

APPENDIX I.

Rule 8 from Oregon School Activities Association 2004-2005 Handbook, adapted with references to the OISRA organization and in agreement with the OISRA Combined By-laws, August, 2005. OISRA specific *bold italicized* emphasis added where applicable.

**Rule 8
Individual Eligibility**

The purpose of Rule 8 is to preserve harmony among member schools and school districts by preventing not only actual proselytizing, professionalism and participation by other than regular students in good standing, but conduct or circumstances which may give rise to the appearance thereof. Exceptions to the general rules herein will be narrowly construed to serve that purpose.

8-1 Attendance-Semester-Grades:

An eligible student must be enrolled full time as defined in this rule.

8-1-1 For purposes of this rule, a full time student is one who is enrolled in high school, attending regularly and passing in subjects equivalent to at least the quantity listed on the appropriate line of the chart below. *A home school student who transfers to a public or private school may establish initial academic eligibility by achieving a minimum score on the achievement test required annually at the end of the school year of all home school students wishing to participate in activities.* and who during the immediate preceding semester was enrolled in school, attended regularly and passed subject equivalent to at least the quantity listed on the appropriate line of the chart below. NOTE: In a traditional setting, two (2) semester units equals one (1) credit of work, and one-half credit is granted each semester.

Number of Classes Offered	Minimum Number Passed
4	3
5	4
6	5
7	5
8	5

8-1-2 If the school enters grades/credits on the official transcript each semester/trimester/quarter, that is the time period of eligibility or ineligibility of students attending that school.

8-1-3 In addition to the specific credit requirement identified in Rule 8-1, to

be scholastically eligible, a student must be making satisfactory progress towards the school's graduation requirements as determined by the local school administration.

8-1-4 A semester, as used in these Rules, is one-half of the regular school year.

8-1-5 Where a student is enrolled in a high school and receiving credit at that high school for off-campus college classes, work experiences or other school-approved educational activities (including summer school or night school) where regular attendance is required, the school may count those credits earned off-campus for the purposes of determining individual eligibility.

8-1-6 Credits earned during the summer or as a result of submitting work to satisfy requirements for classes for which an incomplete grade was assigned shall be deemed to have been completed during the previous semester for the purpose of determining individual eligibility.

8-1-7 Exceptions to this Rule (subject to application and approval by the OSAA Executive Director for eligibility):

- a) A school wishing to define full time enrollment in a manner different from the definition in 8-1-1 shall apply to the OSAA by July 1 for the following year on the Application to Deviate from the Standard Definitions of Full Time Enrollment form available in the Forms section of this Handbook. The application to the OSAA shall specify the equivalent alternate definition the school wishes to utilize. The OSAA Executive Director shall approve the alternative definition if the definition is equal to or greater than the standard definition in 8-1-1. Following initial approval of the alternative definition by the OSAA Executive Director, it shall be assumed by the OSAA that the school continues to use the alternative definition unless another Application to Deviate has been submitted. ***The OSRA accepts the definition of full time enrollment for each school that is thus determined by the OSAA and used by each school.***
- b) Forced absence due to *illness* or injury as certified in writing by a licensed physician, shall excuse regular attendance for the period of such forced absence, and where such forced absence entirely prevents completion of the semester, shall excuse completion of the required subjects.
- c) The requirement for immediate preceding semester credit is inapplicable to a student who has not previously enrolled in any high school offering the 10th, 11th, or 12th grades.
- d) Any student with an Individualized Educational Program (IEP) who, primarily because of the student's disability, (i) did not pass the appropriate number of classes, per Rule 8-1-1, in the immediately

preceding semester, (ii) is not currently enrolled in and passing the appropriate number of classes, per Rule 8-1-1, and/or (iii) has not been attending school regularly, may still be eligible to participate if the students IEP team determines that the student is making adequate educational progress towards meeting the student's IEP goals and objectives

8-2 Duration of Eligibility/Graduation:

A student may participate in the interscholastic program for four (4) consecutive years (eight (8) semesters or the equivalent) after entering 9th grade, EXCEPT THAT:

8-2-1 A student entering the 9th grade for all or part of a school year has used a full year of eligibility for the purpose of computing duration of eligibility under this rule.

Exception to 8-2-1: If a student enters 9th grade at a school in a foreign country in the southern hemisphere prior to the start of the Oregon school year and the transfers to attend an Oregon high school, the time attending the 9th grade prior to the start of the Oregon school year shall not be considered for the purpose of computing duration of eligibility under this rule.

