

DIAA Board of Directors' Meeting Minutes  
Thursday, January 17, 2019– 1:00 p.m.  
John W. Collette Education Resource Center

I. Opening

A. Call to Order

The meeting was called to order at 1:00 p.m. by Chairperson Dr. Bradley Layfield.

B. Roll Call

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

C. Approval of Agenda

Mr. Cilento made a motion to approve the agenda. The motion was seconded by Mr. Thompson and carried by a vote of 13 – yes [Waterman, Andrus, Laws, Harris, Cimaglia, Layfield, Cilento, Watson, Fitzgerald, Breeding, Evans-Gunter, Thompson, and Bley] and 0 no.

D. Approval of Minutes of DIAA December 13, 2018 Board Meeting

Mr. Breeding made a motion to approve the minutes of the December 13, 2018 Board meeting. The motion was seconded by Dr. Fitzgerald and carried by a vote of 11 – yes [Andrus, Laws, Cimaglia, Layfield, Cilento, Watson, Fitzgerald, Breeding, Evans-Gunter, Thompson, and Bley], 0 no, and 2 abstentions [Waterman and Harris].

E. Approval of the Executive Session Minutes of the DIAA December 13, 2018 Meeting

Ms. Evans-Gunter made a motion to approve the executive session minutes of the December 13, 2018 Board meeting. The motion was seconded by Mr. Cimaglia and carried by a vote of 11 – yes [Andrus, Laws, Cimaglia, Layfield, Cilento, Watson, Fitzgerald, Breeding, Evans-Gunter, Thompson, and Bley], 0 no, and 2 abstentions [Waterman and Harris].

E. DIAA Financial Report

Mr. Neubauer reported that the budget is in the black by \$26,399.38 which is

normal for this time of year but the amount is low compared to last year. Mr. Neubauer explained he feels the disparity is due to the low attendance, the difference between the Nike and Wilson contracts, and higher security costs. Dr. Fitzgerald asked if it would be appropriate to ask OMB to allow DIAA to be able to spend more on security with the increase of high security needs. Mr. Neubauer responded that he has asked to have the spending limit increased primarily for security but for other projects as well and received the response that DIAA's spending limit for this year is set and if there are reasons beyond DIAA's control that will cause DIAA to go over the set limit, such as security, DIAA can ask for that forgiveness as DIAA had to do last year. Dr. Fitzgerald commented that security is a point of emphasis throughout the state and feels this Board should request specifically an increase in the line item for security. Mr. Rodriguez commented that it might be beneficial for the Board to craft something but ultimately someone else is making this decision. Mr. Rodriguez reassured the Board that Mr. Neubauer and himself have both sat down with the finance department in the past to justify the need for the increase. Dr. Fitzgerald asked if the Board could suggest an increase and suggest a specific line item for security. Dr. Layfield suggested that the Board add this to the February Board meeting

Dr. Fitzgerald made a motion to accept the financial report. The motion was seconded by Mr. Cilento and carried by a vote of 13 – yes [Waterman, Andrus, Laws, Harris, Cimaglia, Layfield, Cilento, Watson, Fitzgerald, Breeding, Evans-Gunter, Thompson, and Bley] and 0 no.

## II. Action Items

### A. Approval of Tournament Sanctions

Mr. Neubauer reported that there were 19 sanctioned events before the Board for approval – Basketball: Say Yes to Success (1/19-21/19), Capital Classic (2/11-18/19), Indoor Track: Marine Corps Holiday Classic (12/29/18), Tower Hill School Meet (1/5/19), Collegeville HS Open (1/6/19), Yale Interscholastic Invitational (1/11-12/19), Eastern Shore Invitational (1/19/19), Ocean Breeze Invitational (1/26-27/19), North Shore Pre National Invitational (2/15/19), MyHouse Trojan Wars (12/28/18), Wrestling: Lion Duals (1/12/19), 32<sup>nd</sup> CFS Wrestling Inv (1/12/19), Tower Hill Tournament (1/18/19), Warpath Invitational (1/18-19/19), 12<sup>th</sup> Annual Smyrna JV (1/19/19), Legacy Duals (1/26/19), Charter JV Tournament (1/26/19); Golf: BHC Golf Championships (5/21/19); Track & Field: The Panther Challenge (4/18/19). Mr. Neubauer commended the DIAA member schools for making sure they are attending events that are sanctioned. Mr. Neubauer stated that to the best of his knowledge the 19 events are in compliance with DIAA and NFHS regulations.

