in school during each of his 8 consecutive semesters in high school. He was enrolled in school during the first semester of his junior year but received no credits. He was not enrolled in school during the second semester of his junior year when the family moved to Mexico.

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. Antonio meets this criteria as he still needs 5.5 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 Antonio 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. Antonio was not enrolled in high school during the second semester of his junior year. There is nothing in the documentation submitted to indicate that this was due to "circumstances beyond the control of each of the student and the student's parent(s)"

that caused his absence from school that prevented him from graduating in four consecutive years. Therefore, Antonio does not meet this criteria.

Since the student does not meet either of the requirements above, 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, appearing to read "Tom Welter", with a long horizontal flourish extending to the right.

Tom Welter
Executive Director

TW/ar

cc: Jay Rodighiero, Athletic Director