

DIAA Board of Directors' Meeting Minutes
Thursday, June 14, 2018– 9:00 a.m.
John W. Collette Education Resource Center

I. Opening

A. Call to Order

The meeting was called to order at 9:06 a. m. by Chairperson Dr. Bradley Layfield.

B. Roll Call

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

C. Approval of Agenda

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

D. Approval of Minutes of DIAA May 10, 2018 Board Meetings

Dr. Donovan made a motion to approve the May 10, 2018 minutes. The motion was seconded by Ms. Evans-Gunter and carried by a vote of 10 – yes (Donovan, Laws Layfield, Cilento, Watson, Hart, Fitzgerald, Evans-Gunter, Bley, and Jeanne) and 0 – no and 3 – abstentions (Andrus, Thompson, and Cimaglia).

E. DIAA Financial Report

Mr. Neubauer reported that the spring tournaments attendance was low due mostly to poor weather conditions. Mr. Neubauer also reported that we have a deficit of \$75,000.00 which is not typical for this time of year. Mr. Neubauer commented that the reason for the deficit is due to high security costs and travel for the live NFHS Rules Interpreters Meetings. Dr. Fitzgerald made a motion to approve the financial report. The motion was seconded by Mr. Hart and carried unanimously, 13 – yes (Donovan, Andrus, Laws, Cimaglia, Layfield, Cilento, Watson, Hart, Fitzgerald, Evans-Gunter Thompson, Bley, and Jeanne) and 0 – no.

II. Public Comment

None.

III. Action Items

A. Approval of Tournament Sanctions

Mr. Neubauer reported that there was 1 sanctioned event before the Board for approval – Wrestling: Canal Classic (1/18-19/19). Mr. Neubauer stated that to the best of his knowledge the 1 event is in compliance with DIAA and NFHS regulations. Dr. Fitzgerald made a motion to approve the sanctioned event as recommended by the Executive Director. The motion was seconded by Mr. Cimaglia and carried unanimously, 13 – yes (Donovan, Andrus, Laws, Cimaglia, Layfield, Cilento, Watson, Hart, Fitzgerald, Evans-Gunter Thompson, Bley, and Jeanne) and 0 – no.

B. Request by DISC for Associate Member Status

Mr. Neubauer explained that the Delaware Independent School Conference is asking for associate membership in DIAA. Mr. Neubauer further explained that this was a standard request that the Board receives every year. Mr. Neubauer explained that the Independent Conference were asking for waivers of the 1008 and 1009 2.4 and 1008 and 1009 2.7.1.

Dr. Bley made a motion to approve this request based on the history of this request. The motion was seconded by Mr. Hart and carried by a vote of 13 – yes (Donovan, Andrus, Laws, Cimaglia, Layfield, Cilento, Watson, Hart, Fitzgerald, Evans-Gunter Thompson, Bley, and Jeanne) and 0 – no.

C. Request by Brandywine and Colonial School Districts to Waive 1008.4.3.1

Mr. Neubauer reported that this was an annual request from the Brandywine and Colonial School District to conduct their wrestling season from October 1, 2018 through December 23, 2018 in order to better utilize their gyms. Mr. Hart made a motion to approve the request. The motion was seconded by Mr. Watson and carried by a vote of 13 – yes (Donovan, Andrus, Laws, Cimaglia, Layfield, Cilento, Watson, Hart, Fitzgerald, Evans-Gunter Thompson, Bley, and Jeanne) and 0 – no.

D. Request to approve changes to Regulation 1007.2.3

Mr. Neubauer reported that Regulation 1007.2.3 was presented and received public comment regarding why IEP was taken out of the regulation. Mr.

Neubauer explained that having IEP in the regulation was unnecessary so it because the term IEP was not in this Regulation, therefore it was removed. In response to a question from a Board member, Mr. Neubauer then gave a brief background of this regulation to Board members..

