

DIAA Board of Directors' Meeting Minutes
Thursday, April 19, 2012 – 9:00 a.m.
John W. Collette Education Resource Center

I. Opening

A. Call to Order

The meeting was called to order at 9:35 a.m. by Gerald Kobasa, DIAA Chairperson.

B. Roll Call

The following DIAA Board members were present: Gerald Kobasa, Terre Taylor, Joe Thomson, Craig Eliassen, Susan Coffing, Pam Love, Harvey Hyland, Ron Eby, Laura Leone, Curtis Bedford, Woody Long, and Dr. Amelia Hodges. Thomas Neubauer; Coordinator of Officials, who was filling in for Kevin Charles, and Paula Fontello, Deputy Attorney General, were also in attendance. Dr. Rene Knight-Peguero, Kate Marvel, Dr. Kevin Fitzgerald, Edna Cale, Dave Thomas, Dr. Mark Holodick, and Dr. Robert Walter were unable to attend the meeting.

C. Approval of Agenda

Mr. Kobasa stated that Item III. B was being removed from the agenda. Mr. Long made a motion to approve the amended agenda. The motion was seconded by Ms. Coffing and carried unanimously.

D. Approval of Minutes of March 15, 2012 Board of Directors' Meeting

Mr. Long made a motion to approve the minutes of March 15, 2012 Board of Directors' meeting. The motion was seconded by Mr. Thomson and carried unanimously.

E. DIAA Financial Report

Mr. Neubauer presented the financial report for the period of March 9, 2012 through April 11, 2012. Mr. Neubauer advised that the income for the reporting period was \$221,024 and the overall income is \$637,665.23 which is 88% of the projected budget. Mr. Neubauer stated that the income was from tournament revenue, officials dues, and TeamIP stipend payment. Mr. Neubauer stated that the expenses to date \$593,192.68 and for the reporting period are \$125,394.53. Mr. Neubauer stated that the expenditures are about 82% of the projected budget. Mr. Neubauer stated that the expenses are from salary and OEC's, tournament expenses and other miscellaneous. Mr. Neubauer reported that the balance for the year is \$44,472.55 to the good. Mr. Neubauer commented that the contingency fund is above what it was last year at this time. Mr. Neubauer also commented that the new payment system to state tournament workers has resulted in a 15 - 28% increase in expenses.

Mr. Thomson commented on the contingency fund and that he would like to put on the agenda to look into expansion of services. Mr. Eliassen made a motion to approve the financial report. The motion was seconded by Mr. Long and carried unanimously.

II. Public Comment

None

III. A Approval of Tournament Sanctions

Mr. Neubauer presented the 18 recommended for approval all of which are track and field. Mr. Neubauer reviewed the requests and advised that to the best of his knowledge the sanction requests recommended for approval were in compliance with DIAA and the NFHS requirements. Mr. Eby made a motion to approve the recommendations. The motion was seconded by Mr. Bedford and carried unanimously.

F. Middle School Wrestling Weight Class Revisions

Mr. Neubauer commented that this is a request to waive DIAA regulations for current middle school weight classes for the 2012-13 school year and replace with a revised set of weight classes. Mr. Neubauer referred this item to Ron Eby, member of the DIAA State Wrestling Committee, to explain. Mr. Eby reported that at the request of the DIAA SWC all middle schools were polled regarding the validity of the current middle school weight classes. The response was that there was too large of a discrepancy in the higher weight classes (165 lbs to 250 lbs). The SWC created revised weight classes which narrows the gap at the upper weights and provides an additional opportunity for students weighing between 145 – 250 pounds. The revised weight classes are 76, 82, 88, 94, 100, 106, 112, 118, 124, 130, 136, 145, 155, 170, 185, and 250. Mr. Eby commented that the weight class of 185 lbs was added so there would not be such a large gap. Mr. Eby stated that the member schools and the SWC were in favor of the revised weight classes. Ms. Fontello recommended in addition to the waiver that this be referred to the Rules and Regulations Committee for review and action. Ms. Fontello explained that one option is to revise the regulation to allow for annual approval of weight classes rather than set the weight classes in the regulation. This change would allow annual review of the weight classes with adjustment as necessary. If that change is adopted, the weight classes would be listed in a FAQ rather than in regulation. Mr. Eby made a motion to approve a waiver of 1008.3.2.2 to allow the new weight classes to be in effect for the 2012 – 13 school year and to refer the matter to the Rules and Regulations Committee for permanent resolution. The motion was seconded by Mr. Long and carried unanimously.

D. Request for Waiver of 1009.2.4 by Appoquinimink HS for R. M.

Student and Student's mother were in attendance to present this request. A representative from the school did not appear. Student requested a closed hearing. Mr. Thomson made a motion to go into executive session for the purposes of protecting the pupil file as an exception to the Freedom of Information Act. The motion was seconded by Mr. Hyland and carried unanimously.

While in executive session, the hearing proceeded, evidence was taken, and the Board held deliberations. Ms. Fontello explained that DIAA is a 20 member Board and has 19 voting members. Ms. Fontello further explained that the law requires the affirmative vote of a majority of the voting members present in order to pass a waiver request. Ms. Fontello explained that there are 11 voting members present and participating to consider this matter. The parties confirmed that they understood and wished to proceed with less than the full Board present. All persons participating in this hearing were sworn in. All the documentation was made part of the record and in addition to the testimony given the Board considered and relied upon the written documentation provided.

