

DIAA Board of Directors' Meeting Minutes
September 9, 2004
Cabinet Room, Townsend Building

I. Opening

A. Call to Order

The meeting was called to order at 9:10 a.m. by DIAA Chairperson Gerald Kobasa.

B. Roll Call

The following DIAA Board members were present: Gerald Kobasa, Mark Holodick, Gerald Allen, Dr. Robert Andrzejewski, Phyllis Kohel, Kathleen Wilbur, Sue Spilecki, William Passwaters, Ted Williams, Sister Ann Michele, Robert Reed, Zane Robinson, Dr. Jeffrey Hawtof. Jack Holloway, Executive Director, and Mary Cooke, Deputy Attorney General, were also in attendance. Joan Samonisky, Dr. Kevin Carson, Dr. Lewis Atkinson, Ed Kee and Dr. Garrett Lyons were unable to attend.

C. Approval of Agenda

Mr. Passwaters made a motion to approve the agenda as submitted. The motion was seconded by Dr. Hawtof and carried unanimously.

D. Approval of Minutes of the Annual Meeting and August 12, 2004 Board of Directors' Meeting

Mr. Williams made a motion to approve the minutes of the August 12, 2004 Board of Directors' Meeting as submitted. The motion was seconded by Dr. Andrzejewski and carried unanimously.

E. DIAA Financial Report

Mr. Holloway stated that he would like to move this item till after the waiver request.

II. Public Comment

None.

III. Action Items

A. Request for Waiver of 14 DE Admin Code 1009.2.7.1 by McKean High School for Greg Schuster

Bob Massafieri; athletic director at McKean High School, Brian Schuster; Greg Schuster's father, and Greg Schuster were in attendance to present this request. Mr. Schuster requested that this hearing be held in closed session. Dr. Andrzejewski recused himself from this request. Mr. Reed made a motion to go into executive

session based on provision 10004 B 6 in the Freedom of Information Act which allows this Board to go into executive session for the content of documents exclude from the definition of public records. The motion was seconded by Mr. Allen and carried unanimously. Dr. Hawtof made a motion to come out of executive session. The motion was seconded by Mr. Passwaters and carried unanimously.

The Board recessed at 9:40 a.m. and reconvened at 9:50 a.m.

Mr. Reed made a motion to go into executive session. The motion was seconded by Ms. Kohel and carried unanimously. Dr. Hawtof made a motion to go into deliberation. The motion was seconded by Mr. Allen and carried unanimously. Mr. Robinson made a motion to come out of deliberation. The motion was seconded by Sister Ann Michele and carried unanimously. Dr. Hawtof made a motion to come out of executive session. The motion was seconded by Mr. Passwaters and carried unanimously. Ms. Kohel made a motion to deny the request as it relates to Regulation 2.7.2 based upon the information given and the remarks made by the father that the student would have repeated the tenth grade whether he had the medical problem or not. The motion was seconded by Mr. Robinson and carried by a vote of 11 – yes (Wilbur, Sister Ann Michele, Allen, Hawtof, Kohel, Passwaters, Robinson, Reed, Holodick, Williams, and Kobasa), 1 – no (Spilecki), and Dr. Andrzejewski recused himself.

B. Football Tournament State Championship Site – Tubby Dobrowalski

Tubby Dobrowalski, chairperson of DIAA Football Committee, was in attendance to present this request. Mr. Dobrowalski explained that the Football Committee was proposing accepting a contract with Delaware State University for one year to play the Division I and Division II Football Finals. Mr. Dobrowalski explained that the seating capacity was 6,000 and that the University was looking into getting lights in the next few years. Mr. Holloway commented that he would have to revisit with Delaware State University because the contract states three years and the Football Committee was looking to sign a contract for one year. Mr. Holloway commented that this proposal would require a game to be played on Saturday and a game on Sunday. Some members suggested signing a one-year contract with the option of three years if the University gets lights. Mr. Williams made a motion to accept the recommendation of the Football Committee with the suggestion of accepting a one-year contract but with the possibility to renew it for three years if the Delaware State University gets lights. The motion was seconded by Ms. Wilbur and carried unanimously.

Mr. Holloway introduced Stacey Barnett who is an intern with DIAA from the University of Delaware.

