

DIAA Board of Directors' Meeting Minutes  
September 14, 2006  
Collette Building

I. Opening

A. Call to Order

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

B. Roll Call

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

C. Approval of Agenda

Mr. Holodick commented that Item III. C. was being removed and that Item III G. was being added. Mr. Williams made a motion to accept the agenda with the addendum. The motion was seconded by Ms. Corrado and carried unanimously.

D. Approval of Minutes of the August 10, 2006 Board of Directors' Meeting

Ms. Wilbur made a motion to approve the minutes of the August 10, 2006 Board of Directors' Meeting as submitted. The motion was seconded by Dr. Sole and carried unanimously.

E. DIAA Financial Report

Mr. Charles reviewed the financial report and commented that the income for August was due largely from the money received for member dues and prepaid entry fees. Mr. Charles also reviewed the expenses for the month of August. Mr. Reed made a motion to accept the financial report. The motion was seconded by Mr. Wagner and carried unanimously.

II. Public Comment

None

III. Action Items

E. Request for Approval of Tournament Sanctions

Mr. Charles commented that the requests for sanction have all meet the normal review process and recommends sanctioning. Ms. Kohel made a motion to approve

the requests for sanction. The motion was seconded by Dr. Sole and carried unanimously.

F. Approval for Executive Director & Coordinator of Officials to attend Section II Meeting in Philadelphia

Mr. Charles stated that he was asking for approval for Tommie Neubauer and himself to attend the Section II meeting that was being held in Philadelphia. Mr. Charles explained that the discussions held at this meeting would be very beneficial to the DIAA office and staff. Mr. Charles stated that the cost of this trip was in this years' budget. Mr. Williams made a motion to approve the request. The motion was seconded by Ms. Corrado and carried unanimously.

A. Request for Waiver of 14 DE Admin Code 1009.2.4 for S.L.

At the outset of the hearing, Michael Wagner recused himself from this matter. Mike Wagner; athletic director for Lake Forest High School, mother of student, and student were in attendance to present this request. Ms. Fontello, the Deputy Attorney General, explained to Mother that there are 17 voting members of which only 10 members were present at this meeting and they would need 10 affirmative votes to pass this request. The student and his Mother confirmed that they understood and wished to proceed and the waiver hearing continued. Mr. Williams made a motion to go into executive session because the mother requested a closed hearing as an exception to the freedom of information act for protection of privacy of pupil files. The motion was seconded by Dr. Sole and carried unanimously. After testimony was concluded, Mr. Reed made a motion to go into deliberation. The motion was seconded by Mr. Allen and carried unanimously. While in deliberation the hearing for S.L. was discussed. Mr. Williams made a motion to come out of deliberation. The motion was seconded by Mr. Allen and carried unanimously. Mr. Williams made a motion to come out of executive session. The motion was seconded by Mr. Allen and carried unanimously. Mr. Williams made a motion to grant the request based upon the hardship of students grades being impacted by health issues relating to his father and grandfather. The motion was seconded by Mr. Allen and failed on a vote of 2 – no (Sole and Wilbur) and 8 – yes (Holodick, Williams, Allen, Kohel, Corrado, Marvel, Sister Ann, and Reed).

The Board recessed from 10:45 a.m. to 10:55 a.m.

B. Request for Waiver of 14 DE Admin Code 1009.2.7 for E.I.

Tanya Braun-Web; athletic director for Newark High School and mother and student were in attendance to present this request. Ms. Fontello explained that there are 17 voting members of which only 11 members were present at this meeting and they would need 10 affirmative votes to pass this request. The student and his Mother confirmed that they understood and wished to proceed and the waiver hearing

continued. The mother requested a closed hearing. Ms. Wilbur made a motion to go into executive session because the mother requested a closed hearing as an exception to the freedom of information act for protection of privacy of pupil files. The motion was seconded by Mr. Reed and carried unanimously. After testimony was received, Mr. Williams made a motion to go into deliberation. The motion was seconded by Ms. Wilbur and carried unanimously. While in deliberation the request for E.I. was discussed. Ms. Kohel made a motion to come out of deliberation. The motion was seconded by Mr. Williams and carried unanimously. Mr. Williams made a motion to come out of executive session. The motion was seconded by Ms. Marvel and carried unanimously. Ms. Kohel made a motion to deny the request based upon the Student's failure to establish a hardship under DIAA's four-year eligibility rule and the fact that the student chose to repeat the 11<sup>th</sup> grade. The motion was seconded by Mr. Allen and carried unanimously.

