

DIAA Board of Directors' Meeting Minutes  
October 12, 2006  
Collette Building

I. Opening

A. Call to Order

The meeting was called to order at 9:05 a.m. by DIAA Vice-Chairperson Ted Williams.

B. Roll Call

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

C. Approval of Agenda

Dr. Hawtof made a motion to approve the agenda as amended. The motion was seconded by Mr. Oliver and carried unannimously.

D. Approval of Minutes of the September 14, 2006 Board of Directors' Meeting

Ms. Wilbur made a motion to approve the minutes of the September 14, 2006 Board of Directors' Meeting as submitted. The motion was seconded by Dr. Lyons and carried unanimously.

E. DIAA Financial Report

Mr. Charles reviewed the financial report and reviewed both the income and expenses. Mr. Charles commented the number of Sportsmanship awards increased which will result in the program being over budget.

II. Public Comment

None

III. Action Items

G. 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. Samonisky made a motion to approve the requests for sanction. The motion was seconded by Mr. Allen and carried unanimously.

## IV. A. Self-Report by Wilmington Charter School

Mr. Charles reviewed a situation that was brought to his attention by the athletic director at The Charter School of Wilmington. Mr. Charles explained that a boys' lacrosse player had participated in games during the 2005-06 school year but did not have a physical on file. Mr. Charles stated that the athletic director assured him that this will not happen again and that he was sending letters to the schools involved informing them of their forfeiture. Mr. Williams suggested sending a letter of reprimand to the school and also to look into putting something into the DIAA Regulations regarding a fine for incorrect eligibility lists.

## B. Request for Use of T-Mobile Funds

Mr. Charles explained there was concern expressed that the Diamond State Classic tournament would be taking a hit financially because St. Elizabeth High School was participating in the T-Mobile Tournament and not the Diamond State Classic. Mr. Charles stated that it had been suggested that part of the money that the state would be receiving from T-Mobile be given to the Diamond state Classic. The consensus of the Board was that the money received from T-Mobile would be for all DIAA member schools and not the Diamond State Classic.

## C. Mouth guards in Volleyball, Baseball, and Softball

Mr. Charles explained some concerns he has been receiving regarding mouth guards preventing communication in volleyball resulting in an increased number of collisions. Mr. Charles stated that he was asking Dr. Axe to discuss this issue at the next Sports Medicine Committee meeting. Mr. Williams made a recommendation that if the Sports medicine Committee recommends revising the rule for the mouth guards for contact sports the Executive Director should accept it. This was the consensus of the Board.

## D. Tobacco Prevention Mini Grant

Mr. Charles reviewed the grant DIAA received from the Tobacco Coalition. He stated that the grant was for \$7,900.00 and would cover tournament program ads and banners promoting an anti-tobacco use message at DIAA championship events.

## III. A. Request for Waiver of 14 DE Admin Code 1009.2.4 for K.H.

At the outset of the hearing, Phyllis Kohel recused herself from this matter. Phyllis Kohel; athletic director for Milford High School, Glen Stevenson; athletic director at Milford High School, mother of student, and student were in attendance to present this request. Ms. Murphy, the Deputy Attorney General, explained to Mother that

there are 17 voting members of which only 12 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 student requested a closed hearing. Dr. Hawtof 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. Allen and carried unanimously. After testimony was concluded, Dr. Lyons made a motion to go into deliberation. The motion was seconded by Dr. Hawtof and carried unanimously. While in deliberation the hearing for K.H. was discussed. Dr. Lyons made a motion to come out of deliberation. The motion was seconded by Mr. Reed and carried unanimously. Dr. Lyons made a motion to come out of executive session. The motion was seconded by Mr. Allen and carried unanimously. Dr. Lyons made a motion to grant the request to waive rule 2.4.2.5 and the 90 day period of ineligibility. The motion was seconded by Mr. Allen and carried on a vote of 10- yes (Williams, Allen, Samonisky, Marvel, Oliver, Wagner, Lyons, Sister Ann Michele, Reed, and Hawtof) and 2 – no (Wilbur and Corrado).

