

DIAA Board of Directors' Meeting Minutes
Thursday, September 13, 2012 – 9:00 a.m.
John W. Collette Education Resource Center

I. Opening

A. Call to Order

The meeting was called to order at 9:15 a.m. by Terre Taylor. Ms. Taylor introduced Dr. Susan Haberstroh who is the Interim Associate Secretary for the College and Workforce Readiness Group at the Department of Education. Ms. Taylor also introduced Jessica Jamison who is an intern at Hodgson Vo-Tech and is shadowing Laura Leone.

B. Roll Call

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

C. Approval of Agenda

Ms. Marvel made a motion to approve the agenda. The motion was seconded by Ms. Leone and carried unanimously.

D. Approval of Minutes of DIAA August 9, 2012 Board Meeting

Mr. Thomson made a motion to approve the minutes of the August 9, 2012 Board meeting. The motion was seconded by Mr. Eby and carried unanimously.

E. DIAA Financial Report

Mr. Neubauer reported on the reporting period of August 1 through August 31, 2012. Mr. Neubauer stated that the revenue was \$23,753.00 which was primarily from officials' dues and member dues. Mr. Neubauer explained that the expenditures for this period were \$34,955.43. Mr. Neubauer stated that the expenditures included tournament expenses, salary and OEC's, rules publications, Sportsmanship Awards, NFHS Dues, and travel. Mr. Neubauer reported that DIAA is in the red at this time \$63,085.49 which is normal for this time of year. Mr. Neubauer stated that the contingency fund is now at \$615,601.00. Ms. Coffing made a motion to accept the financial report. The motion was seconded by Mr. Harvey and carried unanimously.

II. Public Comment

None

III. A Approval of Tournament Sanctions

Mr. Neubauer presented the 15 total sanction requests with eight cross country, one wrestling, three basketball, and three track and field. Based on the information presented all the approved requests are in compliance with DIAA and NFHS rules and regulations. Ms. Leone made a motion to approve the recommendations. The motion was seconded by Ms. Coffing and carried unanimously.

B. Request for Waiver of 1009.2.4 by Dickinson for A. E.

Eric Evans; father of the student (“Father”), Nichelle Pitt (“Mother”), Student, and Andy Dick; athletic director at John Dickinson High School were in attendance to present this request. Student’s father requested an open hearing. 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 participating and present to consider this matter. Ms. Fontello also explained the hearing procedures. 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. Ms. Fontello then reviewed all documents pertaining to this hearing and the documents were included in the record.

Ms. Pitt explained that she was requesting a waiver of the transfer rule because her son had been de-choiced from Conrad School of Science. Ms. Pitt further explained that her son loves sports and that she “gets a good position” from her son when he is participating in athletics and without it he tends to not focus.

Mr. Evans testified regarding the reasons for the waiver request. He stated that he understands the rule but not having sports to keep his son grounded will work in a negative way for his son. Mr. Evans explained that his son was de-choiced from Conrad because of disciplinary actions. Mr. Evans stated that not playing sports this year could discourage his son. Mr. Evans commented that he has spoken to his son about being a better student.

Mr. Dick commented that Student has been at Dickinson High School for a month and has not had any issues with the administration or teachers. Mr. Dick commented that he has also practiced with the team and has been very positive on the sidelines.

Student commented that playing football keeps him off the street and where he lives there is a lot of negative things going on. Student stated that the waiver would help him progress and keep him out of trouble. Student stated that he choiced to Conrad because of his interest in becoming an engineer. Student stated that he did not have an IEP or a 504 plan.

Ms. Pitt stated that she called the school last year for counseling. Ms. Pitt explained that she found out in the 6th grade what Students issues were. Ms. Pitt also stated that she did not want her son on medication. Ms. Pitt explained that she would inform the school of her son's condition and told them that her son had to be focused and he needed structure.

Student explained the history of his disciplinary record and that he needs to talk out problems to calm himself down.

In response to a question by a Board member, Student and his father stated that no one from Conrad ever talked to him about his disciplinary incidents.

Ms. Pitt commented that she felt that Dickinson High School had a better counseling program and is hoping that her son will get the help he needs. Ms. Pitt commented she felt her son had good Delaware Comprehensive Assessment test scores from the 10th grade.

