

DIAA Board of Directors' Meeting Minutes
Thursday, April 11, 2019– 9:00 a.m.
John W. Collette Education Resource Center

I. Opening

A. Call to Order

The meeting was called to order at 9:04 a.m. by Chairperson Dr. Bradley Layfield.

B. Roll Call

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

C. Approval of Agenda

Dr. Fitzgerald made a motion to approve the agenda. The motion was seconded by Mr. Hart and carried by a vote of 12 – yes [Donovan, Andrus, Laws, Harris, Cimaglia, Layfield, Watson, Hart, Fitzgerald, Breeding, Little, and Bley] and 0 no.

D. Approval of Minutes of DIAA March 14, 2019 Board of Directors Meeting

Mr. Laws made a motion to approve the minutes of the March 14, 2019 Board meeting. The motion was seconded by Dr. Donovan and carried by a vote of 11 – yes [Donovan, Laws, Harris, Cimaglia, Layfield, Cilento, Watson, Hart, Fitzgerald, Little, and Bley], 0 – no and 2 – abstentions (Andrus and Breeding).

E. DIAA Financial Report

Mr. Neubauer reported that the budget is back in the black. Mr. Neubauer reported that \$7,000.00 from fall sports was put back in the budget as it was not used during the fall football tournament. Mr. Neubauer explained that the expenses are up for tournaments and that the revenue for the fall sports season was down due to the weather.

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

II. Action Items

A. Approval of Tournament Sanctions

Mr. Neubauer reported that there were 22 sanctioned events before the Board for approval –Track & Field: Charter Mini Meet #1 (4/3/19), Downingtown West Whippet (4/5/19), WCU Golden Ram (4/5/19), Jim Blades MS Invitational (4/5/19), Temple Relays (4/6/19), Track & Field Meet (4/11, 4/24/19) Warrior Invitational (4/12/19), 14th Annual Viking Invitational (4/13/19), Bullis Bulldog Track Invitational (4/13/19), Rustin Invitational (4/17/19), Twilight Invitational (4/17/19), SL and Raiders Invitational (4/18/19), Penn Relays (4/25-27/19), West Chester Relays (4/26/19), 16th Annual Unionville Invitational (4/27/19), Henderson Invitational (5/3/19), Holmdel Twilight Series (5/3/19), Charter Mini Meet #2 (5/14/19), New Castle Cty Champions (5/10-11/19); Baseball: HPAC Invitational (4/20/19); Softball: HPAC Invitational (4/19/19); and Wrestling: Polytech Invitational (12/7/19). Mr. Neubauer stated that to the best of his knowledge the 22 events are in compliance with DIAA and NFHS regulations. Two Track & Field events were denied Pepsi Florida Relays (3/28-30/19) and Raleigh Relays (3/29/19).

Mr. Hart made a motion to approve the 22 sanctioned events as recommended by the Executive Director. The motion was seconded by Dr. Bley and carried by a vote of 13 – yes [Donovan, Andrus, Laws, Harris, Cimaglia, Layfield, Cilento, Watson, Hart, Fitzgerald, Breeding, Little, and Bley] and 0 no.

B. Request to waive 1009.2.4 by Caravel – 2019-4-1

Ted Laws recused himself from the 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.

Student and student's mother were in attendance to present this request.

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

Mr. Jeanne made a motion to grant the waiver request based on evidence and testimony that the student established all five conditions for granting a waiver. The motion was seconded by Mr. Watson and carried by a vote of 7 – yes (Donovan, Andrus, Harris, Cimaglia, Watson, Little, and Jeanne) and 5 – no (Layfield, Cilento, Breeding, Fitzgerald, and Bley) and 1 – abstention (Hart).

C. Request to waive 1009.2.7.5.3 by Red Lion – 2019-4-2

Ted Laws was not present for the 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 was made.

Student's father and Rich Edward, softball coach at Red Lion Christian Academy, were in attendance to present this request.

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

Dr. Fitzgerald made a motion to grant the waiver request based on evidence and testimony that student has established all five conditions for granting a waiver. The motion was seconded by Mr. Jeanne and carried by a vote of 12 – yes (Donovan, Andrus, Edney, Harris, Cimaglia, Cilento, Watson, Hart, Fitzgerald, Little, Bley, and Jeanne), and 2 – no (Layfield and Breeding).

E. Request to waive NFHS Softball Rule by William Penn High School – 2019-4-5

Mr. Laws and Dr. Bley recused themselves from the 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.

