

DIAA Board of Directors' Meeting Minutes  
January 13, 2005  
Cabinet Room, Townsend Building

I. Opening

A. Call to Order

The meeting was called to order at 9:05 a.m. by DIAA Chairperson Gerald Kobasa.

B. Roll Call

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

C. Approval of Agenda

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

D. Approval of Minutes of the Annual Meeting and December 9, 2004 Board of Directors' Meeting

Mr. Reed made a motion to approve the minutes of the December 9, 2004 Board of Directors' Meeting as submitted. The motion was seconded by Dr. Andrzejewski and carried unanimously.

II. Public Comment

None.

III. Action Items

A. Request for Waiver of 14 DE Admin. Code 1008.2.3.1 – Dover Air Force Base MS – John Walters

Gerald Rocha, athletic director at Dover Air Force Base MS, Ernestine Adams, principle at Dover Air Force Base MS, and John Walters, father of John Walters, were in attendance to present this request. Mr. Walters requested that the hearing be held in open session.

Ms. Adams explained to the Board that this request was for a 7<sup>th</sup>-grade autistic student who had choiced to Dover Air Force Base Middle School from Postlethwait Middle School for a special program for handicapped students that was available at

Dover Air Force Base Middle School. Ms. Adams stated that the school was asking for a waiver of Rule 1008.2.3.1 which would allow the student to participate in wrestling at another middle school in the district since Dover Air Force Base Middle School did not sponsor a wrestling program.

Mr. Walters explained to Board members that he wanted his son in the best program that met the needs of his son and Dover Air Force Base Middle School seemed to have an inclusive program which was the setting he wanted his son in. Mr. Rocha commented that the special needs program at Postlethwait did not meet the needs of this student.

Mr. Holloway questioned if the school should be asking for a waiver of 1008.2.4.6.1 instead of 2.3.1. Mr. Holloway stated that he was informed that all the schools in the Caesar Rodney School District offer the same support programs for special education students. Ms. Adams replied that all middle schools within the District offer similar special education programs but the structure of each school's program may be different.

After some discussion and hearing testimony it was decided that this matter should be referred back to the District to see if Student's request falls within the provisions of Regulation 1008.2.3.2 such that student could participate at another middle school within the district. Mr. Williams made a motion to table this request until the next meeting and have Mr. Holloway contact the Caesar Rodney District office to ascertain their position as to whether Regulation 1008.2.3.2 applied. Further, if this matter cannot be resolved at that District level, the matter should be placed on next months agenda for consideration. The motion was seconded by Dr. Carson and carried unanimously. Ms. Kohel was not in attendance for this hearing.

The Board recessed at 9:50 a.m. and reconvened at 9:55 a.m.

**B. Request for Waiver of 14 DE 1009.2.7.1 – Howard HS – Kiante Miller**

Rosetta Miller; mother of Kiante, Maurice Hunter; cousin and mentor of Kiante, Rosalee Miller; Kiante's aunt, and Kiante Miller were in attendance to present this request. Ms. Miller requested that the hearing be heard in open session. Mr. Holloway informed the Board that he and Mr. Hunter had a previous relationship at William Penn High School but did not feel it would influence his decision. The parties had no objection to Mr. Holloway participating in the hearing. Mr. Hunter explained that they were asking for a fifth year of eligibility due to some personal family issues and medical issues that were responsible for student failing the ninth-grade. Mr. Robinson made a motion to go into deliberation at 10:50 a.m. The motion was seconded by Dr. Lyons and carried unanimously. While in deliberation the request for Kiante Miller was discussed. Ms. Kohel made a motion to come out of deliberation and into public session at 11:05 a.m. The motion was seconded by Dr. Hawtof and carried unanimously. Ms. Kohel made a motion to grant the waiver request based on Regulation 1009.2.7.1.2 (the hardship rule) with the understanding

that the student's hardship is not based solely on his medical condition but rather the hardship was the combined effects of Student's medical condition coupled with the fact that during the time he was experiencing this medical condition there were serious family concerns. The motion was seconded by Ms. Spilecki and passed on a vote of 11 – yes (Kobasa, Andrzejewski, Kohel, Wilbur, Spilecki, Samonisky, Carson, Williams, Sister Ann Michele, Reed, Hawtof) and 5 – no (Holodick, Allen, Passwaters, Lyons, Robinson).