Mr. Thomson made a motion to go into deliberation. The motion was seconded by Dr. Walter and carried unanimously. Ms. Marvel made a motion to come out of deliberation. The motion was seconded by Mr. Eliassen and carried unanimously.

When out of deliberation, the Board asked additional questions and allowed the family to provide additional testimony. Mr. Evans responded to a question from a Board member that he felt that "he dropped the ball" and wanted his son to have his independence and make his own decisions.

Mr. Dick stated that he believed there was a decision about 4 years ago regarding a student who was removed from a private school due to the number of demerits and the student was granted a waiver. Mr. Dick then commented that if the student was still at Conrad he would be eligible to play sports.

Mr. Eby made a motion to deny the request because Student failed to meet their burden of proof and establish a hardship. The motion was seconded by Mr. Eliassen and carried on a vote of 6 – yes (Eby, Taylor, Eliassen, Leone, Fitzgerald, and Holodick) and 5 – no (Thomson, Marvel, Hyland, Coffing, and Walter).

The Board recessed at 10:45 a.m. and reconvened at 11:05 a.m.

C. Request for Waiver of 1009.2.4 by William Penn for P. L.

Student and Student's mother and father, Mel Gardner; assistant athletic director at William Penn, and Sebrina Perialas; athletic director at William Penn High School were in attendance to present this request. Student's parents requested a closed hearing. Mr. Eby 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 Dr. Fitzgerald and carried unanimously. Ms. Fontello advised the parents that a Board member had a college intern shadowing her today and inquired if the Parents had any objection to the intern remaining in the room during the closed hearing. The parents stated that it was ok for the intern to stay in the hearing. It was confirmed that the intern was aware of the confidentiality of the pupil file.

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. Thomson made a motion to go into deliberation. The motion was seconded by Dr. Fitzgerald and carried unanimously. Ms. Marvel made a motion to come out of deliberation. The motion was seconded by Mr. Hyland and carried unanimously. Ms. Marvel made a motion to come out of executive session. The motion was seconded by Dr. Holodick and carried unanimously. Ms. Marvel made a motion to go back into executive session. The motion was seconded by Ms. Coffing and carried unanimously. The Board asked Student and Parents additional questions after deliberations and allowed family to present additional testimony. Ms. Marvel made a motion to come out of executive session. The motion was seconded by Ms. Coffing and carried unanimously.

Mr. Leone made a motion to approve the request because the evidence presented established a financial hardship. The motion was seconded by Ms. Marvel and carried by a vote of 11 – yes (Taylor, Thomson, Eliassen, Leone, Marvel, Hyland, Coffing, Fitzgerald, Holodick, Eby, and Walter) and 0 – no.

D. Request for Waiver of 1009.2.4 by Newark for T. E.

Student, Student's mother and father, and Steve Bastianelli; athletic director at Newark High School were in attendance to present this request. Student's parents requested a closed hearing. Ms. Leone 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 Ms. Coffing and carried unanimously. Ms. Fontello advised the parents that a Board member had a college intern shadowing her today and inquired if the Parents had any objection to the intern remaining in the room during the closed hearing. The parents stated that they had no objection and that the intern could stay in the hearing. It was confirmed that the intern was aware of the confidentiality of the pupil file.

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.

Ms. Marvel made a motion to come out of executive session. The motion was seconded by Ms. Coffing and carried unanimously.

Dr. Holodick made a motion to grant the request based on the testimony and documentation provided by the family had established a hardship. The motion was seconded by Dr. Fitzgerald and carried unanimously by a vote of 11 – yes (Holodick, Eby, Walter, Taylor, Thomson, Eliassen, Leone, Marvel, Hyland, Coffing, and Fitzgerald) and 0 – no.

The Board recessed at 11:30 a.m. and reconvened at 11:40 a.m.

E. Interim Waivers by Executive Director

1. 1009.2.4 by Newark for J. K.