Student, student's parents, and Matt Sabol, athletic director at William Penn High School were in attendance to present this request.

The Board entered into deliberations. The Board came out of deliberations. The Board came out of executive session.

Dr. Fitzgerald made a motion to approve the request to waive NFHS Softball Rule 3-2-12 for 2018-19 and 2019-20 and NFHS Field Hockey Rule 1-5-7 for 2019-20 because the student, her family, and her school established the four conditions for granting a waiver. The motion was seconded by Mr. Jeanne and carried by a vote of 13 – yes (Donovan, Andrus, Edney, Harris, Cimaglia, Layfield, Cilento, Watson, Hart, Fitzgerald, Breeding, Little, and Jeanne) and 0 no.

D. Request to waive 1009.2.4 by Glasgow – 2019-4-3

Mr. Jeanne recused himself from this 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 personal privacy.

Student, Student's mother, and Jeremy Jeanne, athletic director at Glasgow High School, were in attendance to present this request.

The Board recessed at 12:15 p.m. and reconvened at 12:20 p.m.

The Board went into deliberations. The Board came out of deliberations.

The Board went into deliberations again after asking more questions of the student and student's mother. The Board came out of deliberations.

The Board came out of executive session.

Mr. Laws made a motion to grant the waiver because the student, his family, and his school established all five conditions for granting a waiver. The motion was seconded by Mr. Little and carried by a vote of 13 – yes (Donovan, Andrus, Edney, Laws, Harris, Cimaglia, Layfield, Cilento, Hart, Fitzgerald, Breeding, Little, and Bley), and 0 – no

F. Ratification of Interim Waiver Request by Cape Henlopen to Waive 1009.2.7 – 2019-4-4

Mr. Cimaglia and Mr. Cilento recused themselves from this matter.

Dr. Fitzgerald made a motion to ratify the Executive Director's decision to grant a waiver. The motion was seconded by Dr. Donovan and carried by a vote of 12 – yes [Donovan, Andrus, Edney, Laws, Harris, Layfield, Hart, Fitzgerald, Breeding, Little, Bley, and Jeanne)] and 0 no. The student, his family, and his school are not required to appear at the Board's May meeting.

H. Request to approve new Committee members

Mr. Neubauer reported on the Committee member changes for approval by the Board that included for Softball: Deb Hauth and Jeff Ransom; Golf: Laura Heien; Baseball: George Eilers; Boys Lacrosse: Marvin Dooley; and Track and Field: John Amery.

The Board requested that, in the future, it be provided with a list of all of the applicants with an asterisk denoting the nominee.

Dr. Fitzgerald made a motion to approve the recommendations for Committee members. The motion was seconded by Mr. Cimaglia. Mr. Laws asked for a list of all the people that applied. The vote carried by a vote of 13 – Yes (Cimaglia, Layfield, Fitzgerald, Little, Donovan, Andrus, Hart, Cilento, Bley, Jeanne, Harris, Edney, and Breeding) and 1 – no (Laws).

I. Approval of the DIAA Board Meeting Calendar for SY2019-2020

Mr. Neubauer reviewed the calendar for next year and explained that all meetings are on the second Thursday of each month except for the January meeting which is held on the third Thursday of January.

Mr. Cimaglia made a motion to approve the Board meeting calendar for 2019-2020 as presented. The motion was seconded by Mr. Cilento and carried by a

vote of 14 – yes (Donovan, Andrus, Edney, Laws, Harris, Cimaglia, Layfield, Cilento, Hart, Fitzgerald, Breeding, Little, Bley, and Jeanne) and 0 no.

J. Election of DIAA Officers for SY 2019-2020

Dr. Fitzgerald nominated Mr. Cimaglia as the next Chairperson of the DIAA Board of Directors. The motion was seconded by Mr. Laws and carried by a vote of 13 – yes (Donovan, Andrus, Edney, Laws, Harris, Layfield, Cilento, Hart, Fitzgerald, Breeding, Little, Bley, and Jeanne), 0 no, and 1 abstention (Cimaglia).

Mr. Jeanne nominated Dr. Donovan to serve as the next Vice Chairperson of the DIAA Board of Directors. The motion was seconded by Dr. Fitzgerald and carried by a vote of 13 – yes (Andrus, Edney, Laws, Harris, Cimaglia, Layfield, Cilento, Hart, Fitzgerald, Breeding, Little, Bley, and Jeanne), 0 no, and 1 abstention (Donovan).

