

DIAA Board of Directors' Emergency Meeting  
Monday April 19, 2021 – 12:00 P.M.  
Video Conference Call

Minutes

**I. Opening**

A. Call to Order

Dr. Layfield called the meeting to order at 12:03 am

B. Roll Call

Committee Members Present – Dr. Bradley Layfield, Dr. Bradley Bley, Mike Breeding, Robert Cilento, Dr. Matt Donovan, Dr. Evelyn Edney, Vetra Evans-Gunther, Dorrell Green, Mike Hart, Ted Laws, Chuck Little, Doug Thompson, Stan Waterman, Robert Watson, Mike Rodriguez

DIAA Staff Present - Ms. Donna Polk – DIAA Executive Director, Mrs. Stephanie Mark – DIAA Coordinator, Ms. Tanya Reed – DIAA Secretary and Ms. Laura Makransky – Deputy Attorney General

Absent – Mr. Bruce Harris, Dr. Amelia Hodges

C. Approval of Agenda

Mr. Mike Hart made a motion to approve the agenda, the motion was seconded by Mr. Robert Cilento. The motion was approved with a vote 14 Yes [Dr. Bradley Layfield, Dr. Bradley Bley, Mike Breeding, Robert Cilento, Dr. Matt Donovan, Dr. Evelyn Edney, Vetra Evans-Gunther, Dorrell Green, Mike Hart, Ted Laws, Chuck Little, Doug Thompson, Stan Waterman, Robert Watson].

Dr. Bradley Layfield gave a brief recap of Board Meeting that was held on April 8<sup>th</sup>, and the loss of quorum which is what resulted in this emergency meeting prior to the state board meeting in order to discuss the motion that was made. Dr. Bradley Layfield stated he would like to know what led for the Governors guidance to change.

Jeremy Jeanne joined the meeting at 12:13pm

**II. Coronavirus COVID-19 Impact**

Ms. Dana Carr gave an update as to what led to Governors guidance change on mask wearing. Ms. Carr stated that her understanding was that in looking at the data what was seen was very limited transmission with on the field play; it's more coming from on the sidelines, in huddles, on bus rides, etc. That was the explanation that came from Dr. Rattay when she talked about it a few weeks ago. With that said the executive order is very clear that it is a risk, it is a known risk and what is likely to happen is an increase number of students who are quarantined if there is a positive case on the team. Ms. Carr

stated her sense was that it was an attempt to kind of balance demand for greater freedom in play with the data, but with recognition of the risk that is still present and pressing. Dr. Bradley Bley stated he has seen kids in youth leagues be quarantined more frequently since getting rid of mask requirement, the entire team has been asked to quarantine after a positive case. However for his data throughout the high school, the part of the problem with the athletes is that they are together a lot of the times traveling to and from, hanging out in locker rooms a lot more than youth leagues are and found that close to 90% of the entire team had to quarantine not just one individual athlete. Dr. Bradley Bley asked Ms. Carr was it possible to quarantine more than they did already. Ms. Carr stated that every case is different and unique and if there was a situation where the entire team had to quarantine then there are likely extenuating circumstances not just the field of play. Ms. Carr stated outdoor sports like field hockey or soccer presented a rare instance where both teams in the game would have had to quarantine. It is possible the team where the positive case occurred may have had to quarantine, stated she can't think of an instance where both teams in a match up in a sporting event would have had to quarantine. If there are no mask worn then what is being said is that there is a greater chance of more students being caught in the quarantine because of increased exposure during the state of play. She states she is not saying that is definitely what is going to happen but what the executive order states and recognizes that there is an increased risk. We know this is a respiratory virus it is transmitted when people are particularly breathing hard, it is respiratory droplets and so when people are expelling more respiratory droplets the transmission rates are higher. In a game it's really hard to account for who was in contact with which person. Dr. Bradley Layfield asked that if even student athletes are wearing a mask and someone is positive and you're within 6ft and exposed for more than 15 minutes would it still mandate a quarantine? Ms. Carr stated it is likely, but cannot speak on specifics but in general but probably the team would recommend quarantine. Mr. Ted Laws asked Ms. Carr about her opinion on youth sports athletics not wearing masks versus school athletics continue to wear masks. Ms. Carr stated she thinks that is entirely up to the governing bodies that oversee both entities. The risk doesn't change regardless of where students are playing sports and feels seeing a bunch of quarantines related to sports from community teams as well; states when that happens risks are being introduced. She does feel it is a little bit different considerations when speaking of DIAA versus community based sport. DIAA has a different set of responsibilities then some of the community based sports teams do. DIAA has to be thoughtful about equity and all of the different things that need to be taken into consideration. She commented it is fortunate that the sports teams have DIAA to set consistency across all of the different schools that participate in DIAA. Since these are school sponsored teams there is a different set of responsibilities. Dr. Matt Donovan stated that to release the masks for the kids playing travel ball and going all over the east coast and intermingling with other teams, feels that is a more threatening environment than the controlled environments in schools, feels schools do an excellent job of documenting cases in schools, and its lower than they ever thought they were going to be, and are following really strict protocols. The numbers are really low for high schools, feels to say it's safer for travel teams to not

have masks, then they just bring that back into school and he feels that is riskier than DIAA school students. Ms. Carr stated it is definitely a concern and the sport community may want to get together on. Dr. Bradley Layfield asked if DPH is seeing more students quarantining now than did in the fall. Ms. Carr stated that was hard to answer because she feels DPH is a little more refined in the way they think about it; states she would have to go back and look at the numbers from week to week.