Ms. Fontello advised that this matter is being considered under modified procedures with the consent of the parent and that the parent has requested a closed hearing for the purpose of protecting the privacy of the pupil file. Mr. Thomson made a motion to go into executive session for the purpose of

protecting the privacy of the pupil file as an exception to FOIA. 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 this request is being conducted under modified hearing procedures with the consent of the parents and that there is a signed consent from the student's parent in this case in order to proceed under these modified procedures. Ms. Fontello advised that a full hearing is scheduled for the October 11, 2012 meeting should it be necessary. Ms. Fontello explained that Mr. Charles deviated from the normal procedures in an attempt to accommodate the larger number of waiver requests received for fall sport athletes. Ms. Fontello explained that Mr. Charles granted two interim waivers one allowing the student to participate and the second to allow the student and parent not to appear for the hearing today. It was confirmed for the record that Mr. Neubauer remained under oath. The waiver packet and supporting documents, the letter sent to the parents from Mr. Charles, and the signed consent were made part of the record. Evidence was taken and deliberations were held.

Mr. Thomson made a motion to come out of executive session. The motion was seconded by Dr. Walter and carried unanimously. Mr. Thomson made a motion to grant the waiver and approve the two interim waivers granted by the Executive Director based on evidence presented the Student had met his burden of establishing a financial hardship and the information provided regarding the hardships that were beyond the control of the student. The motion was seconded by Mr. Eby and carried by a vote of 11 – yes (Taylor, Thomson, Eliassen, Leone, Marvel, Hyland, Coffing, Fitzgerald, Holodick, Eby, and Walter), and 0 – no. Ms. Fontello noted for the record that the waiver request is granted and the full hearing scheduled for October 11, 2012 is cancelled.

2. 1009.2.4 by Newark for M. F.

Ms. Fontello advised that this matter is being considered under modified procedures with the consent of the parent and that the parent has requested a closed hearing for the purpose of protecting the privacy of the pupil file. Mr. Hyland made a motion to go into executive session for the purpose of protecting the privacy of the pupil file as an exception to FOIA. The motion was seconded by Dr. Fitzgerald and carried unanimously.

While in executive session, the hearing proceeded, evidence was taken, and the Board held deliberations. Ms. Fontello explained that this request is being conducted under the modified hearing procedures and that there is a signed consent from the student's parent in this case in order to proceed under these modified procedures. Ms. Fontello advised that a full hearing is scheduled for

the October 11, 2012 meeting should it be necessary. Ms. Fontello explained that Mr. Charles deviated from the normal procedures in an attempt to accommodate the larger number of waiver requests received for fall sport athletes. Ms. Fontello explained that Mr. Charles granted two interim waivers one allowing the student to participate and the second to allow the student and parent not to appear today. It was confirmed for the record that Mr. Neubauer remained under oath. The waiver packet and supporting documents, the letter sent to the parents from Mr. Charles, and the signed consent were made part of the record. Evidence was taken and deliberations were held.

Ms. Coffing made a motion to come out of executive session. The motion was seconded by Dr. Holodick and carried unanimously. Ms. Coffing made a motion to grant the waiver and approve the two interim waivers granted by the Executive Director based on evidence presented the Student had met his burden of establishing a financial hardship and the information presented established a hardship that was beyond the control of the student. The motion was seconded by Mr. Eby and carried by a vote of 11 – yes (Taylor, Thomson, Eliassen, Leone, Marvel, Hyland, Coffing, Fitzgerald, Holodick, Eby, and Walter), and 0 – no. Ms. Fontello noted for the record that the waiver request is granted and the full hearing scheduled for October 11, 2012 is cancelled.

3. 1009.2.4 by Caravel for C. H.

Ms. Fontello advised that this matter is being considered under modified procedures with the consent of the parent and that the parent has requested a closed hearing for the purpose of protecting the privacy of the pupil file. Dr. Holodick made a motion to go into executive session for the purpose of protecting the privacy of the pupil file as an exception to FOIA. The motion was seconded by Ms. Leone and carried unanimously.

While in executive session, the hearing proceeded, evidence was taken, and the Board held deliberations. Ms. Fontello explained that this request is being conducted under the modified hearing procedures and that there is a signed consent from the student's parent in this case in order to proceed under these modified procedures. Ms. Fontello advised that a full hearing is scheduled for the October 11, 2012 meeting should it be necessary. Ms. Fontello explained that Mr. Charles deviated from the normal procedures in an attempt to accommodate the larger number of waiver requests received for fall sport athletes. Ms. Fontello explained that Mr. Charles granted two interim waivers one allowing the student to participate and the second to allow the student and parent not to appear today. It was confirmed for the record that Mr. Neubauer remained under oath. The waiver packet and supporting documents, the letter sent to the parents from Mr. Charles, and the signed consent were made part of the record. Evidence was taken and deliberations were held.