Mr. Thomas made a motion to go into deliberation. The motion was seconded by Mr. Bedford and carried unanimously. Mr. Long made a motion to come out of deliberation. The motion was seconded by Ms. Taylor and carried unanimously. Mr. Long made a motion to come out of executive session. The motion was seconded by Mr. Eliassen and carried unanimously.

Mr. Thomson made a motion to deny the request because the student failed to meet the burden of proof and a hardship beyond the Student's election creation or control was not established. The motion was seconded by Mr. Long and carried unanimously by a vote of 10 – yes (Kobasa, Taylor, Bedford, Coffing, Thomson, Eliassen, Leone, Love, Hyland, Long, and Eby) and 0 – no..

C. Request for Waiver of 1009.2.4 by Wilmington Christian for J. K.

Student and Student's parents, Doug Haas; principal at Wilmington Christian, and Pam Love; athletic director at Wilmington Christian were in attendance to present this request. Ms. Love recused herself from the Board and appeared on behalf of the school. Student's Father requested a closed hearing. Mr. Long made a motion to go into executive session for the purposes of protecting the pupil file as an exception to the Freedom of Information Act. The motion was

seconded by Mr. Hyland and carried unanimously.

While in executive session, the hearing proceeded, evidence was taken, and the Board held deliberations. Ms. Fontello explained that DIAA is a 20 member Board and has 19 voting members. Ms. Fontello further explained that the law requires the affirmative vote of a majority of the voting members present in order to pass a waiver request. Ms. Fontello explained that there are 10 voting members present and participating to consider this matter. The parties confirmed that they understood and wished to proceed with less than the full Board present. All persons participating in this hearing were sworn in. All the documentation was made part of the record and in addition to the testimony given the Board considered and relied upon the written documentation provided.

Mr. Bedford made a motion to go into deliberation. The motion was seconded by Mr. Eliassen and carried unanimously. Ms. Leone made a motion to come out of deliberation. The motion was seconded by Mr. Hyland and carried unanimously. Ms. Taylor made a motion to come out of executive session. The motion was seconded by Mr. Hyland and carried unanimously.

Mr. Bedford made a motion to approve the request based on record and testimony presented and that a hardship was established. The motion was seconded by Mr. Eby and carried by a vote of 9 – yes (Kobasa, Taylor, Bedford, Thomson, Eliassen, Leone, Hyland, Long, and Eby) and 1 – no (Coffing).

G. Request for Waiver of 1009.2.2.2.1 & 1009.2.8.2 by Wilmington Christian

Doug Haas; principal at Wilmington Christian School and Pam Love; athletic director at Wilmington Christian School were in attendance to present this request. Ms. Love asked the Board to pull this waiver request from the agenda and refer it to the DIAA Rules and Regulations Committee for possible amendments to address participation of international students.

E. Officials Fee Proposal by DIOC and DIAA Officials Committee

Kelly Callahan from the DIOC and Joe Thomson, chair of the DIAA Officials Committee reviewed the Officials Fee Proposal for 2012-13 with the Board. Mr. Thomson stated that this proposal has been in the works for over one year. Mr. Thomson explained that this would unify the officials groups to be on the same type of pay scale which would make it easier for the athletic directors to administer. Mr. Thomson stated that the officials have worked at the same pay level since 2008. Mr. Thomson stated the DIOC and DIAA Officials

Committees are recommending approval for a 6% increase in fees effective for the 2012 – 2013 school year. Mr. Thomson also explained the fee schedule includes a 3% administration fee for all officials organizations. This is the first time a set administrative fee will be included in the officials fee schedule. Currently the rate for administration fee varies greatly and has no uniformity or predictability. The request to include this came from member schools and was approved by the DIOC on behalf of its members. Mr. Thomson stated that the New Castle County member schools voted to approve the fee schedule unanimously with one abstention and the Henlopen Conference voted 14 – 0 to approve the agreement. Ms. Callahan stated that this is a three-year contract. Ms. Fontello clarified that the fee schedule is presented to the Board for approval and not the draft contract. Ms. Fontello explained that she has not yet reviewed the draft contract. It was confirmed that the draft contract was included as a reference for the Board and not for approval. Mr. Thomson also stated that both the DIOC and the DIAA Officials Committees voted unanimously to approve the fee schedule. Mr. Eby made a motion to approve the amended fee schedule. The motion was seconded by Ms. Leone and carried unanimously.

IV. Executive Director Report

A. Legal

Ms. Fontello reported that the final two appeals before the State Board have concluded and that the State Board affirmed the DIAA decisions.

B. Misc.

Mr. Neubauer reported that Mr. Charles was invited to meet with the Delaware Association of Independent Schools. Mr. Neubauer commented that the DAIS schools were interested in discussing a number of topics including financial aid, recruiting, school marketing, international students, and relationship between public and private DIAA member schools. Mr. Neubauer commented that the DIAS schools expressed the concern that DIAA needs to explore an investigative branch. Mr. Neubauer stated that the DAIS schools would like to work cooperatively with the DIAA Rules and Regulations Committee on the topics discussed.

Mr. Neubauer then reported on the Glucagon legislation. It was explained that DIAA had been contacted about this issue by trainers and school nurses. Mr. Neubauer advised that the document was draft legislation.

Mr. Neubauer reviewed the Swimming and Diving report and stated that it was a very successful tournament.

Mr. Neubauer then reviewed some articles that were also included in the packet for Grace Firestone and Molly Cain.

V. Other

VI. Public Comment

None.

VII. Adjournment

Ms. Taylor made a motion to adjourn at 1:10 p.m. The motion was seconded by Mr. Eliassen and carried unanimously.

Tina Hurley