

DIAA Board of Special Directors' Meeting  
 Thursday, October 15, 2020 – 9:00 A.M.  
 Video Conference Call\*

Minutes

Names		Names	
Dr. Bradley Layfield - Chairperson	P	Jeremy Jeanne	P
Dr. Kathleen Andrus	A	Ted Laws	P
Dr. Bradley Bley	A	Chuck Little	A
Mike Breeding	P	Douglas Thompson	P
Robert Cilento	P	Stan Waterman	P
Dr. Matthew Donovan	P	Robert Watson	L
Dr. Evelyn Edney	A	Michael Rodriguez –DOE Associate Secretary	P
Vetra Evans-Gunter	A	Donna Polk – DIAA Executive Director	P
Dr. Kevin Fitzgerald	P	Laura Makransky – Deputy Attorney General	P
Bruce Harris	P	Stephanie Mark-DIAA Coordinator	P
Mike Hart	P	Amoscita Rodriguez-DIAA Secretary	P
P= Present A = Absent L= Late arrival			

I.

Opening

A. Call to Order

Dr. Layfield called the meeting to order at 9:19 am (The start was delayed due to requiring a quorum).

B. Roll Call – Please see above

C. Approval of Agenda

Mr. Jeanne made a motion to approve the agenda and the motion was seconded by Mr. Waterman. The motion carried with a unanimous vote of 10Yes [Breeding, Cilento, Donovan, Fitzgerald, Harris, Hart, Jeanne, Laws, Thompson, and Waterman] and 0 No.

D. Approval of Minutes of DIAA September 10, 2020 Board Meeting

Mr. Cilento made a motion to approve Minutes of DIAA September 10, 2020 Board Meeting and the motion was seconded by Dr. Donovan. The motion carried with a unanimous vote of 11 Yes [Breeding, Cilento, Donovan, Fitzgerald, Harris, Hart, Jeanne, Laws, Thompson, Waterman, and Watson] and 0 No.

II. Action Items

A. Request to Use 8<sup>th</sup> Graders for High School Athletics 1009 2.7.5 – MOT Charter

Mr. Thompson made a motion to approve MOT Charter’s request to use 8<sup>th</sup> graders for high school athletics and the motion was seconded by Mr. Breeding. The motion was carried by a unanimous vote 11 Yes [Breeding, Cilento, Donovan, Fitzgerald, Harris, Hart, Jeanne, Laws, Thompson, Waterman, and Watson] and 0 No.

B. Request to Waive Practice Requirement Prior to First Competition by Christina School District

Representatives from Christina School District were present to request this waiver. Mr. Jeanne made a motion to approve the waiver of 1009.4.2.1.3 and four of the conditions

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to waive had been satisfied; the motion was seconded by Dr. Layfield The motion carried with 10 Yes [Breeding, Cilento, Donovan, Fitzgerald, Harris, Hart, Jeanne, Watson, Thompson, and Waterman] and 1 No (Laws).

III. Ratification of Executive Director’s Decision to Grant Interim Waivers

A. Request to Waive Regulation 1009 2.4 by Caravel Academy – 2020.10.1

Mr. Laws made a motion to go into Executive Session to review the waiver request by Caravel Academy and the motion was seconded by Mr. Jeanne. The Board went into Executive Session (9:41 am). Mr. Thompson made a motion to come out of executive session and the motion was seconded by Dr. Donovan. The Board came out of Executive Session (10:11 am).

Mr. Jeanne made a motion to approve the waiver of 1009 2.4 based on all five conditions being met; the motion was seconded by Mr. Thompson. The motion carried with a vote of 8 Yes [Breeding, Donovan, Fitzgerald, Harris, Jeanne, Layfield, Thompson and Waterman], 2 Abstentions (Cilento and Hart), and 1 Recusal (Laws).

IV. Coronavirus COVID-19 Impact

A. Division of Public Health Update

Ms. Carr was not present and there were no updates. Ms. Polk informed the board that this will be a standing agenda item so that the Board can receive any updates and information from DPH, especially contact tracing and notifications.

B. Emergency Regulation 1010 Interscholastic Athletics During COVID-19 Pandemic  
i. Amendments to Emergency Regulation 1010

Ms. Polk informed the Board that they had approved all amendments except one and that was in Regulations 1010 5.2.1 should be amended to read “October 22, 2020”.

Dr. Layfield made a motion to amend 5.2.1 to read October 22, 2020 because competitions/scrimmages begin on October 23, 2020; the motion was seconded by Mr. Breeding. The motion carried with a unanimous vote of 11 Yes [Breeding, Cilento, Donovan, Fitzgerald, Harris, Hart, Jeanne, Laws, Thompson, Waterman, and Watson] and 0 No.