Dr. Holodick made a motion to come out of executive session. The motion was seconded by Mr. Thomson and carried unanimously. Dr. Holodick made a motion to grant the waiver and approve the two interim waivers granted by the Executive Director based on evidence presented the Student had met his burden of establishing a hardship and the information provided regarding the hardships that were beyond the control of the student. The motion was seconded by Mr. Eliassen. Dr. Fitzgerald made a motion to go back into executive session. The motion was seconded by Dr. Walter and carried unanimously. Dr. Walter made a motion to go into deliberations. The motion was seconded by Dr. Fitzgerald and carried unanimously. Dr. Fitzgerald made a motion to come out of deliberations. The motion was seconded by Mr. Eliassen and carried by a vote of 11 – yes (Taylor, Thomson, Eliassen, Leone, Marvel, Hyland, Coffing, Fitzgerald, Holodick, Eby, and Walter), and 0 – no. Dr. Fitzgerald made a motion to come out of executive session. The motion was seconded by Mr. Eby and carried unanimously. It was clarified that a pending motion remains for action and the motion was seconded by Mr. Eliassen. The motion carried unanimously 11-0. Ms. Fontello noted for the record that the waiver request is granted and the full hearing scheduled for October 11, 2012 is cancelled.

4. 1009.2.7 by Milford for D. C.

Ms. Fontello advised that this matter is being considered under modified procedures with the consent of the parent and that the parent has requested a closed hearing for the purpose of protecting the privacy of the pupil file. Ms. Marvel made a motion to go into executive session for the purpose of protecting the privacy of the pupil file as an exception to FOIA. The motion was seconded by Dr. Fitzgerald and carried unanimously.

While in executive session, the hearing proceeded, evidence was taken, and the Board held deliberations. Ms. Fontello explained that this request is being conducted under the modified hearing procedures and that there is a signed consent from the student's parent in this case in order to proceed under these modified procedures. Ms. Fontello advised that a full hearing is scheduled for the October 11, 2012 meeting should it be necessary. Ms. Fontello explained that Mr. Charles deviated from the normal procedures in an attempt to accommodate the larger number of waiver requests received for fall sport athletes. Ms. Fontello explained that Mr. Charles granted two interim waivers one allowing the student to participate and the second to allow the student and parent not to appear today. It was confirmed for the record that Mr. Neubauer remained under oath. The waiver packet and supporting documents, the letter sent to the parents from Mr. Charles, and the signed consent were made part of the record. Evidence was taken and deliberations were held.

Dr. Fitzgerald made a motion to come out of executive session. The motion was seconded by Mr. Hyland and carried unanimously. Dr. Fitzgerald made a motion to grant the waiver and approve the two interim waivers granted by the Executive Director based on evidence presented the Student had met his burden of establishing a medical hardship and the information provided regarding the hardships that were beyond the control of the student. The motion was seconded by Dr. Walter and carried by a vote of 11 – yes (Taylor, Thomson, Eliassen, Leone, Marvel, Hyland, Coffing, Fitzgerald, Holodick, Eby, and Walter), and 0 – no. Ms. Fontello noted for the record that the waiver request is granted and the full hearing scheduled for October 11, 2012 is cancelled.

5. 1009.2.7 by Dickinson for J. M.

Ms. Fontello advised that this matter is being considered under modified procedures with the consent of the parent and that the parent has requested a closed hearing for the purpose of protecting the privacy of the pupil file. Dr. Fitzgerald made a motion to go into executive session for the purpose of protecting the privacy of the pupil file as an exception to FOIA. The motion was seconded by Mr. Eby and carried unanimously.