8-2-2 A student who begins participation prior to entering the 9th grade is only eligible for four consecutive years beginning the year the student first participated for all or part of the year.

8-2-3 A student becomes ineligible upon graduation from high school.

8-3 Age:

A student who becomes nineteen (19) before August 15 shall become ineligible for interscholastic competition. A student who becomes nineteen (19) on or after August 15 shall remain eligible for that entire school year.

8-4 Awards: A student becomes ineligible for one (1) calendar year after the date of the report of the violation to the **OISRA** if at any time the student accepts or enters into any agreement for the purpose of later accepting any compensation or thing of value for or in recognition of athletic abilities, with these exceptions:

8-4-1 A student may not accept monetary compensation in recognition of athletic ability, participation and/or achievement during the Association year. A student may accept non-monetary compensation or items of value solely in recognition of athletic ability, participation and/or achievement if the total value of such non-monetary compensation or items of value, including the actual value of any discounts, coupons, etc., does not

exceed \$300.00 in any association year.

NOTE: For the purposes of this rule, "non-monetary compensation or items of value" does not include customary awards of a symbolic nature without resale value such as the school's athletic letter, medals, ribbons, certificates, plaques, trophies and other emblems. This rule does not regulate or prohibit compensation received by a student athlete for ability, participation and/or achievement in a non-**OISRA** sport, nor does this rule prohibit the acceptance of college scholarships by student athletes.

8-4-2 A coach is responsible for reporting to *the OISRA League Representative* all compensation or items of value received by the student athletes on that coach's team within one (1) month of the receipt of the compensation or items of value. ***OISRA League Representatives are responsible for verifying to the OISRA President*** that the total sum of compensation or items of value received by student athletes at their schools does not exceed \$300.00.

8-4-3 A student participating without compensation as a contestant, coach or similar participant in athletic activities may accept the use of necessary equipment and incidental services customarily furnished amateur participants in such activities, may accept reimbursement for direct and necessary expenses for participation (including mileage where the student must drive), and where participation requires absence from home, may accept necessary meals and lodging.

8-5 School Representation:

8-5-1 A student who competes in athletics representing a school other than the one in which the student has been enrolled becomes ineligible for that sport for the remainder of its season.

EXCEPTION:

a) A home schooled student who meets the eligibility standards established by Oregon law may represent a public or private school located within the public school attendance boundaries of Joint Residence of the student and student's parents provided that the home school student was enrolled in the home school prior to the first day of school for the public/private school.

SEE ALSO BP31.

Once a home school student represents a school, that home school students may not represent another school for one (1) calendar year after last representing the original school without a change of Joint Residence. **Also refer OISRA combined By-law Article VI B. 1.**

8-6 Transfer

8-6-1 Fundamental Rule: It is a fundamental rule of the Association that a student must attend the high school in the *high school attendance boundary within which* the Joint Residence of the student and the student's parents is located. Exceptions to this Fundamental Rule are to be narrowly construed.

8-6-2 Eligible Student Transfer Certificate. *In connection with any student who has transferred but is eligible under the Rules of the Association,* the student shall complete an Eligible Student Transfer Certificate in the form prescribed by the Association, properly signed by the superintendent, assistant superintendent, or principal of the high school the student enters, **and shall file it with the Secretary of the appropriate OISRA Division.**
SEE ALSO FORMS SECTION.

8-6-3 Exceptions to Fundamental Rule.

- a) *Entering ninth grade students. A student is eligible to participate at a school in the high school attendance boundary within which Joint Residence of the student and the student's parents is located when the student first enters the ninth grade.*
- b) *Students who are wards of the court. A student who is a ward of the court is eligible at the high school in the high school attendance boundary within which the student resides pursuant to court order.*
- c) *Foreign students on CSJET approved programs. A student from a foreign country who is on a CSJET approved program is eligible for one year from the date of enrollment if the following criteria are met:*
 - 1) *The student is attending a school in the attendance boundary where the host family resides.*
 - 2) *The student satisfies the OISRA age requirement.*
 - 3) *The student has not completed the equivalent of twelve years of education(excluding kindergarten).*
 - 4) *The student has not previously attended a high school in the United States.*
 - 5) *Neither the school the student attends nor any person*

associated with the school has had any input in the selection of the student.