I. E. DIAA Financial Report

Mr. Holloway reminded the Board of a discrepancy he explained at the last Board meeting and stated that people from the financial office at the Department of Education could not help with this problem and that we went to the company that did our audit in the past, Raymond Book and Associates. Mr. Holloway was recommending that this company work with Tina and get the financial information to where it should be. Mr. Holloway explained that a lot of time has been spent on this and feels that DIAA will benefit from having someone from this accounting firm look into our discrepancies. Dr. Andrzejewski commented that he will look into getting someone to help out with Quickbooks. Dr. Hawtof made a motion that if Dr. Andrzejewski's plans do not work that he authorizes Mr. Holloway to hire the accounting firm Raymond Book and Associates with a maximum expense limit of \$1,500.00. The motion was seconded by Ms. Kohel and carried unanimously.

III. C. Request for Sanction of Tournament Events

Ms. Kohel made a motion to approve the tournament applications. Mr. Holloway commented that this group of tournaments does include the Beast of the East and the Diamond State Classic and recommends sanctioning. The motion was sanctioned by Mr. Passwaters and carried by a vote of 11 – yes (Andrzejewski, Kohel, Passwaters, Robinson, Reed, Holodick, Hawtof, Williams, Sister Ann Michele, Wilbur, and Spilecki), Mr. Allen recused himself.

D. Website Design and Maintenance – Lang Design, Inc.

Mr. Holloway commented that he had a meeting with the technology department and was informed that DIAA can not go out on their own to get a website designer or have a website separate from the Department of Education's website. Mr. Holloway stated that we are now negotiating with the technology department to improve our website and will not be negotiating with Lang Design, Inc.

E. Block Scheduling and Core Courses

Mr. Holloway reviewed a situation with a student who was not taking any major courses during the first semester and that he ruled this student ineligible. Mr. Holloway then reviewed a requirement that was approved by the DSSAA Board in 2000 involving block scheduling. Mr. Holloway was asking for guidance from the Board members as to whether or not core academic courses should be taken in each block. The consensus of the Board was that students should have core academic courses in their schedule and to keep the requirement the same.

F. Proposal for Working Agreement with 20-20 Photographic Inc. and/or Michael Biggs

Mr. Holloway reviewed a proposal from Mike Biggs to take pictures of the DIAA tournaments. Mr. Holloway commented that they are still working on a privacy statement but would recommend approving the proposal. Mr. Holloway also stated that Mr. Biggs would have exclusive rights with the exception of photographers representing true accredited media outlets and students representing school publications. Dr. Hawtof made a motion to accept this proposal. The motion was seconded by Dr. Andrzejewski and carried unanimously.

G. Accept Recommendation of the Sports Medicine Committee Regarding Qualified Evaluators for Skin Disorders

Mr. Charles explained that the Sports Medicine Committee was recommending that for skin conditions to allow nurse practitioners and physicians assistants to do skin evaluations for all sports. Mr. Charles explained that in the past the athlete would have to be evaluated by a physician and have the physician sign the form contesting that the skin condition was not contagious. Mr. Charles commented that the Sports Medicine Committee felt that it was appropriate to allow the individual schools to sign off on the skin evaluations. Mr. Williams made a motion to accept the recommendation of the Sports Medicine Committee regarding qualified evaluators for skin disorders. The motion was seconded by Mr. Robinson and carried unanimously.

IV. Executive Director Report

A. DIAA is Moving October 14, 2004

Mr. Holloway informed the Board that the DIAA office is moving on October 14, 2004 to a new location on Hazletville Road.

B. Sportsmanship Initiatives

Mr. Holloway commented that Sportsmanship is his number one priority and that he has been speaking to the officials groups, coaches, and will be speaking to the athletic directors on sportsmanship.

V. Presentation and Discussion

A. Discussion of School Choice Assignments for "good cause"

Mr. Holloway reviewed the deadline for school choice and explained that if a student does not meet that deadline the only way a student can choice is by "good cause". Mr. Holloway was asking the Board if both districts have to agree on good cause and should DIAA have a role in determining the eligibility associated

with good cause if the districts disagree. Mr. Holloway also wanted to know where the district appeal would be heard if not the DIAA. Considerable discussion ensued regarding different situations involving good cause in the different districts. Ms. Cooke commented that the choice law already has a specific provision that addresses interscholastic sports which basically restricts eligibility for student who choice twice. Ms. Cooke stated that she is unsure as to whether the DIAA Board can restrict this further then what is in the statute. Ms. Cooke also commented that she is unsure as to what the Department of Education's policy or position is on this. After some discussion the consensus of the Board was to see how the Department of Education feels about this.

VI. Other

VII. Public Comment

None

VIII. Adjournment

Ms. Kohel made a motion to adjourn at 11:35 a.m. The motion was seconded by Mr. Reed and carried unanimously.

Tina Tyre