

DIAA Board of Directors' Meeting Minutes
Thursday, November 8, 2018– 9:00 a.m.
John W. Collette Education Resource Center

I. Opening

A. Call to Order

The meeting was called to order at 9:00 a.m. by Chairperson Dr. Bradley Layfield.

B. Roll Call

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

C. Approval of Agenda

Dr. Fitzgerald made a motion to approve the agenda. The motion was seconded by Mr. Laws and carried unanimously, 14 – yes [Waterman, Donovan, Andrus, Laws, Harris, Layfield, Cilento, Watson, Hart, Fitzgerald, Breeding, Evans-Gunter, Bley, and Jeanne] and 0 – no.

D. Approval of Minutes of DIAA October 11, 2018 Board Meeting

Mr. Jeanne made a motion to approve the October 11, 2018 minutes. The motion was seconded by Mr. Hart and carried by a vote of 12 – yes [Waterman, Donovan, Laws, Harris, Layfield, Watson, Hart, Fitzgerald, Breeding, Evans-Gunter, Bley, and Jeanne], 0 – no and 5 recusals (Andrus and Cilento).

E. Approval of Minutes of DIAA October 11, 2018 Executive Session

Mr. Hart made a motion to approve the October 11, 2018 executive session minutes. The motion was seconded by Mr. Breeding and carried by a vote of 12 – yes [Waterman, Donovan, Laws, Harris, Layfield, Watson, Hart, Fitzgerald, Breeding, Evans-Gunter, Bley, and Jeanne], 0 – no and 5 recusals (Andrus, Edney, Laws, Cilento, and Fitzgerald).

E. DIAA Financial Report

Mr. Neubauer reported that the income for this period is \$27,761.56 and that the expenses were \$30,412.48 with a net deficit of \$2,650.92 which is not bad for this time of year. Mr. Neubauer explained that DIAA is in the process of gathering unpaid member dues.

Mr. Jeanne made a motion to approve the financial report. The motion was seconded by Mr. Watson and carried by a vote of 15 – yes [Waterman, Donovan, Andrus, Laws, Harris, Layfield, Cilento, Watson, Hart, Fitzgerald, Thompson, Breeding, Evans-Gunter, Bley, and Jeanne] and 0 – no.

II. Approval of Tournament Sanctions

Mr. Neubauer reported that there were 28 sanctioned events before the Board for approval – Cross Country: Blue Hen Conference Championship (10/26/18), Indoor Track: Maroon and Gold Invitational (11/30/18), Coach Saint Invitational (12/14/18), Armory Coaches Hall of Fame (12/15/18), 25th Armory Hispanic Games (1/4-5/19), Ocean Breeze Freedom Game (1/5/19), NYRR Millrose Trails (1/9/19), Montgomery Invitational (1/12/19), The VA Showcase (1/18-19/19), 24th New Balance Games (1/18-19/19), Dr. Sander Columbia Challenge (1/25-26/19), Last Track to Philly (1/26/19), Bullis Invitational (1/26/19), 112th NYRR Millrose Games (2/9/19), Purple Champions Last Chance (2/23/19); Girls Basketball: Lady Rams Winter Classic (11/30-12/1/18), Hoopers NY MLK Classic (1/19-21/19); Basketball: Winter Dragons Classic (12/20-22/18), Gurts Holiday Tournament 12/27-28/18); Wrestling: Southern Slam Invitational (11/30-12/1/18), Lee-Davis Holiday Classic (12/14-15/18), Glasgow Invitational (1/11-12/19), Grapple at the Brook XXI (1/12-13/19), Best of the Nest Duals (1/18-19/19), War On the Shore (1/18-19/19); Outdoor Track: Cape Relays (4/12/19), DE Middle School Classic (5/3/19), First State Middle School Invitational (5/16/19). Mr. Neubauer stated that to the best of his knowledge the 28 events are in compliance with DIAA and NFHS regulations.

Dr. Fitzgerald made a motion to approve the 28 sanctioned events as recommended by the Executive Director. The motion was seconded by Mr. Jeanne and carried by a vote of 16 – yes [Waterman, Donovan, Andrus, Edney, Laws, Harris, Layfield, Cilento, Watson, Hart, Fitzgerald, Thompson, Breeding, Evans-Gunter, Bley, and Jeanne] and 0 – no.

III. Request to Waive 1009.2.4. by Cape Henlopen HS 2018-11-1

Mr. Cilento recused himself from this matter. The Board went into executive session for the purpose of discussing the contents of a pupil file, the disclosure of which would constitute an invasion of personal privacy.

The Board went into deliberation. The Board came out of deliberation. The Board returned to open session.

Mr. Laws made a motion to deny the waiver request because all five conditions for granting a waiver, including a hardship, were not established and a hardship was not established. The motion was seconded by Mr. Watson and carried by a vote of 14 – yes (Waterman, Donovan, Andrus, Edney, Laws, Harris, Layfield, Watson, Hart, Fitzgerald, Breeding, Evans-Gunter, Thompson, and Jeanne), 1 – no (Bley).

IV. Request to Waive 1009.2.4 by AI DuPont HS 2018-11-2

Mr. Laws and Ms. Evans-Gunter recused themselves from this matter. Mr. Cilento

was not present at the hearing. The Board went into executive session for the purpose of discussing the contents of a pupil file, the disclosure of which would constitute an invasion of person privacy.

The Board went into deliberation. The Board came out of deliberation. The Board returned to open session.