The Board recessed at 11:10 a.m. and reconvened at 11:15 a.m.

I. E. Financial Report

Mr. Holloway reviewed the financial report with the Board. Mr. Holloway commented that he recently received the bill from the University of Delaware for the Volleyball Championships and stated that it was slightly higher than last year but was lower than the estimated bill. Mr. Holloway reviewed the salary expenses and stated that the salary for the Executive Director was up-to-date but that we are still trying to get the salary for the support staff from the financial office. Mr. Holloway also stated that since working with Raymond Book and Company the financial report has balanced. Mr. Holloway commented that a second notice for membership dues has been sent out to the schools that have not yet paid their member dues. Mr. Holloway also commented that the weight management bills will be going out next week.

III. C. Request for Sanction of Tournament Events

Mr. Holloway stated that there were 32 tournaments that need to be sanctioned and that he recommended approval by the Board. Dr. Carson made a motion to approve the sanctioning of the 32 tournament events. The motion was seconded by Ms. Samonisky and carried unanimously.

D. Approval of Annual Report

Mr. Holloway explained that this annual report is our obligation by the General Assembly to give them a report each year on DIAA. Mr. Holloway commented that some of the items included in this report were membership growth, the Leadership Conference, initiation of the Delaware Interscholastic Officials Council, tournament venues, and a list of the appeals from last year. Mr. Williams made a motion to approve the annual report. The motion was seconded by Mr. Passwaters and carried unanimously.

E. Approval of the New Physical Examination Form

Mr. Holloway reminded the Board of the discussion the Board had at the last meeting with regards to the new physical form and the concerns with some of the items on the form. Mr. Holloway commented that the Committee met and went over the suggestions from the Board and has made some corrections to the form. Mr.

Holloway reviewed the changes and commented that the sensitive items were removed. Mr. Holloway commented that he endorses this form. Mr. Robinson made a motion to accept the new physical examination form. The motion was seconded by Ms. Wilbur and carried unanimously.

F. Approval of 2005-06 DIAA Board Meeting Dates & Sites

Mr. Holloway commented that all the meetings for next year will be held at the John W. Collette Education Resource Center with exception of the annual meeting which will be held at Wild Quail Country Club. Ms. Kohel made a motion to accept the meeting dates and sites. The motion was seconded by Dr. Lyons and carried unanimously.

IV. A. NFHS Winter Meetings

Mr. Holloway commented that he and Mr. Charles attended the NFHS Winter Meetings and that sanctioning of National events by the National Federation was a major topic of discussion. Mr. Holloway commented that starting next year teams being invited to sanctioned events must be in to each state 20-days prior to the event. Mr. Holloway commented that there was also discussion on the cost of catastrophic liability insurance and stated that it has stabilized and there should not be any substantial increase in the cost for this year.

B. News Journal Report on Cheerleading

Mr. Holloway commented on an article in the news papers stating that DIAA is taking steps to oversee cheerleading. Mr. Holloway commented that no steps have been taken except that he has met with Delaware Cheerleading Coaches Association to see if there was any interest in coming under DIAA. Mr. Holloway also stated that he has met with the United Cheerleaders Association to get information on how that would happen.

V. Other

Mr. Holloway commented on a meeting he went to with the Positive Growth Alliance and stated that this is a group of businessmen from Sussex County who are interested in bringing a major basketball tournament to Sussex County over the Christmas break. They are talking with Game Plan Inc. a non-profit group from Virginia. Mr. Holloway will be attending future meetings.

Ms. Cooke informed the Board that we still do not have a proposed decision from the hearing officer for the Delaware Military Academy appeal. Ms. Cooke then informed the Board that the request for oral argument on the Glasgow Appeal has been withdrawn and that the matter will move forward for consideration of the record, alone.

Dr. Atkinson explained to the Board members whose terms are up and are eligible for a second term need to make the Governor's office aware of their interest to continue.

VII. Public Comment

None

VIII. Adjournment

Mr. Williams made a motion to adjourn at 11:50 a.m. The motion was seconded by Mr. Passwaters and carried unanimously.

---

Tina Tyre