C. Sports Seasons Consideration during the Academic Year 2020-21  
i. DIAA Sports Medicine Advisory Report

Dr. Bley was not present and there wasn’t a SMAC update. Dr. Layfield extended appreciation from the Board to SMAC for all of the hard work they have been doing to assist member schools.

Dr. Fitzgerald made a motion that the DIAA Executive Director provide guidance to member schools with how they should communicate a positive Coronavirus case to schools and officials that they have played when the participant was determined positive. Also, that the DIAA Executive Director provide guidance in the notification of teams that would be playing the following week and assist in deciding what action should be taken if that contest should not

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be played. There should also be notification from the officials to the Executive Director and member schools if it is determined that an official was positive with Coronavirus. The motion was seconded by Dr. Layfield and carried with a unanimous vote of 11 Yes [Breeding, Cilento, Donovan, Fitzgerald, Harris, Hart, Jeanne, Laws, Thompson, Waterman, and Watson] and 0 No.

After extensive discussion about interstate sports and rules for wearing masks during sporting contests, Dr. Fitzgerald made a motion that the Executive Director determine if there is any Department of Health in other states that prohibits the wearing of masks during sports play and report this information back to the Board. The motion was seconded by Mr. Jeanne and carried with a unanimous vote of 11 Yes [Breeding, Cilento, Donovan, Fitzgerald, Harris, Hart, Jeanne, Laws, Thompson, Waterman, and Watson] and 0 No.

ii. Fall 2020 Tournaments

1. Fall Sports Sport Specific Guidance

There was discussion about the state mandate for wearing masks and how this should be enforced by coaches. DIOC submitted a document and it was reviewed by the Board (on Simbli), DIOC was requesting that the mandate for masks be changed to allow for wearing mouthpieces instead of masks. Since the requirement of wearing masks was issued by the Department of Health and Human Services and endorsed by the Governor the Board of Directors cannot change this mandate.

2. Fall Sports Committee Recommendations for Tournament

The Board reviewed and voted upon the Fall sports committee recommendations for tournaments:

Football Tournament– Mr., Jeanne made a motion to approve the Football Committees Tournament recommendation and the motion was seconded by Dr. Fitzgerald. The motion carried with a unanimous vote of 11 Yes [Breeding, Cilento, Donovan, Fitzgerald, Harris, Hart, Jeanne, Laws, Thompson, Waterman, and Watson] and 0 No.

Field Hockey Tournament – Dr. Fitzgerald made a motion to approve the recommendation made by the Field Hockey Committee Tournament recommendation and the motion was seconded by Mr. Jeanne. The motion carried with a unanimous vote of 11 Yes [Breeding, Cilento, Donovan, Fitzgerald, Harris, Hart, Jeanne, Laws, Thompson, Waterman, and Watson] and 0 No.

Boys Soccer Tournament – Mr. Cilento made a motion to approve the recommendation made by the Boys Soccer Committee Tournament recommendation and the motion was seconded by Mr. Jeanne. The motion carried with a unanimous vote of 11 Yes [Breeding, Cilento, Donovan, Fitzgerald, Harris, Hart, Jeanne, Laws, Thompson, Waterman, and Watson] and 0 No.

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Volleyball Tournament – Dr. Layfield made a motion to change the number of matches to 9 instead of 12 and approve; the motion was seconded by Mr. Cilento. The motion carried with a unanimous vote of 11 Yes [Breeding, Cilento, Donovan, Fitzgerald, Harris, Hart, Jeanne, Laws, Thompson, Waterman, and Watson] and 0 No.

Cross Country Tournament – Mr. Jeanne made a motion to approve the recommendation made by the Cross Country Committee Tournament recommendation and the motion was seconded by Mr. Breeding. The motion carried with a vote of 10 Yes, [Breeding, Cilento, Donovan, Fitzgerald, Harris, Jeanne, Laws, Thompson, Waterman, and Watson] and 1 No (Hart).

Unified Flag Football Tournament – Dr. Fitzgerald made a motion to approve the Unified Flag Committee Tournament recommendation and the motion was seconded by Mr. Cilento. The motion carried with a unanimous vote of 11 Yes [Breeding, Cilento, Donovan, Fitzgerald, Harris, Hart, Jeanne, Laws, Thompson, Waterman, and Watson] and 0 No.