Dr. Fitzgerald made a motion for Dr. Layfield to continue as Chairperson of the DIAA Board of Directors until he is replaced on the Board. The motion was seconded by Mr. Cilento and carried by a vote of 13 yes (Donovan, Andrus, Edney, Laws, Harris, Cimaglia, Cilento, Hart, Fitzgerald, Breeding, Little, Bley, and Jeanne), 0 no, and 1 abstention (Layfield).

K. Action regarding the DIAA 100th Anniversary Activities

Ms. Polk commented that she is asking to put a Committee together and would like to know exactly what the Board would like to do to celebrate the 100th Anniversary. Ms. Polk explained that she would like to do a banquet or weekend event but would first like a sense of what the Board would like.

The Board discussed how athletes could be nominated. Mr. Neubauer commented that next year will mark the 75th year that DASA/DIAA has been a member of NFHS. Ms. Polk suggested having the 100th year celebration in December and throughout the year start identifying athletes. The Board suggested that Ms. Polk send out a form asking the Athletic Directors to serve on a Committee.

Mr. Jeanne made a motion to form a committee of Mr. Watson, Dr. Edney, and Mr. Thompson to work with Ms. Polk on the 100th year celebration and to direct the DIAA to work with the Department of Education's finance office for funding information and procedures. The motion was seconded by Mr. Hart and carried by a vote of 14 yes (Donovan, Andrus, Edney, Laws, Harris, Cimaglia, Layfield, Cilento, Hart, Fitzgerald, Breeding, Little, Bley, and Jeanne) and 0 no.

L. Request to edit DIAA Regulation 1007.1.2.1.1

Dr. Layfield reported that the request to edit 1007.1.2.1.1 is ready to go to publication.

Mr. Laws made a motion to accept the change in language in the regulation and to go to publication. The motion was seconded by Mr. Cilento and carried by a vote of 14 yes (Donovan, Andrus, Edney, Laws, Harris, Cimaglia, Layfield, Cilento, Hart, Fitzgerald, Breeding, Little, Bley, and Jeanne) and 0 no.

M. Report of coaching out of season complaint

Mr. Neubauer reported on a complaint he received from a parent regarding a coach. Mr. Neubauer explained that the parent was disgruntled by a coach that was hired by a school and the coach was coaching in the community. Mr. Neubauer explained that he contacted the school and has since received in writing that that coach was now in compliance with the coaching out of season regulation. Dr. Fitzgerald made a motion to approve the actions of the Executive Director and ask that he send a clarification to the athletic director at Laurel Middle School stating that they stay in compliance with regulation 1008.7.6.2. The motion was seconded by Mr. Breeding and carried by a vote of 14 yes (Donovan, Andrus, Edney, Laws, Harris, Cimaglia, Layfield, Cilento, Hart, Fitzgerald, Breeding, Little, Bley, and Jeanne) and 0 no.

G. Request to Hold Heads Up Training Camps Out of Season

The Delaware Interscholastic Football Coaches Association (DIFCA) submitted a proposal for the Safety First Football Camp. According to the proposal, the purpose of the camp, which is supported by USA Football, is to educate football coaches on equipment fitting, concussion recognition and awareness, heat and hydration awareness, sudden cardiac arrest, and Heads Up blocking and tackling. The coaches' training would be reinforced with players throughout the camp and monitored by coaches trained in USA Football's online and live training courses. Coaches would also follow the 5-Day Acclimatization guidelines recommended by the Korey Stringer Institute, USA Football, and NFHS.

Mr. Neubauer explained that there was a change in regulation that requires all football coaches (including certified, emergency, and volunteer coaches) at all levels of competition to annual complete Heads Up Football training but the Board has not stipulated that the camp for the players is approved. Mr. Neubauer asked if DIFCA needs to come before the board each year.

Dr. Fitzgerald made a motion to approve the DIFCA's proposal for the SY 2019-2020 and to not require DIFCA to submit the same proposal in the future unless the proposal or the regulation changes. The motion was seconded by Mr. Laws and carried by a vote of 14 yes (Donovan, Andrus, Edney, Laws, Harris, Cimaglia, Layfield, Cilento, Hart, Fitzgerald, Breeding, Little, Bley, and Jeanne) and 0 no.

III. Discussion Items

A. DIAA Budget for FY 2020

Mr. Neubauer explained that the Governor supported the spending limit increase and will bring the budget next month. Mr. Neubauer commented that he would like the Board to consider raising ticket prices for all events at collegiate venues and to look at raising fees at the Dual Team and Individual Wrestling tournaments due to high custodial and security costs.