B. Request for Waiver of 14 DE Admin Code 1009.2.6 for M. S.

Parents of student and student were in attendance to present this request. The parents requested a closed hearing. Ms. Murphy, the Deputy Attorney General, explained to Mother that there are 17 voting members of which only 12 members were present at this meeting and they would need 10 affirmative votes to pass this request. The parents confirmed that they understood and wished to proceed and the waiver hearing continued. Mr. Williams made a motion to go into executive session. The motion was seconded by Dr. Hawtof and carried unanimously. Mr. Reed made a motion to go into deliberation. The motion was seconded by Dr. Hawtof and carried unanimously. While in deliberation the request for M. S. was discussed. Mr. Williams made a motion to come out of deliberation to ask the parents some questions. The motion was seconded by Dr. Lyons and carried unanimously. Dr. Hawtof made a motion to go into deliberation. The motion was seconded by Sister Ann Michele and carried unanimously. Mr. Reed made a motion to come out of deliberation. The motion was seconded by Ms. Marvel and carried unanimously. Dr. Hawtof made a motion to come out of executive session. The motion was seconded by Mr. Oliver and carried unanimously. Dr. Hawtof made a motion to approve the waiver request for rule 2.6 eligibility based on the testimony of hardship that the family was asked to go above and beyond what they are required to do in which case it did not allow them to correctly complete the year of eligibility. The motion was seconded by Mr. Reed and carried on a vote of 12 – yes (Holodick, Williams, Allen, Corrado, Samonisky, Marvel, Oliver, Wagner, Lyons, Sister Ann Michele, Reed, Hawtof) and 1 – No (Wilbur).

C. Request for Waiver of 14 DE Admin Code 1009.2.7 for M.L.

Keith Jones; athletic director at Mt. Pleasant High School, Patricia Powel; Matt's mother, and Matt London were in attendance to present this request. Ms. Murphy, the Deputy Attorney General, explained to Matt that there are 16 voting members of which only 12 members were present at this meeting and they would need 10 affirmative votes to pass this request. Matt confirmed that he understood and wished to proceed and the waiver hearing continued. Mr. London explained the personal circumstances which caused him fail the 9<sup>th</sup> grade and that he was asking for a fifth year of eligibility. After some discussion, Mr. Allen made a motion to approve this request based on the hardship that was presented. The motion was seconded by Ms. Marvel and carried unanimously.

D. Request for Waiver of 14 DE Admin Code 1009.2.6 for J.B.

Student requested a closed hearing. Student, Clarence Giles; guidance counselor, Cara Phillips; friend, and Shelby Phillips friend were in attendance to present this request. Ms. Murphy, the Deputy Attorney General, explained to Student that there are 16 voting members of which only 12 members were present at this meeting and they would need 10 affirmative votes to pass this request. The student confirmed that he understood and wished to proceed and the waiver hearing continued. Mr. Reed made a motion to go into deliberation. The motion was seconded by Ms. Wilbur and carried unanimously. Dr. Lyons made a motion to come out of deliberation. The motion was seconded by Mr. Wagner and carried unanimously. Dr. Hawtof made a motion to go into deliberation. The motion was seconded by Dr. Lyons and carried unanimously. Dr. Hawtof made a motion to come out of deliberation. The motion was seconded by Dr. Lyons and carried unanimously. Dr. Lyons made a motion to approve the request based on the hardship presented. The motion was seconded by Mr. Reed and carried unanimously.

E. F. Request for Waiver of 14 DE Admin Code 1009.2.7 for Vi. W. and Va. W.

The students and Matt Donovan; assistant principal at Caesar Rodney High School were in attendance to present this request. Ms. Murphy, the Deputy Attorney General, explained to the students that there are 17 voting members of which only 12 members were present at this meeting and they would need 10 affirmative votes to pass this request. The student confirmed that they understood and wished to proceed and the waiver hearing continued. Ms. Murphy also suggested the students have their appeals heard at the same time since the facts of the cases were identical. The students agreed to a dual hearing. The students requested a closed hearing. Dr. Hawtof made a motion to go into deliberation. The motion was seconded by Mr. Wagner and carried unanimously. Mr. Allen made a motion to come out of executive session for sole purpose of voting on this request. The motion was seconded by Dr. Lyons and carried unanimously. Mr. Allen made a motion to deny the requests based on the evidence and testimony given. The motion was seconded by Dr. Hawtof and carried unanimously.

V. Other

V. Public Comment

None.

VI. Adjournment

Ms. Wilbur made a motion to adjourn at 1:40 p.m. The motion was seconded by Dr. Hawtof and carried unanimously.

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Tina Hurley