

DIAA Board of Directors' Meeting Minutes  
April 14, 2005  
Cabinet Room, Townsend Building

I. Opening

A. Call to Order

The meeting was called to order at 9:00 a.m. by DIAA Chairperson Gerald Kobasa.

B. Roll Call

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

C. Approval of Agenda

Mr. Kobasa commented Item III. C. was being removed from the agenda and also that there was an amendment to the agenda adding Items III. I. Dover High School violation of 14 DE. Admin 1009.6.5.2 (1.3 & 5), III. J. Request for Sanction of the Annual Blue-White Senior Girls All-Star Soccer Game, and V. C. DIAA Personnel and Pending or Adjudicated Charges. Ms. Samonisky made a motion to accept the agenda and the amendment. The motion was seconded by Dr. Hawtof and carried unanimously.

D. Approval of Minutes of the March 10, 2005 Board of Directors' Meeting

Mr. Williams made a motion to approve the minutes of the March 10, 2005 Board of Directors' Meeting as submitted. The motion was seconded by Mr. Passwaters and carried unanimously.

II. Public Comment

None.

III. Action Items

A. Request by Layton Preparatory Schools for 2005-06 DIAA Membership

Mr. Barton Reese, Co-Director- Athletic Director, was in attendance to present this request. Mr. Reese informed the Board that the Layton Preparatory School was located in New Castle on the Wilmington College Graduate Campus and was offering grades ninth through twelfth. Mr. Reese explained that this was a college preparatory school for students with identified learning differences but looking for a college

education. Mr. Reese commented that the school would be only offering cross country for next year. Mr. Reese explained that the school will be adding other sports when the enrollment increases. Mr. Reese stated that they do not have a gym but will be using the Delaware Swim Fitness a couple times a week. Mr. Williams made a motion to approve the request for Associate Membership as he believes extracurricular activities are important. The motion was seconded by Dr. Carson and carried unanimously. Ms. Kohel was not present during this hearing and was not included in the vote.

B. Request by Ferris School for 2005-06 DIAA Membership

Mr. Holloway explained to the Board that Ferris School was a member of this association in the past. Mr. Holloway commented that Ferris sometimes has a hard time getting a schedule because all their games have to be at their facility. Mr. Holloway explained that in the past member schools could schedule Ferris as an extra contest even though they were not a member of this association. Mr. Holloway commented that he feels it is beneficial to have Ferris School in our association but thinks we should consider what was done in the past with other schools scheduling Ferris. Ms. Wilbur made a motion to approve the request for membership. The motion was seconded by Mr. Williams. Some discussion ensued regarding the eligibility of a student attending Ferris School if that student is at Ferris as a result of an expulsion. Mr. Craig Walker, Recreation Supervisor at Ferris, commented that Ferris School is not interested in participating in state tournaments because they can not leave their facility. After discussion regarding the eligibility of students attending Ferris the motion carried on a vote of 14 – yes (Williams, Carson, Spilecki, Kohel, Robinson, Reed, Holodick, Wilbur, Sister Ann Michele, Samonisky, Allen, Kee, Hawtof, and Lyons), 1 – no (Passwaters). Mr. Kee recommended that a policy be developed with regards to the schools that schedule games with Ferris and if those games could be considered as additional contests. Ms. Cooke reminded the Board that they have already made a motion to accept the membership of Ferris and with the discussions of putting a condition on their association membership Association, the Board may want to consider rescinding the previous motion and making a new motion including the conditions that they were discussing. Dr. Hawtof made a motion to rescind the motion. The motion was seconded by Ms. Kohel and carried unanimously. Dr. Hawtof made a motion to approve the request for membership on an exhibition basis and Ferris would not be eligible for state tournaments and the games will not count toward state tournaments for other schools. The motion was seconded by Mr. Williams and carried unanimously.

C. Request for Waiver of 14 DE. Admin. Code 1009.2.7.1 – Indian River HS for A. L.

Mr. Holloway commented that this request would be postponed until the May Board meeting.