Dr. Fitzgerald made a motion to approve the changes to Regulation 1007.2.3. The motion was seconded by Dr. Donovan and carried by a vote of 13 – yes (Donovan, Andrus, Laws, Cimaglia, Layfield, Cilento, Watson, Hart, Fitzgerald, Evans-Gunter Thompson, Bley, and Jeanne) and 0 – no.

E. Request to approve changes to Regulations 1008.2.3.3 & 1009.2.3.4

Mr. Neubauer reported that the changes to Regulations 1008.2.3.3 & 1009.2.3.4 were made to insure that DIAA Regulations were consistent with current State Code.

Mr. Laws made a motion to approve the request. The motion was seconded by Dr. Bley and carried by a vote of 13 – yes (Donovan, Andrus, Laws, Cimaglia, Layfield, Cilento, Watson, Hart, Fitzgerald, Evans-Gunter Thompson, Bley, and Jeanne) and 0 – no.

F. Request to Establish Criteria and Procedures for Recognition of the 100th Anniversary of Interscholastic Athletics in Delaware 2019

Mr. Neubauer asked the Board for ideas for recognizing the 100th Anniversary of Interscholastic Athletics. Board members made suggestions and also suggested asking finance to allow \$10,000.00 for spending for commemorative items.

G. Request to Approve Changes to FAQs for 1009.10

Mr. Neubauer reminded the Board that this was presented for discussion at last month's meeting and is now presented for approval. Mr. Neubauer explained that the Rules and Regulations Committee took a look at the FAQ's and brought them up to date. Mr. Neubauer explained that the Committee focused on any undue influence or any targeting.

Dr. Bley made a motion to approve the changes. The motion was seconded by Ms. Evans-Gunter and carried by a vote of 13 – yes (Donovan, Andrus, Laws, Cimaglia, Layfield, Cilento, Watson, Hart, Fitzgerald, Evans-Gunter Thompson, Bley, and Jeanne) and 0 – no.

H. Mark Purpura's Request to Change FAQs Concerning Regulation 1008.5.1.4 and

Regulation 1009.5.1

Mr. Neubauer reported that he received some questions from Mark Purpura who represents LGBTQ community regarding the Board's transgender policy. Mr. Neubauer commented that he and Ms. Makransky provided answers to his questions. Ms. Makransky explained that the previous published version of Regulation 225 was modeled off of Title IX and was a little more specific and referenced the DIAA transgender policy. Ms. Makransky reported that the proposed language of Regulation 225 now provides that public and charter schools will comply with DIAA policies and procedures.

In addition, Mr. Purpura requested that the Board amend the policy to allow documentation from social services providers as the DMV's and Office of Vital Statistics' Regulations permit applicants to submit documentation from social services providers.

Mr. Neubauer explained that this is a FAQ and can be changed.

Mr. Cilento made a motion to approve the request. The motion was seconded by Mr. Hart and carried 13 – yes (Donovan, Andrus, Laws, Cimaglia, Layfield, Cilento, Watson, Hart, Fitzgerald, Evans-Gunter Thompson, Bley, and Jeanne) and 0 – no.

I. Henlopen, Blue Hen, Diamond State, and Independent Conferences' Request to Start 2018-1019 Winter Sports Season One Week Earlier

Mr. Neubauer reported that he received a letter from Mr. Bud Hitchens representing the Henlopen Conference and an email from Mr. Wood representing the DISC conference, Dave Oswinkle representing the Diamond State Conference, and Andy Dick representing the Blue Hen requesting to change the start date of the winter sports season to one week early to accommodate the way our calendar is set up. Mr. Neubauer suggested looking at using the NFHS calendar in the future or changing the regulation to state the Fall, Winter, and Spring season would be determined by the Board annually.

Dr. Fitzgerald made a motion to grant the waiver and put on next month's agenda discussion on the NFHS Calendar. The motion was seconded by Mr. Jeanne and carried by a vote of 13 – yes (Donovan, Andrus, Laws, Cimaglia, Layfield, Cilento, Watson, Hart, Fitzgerald, Evans-Gunter Thompson, Bley, and Jeanne) and 0 – no.