B. DIAA Seasonal Help

Mr. Neubauer commented on a request from last month regarding help in the DIAA office by saying that he checked with the Department of Education's Human Resource Office and Finance office and commented that the Board would need to create a job description and then have personnel apply and then enter into a limited services contract. Mr. Neubauer commented that positions would be able to help with the tournaments and delivering ticket packages and help post social media updates during the tournament. Mr. Jeanne asked if the office needs help with compliance throughout the state and if a person is hired could they assist with this. Mr. Neubauer responded that the regulations specify what the schools are doing and should be in compliance with the regulations. Mr. Neubauer commented that the hiring of a special investigator is costly.

Ms. Polk commented that she has compliance background and feels that there is a transfer tracer that needs to be done. Ms. Polk commented that she feels there needs to be more information on the eligibility forms. Mr. Neubauer commented that a sign off on eligibility forms by the principal has been added. Dr. Fitzgerald asked what the best step would be to prevent this. Mr. Neubauer commented that he would invite any school in question to the Board. Ms. Makransky explained the process of the investigation procedure. Mr. Neubauer felt this would be better handled as a regulatory issue than an investigative process. Dr. Layfield suggested placing this on the agenda for next month as an action item.

C. Athletic Director Training

Mr. Neubauer reported that he did receive a request from DAAD and he did meet with DAAD and if the spending authority is increased this will allow for the DAAD grant to be renewed. However, the grant will only pay for course materials, all personnel costs must be covered by DAAD or the course attendees. The Board could also hire the Course Trainers via a Limited Service Contract if they so choose to do so.

D. Coaches Education

Mr. Neubauer reported that if the spending increase is approved, this item would be a discussion and then action item for the Board to decide.

IV. Committee Reports

Mr. Neubauer reported that the Unified Sports Committee met on March 25, 2019 and followed up on eligibility requirements for Unified Sports. Mr. Neubauer reported that the Committee is looking to adopt language at their next meeting.

Mr. Neubauer reported that the Sportsmanship Committee met on March 26 and reviewed two incidents. Mr. Neubauer also reported that the Sportsmanship Committee has a subcommittee that will meet on April 30 to review the application for the Dale Farmer Sportsmanship Award to update it.

V. Executive Director Report

Dr. Layfield asked for a motion to move into executive session for the purpose of discussing a personnel matter. Mr. Hart made the motion. The motion was seconded by Mr. Laws and carried by a vote of 14 yes (Donovan, Andrus, Edney, Laws, Harris, Cimaglia, Layfield, Cilento, Hart, Fitzgerald, Breeding, Little, Bley, and Jeanne) and 0 no.

While in executive session a personnel matter was discussed.

Mr. Breeding made a motion to come out of executive session and return to open session. The motion was seconded by Mr. Cimaglia and carried by a vote of 14 yes (Donovan, Andrus, Edney, Laws, Harris, Cimaglia, Layfield, Cilento, Hart, Fitzgerald, Breeding, Little, Bley, and Jeanne) and 0 no.

VI. Other Items for Discussion

Mr. Neubauer commented on a situation involving Red Lion Christian

Academy by saying that the current athletic director will not be rehired. Mr. Neubauer commented that the current football coach will be the new athletic director next year. Mr. Neubauer commented that he explained to the current athletic director that anyone representing Red Lion should be in compliance with all DIAA rules. Mr. Neubauer reported that he saw an ad for Red Lion who was widely advertising a flag football league which he spoke to the current athletic director about all DIAA regulations.

Dr. Bley asked if we can put something together to have students sign when they transfer stating that they are aware of the transfer rule. Mr. Neubauer commented that other states have transfer forms and responded that we can create a transfer document.

Ms. Makransky explained the Board's investigative process.

VI. Public Comment

Trina Leclerc addressed the Board on the topic of out-of-season coaching and thanked the Board for all the time spent on out of season coaching. Ms. Leclerc reported that Senator Poore was proud of the progress on this rule. Ms. Leclerc commented that the wording in the regulations should be clearer and would like to see coaches coaching out of season be compensated.

X. Adjournment

Mr. Laws made a motion to adjourn at 1:51 p.m. The motion was seconded by Dr. Edney and carried unanimously by a vote of 14 yes (Donovan, Andrus, Edney, Laws, Harris, Cimaglia, Layfield, Cilento, Hart, Fitzgerald, Breeding, Little, Bley, and Jeanne) and 0 no.

Tina Bates