Dr. Fitzgerald made a motion to grant the waiver request because all five conditions for granting a waiver were established. The motion was seconded by Mr. Jeanne and carried by a vote of 13 – yes (Waterman, Donovan, Andrus, Edney, Harris, Layfield, Watson, Hart, Fitzgerald, Breeding, Thompson, Bley, and Jeanne), 0 - no.

V. Survey for Coaching Out of Season

Mr. Neubauer explained that, as a result of a meeting held with Senator Poore regarding out-of-season coaching, a new survey is being developed on out-of-season coaching.

Dr. Fitzgerald commented that he did not want the Board to base its decision on coaching out-of-season on a financial basis and that the financial aspect should fall on the school district. Mr. Neubauer questioned how the regulation would be written to allow the compensation that does not foster or promote undue influence or sports specialization by student-athletes.

Mr. Rodriguez commented that the Board is charged with creating a survey and gathering the feedback from the member schools. Mr. Rodriguez added that the survey should cover all the concerns of the Board. Mr. Rodriguez also commented that the Board needs to determine who the survey should be sent to.

Dr. Layfield commented that it would be wise to get an updated opinion from the Public Integrity Commission.

Mr. Laws made a motion to table the survey to receive more information from the Board. The motion was seconded by Mr. Hart and carried by a vote of 16 – yes [Waterman, Donovan, Andrus, Edney, Laws, Harris, Layfield, Cilento, Watson, Hart, Fitzgerald, Thompson, Breeding, Evans-Gunter, Bley, and Jeanne] and 0 – no.

VI. Board Powers, Duties and State Code

Mr. Neubauer asked the Board to reacquaint themselves with 14 Delaware Code and with what the Board's actual duties and powers are.

VII. Meeting with Senator Poore

Covered in Item V.

VIII. Open Gym

Mr. Neubauer explained to the Board what open gym is. Mr. Neubauer commented that open gym cannot be scheduled, not controlled, and is student initiated and the only equipment that can be used has to be equipment used in a game.

IX. Conditioning Programs

The Board discussed including questions about conditioning programs in the survey on coaching out of season.

X. Tournament Seeding Criteria

Mr. Neubauer explained the seeding criteria. Mr. Neubauer commented that he is giving a charge to the committees to lower the minimum required games necessary to qualify for state tournament seeding.

XI. Committee Reports

Mr. Neubauer reviewed the fall tournaments.

XII. Legal

Ms. Makransky reported that the State Board approved the proposed amendments to 1008 and 1009. Ms. Makransky commented that the Board found the need for one nonsubstantive change. Ms. Makransky explained that the amendments to the middle school transfer rule, passing work, and years of participation will go into effect on November 11 as well as the concussion protocol. The amendments to coaching out of season will go into effect on June 2, 2019. Ms. Makransky also reported that the officials fee schedule will be submitted for publication next month as well as the definition of hardship. Ms. Makransky reminded the Board that when they speak to people in public about the Board or a DIAA matter that they should be clear that they are not speaking on behalf of the Board unless they have been authorized by the Board to do so.

XIII. Executive Director Report

Mr. Neubauer reported that Donna Polk, the new Coordinator of Athletics will be starting on November 13, 2018.

Mr. Neubauer commented on the role that social media has played with sportsmanship issues in the fall season and that to help schools deal with educating their athletes he added five new slides for the rules clinics.

XIV. Other Items for Discussion

Mr. Jeanne asked where the Board stood with the Hall of Fame, the 100th Year celebration, and officials. Mr. Neubauer responded that the Hall of Fame has been delayed due to lack of personnel but is not by any means done, the 100th anniversary logo is on all of our correspondence, passes, officials' patches and as soon as Ms. Polk gets in the office there will be more work done with this.

Mr. Waterman asked for an update on officials and if we have officials for scrimmages. Mr. Neubauer responded by saying that we have a regulation stating that officials cannot be compensated for scrimmages. Mr. Neubauer polled the 15 Officials Associations and most require or highly encourage their members to work scrimmages, only two groups of them do not. One is IAABO Board #11, which covers New Castle county schools for basketball. Their refusal to work scrimmages without compensation has become the source of the discussion.

Mr. Thompson commented on an A. I. DuPont/Christiana incident and asked if this could be placed on the agenda for next month.

Dr. Fitzgerald commented that he had a press release from the NFHS regarding the expectation of the NCAA for high school associations to regulate June interscholastic basketball evaluation events. Dr. Fitzgerald explained that the NCAA approached the NFHS with their plan. The concept is that during two weekends in June Men's Division 1 college coaches would be able to evaluate high school basketball players. This would have to be done in an interscholastic setting and sanctioned by the state association. The purpose was to move the recruiting process away from boosters and prominent athletic shoe companies.

XV. Public Comment

Dave Pritchard of Premier Volleyball addressed the Board on the topic of out-of-season coaching and stated that he feels it is unfair that he cannot coach at a high school.

Trina Leclerc addressed the Board on the topic of coaching out of season and how it related to her child and commented that she appreciates that the Board is still reviewing out-of-season coaching.

XVI. Adjournment

Mr. Watson made a motion to adjourn at 12:25 p.m. The motion was seconded by Mr. Cilento and carried unanimously, 12 – yes (Waterman, Donovan, Harris, Cimaglia, Layfield, Watson, Hart, Breeding, Evans-Gunter, Thompson, Mann, Bley, and Jeanne) and 0 – no.

Tina Bates