While in executive session, the hearing proceeded, evidence was taken, and the Board held deliberations. Ms. Fontello explained that this request is being conducted under the modified hearing procedures and that there is a signed consent from the student's parent in this case in order to proceed under these modified procedures. Ms. Fontello advised that a full hearing is scheduled for the October 11, 2012 meeting should it be necessary. Ms. Fontello explained that Mr. Charles deviated from the normal procedures in an attempt to accommodate the larger number of waiver requests received for fall sport athletes. Ms. Fontello explained that Mr. Charles granted two interim waivers one allowing the student to participate and the second to allow the student and parent not to appear today. It was confirmed for the record that Mr. Neubauer remained under oath. The waiver packet and supporting documents, the letter sent to the parents from Mr. Charles, and the signed consent were made part of the record. Evidence was taken and deliberations were held.

Dr. Holodick made a motion to come out of executive session. The motion was seconded by Ms. Leone and carried unanimously. Dr. Holodick made a motion to grant the waiver and approve the two interim waivers granted by the Executive Director based on evidence presented the Student had met their burden of proof and established a hardship. The motion was seconded by Mr. Eliassen and carried by a vote of 11 – yes (Taylor, Thomson, Eliassen, Leone, Marvel, Hyland, Coffing, Fitzgerald, Holodick, Eby, and Walter), and 0 – no. Ms. Fontello noted for the record that the waiver request is granted and the full hearing scheduled for October 11, 2012 is cancelled.

6. 1009.2.7 by Laurel for C. B.

Ms. Fontello advised that this matter is being considered under modified procedures with the consent of the parent and that the parent has requested a closed hearing for the purpose of protecting the privacy of the pupil file. Mr. Eby made a motion to go into executive session for the purpose of protecting the privacy of the pupil file as an exception to FOIA. The motion was seconded by Ms. Leone and carried unanimously.

While in executive session, the hearing proceeded, evidence was taken, and the Board held deliberations. Ms. Fontello explained that this request is being conducted under the modified hearing procedures and that there is a signed consent from the student's parent in this case in order to proceed under these modified procedures. Ms. Fontello advised that a full hearing is scheduled for the October 11, 2012 meeting should it be necessary. Ms. Fontello explained that Mr. Charles deviated from the normal procedures in an attempt to accommodate the larger number of waiver requests received for fall sport athletes. Ms. Fontello explained that Mr. Charles granted two interim waivers one allowing the student to participate and the second to allow the student and parent not to appear today. It was confirmed for the record that Mr. Neubauer remained under oath. The waiver packet and supporting documents, the letter sent to the parents from Mr. Charles, and the signed consent were made part of the record. Evidence was taken and deliberations were held.

Mr. Eliassen made a motion to come out of executive session. The motion was seconded by Mr. Eby and carried unanimously. Mr. Eliassen made a motion to grant the waiver and approve the two interim waivers granted by the Executive Director based on evidence Student had established a hardship. The motion was seconded by Ms. Coffing and carried by a vote of 11 – yes (Taylor, Thomson, Eliassen, Leone, Marvel, Hyland, Coffing, Fitzgerald, Holodick, Eby, and Walter), and 0 – no. Ms. Fontello noted for the record that the waiver request is granted and the full hearing scheduled for October 11, 2012 is cancelled.

III. J. Request for Alternate Wrestling Season by Colonial & Brandywine Middle School

Mr. Neubauer explained that the request was an annual request by Colonial and Brandywine school districts. The request is to waive 1008.4.1.2, Winter Sports Season, for wrestling only. Mr. Neubauer explained that the school districts do this to accommodate use of the gyms and facilities for their students and also accommodates officials' availability. Mr. Eby made a motion to accept the request. The motion was seconded by Mr. Hyland and carried unanimously. Ms. Fontello clarified for the record that a representative from the school was

present and the matter was considered pursuant to the rules based upon the written request and the testimony by Mr. Neubauer.

F. Consideration of Interim Policy for International Students

Mr. Neubauer reminded the Board that Mr. Charles has brought to the Board for discussion what is happening with international students across the country. Mr. Neubauer stated that Mr. Charles reviewed regulations from other states that allowed International students to participate conditionally. Mr. Neubauer stated that Mr. Charles was presenting an interpretation of current regulations for consideration under the FAQ's for International Students. Ms. Fontello clarified that the information presented would actually be a regulatory change and would need to go through the formal process to amend the regulation. Ms. Fontello commented that there is also the request to consider whether or not to grant a blanket waiver to the International Students that are here until this regulation is actually modified. Mr. Neubauer stated that approving this would allow international students participation in the varsity level only after attending the school for a minimum period of time. Ms. Fontello suggested that the FAQ and draft regulation needed further legal review before action by the Board.

