

DIAA Board of Directors' Meeting Minutes
Thursday, July 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 9:00 a. m. by Vice-Chairperson Gary Cimaglia.

B. Roll Call

The following DIAA Board members were present: Gary Cimaglia, Dr. Kevin Fitzgerald, Robert Watson, Mike Hart, Robert Cilento, Dr. Bradley Bley, Bruce Harris, Dr. Matthew Donovan, Mike Breeding, Vetra Evans-Gunter, Douglas Thompson, Stan Waterman, Susanne Williams, Ted Laws, Jeremy Jeanne, and Karen Field-Rogers. Thomas Neubauer, Executive Director, Laura Makransky, Deputy Attorney General, and DIAA staff Terre Taylor and Tina Bates were also in attendance. Dr. Merv Daugherty, Dr. Evelyn Edney, Dr. Bradley Layfield, and Leroy Mann were unable to attend.

New Department of Education Representative Karen Field-Rogers; Deputy Secretary of Education was introduced.

C. Approval of Agenda

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

D. Approval of Minutes of DIAA June 8, 2017 Board Meeting

Mr. Thompson made a motion to approve the minutes of the June 8, 2017 Board meeting. The motion was seconded by Mr. Watson and carried unanimously, 12 – yes (Waterman, Donovan, Williams, Laws, Cimaglia, Watson, Hart, Breeding, Evans-Gunter, Thompson, Bley, and Jeanne) and 0 – no.

E. DIAA Financial Report

Mr. Neubauer reported that DIAA finished the year with a profit even after the retirement payout. Mr. Neubauer commented that he anticipates the cost for police will be going up for next year. Mr. Jeanne made a motion to approve the financial report. The motion was seconded by Mr. Hart and carried unanimously, 13 - yes (Waterman, Harris, Donovan, Williams, Laws, Cimaglia, Watson, Hart, Breeding, 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 9 requests for sanctioning. Mr. Neubauer reported that the 9 events were all approved. Mr. Neubauer stated that to the best of his knowledge the 9 approved were in compliance with DIAA and NFHS regulations. Dr. Fitzgerald made a motion to approve the 9 sanction events. The motion was seconded by Dr. Donovan and carried unanimously, 14 – yes (Waterman, Donovan, Williams, Laws, Harris, Cimaglia, Watson, Hart, Fitzgerald, Breeding, Evans-Gunter, Thompson, Bley, Jeanne) and 0 – no.

B. Request to Waive 1009.2.7 by Glasgow High School 2017-7-1

Student, student's father, and Michael Richardson; Glasgow coach, were 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 grant the waiver contingent upon receiving documentation verifying student's father has custody. The motion was seconded by Mr. Hart and carried by a vote of 13 – yes (Waterman, Donovan, Williams, Laws, Harris, Cimaglia, Watson, Hart, Fitzgerald, Breeding, Evans-Gunter, Thompson, and Bley) 0 – no, and 1 – abstention (Jeanne).

C. Request to register former home-schooled students as WCS students 2017-7-2

Pam Love; athletic director at Wilmington Christian School, and Mel Federman; Wilmington Christian School Administrator were in attendance to present this request. Mr. Neubauer explained that Wilmington Christian School would like to allow their home school students to be allowed to participate in DIAA sanctioned events. Mr. Neubauer reviewed the guidelines with Wilmington Christian and noted that one change needed to be made with the number of courses that a student has to take to be considered full time.

Mr. Hart made a motion to grant Wilmington Christian permission to use their

own home-school students as presented. The motion was seconded by Mr. Watson and carried by a vote of 15 – yes (Waterman, Donovan, Williams, Laws, Harris, Cimaglia, Cilento, Watson, Hart, Fitzgerald, Breeding, Evans-Gunter, Thompson, Bley, and Jeanne), 0 – no.

D. Request by Diamond State Conference for Automatic Berth in DIAA State Football Tournament.

The Board referred the DIAA Football Committee's decision to not allow the Diamond State Conference [DSC] an automatic berth in the DIAA Division II Football Tournament back to the committee with the charge that the Executive Director explain to the committee the questions that DSC has regarding its decision and to report back to the Board by the end of June with a verbal or written position instead of minutes. The Board felt the Committee focused solely on the Tournament Point Index as the reason for denying the berth. The Board discussed that the Committee should consider the Win-Loss records of the teams in the DSC. The minutes from the Football Committee meeting held on June 19, 2017 were presented to the Board. The Football Committee voted 9-0 to deny the request. Their reasoning for denying the request was explained in detail. The Board discussed their actions and Dr. Fitzgerald made a motion to accept the recommendation of the Football Committee and deny the automatic berth. The motion was seconded by Mr. Jeanne and carried by a vote of 15 – yes (Waterman, Donovan, Williams, Laws, Harris, Cimaglia, Cilento, Watson, Hart, Fitzgerald, Breeding, Evans-Gunter, Thompson, Bley, and Jeanne), 0 – no.

