

DIAA Board of Directors' Meeting Minutes  
October 13, 2005  
John W. Collette Education Resource Center

I. Opening

A. Call to Order

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

B. Roll Call

The following DIAA Board members were present: Mark Holodick, Ted Williams, Gerald Allen, Phyllis Kohel, Kathleen Wilbur, Debbie Corrado, Joan Samonisky, John Oliver, Dr. Dianne Sole, Michael Wagner, Dr. Garrett Lyons, Dr. Lewis Atkinson, Robert Reed, and Zane Robinson. Kevin Charles, Executive Director, Mary Cooke, Deputy Attorney General, and Paula Fontello, Deputy Attorney General were also in attendance. Dr. Robert Andrzejewski, Sister Ann Michele, Ed Kee, Dr. Jeffery Hawtof were unable to attend.

C. Approval of Agenda

Mr. Holodick stated that there was an addendum to the agenda adding Items III. G. Consideration of Boys' Soccer Committee Chairperson and seven additional tournament sanctions. Ms. Samonisky made a motion to approve the agenda as amended. The motion was seconded by Mr. Oliver and carried unanimously.

E. Approval of Minutes of the September 8, 2005, Board of Directors' Meeting

Mr. Reed made a motion to accept the September 8, 2005 minutes as submitted. The motion was seconded by Dr. Sole and carried unanimously.

F. Financial Report

Mr. Charles reviewed the financial report and commented on the income and expenses that has recently been received. Mr. Robinson questioned the amount of expense for individual wrestling. Mr. Charles commented that refractometers were recently purchased and that this expense should be moved to the appropriate category.

II. Public Comment

None.

III. Action Items

D. Approval of Tournament Sanctions

Mr. Charles reviewed the sanctioned events and stated that he has checked all the schools to make sure they fall into the guidelines to allow Delaware schools to

compete in these events. Mr. Robinson made a motion to approve the sanctioned events. The motion was seconded by Ms. Samonisky and carried unanimously.

E. Consideration of Amendment to 14 DE Admin Code 1009.2.1.1 and 1008.2.1.1.1

Mr. Charles explained that the language in these rules discuss the age eligibility requirement. Mr. Charles commented that the language regarding the date is difficult to understand and should be made clearer. Ms. Fontello commented that she would work with Mr. Charles to find a clearer language or an explanation could be put in the Question and Answer section. After some discussion on possibly changing the date for when a student turns 19 the consensus of the Board was to keep the date the same. Mr. Charles then reviewed the PIAA language regarding the same rule and commented that it was easier to understand. Mr. Williams made a motion to amend Regulation 1008.2.1.1.1 and 1009.2.1.1 to include language that states June 15 immediately preceding the school year contingent upon review by Board's attorney and presentation to this Board at the November meeting. The motion was seconded by Ms. Kohel and carried unanimously.

F. Request for Membership by St. Ann's Episcopal Middle School

Mr. Charles explained that he was contacted by St. Anne's Episcopal Middle School requesting membership to DIAA. Mr. Charles stated that the school has already sent in their dues pending approval of their membership. Mr. Charles reviewed the request and explained what grades the school has and what sports it will be offering. Mr. Robinson made a motion to approve the request. The motion was seconded by Dr. Sole and carried unanimously.

G. Consideration of Boys' Soccer Committee Chairperson

Mr. Charles commented that he recently had a conversation with the Boys' Soccer Committee Chairperson, John Myers, who is interested in reducing his role on the Committee to being co-chair for this year and a regular member next year. Mr. Charles explained that he has spoken with Bob Bussiere who is interested in becoming chairperson of this committee. Ms. Wilbur made a motion to accept the recommendation of Mr. Bussiere becoming the chairperson of the Boys' Soccer Committee. The motion was seconded by Mr. Allen and carried unanimously.