IV. Presentation of DIAA Lifetime Achievement Award to Dr. David Robinson

Dr. Susan Bunting presented Dr. David Robinson with the Department of Education Merit Award. Dr. Fitzgerald explained that the DIAA Lifetime Achievement Award recognizes individuals that have made tremendous contributions to high school athletics in the State of Delaware. Dr. Fitzgerald

also explained that Dr. Robinson was the first administrator to receive this award. Dr. Layfield then presented Dr. David Robinson with the DIAA Lifetime Achievement Award. Dr. Robinson thanked the Secretary of Education and the DIAA Board and expressed his appreciation of receiving the award and his thanks to all of the people in attendance.

V. Board Discussion Items

A. First Date of Competition Fall 2018

Mr. Neubauer explained that he was asked by some of the fall sports committees who asked if the first competition date could be backed up two days. Mr. Neubauer explained that by doing this would give the fall sports an extra week of competition. Mr. Neubauer explained that this would give some relief if there was bad weather. Mr. Neubauer also asked if the Board could recommend this to the Rules and Regulations to give the Board the authority to move the calendar. Mr. Neubauer commented that the proposal would be to waive 4.1.1 and start the fall 2018 season on the Wednesday after Labor Day instead of the Friday. Mr. Neubauer commented that the first day of practice would not have to change. Mr. Laws made a motion to move the competition date to start the Wednesday after Labor Day versus the Friday. The motion was seconded by Mr. Watson and carried by a vote of 13 – yes (Donovan, Andrus, Laws, Cimaglia, Layfield, Cilento, Watson, Hart, Fitzgerald, Evans-Gunter Thompson, Bley, and Jeanne) and 0 – no.

VI. Legal

Ms. Makransky reported that the final order for regulation 1006.3.0 will be submitted for the July 1 register and the changes will be in effect July 11. Ms. Makransky then reported on Regulation 1007.2.3 will be before the State Board next Thursday.

VII. Executive Director Report

Mr. Neubauer reported that he did a cost analysis of all spring sports and commented that the weather really hurt the attendance.

Mr. Neubauer then reported that the expenses were increased this year due to travel, unforeseen expenses, security, and travel that the NFHS put in for the Live Rules interpreter meetings.

Mr. Neubauer informed the Board that he was asking DOE Finance for permission to exceed the \$850,000.00 spending limit by \$30,000 or 3.5 percent of our budget due to low attendance at tournament events for the year.

Discussion followed regarding tournament dates and the process the Staff and Committees use before making changes due to weather. The general public needs to be better informed by the member schools of this process.

Mr. Neubauer reported that the bill for officiating fees that was proposed by Senator Poore was in the Senate Education Committee. Mr. Neubauer commented that he had to explain to the Senate Committee that the Board was asking for permission to set the rates for officials and not to collect a fee from them. Mr. Neubauer stated that the bill was moving forward today.

VIII. Other Items for Discussion

Mr. Jeanne asked where we stood with home-schooled students being able to participate. Mr. Neubauer responded by saying that our regulations state that you must be enrolled at the school in which you represent and a home-school could join DIAA and field a team.

Mr. Thompson asked about all-state teams and how they are selected. Mr. Neubauer commented that DIAA does not select teams for all state teams and that this is done by the coaches associations.

Mr. Jeanne reported that there is some frustration with the Flight B Blue Hen Conference because Mt. Pleasant did not get a chance to represent their conference and go to a state tournament. He explained that the baseball team won the conference and was not able to represent their school at the state tournament. Mr. Neubauer responded that the criteria to award an automatic bid was not met by Mount Pleasant, and that this criteria is used by almost all of the DIAA Sports Committees.

IX. Public Comment

None

X. Adjournment

Mr. Laws made a motion to adjourn at 11:10 a.m. The motion was seconded by Mr. Cilento and carried unanimously, 13 – yes (Donovan, Andrus, Laws, Cimaglia, Layfield, Cilento, Watson, Hart, Fitzgerald, Evans-Gunter Thompson, Bley, and Jeanne) and 0 – no.

Tina Bates