E. Proposed DIAA FY 2018 Budget for Board Approval

Mr. Neubauer reviewed the 2018 proposed budget. Mr. Neubauer reviewed the boys' basketball tournament and explained that the success of the tournaments depend on matchups and weather. Mr. Neubauer reported that he recently received money that was owed DIAA from a former T-Shirt sponsor that has been owed DIAA for several years. Mr. Neubauer commented that the ball contracts expire this year and will be asking for more balls in the next contracts. Mr. Neubauer commented that he was presenting a balanced budget. Dr. Fitzgerald commented that the NFHS Network pays DIAA \$35,000 for stream lining events and asked if we have seen a decline in attendance because of that. Mr. Neubauer responded that there has not been a decline in attendance.

Mr. Laws made a motion to approve the 2018 DIAA budget. The motion was seconded by Mr. Watson and carried by a vote of 15 – yes (Waterman, Donovan, Williams, Laws, Harris, Cimaglia, Cilento, Watson, Hart, Fitzgerald, Breeding, Evans-Gunter, Thompson, Bley, and Jeanne), 0 – no.

F. Report by Investigator of AI/DMA Basketball Game

Sioban Sullivan; investigator for DIAA was in attendance to report on the investigation. Dr. Fitzgerald made a motion to go into executive session for the purpose of discussing documents excluded from the definition of “public record” in 29 Del. C. § 10002. The motion was seconded by Mr. Hart and carried by a vote of 15 – yes (Waterman, Donovan, Williams, Laws, Harris, Cimaglia, Cilento, Watson, Hart, Fitzgerald, Breeding, Evans-Gunter, Thompson, Bley, and Jeanne), 0 – no.

Dr. Fitzgerald made a motion to come out of executive session. The motion as seconded by Mr. Cilento and carried unanimously.

Dr. Fitzgerald made a motion for the DIAA Chair to send letters to both schools explaining that there were concerns with what happened at this game asking them what steps will be taken in the future so that this will not occur in the future, and noting A. I.’s lack of cooperation impeded the investigation and to send a letter to IAABO 11 that the Board is concerned after this incident that the officials could have taken better control and that the Board is deeply disappointed that the IAABO 11 did not cooperate with the investigation. The motion was seconded by Mr. Cilento and carried by a vote of 14 – yes (Evans-Gunter, Williams, Laws, Breeding, Donovan, Thompson, Fitzgerald, Cimaglia, Hart, Bley, Waterman, Harris, Cilento, and Jeanne), 0 – no.

IV. Board Discussion Items

A. Regulation Status

Mr. Neubauer reported that he attended the State Board’s June meeting with regards to the changes to DIAA Regulation 1009. The motion to approve the changes was 3-2-1 so the motion failed. Mr. Neubauer stated that he will attend the State Board meeting in July and is hoping to get the changes passed.

B. Waiver Request Form

The discussion of changes to the form was moved to the August meeting..

V. Legal Report

Ms. Makransky reported that the HB 98 passed the Senate and has been sent to the Governor for signature.

Ms. Makransky reported on the Board's charge to the Realignment Committee.

Ms. Makransky reported that she recommends putting on next month's agenda that the Board issue written changes to Committees with what their tasks are.

VI. Executive Director Report

Mr. Neubauer reported on the NFHS summer meeting.

Mr. Neubauer reported on the NFHS essential initiative program.

Dr. Fitzgerald reported that he attended a Unified lunch at the NFHS Summer meeting where Mr. Neubauer spoke. Dr. Fitzgerald stated that Delaware is on the cutting edge with Special Olympics.

Mr. Neubauer reported on the spring tournament season.

Mr. Neubauer commented on Board stipends.

VII Other

VIII. Public Comment

None.

IX Adjournment

Mr. Jeanne made a motion to adjourn at 1:25 p.m. The motion was seconded by Dr. Bley and carried unanimously, 13 – yes (Williams, Waterman, Donovan, Harris, Cilento, Watson, Hart, Fitzgerald, Breeding, Evans-Gunter, Thompson, Bley, and Jeanne) and 0 no.

Tina Bates