#### Sports Seasons Consideration during the Academic Year 2020-21

- i. Board Discussion of and Action on Face Covering Requirements in April 1, 2021 Ninth Revision to the Twenty-Seventh Modification of the Declaration of the State of Emergency for the State of Delaware due to a Public Health Threat

Ms. Donna Polk and Mrs. Stephanie Mark discussed the surveys that were sent out to other state athletic associations and the findings of those results in regards to face coverings' 43 state associations responded. Currently Delaware and thirteen other states require face coverings. 29 State associations do not and California was not really a yes or a no. The survey also asked if any state associations have experienced any reported injuries due to mask wearing. There were 41-Nos and 0 yes. The survey also asked for any data or studies that have been referenced in regards to not wearing a face covering. Mr. Jeremy Jeanne asked what states are surrounding Delaware doing. Those states being, New Jersey, Pennsylvania, Maryland. Mrs. Mark stated that D.C. requires face coverings along with Illinois, Maine, Massachusetts, Minnesota, Mexico, Pennsylvania, where New Jersey, Virginia, New York, Maryland does not. Mr. Dorrell Green states he feels survey is a little generic he would like to know the impact to the actual teams, if having to have quarantined, and some of the neighboring states may not have had a robust season, Maryland for example had very limited competition, he feels Delaware is a lot further along in level of competition and the amount of competition Delaware is experiencing as a state. Ms. Donna Polk replied to Mr. Green stating this survey was actually capturing injuries while using mask as well, and that was really the focus of this particular survey. Mrs. Stephanie Mark spoke in regards to the survey that was sent out to member schools regarding injuries due to face coverings. Mrs. Mark stated 37 responses were received from member schools and of those schools there was only one reported incident of an injury due to wearing a face covering and that was in boy's lacrosse. Dr. Bley complimented athletic directors and coaches based on their participation in all the surveys that were sent on a weekly basis in order to keep track of stuff. Dr. Bley asked Ms. Donna Polk to go back and look at the injuries in the other seasons due to face coverings, but he realizes there is no data on that right now. Dr. Bley states he has seen a couple concussions from a mask sliding up or getting

knocked out of the way and not seeing a ball come at them. Dr. Bley's concern is that may start seeing more of those type of injuries in softball, baseball, boy's lacrosse and soccer as well potentially. The data is not available yet but there is more of an expert opinion as to where we are at and what needs to be looked at moving forward. Ms. Donna Polk stated that have seen a bit of a rise in positive cases, coming off of Spring Break and this was in all sports. Dr. Bley stated there is good data from month to month and when the cases are on the rise in schools it is also on the rise in the community so it is not so much the rise is in the sport itself as it is just what's going on in the community. The majority of what is being seen is adult to child transmission and not as much athlete to athlete. Dr. Bley stated his concern is that when there has been more quarantine in the schools there are more competitions that have had to be canceled or rescheduled. Dr. Bley stated his concern is that 90% of the teams had to quarantine and it wasn't just an individual person, he doesn't feel it is going to change anything from whether going to finish the season or not and does not think that is going to be affected at all and if Public health feels that infection risk is dropping in the community then he would like to follow their lead and if they think it's safe to not wear a mask for youth sports anymore. Ms. Donna Polk gave an update into the comments that were received from member schools regarding face coverings. Ms. Polk's states it is a mixture across the board as it relates to whether schools are favoring going with the recent executive order or continuing to wear the mask. The consistent message from the member schools is the concern of face coverings not being worn and then the entire team being quarantined. The DISC schools are not necessarily in favor of having the face masks removed just because of the contact tracing and the possible increase in team quarantine. The concern is when we go into championships if masks were not worn and some schools are wanting to do that and some schools are not how would that impact the championships as it relates to managing championships on a day in and day out once they get to that point. The consistent messaging across everyone was the team quarantining likely being increased and shutting down teams. As the season moves into championship and that did occur, and one team didn't have to quarantine and the other one did, the team that had to quarantine would be eliminated from the championships and the team that did not would move on. If both teams had to quarantine then that situation would have to be discussed on who would be moving on. Mr. Jeremy Jeanne asked about how the officials feel or are willing to officiate games if DIAA was to remove the face covering regulation that is currently in regulation. Mrs. Stephanie Mark stated that a few of the association presidents that she has spoken with stated they were ok with following the Governors updated order regarding face coverings, even though they would still be required to wear face coverings. Mr. Jeremy Jeanne asked what flexibility the board has to potentially in the