- 6) *The host family is not a member (paid or voluntary) of the school's athletic coaching staff.*
- 7) *The student has not been terminated from the CSIET program.*

d) Students whose parents are divorced, legally separated, or unmarried. A student who does not maintain a Joint Residence with both parents is eligible when:

- 1) *The student moves to reside with a parent in a different high school attendance area at the time the parent initiates legal separation or divorce proceedings; or*
- 2) *Between school years, the student moves to reside with the other parent and transfers to the school within whose attendance boundaries the other parent resides.*

e) Students who reside on campus at a member boarding school. A student who transfers to reside on campus at a member boarding school between school years is eligible.

f) Students who transfer between school years. A student who transfer between school years is eligible if:

- 1) *The student transfers to a member private school, charter school or home school (See 8-6-6 "Definitions") and maintains a Joint Residence.*
- 2) *The student transfers to the public school within the attendance boundaries of Joint Residence and maintains a Joint Residence.*
- 3) *The student transfers within a multiple high school districts with the approval of the administration of the multiple high school district and maintains a Joint Residence.*
- 4) *The student transfer between Oregon school districts under the terms of a reciprocal transfer agreements, and maintains a Joint Residence.*

8-6-4 Continuity Requirement. *A student who is otherwise eligible under the Rules of the Association loses eligibility for one calendar year when the student's parents move from the attendance area of the high school the student is attending unless:*

- a) *The student is enrolled in the high school at the beginning of the freshman year and the students parents move during the freshman year, or*
- b) *Continuity of enrollment is maintained by the student and the student has been enrolled in attending the high school for at least one calendar year immediately preceding the move of the parents.*

8-6-5 Mid-Year Transfers. *A student who transfers during the school*

year without a move of the student's parents is ineligible for one calendar year unless the student becomes eligible at an earlier date based upon an exception listed in Rule 8-6-3.

8-6-6 Definitions. For purposes of these Rules, the following definitions apply:

- a) "Joint Residence" is the place where both the student and the student's parents reside (or, if the student is a ward of the court, where the student resides pursuant to court order). The student and the student's parents reside in a place when they occupy a dwelling for all purposes, with the intent to live there indefinitely and terminate all occupancy of their previous residence. If a student resides with only one (1) parent, that student's Joint Residence is the residence of that student and his/her parent, only if the student is eligible under Rule 8-6-5(1).
- b) A "home school student" is a student described in ORS 339.030(3), who has met the requirements established under ORS 339.035
- c) A student "resides on campus at a member boarding school" when the student lives on the school grounds, or in residence halls used in connection with the school, of a school that provides room and board for resident students.
- d) A student "transfers" if the student attended classes (or studied at a home school) or participated in any practices or interscholastic activities at another school.
- e) "Legal separation" or "divorce proceedings" occur when a petition has been filed with the court.
- f) *"Between school years" is after the end of the Association Year and before a student participates in practice or attends classes during the next Association Year.*

8-6-7 Period of Ineligibility. Except as otherwise provided in the Rules of the Association, any transfer resulting in ineligibility of the student renders the student ineligible for one calendar year.

8-7 Undue Influence/Participation on Affiliated Team:

8-7-1 Undue influence: Despite compliance with the other provisions of these Rules, any student who attends a member high school as a result of undue influence as defined in these Rules is thereafter ineligible and the high school team is subject to the penalties the **OISRA Board of Directors** may impose.

For purposes of this Rule, "undue influence" is the attempt by any person (including but not limited to coaches, boosters, teachers, administrators, *parents, alumni*) to induce the attendance of a student at a public or a private member school for purposes of athletic participation. Undue influence includes, without limitation, contacting a student with the intent of recruiting the student to a particular school for purposes of athletic participation or promising employment or any other pecuniary benefit to the student or any member of the student's family to induce the attendance of the student at a particular school for purposes of athletic participation. It shall not be considered undue influence for authorized representatives of a private high school to contact students attending private feeder schools to induce their attendance at the private high school or for authorized representatives of public high schools to so contact students within that public high school's district attendance boundaries.

8-7-2 Transfers to a school with which a non-school team is affiliated: Despite compliance with the other provisions of these Rules, a student who attends a member school, and then transfers to another member school after participating in non-school athletics (i.e. AAU, American Legion, club team, etc) on a team affiliated with the school to which the student transfers, is ineligible for one (1) calendar year. A team affiliated with the school is one that is:

- a) Organized by and/or coached by any member of the coaching staff at, or any other person associated with, that school, and/or
- b) On which the majority of the members of the team are students that attend that school.

8-8 Misrepresentation: Misrepresentation, such as an incorrect address, or participating under an assumed name in any interscholastic contest, shall make a student ineligible for the remainder of that sport season and for any additional period of time determined by the **OISRA Board of Directors**, and in addition, the school team shall be subject to any further penalty the **OISRA Board of Directors** may impose.