D. Request by Red Lion Christian School for a Waiver of DIAA Golf Regulation – Use of a Golf Cart – P. D.

Mr. Holloway commented that he was contacted by the Red Lion Christian School and asked that a student be allowed to use a golf cart due to medical reasons. Mr. Holloway explained that the USGA rules and regulations do not prohibit the use of a golf cart but that the DIAA Spring Tournament Manual is quite specific that a golf cart is not allowed without the permission of the DIAA Board of Directors. Mr. Holloway commented that he has given the school permission to allow the student to use the golf cart but informed the school that the DIAA Board could overturn his decision to allow this. Mr. Holloway stated to the Board that they would have to decide if they wish to uphold his decision and also decide whether or not they want to allow him to use the golf cart during the state tournament. Mr. Williams made a motion to approve the use of a golf cart for Peter Delaney due to medical conditions in accordance with state tournament golf course regulations. The motion was seconded by Ms. Kohel and carried unanimously.

E. Confirmation of the Nomination of Mark Robinson as Chair of the DIAA Officials Committee.

Mr. Holloway commented that he received a letter from Jim Oxford stating that he was resigning as chairperson of the DIAA Officials Committee. Mr. Holloway stated that he would like to recommend that his successor as chairperson for that committee be Mark Robinson the athletic director at Wilmington Friends School and also a member of that committee for the last six years. Dr. Hawtof made a motion to accept the nomination for Mr. Robinson. The motion was seconded by Mr. Passwaters and carried unanimously.

F. Request from Fieldstone Golf Club to Present Honorary Golf Membership

Mr. Holloway commented on a letter he received from David Schueck who is the Director of Golf at Fieldstone Golf Club who was asking to give four honorary memberships, at no charge, to members of area high school golf teams. The recipient could be male or female and would depend on their playing ability as well as their grade point average. Mr. Holloway stated that the qualifications would create a problem according to DIAA rules. Mr. Holloway commented that he contacted Mr. Schueck and informed him of the violations and asked him if he would be willing to listen to ideas from the Board for an offer that would be in line with DIAA rules and regulations. Dr. Carson made a motion to table this request so that Mr. Holloway can communicate with Fieldstone Golf Club and come up with a product that complies with DIAA rules. The motion was seconded by Mr. Williams. Mr. Williams suggested that the golf club possibly offer the use of their facilities during state tournament play. The motion carried unanimously.

G. Request for Sanction of Spring Tournament Events

Mr. Holloway reviewed the sanction requests and stated that he has not sanctioned a few because of non-member school participation. He assured the Board that the requests included in this packet are all satisfactory. Dr. Carson made a motion to

approve the requests. The motion was seconded by Ms. Kohel and carried unanimously.

H. Appointment of a Nominating Committee for May's Officer Elections

Mr. Holloway commented that he has asked Dr. Lyons to be the chairperson for the Nominating Committee. Mr. Holloway explained that he will be gathering information for any interested Board members.

I. Dover High School Violation of 14 DE. Admin 1009.6.5.2 (1.3 & 5)

Mr. Holloway explained a situation where Dover High School participated in an event that took place after the season ended. Mr. Holloway commented that the coach took two track athletes in a school van to the Big Apple Classic in New York and wore Dover High School uniforms which are violations of DIAA rules. Mr. Holloway stated that the event was listed on the DIAA website as a sanctioned tournament but should not have been listed because of the date of the event. Mr. Holloway explained that he felt conflicted because the event was on the website but also felt because of our other rules the school should not have participated. Mr. Holloway commented that he felt he was involved with this and should not be the one making a decision so he involved Mr. Kobasa and Mr. Holodick. Mr. Kobasa commented that he felt it was clear that there was a violation but because the event was listed on the sanction list they felt it was somewhat a problem on DIAA's part. Mr. Kobasa stated that he had the athletic director write a letter to explain the violation and put the coach on probation with the possibility of this Board making a more stringent penalty. Mr. Williams made a motion to approve Mr. Kobasa's recommendation. The motion was seconded by Mr. Reed and carried unanimously.

J. Request for Approval of the Annual Blue-White Senior Girls All-Star Soccer Game

Mr. Holloway commented that this is an annual request and recommends sanctioning. Mr. Holodick made a motion to grant this request. The motion was seconded by Dr. Carson and carried unanimously.

I. E. DIAA Financial Report

Mr. Holloway reviewed the financial report and stated that we are still in the process of receiving revenue for the basketball tournament. Mr. Holloway commented that as we are headed into the spring tournament season we are above our surplus.

IV. Executive Director Report

A. Winter State Championships

Mr. Holloway commented that it was an extremely successful winter tournament season. Mr. Holloway stated that some of the wrestling tournament expenses were

reduced with the help of the new associate athletic director at Delaware State University.