Dr. Fitzgerald made a motion that the Executive Director be charged to review the minimum game requirement as a result of contact impacted by COVID 19; the motion was seconded by Dr. Layfield. The motion carried with a unanimous vote of 11 Yes [Breeding, Cilento, Donovan, Fitzgerald, Harris, Hart, Jeanne, Laws, Thompson, Waterman, and Watson] and 0 No.

iii. Winter/Spring Tournaments Update

1. Sport Specific Guidance

D. Determine Stage for DIAA Return to Play Plan

Dr. Layfield made a motion to remain in stage 4 of the Return to Play Plan; the motion was seconded by Mr. Hart. The vote carried with a unanimous vote of 11 Yes [Breeding, Cilento, Donovan, Fitzgerald, Harris, Hart, Jeanne, Laws, Thompson, Waterman, and Watson] and 0 No.

V. Creation of DIAA COVID Board Officer and Committee

Dr. Layfield asked for volunteers from the Board to serve on this committee.

VI. DIAA Waiver Hearing Options

Dr. Layfield asked for volunteers from the Board to serve on this committee, and he requested that it be an action item at the November Board of Directors Meeting.

VII. Potential Litigation

Dr. Fitzgerald made a motion that the Board move into executive session and the motion was seconded by Mr. Jeanne (1:40 pm). Dr. Fitzgerald made a motion to exit executive session and the motion was seconded by Mr. Cilento. The Board left the executive session (2 pm).

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VIII. Other Items for Discussion Only

1. Ms. Polk informed the Board that each Board Member will receive a DOE email address.
2. Mr. Jeanne stated that DIAA has received many emails about Salesianum limited number of football games; however, this has been a challenge for Salesianum because they are the only Division One private school in the state. Due to COVID the number of football games reduced to 7, therefore making a greater challenge for Salesianum. Mr. Jeanne suggested that the Board consider realignment for football statewide in an effort to maintain equity. He reemphasized that this has been an ongoing challenge for Salesianum but due to the pandemic it was publicized more. Mr. Jeanne also stated that it is unfortunate regarding the back lash that the Blue Hen Conference has received as a result of this.
3. Mr. Cilento stated that there was a realignment committee a few years ago, but he believes that football needs to stand on its own.
4. Mr. Thompson reminded the Board that he brought the topic of realignment to the Board last year and shared the example of how California aligns their high school football.

IX. Public Comment

The following people made Public Comment

1. **Patrick Methlie** (Letter read by his sister Kaylie Methlie addressing his concerns about being able to have enough football games to play at Salesianum)
2. **Dylan Mooney 21'** (Letter read by mother addressing his concerns about being able to have enough football games to play at Salesianum)
3. **Angela Hoferer** – Told the Board that she appreciated the efforts made for Return to Play, so students could have sports; however, she felt that DIAA failed Salesianum. There is too much attention to regulations and not enough attention to the needs of the students at Salesianum
4. **Nicholas Hoferer 21'** (Letter read by Ms. Hoferer)
5. **John Duppel 21'** (Dad spoke on behalf)-Mr. Duppel stated that students worked hard during off season and most seniors want the opportunity to make lifetime memories and should be allowed to. He stated that rules were changed like the number of games to be played but the rule was not changed in regards to automatic bids. He stated that if automatic bids is alleviated then this will make the play fair and equitable.
6. **Colin Brady**-Senior at Salesianum who talked about how during the Coronavirus quarantine he dedicated himself to becoming a better football player in hopes of playing football during the season at Salesianum.
7. **Randall Henzes** - Basketball official and he stated that delegating a reasonable accommodation to member schools in regards to the mask requirement established by the Governor will cause detrimental effect of having less officials available to cover games.
8. **Kelly Callahan** – Volleyball Committee Member- stated that the Governor's order does allow for adjustments regarding waving the mask requirements; however, member schools should not be able to make accommodations regarding this.
9. **Shannon Healy** – Parent of Jack Healy- stated that per the advisement of DIAA Salesianum scheduled out of state games; however due to the pandemic they most likely will not be permitted to play those games. She stated that Salesianum cannot join the current established

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conferences; therefore, a conference for private Catholic schools should be established and allow Salesianum to be a Division One school in this conference.

10. **Jack Healy 21'**(Letter read by Ms. Healy)
  11. **Ryan Adams** –Junior at Salesianum who spoke about the importance of the football team to him.
  12. **Trina Leclerc** – Ms. Leclerc noted that DIAA has a challenging task of balancing things during this global pandemic. She stated that she was not given the opportunity to give public comment at the previous meeting and she wanted to emphasize that decisions should have been made earlier than they were. She also stated that she thinks it is unfair to the public to place Public Comments at the end of the Board meetings and she does not understand why this Board does not do like the Standards Board of Education and place Public Comments early on the agenda. She concluded by applauding DIAA for getting kids back on the field in sports.
  13. **Kelly Adams**-advocated for fair and equitable play for Salesianum
- X. Adjournment

There was no longer a quorum of Board members present; therefore, Dr. Layfield could not make a motion, but declared the meeting adjourned at 3:23 pm.