D. Request for Waiver of 14 DE Admin Code 1009.2.7 for J.H.

Kim Huggins; athletic director for Christiana High School, Matt Hammond; head soccer coach at Christiana High School, and student were in attendance to present this request. Ms. Fontello explained that there are 17 voting members of which only 11 members were present at this meeting and they would need 10 affirmative votes to pass this request. The student understood this and the hearing proceeded. Ms. Wilbur made a motion to go into executive session because the student requested a closed hearing as an exception to the freedom of information act for protection of privacy of pupil files. The motion was seconded by Mr. Reed and carried unanimously. After testimony was received, Ms. Marvel made a motion to go into deliberation. The motion was seconded by Dr. Sole and carried unanimously. While in deliberation the hearing for J.H. was discussed. Mr. Allen made a motion to come out of deliberation. The motion was seconded by Mr. Williams and carried unanimously. Mr. Reed made a motion to come out of executive session. The motion was seconded by Ms. Kohel and carried unanimously. Mr. Allen made a motion to grant the request for the school year 2006-07 on the hardship based on the student's language barrier and personal matters. The motion was seconded by Ms. Marvel and carried unanimously.

IV. Executive Director Report

A. Memo from Robert Kanaby, NFHS – “An Endless Summer League”

Mr. Charles reviewed a copy of a recent article he received from Robert F. Kanaby, the Executive Director of the NFHS. Mr. Charles stated that it was a powerful message and that he forwarded it to the member schools of DIAA.

B. Self-Report by Christiana HS – Use of Ineligible Player in 2005

Mr. Charles commented that this was a self-reported violation by Christiana High School regarding a football game played last year against Milford High School in which Christiana High School used an ineligible player. Mr. Charles further

explained that Christiana High School did send a letter to Milford High School and forfeited the game.

C. Self-Report by Sussex Central High School – Started Practice on August 14, 2006

Mr. Charles commented on a self-reported violation he received from Sussex Central High School where all fall sports practices started a day early. Mr. Charles stated that the athletic director did receive a strong reprimand from the Superintendent. The Board recommended that the executive director send a letter regarding the violation and future infractions under the rules.

D. Discussion Regarding Appoquinimink Suspension of Middletown HS Football Coach

Mr. Charles informed the Board about information eh received on the suspension of the football coach at Middletown High School. Mr. Charles informed the Board of his determination based on the information received that this was not a sportsmanship violation.

III. Action Items

G. Request for Waiver of 14 DE Admin Code 1008.2.7 for D.B.

Brice Reed; Principal at Selbyville Middle School, Kevin Brady; father to Daniel Brady, and Daniel Brady were in attendance to present this request. The request was held in open session. Ms. Fontello explained that there are 17 voting members of which only 11 members were present at this meeting and they would need 10 affirmative votes to pass this request. Mr. Brady understood this and the hearing proceeded. Mr. Reed commented that he recently to the position as principal and that he recently became familiar with Daniel Brady. Mr. Reed explained that they were requesting a waiver of DIAA Regulation 1008.2.7 due to medical reasons. Mr. Brady explained some of Daniel's history and medical problems and commented that the medical problems and some family issues are the reason Daniel repeated the eighth grade. Mr. Williams made a motion to approve the request based on the medical hardship and granted Daniel eligibility for his second eighth grade year. The motion was seconded by Ms. Kohel and carried unanimously.

V. Other

V. Public Comment

None.

VI. Adjournment

Ms. Kohel made a motion to adjourn at 1:15 p.m. The motion was seconded by Mr. Wagner and carried unanimously.

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Tina Hurley