8-9 Hardship

8-9-1 Transfer

The **OISRA Division Executive Committees** may in individual cases, at their discretion, waive or modify the eligibility rules regarding transfer, other than transfers involving home schools, *foreign students or alleged undue influence*, when in their opinion there are circumstances beyond the control of the student or parent or other circumstances whereby enforcement of the rule would work an undue hardship upon the student. Other eligibility considerations, including academic eligibility, may be considered by the **OISRA Division Executive Committees** only when ruling on transfer eligibility requests. Transfer cases that involve fifth year eligibility, age requests *foreign student eligibility or alleged undue influence* must go directly to the **OISRA President**.

In the case of a foreign student attending a member school under the auspices of a non-CSJET approved program, the OISRA President may consider whether the program is a long-standing school or community exchange program when ruling upon the appeal.

Decisions of the **OISRA Division Executive Committees**, which deny eligibility, may be appealed to the **OISRA Board of Directors**.

A decision by the **OISRA Board of Directors** may be appealed to the State Superintendent of Public Instruction under OAR 581-021-0035.

8-9-2 Fifth Year: The OISRA Board of Directors, or as it may provide, the OISRA President, may in individual cases, upon written request, declare eligible a student who would otherwise be ineligible under Rule 8-2 (Duration of Eligibility /Graduation) because more than eight (8) semesters have passed after the student entered the 9th grade if all of the following conditions are met:

- a) the student has not graduated from high school;
- b) the student establishes, to the reasonable satisfaction of the **OISRA Board of Directors or the OISRA President**, as the case may be, either:
 - 1) that the student's Individualized Education Program Team has determined that the student has a "disability" (as defined below), and that the student was meeting the requirements of the student's I.E.P., yet was unable to graduate from high school within eight (8) semesters after entering the 9th grade primarily because of the disability; or
 - 2) due to circumstances beyond the control of *either the* student or the student's parents, there has been both a significant absence from school (not less than one (1) semester) and an inability to obtain academic credit during that period of absence; and
- c) the student establishes, to the reasonable satisfaction of **the OISRA Board of Directors or OISRA President**, as the case may be, that the student's participation would not constitute an undue risk to the health or

safety of other participants. For purposes of this Rule 8-9-2, "disability" shall have the meaning provided in the Individuals With Disabilities Education Act, 20 U.S.C. § 1401(a). Without limiting the evidence that may be considered, the **OISRA Board of Directors or OISRA President**, as the case may be, may consider the following in determining whether the student's participation would constitute an undue risk to the health or safety of other participants:

a) whether the student has presented a report from a physician regarding the student's height, weight and whether the student is likely to pose an undue risk to the safety and health of other participants; the student shall submit to an independent medical examination by a physician selected by and paid for by the Association at the request of the **OISRA Board of Directors or OISRA President**.

A decision of the **OISRA President** may be appealed to the **OISRA Board of Directors**. A decision of the **OISRA Board of Directors** may be appealed to the State Superintendent of Public Instruction under OAR 581-021-0035.

8-9-3 Age The **OISRA President**, may in individual cases, upon written request, declare eligible a student who would otherwise be ineligible under Rule 8-3 (regarding age) if all of the following conditions have been met:

a) the student has not graduated from high school;

b) the student establishes that the student's Individualized Education Program Team has determined that the student has a "disability" (as defined in Rule 8-9-2);

c) the student establishes, to the reasonable satisfaction of **the OISRA Board of Directors or OISRA President**, as the case may be, that the student entered school later than others of the student's age or was retained primarily because of the disability; and

d) the student establishes, to the reasonable satisfaction of the **OISRA Board of Directors or OISRA President**, as the case may be, that the student's participation would not constitute an undue risk to the health or safety of other participants. Without limiting the evidence that may be considered, the **OISRA Board of Directors or OISRA President**, as the case may be, may consider the following in determining whether the student's participation would constitute an undue risk to the health or safety of other participants:

1) whether the student has presented a report from a physician regarding the student's height, weight and whether the student is likely to pose an undue risk to the safety and health of other participants; the student shall submit to an independent medical examination by a physician selected by and paid for by the Association at the request of the **OISRA Board of Directors or OISRA President**.

