



Oregon School Activities Association

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March 11, 2016

Jack Lee
Principal
Henley High School
8245 Highway 39
Klamath Falls, OR 97603

Subject: Max Hurtado

Status: Eligible

Dear Jack:

I have thoroughly reviewed the Eligibility Request Form that you have submitted seeking a waiver of OSAA Rule 8.3 (Age Rule). From the documentation that you have submitted, I have concluded the following:

Findings of Fact:

1. Max first entered the 9th grade in September 2012 at Henley High School and his 4 consecutive years of eligibility will expire at the conclusion of the 2015-16 school year.
2. Max was born on May 31, 1996 and he turned 19 years of age on May 31, 2015. He spent the first 12 years of his life in an orphanage in China.
3. Max was born with a bilateral cleft palate and he has undergone 12 surgeries since he was adopted and arrived in the United States when he was 12 years old. His congenital defects also include a hearing impairment with a hole in his eardrum along with a speech and stuttering impediment.
4. Max was evaluated on April 16, 2009, and was found to be eligible for Special Education services under the category of Communication Disorder 50. His most recent IEP evaluation was held on April 3, 2015.
5. Max is on track and scheduled to graduate in June 2016.

Conclusions:

The student meets the intent of the requirements for an Age Hardship Waiver Year as outlined in Rule 8.3.1. From the information submitted I conclude the following:

1. The student has not graduated from high school. He will graduate in June 2016.
2. The student's Individualized Education Program (IEP) Team has determined that the student has a "disability" as defined under the Individuals with Disabilities Education Act (IDEA) and that the student is meeting the requirements of his IEP. His disability is in the area of Communication Disorder 50. He was evaluated, found eligible for Special Education services and placed on an IEP during the first year he was enrolled in school in the United States (2008-09 school year).
3. The student's participation would not constitute an undue risk to the health or safety of other students.

Therefore, I conclude that the student satisfies the intent of the requirements for eligibility as outlined in Rule 8.3.1 and is ELIGIBLE to participate in OSAA activities during the 2015-16 school year.

I sincerely hope that the student will benefit from this waiver.

Sincerely,

A handwritten signature in black ink, appearing to read "Tom Welter". The signature is fluid and cursive, with a long horizontal stroke extending from the end of the name.

Tom Welter
Executive Director

TW/ar

cc: Wayne Amos, Athletic Director