#### B. Winter Sportsmanship Report

Mr. Holloway reviewed the sportsmanship report by saying that there were quite a few schools that had no sportsmanship reports at all. Mr. Holloway commented that he was disturbed with the number of incident reports on the coaches. Mr. Holloway stated that he will continue to communicate to the coaches the role that they have in sportsmanship. Mr. Holloway commented on an incident that occurred at a basketball game which involved a coach who was suspended.

The Board recessed at 11:00 a.m. and reconvened at 11:15 a.m.

#### V. Presentation and Discussion

##### A. Appeal of G.S. from a decision of DIAA, SBE File #2004-13

Ms. Cooke commented that the hearing officer in the G. S. appeal proposed affirming the decision made by DIAA and the State Board rejected that decision and overturned the decision made by this Board. Ms. Cooke stated that she had not yet received the Decision and Final Order but will circulate it as soon as she receives it. Mr. Holloway then explained that Mr. Kobasa wrote a letter to Dr. Pika, who is the chairman of the State Board, explaining that this was the second time in the last 15 months that the State Board has overturned a DIAA decision. Mr. Kobasa also explained that the DIAA Board feels that they are making their decisions in the best interest of the student-athlete. Mr. Holloway further commented that Dr. Pika was invited to the meeting today and that Dr. Pika responded by saying he could not make the meeting today but felt that some discussion would be of value and requested a meeting on another date.

- D. Mr. Holloway thanked Dr. Hawtof and his committee for the Physical Form. Mr. Holloway commented that he recently met with the medical providers group which voiced their concerns with the form. Mr. Holloway explained that the nurses wanted a copy of the Preparticipation Physical Evaluation Third Edition since the DIAA Physical Form was requiring the nurses to sign off on the fact that they have performed the examination in accordance with this book. Mr. Holloway also explained that the cost of this book is \$40.00 and the nurses felt that we should provide them with this book since their budgets are very restricted. Mr. Holloway commented that this group also would like to have three representatives on the DIAA Sports Medicine Committee. Ms. Cooke commented that Regulation 1006.3.3.3 states that the Committee Chairperson with the advise and consent of the Executive Director shall appoint individuals to serve on Committees. Mr. Holloway explained that the group would also like this form put on the website in Spanish. In response to some discussion regarding the number of signatures required on the physical form, Ms. Cooke stated that the law is such that there has to be individual consents or waivers

given separately for certain types of waivers otherwise they would not be valid. Mr. Williams made a motion for DIAA to purchase copies of the Preparticipation Physical Evaluation Third Edition to provide the Wellness Centers with and also for the Executive Director to recommend to the Sports Medicine Committee to highly consider accepting three members of this group from all three counties to serve on their committee and also to investigate supplying this form in Spanish. The motion was seconded by Dr. Hawtof and carried by a vote of 14 – yes (Lyons, Hawtof, Kee, Allen, Sister Ann Michelle, Wilbur, Holodick, Reed, Robinson, Passwaters, Kohel, Spilecki, Carson, and Williams) and 1 – no (Samonisky).

#### C. DIAA Personnel and Pending or Adjudicated Charges

Mr. Holloway explained a situation regarding an official that has pleaded guilty to a felony charge and was maintaining a dwelling for the purpose of selling drugs. Mr. Holloway commented that the officials association told him that their bylaws had no clause that would make this individual ineligible to officiate games in this state and wanted to know if DIAA has any rules that address this type of situation. Mr. Holloway explained that he contacted surrounding states and stated that a similar situation occurred in Pennsylvania and they have since changed their rules and now has a section in their bylaws which allows them to remove an official if they have pleaded guilty to charges such as this. Mr. Holloway further explained that New Jersey has also recently added a rule similar to Pennsylvania and that Maryland does not have a rule that would handle these types of situations but that Maryland recently had a similar situation where they suspended the official. After some discussion Dr. Carson made a motion to suspend the official for the remainder of the 2004-05 school year and to start with adding language to our regulations to handle situations such as these. The motion was seconded by Mr. Robinson and carried unanimously.

#### B. Freedom of Information Act Requests

Mr. Holloway commented on a request he received from the Northern Delaware Basketball Officials association which will be on the agenda for the next meeting and he would like the Board members to review.

#### VII. Public Comment

None

#### VIII. Adjournment

Mr. Reed made a motion to adjourn at 12:10 p.m. The motion was seconded by Mr. Passwaters and carried unanimously.

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Tina Tyre