A decision of the **OISRA President** may be appealed to the **OISRA Board of Directors**. A decision of the **OISRA Board of Directors** may

be appealed to the State Superintendent of Public Instruction under OAR 581-021-0035. **SEE ALSO BP52.**

8-9-4 All Other Requests (Except Transfer, Eight Semester and Age Requests)

The **OISRA President**, in individual cases may, at his/her discretion, and upon terms and conditions as he/she may impose, waive or modify any eligibility rule, except the transfer, eight semester and age rules, when in his/her opinion there are circumstances beyond the control of *either* the student or *the student's* parent(s) or other circumstances whereby enforcement of the rule would work an undue hardship upon the student. A decision of the **OISRA President** may be appealed to the **OISRA Board of Directors**. A decision of the **OISRA Board of Directors** may be appealed to the State Superintendent of Public Instruction under OAR 581-021-0035.

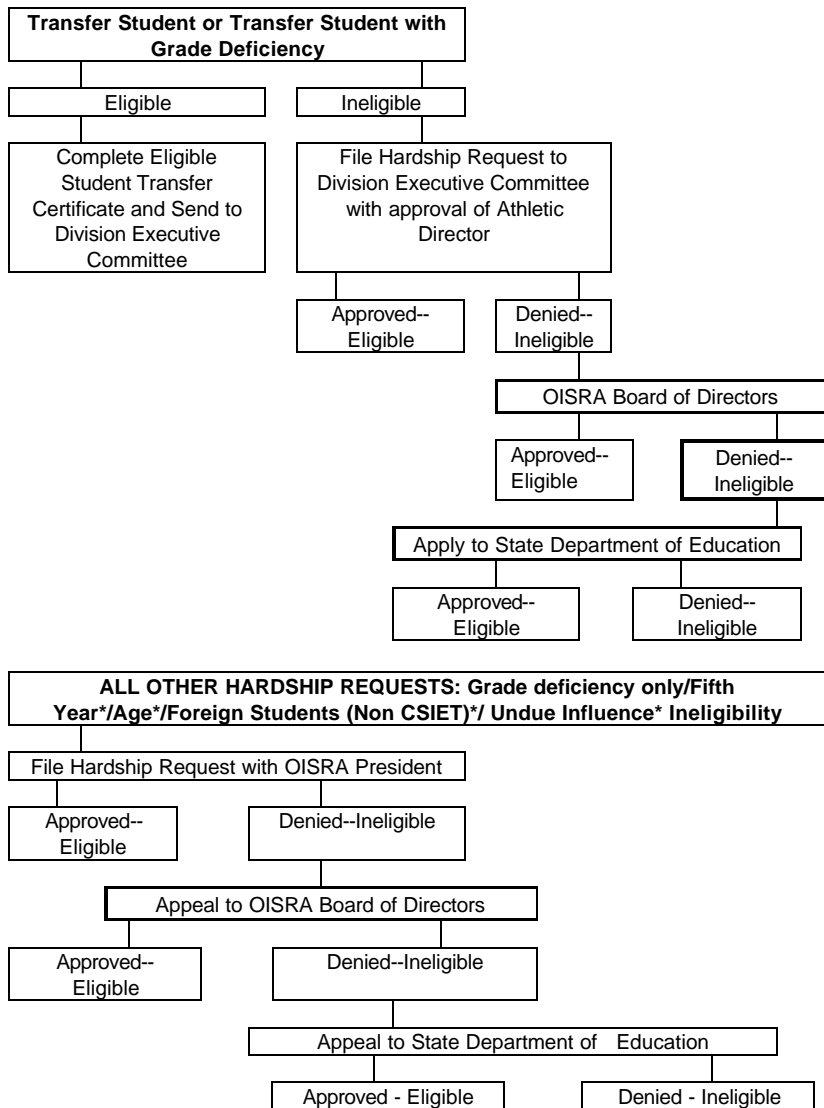
Question: How does legal guardianship apply to eligibility?

Answer. Historically, guardianships have frequently been used to attempt to avoid the fundamental rule of the OSAA that a student attend school only in the district in which the student's parents reside. Consequently, the appointment of a legal guardian alone is not recognized by OSAA nor **OISRA** as an exception to the fundamental rule. If a student resides with anyone other than the student's parents, and eligibility is sought in any district other than the one in which the student's parents reside, the school must apply for eligibility for the student by submitting an Eligibility Request Form to the **OISRA Division Executive Committee**, setting forth the circumstances justifying a hardship exception to the fundamental rule. Under no circumstances will the appointment of a guardian be tolerated as a device to circumvent the eligibility rules of the **OISRA**.

OSAA Rule 8 is to be read and interpreted as per the OISRA Article VI B. 2. and Article IV B. 9

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OISRA ELIGIBILITY FLOW CHART



*All requests involving **Fifth Year, Age, Non-CSIET Foreign Students, or Undue Influence** must be filed with the OISRA President.