Mr. Harris made a motion to approve the 19 sanctioned events as recommended by the Executive Director. The motion was seconded by Dr. Bley and carried by a vote

of 13 – yes [Waterman, Andrus, Laws, Harris, Cimaglia, Layfield, Cilento, Watson, Fitzgerald, Breeding, Evans-Gunter, Thompson, and Bley] and 0 no.

B. Request to Waive 1009.2.7 by Milford HS – 2019-1

Dr. Layfield noted that this item was withdrawn by Milford HS.

C. Annual Report to the Governor and General Assembly

Mr. Neubauer explained that the Delaware law requires that DIAA submit an annual report to the Governor and General Assembly and provided a draft copy of the 2018 report to all Board members for their review. The Board suggested to add what changes were made in the regulations to the report. Dr. Fitzgerald made a motion to approve the report as amended. The motion was seconded by Mr. Laws and carried unanimously, 13 – yes [Waterman, Andrus, Laws, Harris, Cimaglia, Layfield, Cilento, Watson, Fitzgerald, Breeding, Evans-Gunter, Thompson, and Bley] and 0 no.

D. Charges to DIAA Rules and Regulations Committee for the following regulations:

Dr. Layfield reviewed the potential change to 1008/1009 9.0 for awards. Dr. Layfield reminded the Board of a request that came before the Board last month to request that the amount of award be increased from \$250.00 to \$500.00. Dr. Layfield explained that the charge would be to refer this to the Rules and Regulations Committee for possible changes in regards to increasing the dollar amount for awards. Mr. Cilento made a motion to send this 1008/1009.9.0 to the Rules and Regulations Committee for possible action. The motion was seconded by Mr. Breeding and carried by a vote of 13 – yes [Waterman, Andrus, Laws, Harris, Cimaglia, Layfield, Cilento, Watson, Fitzgerald, Breeding, Evans-Gunter, Thompson, and Bley] and 0 no.

Dr. Layfield explained that for 1008/1009.4.2 Practice Sessions [joint practice policy] Leroy Mann wanted to bring this up but he was not in attendance. Mr. Watson made a motion to table the request for 1008/1009.4.2. The motion was seconded by Mr. Laws and carried by a vote of 13 – yes [Waterman, Andrus, Laws, Harris, Cimaglia, Layfield, Cilento, Watson, Fitzgerald, Breeding, Evans-Gunter, Thompson, and Bley] and 0 no.

Dr. Layfield then commented on 1008/1009.1.5.1.1 Scrimmage definition by reminding the Board that the IAABO Board 11 was in attendance and asked that the Board would strike the term in the definition of a scrimmage that officials may not be compensated. Dr. Fitzgerald made a motion to refer this to the Rules and Regulations Committee. The motion was seconded by Mr.

Cimaglia and carried by a vote of 13 – yes [Waterman, Andrus, Laws, Harris, Cimaglia, Layfield, Cilento, Watson, Fitzgerald, Breeding, Evans-Gunter, Thompson, and Bley] and 0 no.

Dr. Layfield commented on 1009.2.4.4.1.4 regarding transferring and playing the same sport in the same season. Mr. Breeding made a motion to refer to the Rules and Regulations Committee. The motion was seconded by Mr. Watson and carried by a vote of 13 – yes [Waterman, Andrus, Laws, Harris, Cimaglia, Layfield, Cilento, Watson, Fitzgerald, Breeding, Evans-Gunter, Thompson, and Bley] and 0 no.

#### E. Final Approval of the 2018-2019 Officials' Fee Schedule

Mr. Laws made a motion to move Regulations 1008 and 1009, as published to the State Board for final order. The motion was seconded by Mr. Cilento and carried by a vote of 13 – yes [Waterman, Andrus, Laws, Harris, Cimaglia, Layfield, Cilento, Watson, Fitzgerald, Breeding, Evans-Gunter, Thompson, and Bley] and 0 no.