Dr. Fitzgerald made a motion to allow the Executive Director to grant interim waivers to the international students who are participating at the JV and varsity level pending our approval of the policy. The motion was seconded by Mr. Eliassen. Dr. Fitzgerald amended his motion and removed the JV clause. Mr. Eliassen accepted the amendment. The motion carried by a vote of 10 – yes (Thomson, Eliassen, Leone, Marvel, Hyland, Coffing, Fitzgerald, Holodick, Eby, Walter) and 1 – no (Taylor)

G. Consideration of Playon! Sports Proposal

Mr. Neubauer explained that Playon! Sports is a company that creates web streaming for high school events starting at the state tournament level but also offers services to high schools to do the same type of broadcasting. Mr. Neubauer stated that he and Mr. Charles have met with Playon! Representatives and is presenting this proposal for their review and possible approval. Mr. Neubauer stated that data from other states indicates this program should not adversely impact attendance. Mr. Neubauer also stated that the company is offering the schools a free web streaming component. Mr. Neubauer explained that this would be a turnkey operation. After some discussion it was the consensus of the Board to receive feedback from the member schools. It was also clarified that the document had not had any legal review. Dr. Holodick made a motion to have the Executive Director solicit input from the DIAA member schools athletic directors and administration and

provide the comments to the Board. The motion was seconded by Ms. Coffing and carried by a vote of 10 – yes (Taylor, Thomson, Eliassen, Leone, Marvel, Hyland, Coffing, Holodick, Eby, and Walter).

H. Consideration of Home Team Marketing Contract

Mr. Neubauer explained to the Board that this agreement with Home Team Marketing was approved in the past and wanted to know if the Board was still in favor. Mr. Eby made a motion for DIAA to continue looking into marketing strategies subject to legal review. The motion was seconded by Ms. Coffing and carried unanimously.

I. Interim Maximum Game Limits

Mr. Neubauer explained that in March of 2009 upon the recommendation of a sub-committee this Board passed interim game limitations that have now been incorporated into the regulations under a FAQ. Mr. Neubauer stated that Mr. Charles is reminding the Board of those limitations and asking if the Board wants to continue with those limitations or does the Board want to reconsider. Mr. Neubauer clarified that the change was made because of the financial constraints. Dr. Holodick made a motion to continue with this effort considering the current state of the economy combined with the number of districts that will be going out for operating referendums in the next two years. The motion was seconded by Ms. Coffing and carried by a vote of 10 – yes (Taylor, Thomson, Eliassen, Leone, Marvel, Hyland, Coffing, Fitzgerald, Holodick, and Walter) and 1 – no (Eby).

K. Consideration of New 1009.5 FAQ

Mr. Neubauer explained that a student attending a DE school won a college scholarship while participating in a non-school golf tournament. Current DIAA regulations are unclear as to whether receipt of the scholarship violates the DIAA amateur rule. Mr. Neubauer commented that Mr. Charles was bringing forth this interpretation of the DIAA regulation in a FAQ concerning 1009.2.5.1 for the Boards review in an effort to provide guidance regarding this matter. Ms. Fontello stated that this FAQ is interpreting the provision in 1008 & 1009 2.5.1.5 relating to “other valuable considerations”. Mr. Thomson made a motion to accept the interpretation and approve the FAQ. The motion was seconded by Ms. Leone and carried by a vote of 10 – yes and 0 – no.

IV. Executive Director Report

A. Ms. Fontello advised that she has nothing to report at this time.

B. Misc.

Mr. Neubauer reviewed the miscellaneous items which included a Sports Illustrated article, nomination for Mr. Charles for a position on the Board of Directors for the Delaware Sports Commission. Mr. Neubauer also reviewed the composition of the DIAA Board. Mr. Neubauer then congratulated Dr. Fitzgerald for receiving the Superintendent of the Year Award.

V. Other

VI. Public Comment

None.

VII. Adjournment

Ms. Leone made a motion to adjourn at 2:20 p.m. The motion was seconded by Mr. Eby and carried unanimously.

Tina Hurley