

DIAA Board of Directors' Meeting Minutes
Thursday, April 13, 2017– 9:00 a. m.
John W. Collette Education Resource Center

I. Opening

A. Call to Order

The meeting was called to order at 9:02 a. m. by Chairperson Dr. Bradley Layfield.

B. Roll Call

The following DIAA Board members were present: Dr. Bradley Layfield, Gary Cimaglia, Stan Waterman, Susanne Williams, Dr. Kevin Fitzgerald, Dr. Mark Holodick, Dr. Evelyn Edney, Ted Laws, Robert Watson, Mike Hart, Mike Breeding, Vetra Evans-Gunter, Douglas Thompson, Dr. Bradley Bley, Leroy Mann, Jeremy Jeanne, and Dr. Amelia Hodges. Thomas Neubauer, Executive Director, Laura Makransky, Deputy Attorney General, and DIAA staff Tina Bates was also in attendance. Robert Cilento, Craig Eliassen and Dr. Matthew Donovan were unable to attend.

C. Approval of Agenda

Mr. Breeding made a motion to approve the agenda. The motion was seconded by Ms. Evans-Gunter and carried unanimously, 12 – yes (Williams, Laws, Cimaglia, Layfield, Watson, Hart, Fitzgerald, Breeding, Holodick, Evans-Gunter, Thompson, and Jeanne) and 0 – no.

D. Approval of Minutes of DIAA March 9, 2017 Board Meeting

Mr. Laws made a motion to approve the minutes of the March 9, 2017 Board meeting. The motion was seconded by Mr. Hart and carried unanimously, 12 – yes (Williams, Laws, Cimaglia, Layfield, Watson, Hart, Fitzgerald, Breeding, Holodick, Evans-Gunter, Thompson, and Jeanne) and 0 – no.

E. DIAA Financial Report

Mr. Neubauer reported that to date the revenue received for the reporting period \$240,425 which was mostly from tournament revenue, member dues, and tournament entry fees. Mr. Neubauer reported that the expenses for the reporting period were \$89,086 which is normal for this time of year. The balance for the period is \$1,073,183. Mr. Laws made a motion to approve the financial report. The motion was seconded by Ms. Williams and carried unanimously, 13 – yes (Williams, Laws, Cimaglia, Layfield, Watson, Hart, Fitzgerald, Breeding, Holodick, Evans-Gunter, Thompson, Bley, and Jeanne) and 0 – no.

II. Public Comment

None.

III. A. Approval of Tournament Sanctions

Mr. Neubauer reported that there were 17 requests for sanctioning. Mr. Neubauer reported that the 17 events included 16 approved, 1 no action. Mr. Neubauer stated that to the best of his knowledge the 16 approved were in compliance with DIAA and NFHS regulations. Mr. Watson made a motion to approve the 16 sanction events. The motion was seconded by Mr. Hart and carried unanimously, 14 – yes (Waterman, Williams, Laws, Cimaglia, Layfield, Watson, Hart, Fitzgerald, Breeding, Holodick, Evans-Gunter, Thompson, Bley, and Jeanne) and 0 – no.

B. Request by DIFCA to Waive 1009.7.5.1

Mr. John Wilson, president of DIFCA and Fred Johnson DIFCA Board member were in attendance to present this request.

Mr. Wilson explained that he was proposing to hold a Safety First Football Camp supported by USA Football to educate coaches on Equipment Fitting, Concussion Recognition and Awareness, Heat and Hydration Awareness, Sudden Cardiac Arrest, Heads UP Blocking and Heads Up Tackling. Mr. Wilson commented that this training would then be reinforced with players throughout the camp and monitored by USA Football Master Trainers. Mr. Wilson explained that schools participating in this camp their coaches must receive training from the Heads Up Football Training.

Board members expressed concern on who would monitor the coaches to see if they received the training.

Dr. Holodick made a motion to accept the request and to include a list of all certified coaches to DIAA to be shared with all principals and superintendents ensuring any high school that host this camp has certified coaches. The motion was seconded by Dr. Fitzgerald and carried by a vote of 15 – yes (Waterman, Williams, Edney, Laws, Cimaglia, Layfield, Hart, Fitzgerald, Breeding, Holodick, Evans-Gunter, Thompson, Mann, Bley, and Jeanne) and 0 – no.

C. Request to Waive 1009.2.4 by Delmar HS DIAA 2017-4-2

Student's father was in attendance to present this request. The Board went into executive session for the purposes of discussing the request, including the content of the pupil file.