IV. Executive Director Report

A. Use of Ineligible Player/Self Report

Mr. Charles explained that Anthony Puella, Athletic Director for Delaware Military Academy, self reported the use of an ineligible player in a varsity volleyball game versus Mt. Pleasant. Mr. Charles further explained that the game resulted in a loss for Delaware Military Academy so there was no forfeit involved

but the athletic director wanted to self report this and will take steps in the future so that this does not happen again.

B. Status of IAABO #11 Appeal to State Board of Education

Mr. Charles commented that the IAABO appeal has been scheduled for October 18, 2005. Ms. Fontello commented that the hearing officer for this hearing is Dr. Nancy Wilson. Ms. Fontello stated that a response with legal argument has been supplied. Ms. Fontello commented that NDBO and Board 11 had the opportunity to submit written paperwork.

C. Christina School District Case

Mr. Charles deferred this item to a later date.

D. Update from DIAA Media Sub-Committee

Mr. Charles commented that he recently had a request from CN8 to broadcast the girls' basketball final on a 24-hour tape delay basis instead of a 48-hour delay. Mr. Charles explained that there was no regulation regarding this but that in the tournament manual it states that there is a minimum of a 48-hour delay. Mr. Charles explained that the reason for this request is that CN8 will be taping the game on Friday and want to show it on Saturday. Mr. Charles stated that he asked CN8 not to broadcast the game before 7:00 p.m. Saturday. Some discussion ensued regarding CN8 broadcasting the game no matter what team was in the final. The consensus of the Board was to have the executive director communicate with CN8 and come back to the November meeting.

III. A. Request for Waiver of 14 DE Admin Code 1009.2.7.1 for A. L.

The Board recessed at 10:50 a.m. and reconvened at 10:05 a.m.

Mr. Holodick explained that the parents or student for this request were not in attendance but that the principal was. Mr. Holodick was asking the Board if they would allow the principal to present to the Board at this time and when the parent arrives the Board could hear that presentation at that time. Mr. Williams made a motion to go into executive session as the student or parents are not present at this time. The motion was seconded by Dr. Lyons and carried unanimously. Mr. Williams made a motion to table this request until the parent arrives. The motion was seconded by Ms. Wilbur and carried unanimously.

B. Request for Waiver of 14 DE Admin Code 1009.2.7.1 for J.S.

Charles Baldwin, Commandant of Delaware Military Academy, Joan and Jarl Swanson; parents of Jennifer, and Jennifer Swanson were in attendance to present this request. Mr. Holodick explained that there are 17 members of the DIAA

Board and that only 13 were present today and they for a request to be approved there would have to be 10 affirmative votes. Jennifer requested an open hearing.

Mr. Charles first reviewed a positive sportsmanship report received from a Delaware Military Academy boys' soccer game.

Mr. Charles then explained that this was a request for a fifth year of eligibility and that the student was age eligible. Mr. Charles stated that she has had two years of JV volleyball at Caravel and transferred to DMA and did not participate in the 2003-04 school year but did play JV volleyball for DMA during the 2004-05 school year. Ms. Fontello entered the materials submitted by Jennifer as part of the record. Jessica stated that this request was based on that of a hardship based upon her academics when she transferred from Caravel to DMA.

Jennifer commented that she transferred to DMA for a more structured environment. Jennifer also commented that she was not aware that after transferring to DMA that she would not be eligible for athletic participation her senior year. Jennifer stated that volleyball is her favorite sport and would like to play in college. Mrs. Swanson commented that it was Jennifer's decision to attend DMA and felt that it was a very mature decision on Jennifer's part. Mr. Baldwin commented that he came before this Board one other time for the same situation and has made steps to prevent this from occurring again.

Jennifer explained that the hardship was her academics and that she did not do well academically at Caravel because she needed a more structured environment. Mr. Baldwin commented that he felt that he placed the hardship on Jennifer due to his ignorance of the rule.