### III. Coaching Out of Season

Dr. Layfield commented that the Board had a chance to discuss the survey on January 16, 2019 and the DIAA member schools had a good discussion on out of season coaching at the annual meeting. Dr. Layfield commented that they focused on questions 22 and 24. Dr. Layfield explained that he explained to the member schools that question 22 does deal specifically with non-school affiliated teams. Dr. Layfield commented that there was ample discussion and overwhelming support that opening up in the summer is something that a lot of the member schools want to do. Dr. Layfield commented that there were also a lot of conversations about coaching out of season for interscholastic teams affiliated with schools and what are all the ramifications. Dr. Layfield commented that he feels there is overwhelming support from the survey for DIAA to move forward and that there was a consensus that a change is needed.

Dr. Fitzgerald made a motion to move the survey data from questions 22 and 24 dealing with coaching out of season for non school sports and coaching out of season with considering the restrictions that are currently in place for the summer to Rules and Regulations Committee for modifications to subsection 7.6 where it pertains to those two areas. The motion was seconded by Mr. Cilento. Mr. Laws asked to amend the motion to make this charge a top priority for Rules and Regulations and the committee have a report back for the February meeting where the Board is in a position to have the changes in effect before the 15<sup>th</sup> of May of this year. Dr. Fitzgerald did not accept this amendment because he knows how much work is involved. Dr. Fitzgerald further commented that he does not feel a timeline should be placed on this. Mr. Laws explained that he received a phone call asking for a timeline and that is why he is suggesting putting a timeline and

he feels a timeline would be good for the Rules and Regulations to work with. Mr. Cimaglia explained a realistic timeline and suggested placing a goal on making changes. Some Board members commented that they do not feel a timeline should be placed on changes to the rule. The motion carried by a vote of 12 – yes [Waterman, Andrus, Laws, Harris, Cimaglia, Layfield, Watson, Fitzgerald, Breeding, Evans-Gunter, Thompson, and Bley]

Mr. Laws made a motion to give direction to the Rules and Regulations Committee that the Board's charge is to be its top priority and to report back in February with its status and at that point in time have action by the Board to move forward to get changes enacted with a tentative goal of June 1. Dr. Fitzgerald made a motion to second the motion. Dr. Fitzgerald withdrew his second. The motion was seconded by Mr. Watson and carried by a vote of 7 - yes [Waterman, Andrus, Laws, Harris, Watson, Evans-Gunter, and Thompson] and 5 – no [Cimaglia, Layfield, Fitzgerald, Breeding, and Bley].

#### IV. Executive Director Report

##### A. NFHS Winter Meeting

Mr. Neubauer reported on the NFHS Winter Meeting that he attended. Mr. Neubauer commented that the fiscal report from the NFHS is sound and the programs from the NFHS Learn are increasing. Mr. Neubauer commented on the status of football and safety factors. Mr. Neubauer also commented that the NFHS network is very healthy.

Mr. Neubauer reported that Dr. Michael Axe was presented with this year's NFHS State Service Award for his longstanding help with the wrestling community and the Sports Medicine Advisory Committee.

Mr. Neubauer commented on the report that Donna Polk gave to the membership on sportsmanship and the number of unsportsmanlike conduct penalties, all soccer cards and all ejections from the fall, 2018 season.

#### V. Other Items for Discussion

Mr. Cimaglia commented that he would like to hear from Sport Committees regarding coaching out of season. Mr. Cimaglia also commented on the public integrity commission and what its ruling is.

Mr. Neubauer responded to a question regarding how many students receive college scholarships and stated that the NCAA puts out data on how many athletes in a given sport receives college scholarships at the Division I and Division II level. This data is on the NCAA website; [ncaa.org](http://ncaa.org).

Mr. Watson asked where we were with the 100<sup>th</sup> year anniversary celebration. Mr. Neubauer responded that since Ms. Polk is in place she will be taking care of this.

Mr. Laws explained that the Board had discussion on the approval of various committees and asked where that stands. Mr. Neubauer stated that he will present the new members at the February Board meeting.

VI. Public Comment

Trina Leclerc addressed the Board on the topic of out-of-season coaching and is in favor of what the Board is moving forward with.

VII. Adjournment

Mr. Laws made a motion to adjourn at 2:30 p.m. The motion was seconded by Mr. Cilento and carried unanimously 12 – yes [Waterman, Andrus, Laws, Harris, Cimaglia, Layfield, Watson, Fitzgerald, Breeding, Evans-Gunter, Thompson, and Bley]

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Tina Bates