While in executive session, the hearing proceeded, evidence was taken, and

the Board held deliberations. 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 the written documentation provided.

The Board went into deliberation. The Board came out of deliberation and then came out of executive session.

Mr. Laws made a motion to deny the waiver request due to lack of evidence of a hardship. The motion was seconded by Mr. Breeding and carried by a vote of 15 – yes (Waterman, Donovan, Williams, Laws, Eliassen, Cimaglia, Layfield, Cilento, Hart, Breeding, Evans-Gunter, Thompson, Bley, Edney, Mann, and Jeanne), 0 – no, and 1 – abstention (Watson).

D. Request to Waive 1009.2.4 by McKean HS DIAA 2017-4-3

Student, Student's mother and Matt Carre; athletic director at Thomas McKean High School were in attendance to present this request. The Board went into executive session for the purpose of discussing the request, including the content of the pupil file.

While in executive session, the hearing proceeded, evidence was taken, and the Board held deliberations. 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 the written documentation provided.

The Board came out of executive session.

Mr. Jeanne made a motion to grant the waiver request because the student, his family, and the school established the five conditions for granting a waiver. The motion was seconded by Dr. Edney and carried by a vote of 16 – yes (Waterman, Williams, Laws, Edney, Cimaglia, Layfield, Watson, Hart, Breeding, Evans-Gunter, Thompson, Bley, Mann, Holodick, Fitzgerald, and Jeanne), 0 – no.

E. In the Matter of Interim Waiver Requests

1. 1009.2.4 by Middletown High School DIAA 2017-2-7

The Board went into executive session for the purpose of discussing the request, including the content of the pupil file.

While in executive session Mr. Neubauer was sworn in, the hearing proceeded, evidence was taken, and the Board held deliberations.

The Board then came out of executive session.

Dr. Holodick made a motion to approve the Executive Director's decision to grant a temporary waiver and to grant the waiver request because the student, her family, and the school established the five conditions for granting a waiver. The student, her family, and her school are not required to appear at the Board's May meeting. The motion was seconded by Mr. Laws and carried by a vote of 15 – yes (Waterman, Williams, Fitzgerald, Holodick, Layfield, Watson, Edney, Laws, Cimaglia, Thompson, Jeanne, Mann, Breeding, Evans-Gunter, and Bley) and 0 – no, and 1 – abstention (Hart).

2. 1009.2.4 by Dover HS DIAA 2017-4-1

The Board went into executive session for the purpose of discussing the request, including the content of the pupil file.

While in executive session Mr. Neubauer was sworn in, the hearing proceeded, evidence was taken, and the Board held deliberations.

The Board then came out of executive session.

Mr. Hart made a motion to approve the Executive Director's decision to grant a temporary waiver and to grant the waiver request because the student, her family, and the school established the five conditions for granting a waiver. The student, her family, and her school are not required to appear at the Board's May meeting. The motion was seconded by Mr. Laws and carried by a vote of 15 – yes (Waterman, Williams Fitzgerald, Holodick, Layfield, Watson, Edney, Laws, Cimaglia, Thompson, Jeanne, Mann, Breeding, Hart, and Bley) and 0 – no, and 1 – abstention (Evans-Gunter).

3. 1009.2.4 by Wilmington Friends School DIAA 2017-4-4

The Board went into executive session for the purpose of discussing the request, including the content of the pupil file.

While in executive session Mr. Neubauer was sworn in, the hearing proceeded, evidence was taken, and the Board held deliberations.

The Board then came out of executive session.

Dr. Holodick made a motion to approve the Executive Director's decision to grant a temporary waiver and to grant the waiver request because the student, her family, and the school established the five conditions for granting a waiver. The student, her family, and her school are not required to appear at the Board's May meeting. The motion was seconded by Mr. Laws and carried by a vote of 16 – yes (Waterman, Williams Fitzgerald, Holodick, Layfield,

Watson, Edney, Laws, Cimaglia, Thompson, Jeanne, Mann, Breeding, Evans-Gunter, Hart, and Bley) and 0 – no.

H. Request by DBCA for 2017 Baseball All-Star Game

Mr. Neubauer was asking for guidance on whether or not this type of request needs to be brought to the Board.