Mr. Williams made a motion to go into deliberation for the purpose of discussing the waiver. The motion was seconded by Dr. Lyons and carried unanimously. Mr. Robinson made a motion to come out of deliberation. The motion was seconded by Mr. Wagner and carried unanimously.

Mr. Williams commended Jennifer for being more concerned about her academics than any other activity. Mr. Williams made a motion to deny the waiver request for because the hardship has not been proven and that the fifth year was Jennifer's own decision and not that she was academically ineligible. The motion was seconded by Mr. Robinson and carried unanimously.

B. Request for Waiver of 14 DE Admin Code 1009.2.7.1 for N.G.

Keith Jones, athletic director at Mt. Pleasant High School, Judith Berry; Nolan's mother, and Mr. Berry; Nolan's father were in attendance to present this request. Mr. Holodick explained that there are 17 members of the DIAA Board and that only 13 were present today and they for a request to be approved there would have to be 10 affirmative votes. Nolan Green requested an open hearing.

Mr. Charles explained that this request was for a fifth year of eligibility due to a medical hardship presented which prohibited Nolan from participating in athletics during the school years 2000 through 2002. Mr. Charles stated that he is age eligible and he previously participated in football and track and that Nolan was asking to be able to participate in the remainder of the football season and indoor track.

Nolan explained that he missed a lot of school for medical reasons and also from his grandmother's illness.

Mr. Williams made a motion to go into deliberation. The motion was seconded by Ms. Wilbur and carried unanimously. Ms. Kohel made a motion to come out of deliberation. The motion was seconded by Dr. Sole and carried unanimously.

Ms. Kohel made a motion to approve the request for waiver based upon the information received from Dr. Data and that Nolan will have to become academically eligible and remain academically eligible to participate and that this is for the 2005-06 school year. The motion was seconded by Mr. Williams and carried unanimously.

The Board recessed for lunch at 12:00 p.m. and reconvened at 12:15 p.m. for a working lunch.

A. Request for Waiver of 14 DE Admin Code 1009.2.7.1 for A.L.

Mr. Holodick stated that Ms. Lee was now here to present the request for her son Alfred Lee. Mr. Williams made a motion to lift this item from the table. The motion was seconded by Mr. Reed and carried unanimously. This request was held in executive session. Mr. Reed made a motion to go into deliberation. The motion was seconded by Mr. Allen and carried unanimously. Mr. Reed made a motion to come out of deliberation. The motion was seconded by Dr. Sole and carried unanimously. Ms. Kohel made a motion to come out of executive session. The motion was seconded by Mr. Wagner and carried unanimously. Mr. Robinson made a motion to approve this request due to the fact that the hardship has been shown. The motion was seconded by Mr. Allen and carried unanimously.

IV. Executive Director Report

E. Outfitting School Teams by Sporting Goods Companies

Mr. Charles commented that he received a request from an athletic director to consider an offer their school received from Nike to equip their girls basketball team with uniforms, basketballs, warm-ups, and shoes for the entire team. Mr. Charles reviewed DIAA Regulations regarding such offers. Mr. Charles commented that he spoke to surrounding states and each state stated that they would allow Nike to provide these items to the school but the offer would have to be made to the school

administration and controlled by the school and not to the individual or individual team. After considerable discussion Mr. Holodick commented that this issue should be referred to the Media Committee, receive legal council, and also see how the Secretary of Education feels about this issue.

F. NFHS Survey on Religious Exemptions from Sports Physicals

Mr. Charles shared with the Board the results of a nationwide survey by the NFHS on exemptions on sports physicals for religious purposes.

VI. Public Comment

A. Bill Stearette – Election of All-State Teams

Mr. Stearette presented statistics on inconsistencies on all star selection and his belief that there is a need for some over site in the all-star selection process.

VII. Adjournment

Mr. Allen made a motion to adjourn at 1:30 p.m. The motion was seconded by Ms. Wilbur and carried unanimously.

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Tina Hurley