future put more restrictive measures in place if needed. Dr. Bradley Bley stated he would be in favor of getting rid of the mask requirement as soon as possible to follow state guidelines. Dr. Bradley Layfield stated he was prepared to make a motion and if that was seconded than the board could have more discussion. Dr. Layfield feels the focus on imminent peril is very important, it was allows DIAA the ability to move forward with an emergency regulation if it is believe that there is imminent peril of the students welfare to keep them masked, Dr. Layfield doesn't think it is fair for DIAA, SMAC or Dr. Bley be trapped into coming up with a legal definition. Dr. Layfield feels it's important to do what is right by the kids.

Dr. Bradley Bley left the meeting at 1:05pm

Vetra Evans Gunther left the meeting at 1:31pm

Ted Laws left the meeting at 1:57pm

Jamie Mack, DPH joins the meeting at 1:58pm

Dr. Bradley Layfield made a motion to mirror the language of the previously adopted revision to regulation 1011 that was adopted on April 8<sup>th</sup>, 2021 and to make this language affective immediately upon approval of the DIAA Board and State Board once the emergency regulation is signed. The motion was seconded by Mr. Jeremy Jeanne. The board went into further discussions in regards to the motion made. The board then went through regulation 1011 determining that anything that was not related to face coverings would remain in the regulation.

Mr. Jamie Mack from DPH spoke to what changed from DPH that advised the Governor that it was safe to remove the mandated face coverings for athletes. Mr. Mack stated that with the change from indoor to outdoor sports that was a big consideration in the decision. Dr. Bradley Layfield stated that next question was in regards to facility plans, wants to know if DPH required schools to submit plans for spring sports. Mr. Mack stated that if schools put plans in place for the fall that those can still be used and there is no need to resubmit. Dr. Layfield also asked should board move forward with emergency regulation and a local school wishes to modify that plan they can resubmit that plan, Mr. Mack stated it wouldn't need to be a resubmission of the plan it could be a simple email stating an amendment to the plan.

Mr. Mike Rodriguez shared the purpose of DIAA and asked if an emergency regulation was created today would DIAA meet the stated purpose of the association. Mr. Stan Waterman shared concerns as well with removing mask. Continued discussion occurred amongst board members on the motion.

The board voted on the motion, the motion did not carry with [6-Yes Dr. Bradley Layfield, Mr. Robert Cilento, Dr. Matt Donovan, Mr. Mike Hart, Mr. Jeremy Jeanne, Mr. Chuck Little, 6-No Mr. Mike Breeding, Dr. Evelyn Edney, Mr. Dorrell Green, Mr. Doug Thompson, Mr. Stan Waterman, Mr. Robert Watson].

III. **Other Items for Discussion Only**

None

IV. **Public Comment**

Dr. Pizarro cardio surgeon who works for the A.I. DuPont Children's Hospital stated he has cared for a number of pediatric patients with COVID, and fortunately, it has been a very small number. He also has the opportunity to volunteer on some sports teams in the local community. He states it's pretty clear that the reason why the fall and winter regulation restrictions were put in place and then were somewhat modified by DPH in the spring because the sports are moving outdoors. The chances of anyone getting transmission from COVID in the outdoors is exceedingly low. Dr. Pizarro feels there is enough data now to know that none of the sporting events have turned into a super spreader. He also feels it's important to acknowledge that there is no reason to believe that there is imminent peril. Dr. Pizarro asks does a kid need to get hit in the eye by a baseball, for the board to realize they should have considered this, the reality might be that there is an event that might be mitigated by the fact that the balance has been shifted from overwhelmingly positive in terms of wearing a mask and containing the spread of the disease, particularly last year and certainly during the fall to a very different scenario to where now there is an opening for vaccination for children who are older than 16 years of age across the board. Dr. Pizarro believes there should always be an option for individuals to choose to wear a mask if they so desire, he feels that mass majority of individuals would be at ease and relieved not to do that. Dr. Pizarro states he lives this every day and feels children are quite blessed to be quite safe from this particular pandemic.

V. **Adjournment**

Dr. Matt Donovan made a motion to adjourn the meeting. The motion was seconded by Mr. Mike Hart. The motion carried with [12-Yes Dr. Bradley Layfield, Mr. Robert Cilento, Dr. Matt Donovan, Mr. Mike Hart, Mr. Jeremy Jeanne, Mr. Chuck Little, Mr. Mike Breeding, Dr. Evelyn Edney, Mr. Dorrell Green, Mr. Doug Thompson, Mr. Stan Waterman, Mr. Robert Watson and 0-No].

The meeting adjourned at 2:13 PM