Mr. Hart made a motion that this type of request does not need to come to the Board. The motion was seconded by Mr. Laws and carried unanimously 16 – yes (Waterman, Williams Fitzgerald, Holodick, Layfield, Watson, Edney, Laws, Cimaglia, Thompson, Jeanne, Mann, Breeding, Evans-Gunter, Hart, and Bley) and 0 – no.

F. Request by SODE to waive 1009.2.1.1.1

Mr. Cimaglia explained that he was asking the Board to Waive Regulation 1009.2.1.1.1 for students participating on Unified Sports teams. Mr. Cimaglia explained that some students with disabilities will remain in school until the age of 21 to ensure they receive an appropriate and quality education based on their learning capabilities and many of these students are experiencing the benefits of interscholastic athletics.

Dr. Fitzgerald made a motion to grant the request to waive 1009.2.1.1.1 for students who are participating in the Unified Sports Program who become 19 to be eligible to participate for the remainder of the 2016-17 school year. The motion was seconded by Mr. Watson and carried by a vote of 15 – yes (Waterman, Williams, Edney, Laws, Layfield, Cilento, Watson, Hart, Fitzgerald, Breeding, Holodick, Evans-Gunter, Thompson, Mann, Bley, and Jeanne), 0 – no, and 1 – abstention (Cimaglia).

G. Request to expand the Field Hockey State Tournament

Sharyn Wingate; chairperson of the DIAA Field Hockey Committee and Ruth LaJoie were in attendance to present this request.

Ms. Wingate explained that they were proposing to expand the DIAA Field Hockey tournament to two divisions. Ms. Wingate commented that they were modeling after the boys and girls soccer tournament. Ms. Wingate stated that there would be more opportunity for more schools to participate in the tournament and that the divisions would be based on school enrollment. No additional rounds would be needed and no existing timelines would be changed.

Mr. Breeding made a motion to accept the proposal. The motion was seconded by Dr. Edney and carried unanimously 16 - yes—(Waterman, Williams, Edney, Laws, Cimaglia, Layfield, Watson, Hart, Fitzgerald, Breeding, Holodick, Evans-Gunter, Thompson, Mann, Bley, and Jeanne) and 0 – no.

IV. Follow Up on the Public Comments from March 2017 Board Meeting regarding AI vs DMA

Mr. Neubauer commented that he reached out to each school for information and video. Mr. Neubauer reported that he viewed the videotape he received but the tape stopped after the third quarter of the game. Mr. Neubauer reported that he had not yet received a report from AI prior to the Sportsmanship Committee meeting on April 4, 2017. Mr. Neubauer stated that the Sportsmanship Committee tabled this item. Dr. Hodges reported that one of the parents a parent requested an investigation and Secretary Bunting stated that DIAA would investigate.

Dr. Fitzgerald made a motion to hire an outside investigator. The motion was seconded by Mr. Cimaglia and carried by a vote of 15 – yes (Waterman, Edney, Laws, Eliassen, Cimaglia, Layfield, Watson, Hart, Fitzgerald, Breeding, Holodick, Evans-Gunter, Thompson, Mann, Bley, and Jeanne) and 0 – no.

Mr. Thompson asked why there were no police at the game; several Board members discussed that the decision to hire police is a local school decision based on the nature of the rivalry, the anticipated crowd size and the number of school personnel who would be available to monitor the event.

IV. Executive Director Report

A. Legal Report

Ms. Makransky reported that the State Board of Education affirmed the Board's decision in SBE Appeal No. 2016-05 (A.S. & St. Thomas More Academy v. DIAA). Ms. Makransky also commented that changes to the Transfer, Passing Work, and Years of Participation Rules in Regulation 1009 were published on April 1, 2017 and will have a comment period through May 5, 2017. Ms. Makransky also reported that the proposed legislative change to 14 Del. C. § 410 has a sponsor and is in Committee.

B. Misc.

Mr. Neubauer reported on the quarterly athletic directors meeting that was recently held. Mr. Neubauer commented that the athletic directors discussed the tournament criteria for tournaments and would like them all to have the

same system.

V. Other Matters Before the Board for Discussion Only

The Board discussed the possibility of reducing the number of games played due to the state's financial situation.

VI. Public Comment

None.

VII. Adjournment

Mr. Jeanne made a motion to adjourn at 12:40 p.m. The motion was seconded by Dr. Bley and carried unanimously, 12 – yes (Waterman, Edney, Cimaglia, Layfield, Watson, Hart, Fitzgerald, Breeding, Evans-Gunter, Thompson, Bley, and Jeanne) and 0 – no.

Tina Bates