

The OSAA's Executive Board having been instructed to further consider Cascade High School's request to be placed in the 4A classification for the 2018-2022 time block, met and decided as follows:

1. Pursuant to Article 6.3.1(a)(1), when placing member schools into classifications for a four-year time block, the OSAA utilizes information from the Oregon Department of Education for the previous school year, e.g. for the classification decisions finalized in the Fall of 2017, for the 2018-2022 time block, the OSAA utilizes ADM numbers from the ODE for the entire school year of 2016-2017.
2. Pursuant to Article 6.1.2, a school may provide the Executive Board with information about potential enrollment during a four-year time block, which information can be provided at any time during the Classification and Districting Process; in September and October 2017, Cascade HS provided information to the Committee and the Executive Board late in the Classification and Districting Process, regarding a charter school of 47 students otherwise counted (in the prior school year) within Cascade HS's ADM.
3. Pursuant to Article 6.2.3, at the December meeting of the Executive Board, the Board may consider classification change requests made during a four-year time block; pursuant to Article 6.2.2(b), the Board has the discretion to consider a school's petition for an "emergency placement" in a lower classification.
4. Cascade High School appealed the decision(s) of the Committee and Board to an OSAA Hearing Officer, the Honorable Michael Gillette, who ruled that the Board erred in not exercising its discretion to consider the change in enrollment information submitted by Cascade High School, which change was premised on the creation of a charter school that resulted in those charter school students no longer being counted within Cascade High School's enrollment, and remanded the case back to the Executive Board to exercise its discretion.
5. Justice Gillette did not rule on Cascade High School's alternative issue on appeal, whether or not placing Cascade High School in a classification where its adjusted enrollment is approximately one-half of the enrollment of the largest school in the classification, but the Board wanted to address that issue while on remand.
6. The Board met in three executive sessions and debated the matter(s) remanded to the Board, and decided to exercise its discretion in considering whether students attending the Cascade charter school should or should not be counted as part of Cascade High School's ADM, for purposes of classification during the 2018-2022 time block. In exercising this discretion, the OSAA did not consider any petitioning school's enrollment data for other than the previous school year, as the starting point for classification, because (a) it would violate the OSAA's ADM rule, and (b) every school would be able to submit "new" information that would change classification cutoffs and proposed districts throughout the association. Nonetheless, the Board considered Cascade HS's information about its charter school affecting its prospective enrollment. Having

considered those matters, the Board voted 7-4 to deny Cascade High School's petition/request to be placed in the 4A classification, for the following reasons:

a. When the Board considers a school's Petition under Article 6.2.2(b) at December meetings, it has traditionally not granted a Petition for "emergency placement" in a lower classification, unless the school's adjusted enrollment has dropped to roughly 7-10% less than the classification threshold. In this case, treating Cascade's request as if it were a request made at a December meeting during the 4-year time block, it's enrollment would be only 3.3% less than the classification cutoff: if Cascade's 756 ADM for the 2016-2017 year is adjusted by the 47 students that Cascade reported to the Board that were attending its charter school, to 709, and is then further adjusted based upon its 37% free lunch number (resulting in a 66 student reduction), its adjusted ADM would be 643, or 22 students less than the 5A classification cutoff. That 643 enrollment figure is 3.3% less than the 5A classification cutoff, a percentage that has historically been inadequate to convince the Board to allow an emergency placement in a lower classification under 6.2.2(b). In other words, with the statistics presented by Cascade HS, the Board would not grant a request under 6.2.2(b) to play at a lower classification.

b. The request is not equivalent to a district opening a new full member high school. When Redmond High School petitioned for an "emergency placement" in December 2011, for the 2012-2013 school year due to the anticipated opening of Ridgeview High School, its enrollment went from 1800 to 1097, which was 26% less than the 6A classification figure.

c. The Cascade SD could make the charter school students eligible at Cascade HS by applying for associate membership.

d. Cascade's enrollment adjustment due to the charter school is not a major event like a natural disaster or the closing of a major employer that would demonstrably and significantly reduce a school's enrollment.

e. Cascade HS's arguments about its enrollment at the beginning of the 2017-2018 school year are rejected, because those numbers change for every school throughout the year, and it would encourage every school to provide information inconsistent with the rule, and because it would also then require that the OSAA look at moving schools to a higher classification if their Fall enrollment was higher than their "previous year" enrollment.

7. With regard to Cascade High School's objection to placement in the 5A classification, based upon safety, in general the consideration of safety under Article 9.2.1(d)(1)(a) is related to districting decisions, not classification decisions; nonetheless, the Board further concluded that placing Cascade High School in the 5A classification did not pose a safety risk for the students of Cascade High School.