

DEPARTMENT OF EDUCATION

OFFICE OF THE SECRETARY

Statutory Authority: 14 Delaware Code, Sections 122(b)(15), 303, and 304(2) and 29 Delaware Code, Section 10113(b)(2)-(b)(4) (14 **Del.C.** §§122(b)(15), 303, & 304(2) and 29 **Del.C.** §10113(b)(2)-(b)(4))
14 **DE Admin. Code** 1021

FINAL

ORDER

1021 DIAA Committees

I. SUMMARY OF THE EVIDENCE AND INFORMATION SUBMITTED

Pursuant to 14 **Del.C.** §§122(b)(15), 303, and 304(2) and 29 **Del.C.** §§10113(b)(2), 10113(b)(3), and 10113(b)(4), the Delaware Interscholastic Athletic Association ("DIAA") Board of Directors proposes to amend 14 **DE Admin. Code** 1021 DIAA Committees. The proposed regulation concerns DIAA Board of Directors' committees, which are subordinates to the DIAA Board, and sets forth rules of practice and procedure of the concerning the DIAA Board of Directors' committees. The DIAA Board of Directors proposes to change the number of recognized committees to 27 in Section 1.0 and add one committee (awards) to subsection 3.1.2. In addition, the DIAA Board of Directors proposes to correct a technical error in Section 2.0.

The proposed regulation is exempt from the requirement of public notice and comment and is adopted informally in accordance with 29 **Del.C.** §§10113(b)(2), 10113(b)(3), and 10113(b)(4).

II. FINDINGS OF FACTS

On December 8, 2022, the DIAA Board of Directors proposed 14 **DE Admin. Code** 1021 DIAA Committees, in the form attached hereto as Exhibit A, to the Department to adopt informally pursuant to 29 **Del.C.** §§10113(b)(2), 10113(b)(3), and 10113(b)(4).

The Department finds that the proposed regulation relates to interscholastic athletics at the middle and high school levels and is necessary to implement 14 **Del.C.** Ch. 3. The Department further finds that the proposed regulation sets forth rules of practice and procedure of the DIAA Board of Directors' committees. Accordingly, the Department finds that it is appropriate to amend 14 **DE Admin. Code** 1021 DIAA Committees.

III. DECISION TO AMEND THE REGULATION

For the foregoing reasons, the Department concludes that it is appropriate to amend 14 **DE Admin. Code** 1021 DIAA Committees. Therefore, pursuant to 14 **Del.C.** §§122(b)(15), 303, and 304(2) and 29 **Del. C.** §§10113(b)(2), 10113(b)(3), and 10113(b)(4), 14 **DE Admin. Code** 1021 DIAA Committees, attached hereto as Exhibit A, is hereby amended.

IV. TEXT AND CITATION

The text of 14 **DE Admin. Code** 1021 DIAA Committees amended hereby shall be in the form attached hereto as Exhibit A and said regulation shall be cited as 14 **DE Admin. Code** 1021 DIAA Committees in the Administrative Code of Regulations for the Department.

V. EFFECTIVE DATE OF ORDER

The effective date of this Order shall be ten days from the date this Order is published in the *Register of Regulations*.

IT IS SO ORDERED the 15th day of December, 2022.

Department of Education

Mark A. Holodick, Ed.D., Secretary of Education

1021 DIAA Committees

This regulation sets forth the process for an individual to be appointed or removed as a member of 1 of the ~~26~~ 27 standing committees or another committee established by the Delaware Interscholastic Athletic Association's Board of Directors pursuant to 14 **Del.C.** §304(2). In addition, this regulation outlines committees' reporting requirements to the Board.

2.0 Definitions

The following word words and term terms, when used in this regulation, shall have the following meaning:

"Board" means the Delaware Interscholastic Athletic Association Board of Directors established pursuant to 14 **Del.C.** ch. 3.

"Department" means the Delaware Department of Education established pursuant to 14 **Del.C.** §101.

"DIAA" means the Delaware Interscholastic Athletic Association established pursuant to 14 **Del.C.** §301.

3.0 Standing Committees

3.1 The Board has established the following standing committees:

3.1.1 The recognized sport committees are:

- 3.1.1.1 Baseball Committee
- 3.1.1.2 Boys' Basketball Committee
- 3.1.1.3 Boys' Lacrosse Committee
- 3.1.1.4 Boys' Soccer Committee
- 3.1.1.5 Boys' Volleyball Committee
- 3.1.1.6 Cross Country Committee
- 3.1.1.7 Field Hockey Committee
- 3.1.1.8 Football Committee
- 3.1.1.9 Girls' Basketball Committee
- 3.1.1.10 Girls' Lacrosse Committee
- 3.1.1.11 Girls' Soccer Committee
- 3.1.1.12 Girls' Volleyball Committee
- 3.1.1.13 Golf Committee
- 3.1.1.14 Softball Committee
- 3.1.1.15 Swimming and Diving Committee
- 3.1.1.16 Tennis Committee
- 3.1.1.17 Track and Field Committee
- 3.1.1.18 Wrestling Committee

3.1.2 The other committees are:

- ~~3.1.2.1~~ 3.1.2.1 Awards Committee
- ~~3.1.2.2~~ 3.1.2.2 Classification Committee
- ~~3.1.2.3~~ 3.1.2.3 Officials Committee
- ~~3.1.2.4~~ 3.1.2.4 Rules and Regulations Committee
- ~~3.1.2.5~~ 3.1.2.5 Scheduling Committee
- ~~3.1.2.6~~ 3.1.2.6 Sports Medicine Advisory Committee
- ~~3.1.2.7~~ 3.1.2.7 Sportsmanship Committee
- ~~3.1.2.8~~ 3.1.2.8 Student-Athlete Development Committee and Student-Athlete Advisory Subcommittee
- ~~3.1.2.9~~ 3.1.2.9 Unified Sports® Committee

3.2 The Board may appoint additional committees to assist in the performance of its duties.

4.0 Committee and Subcommittee Membership

4.1 Committees shall consist of no less than 10 and no more than 15 committee members in addition to 1 current Board member. The Student-Athlete Advisory Subcommittee shall consist of no less than 10 and no more than 21 subcommittee members.

4.2 Committee members shall have expertise in the committee's subject matter.

4.3 Committee membership shall be geographically representative of the DIAA Member Schools located within all 3 counties and may include administrators, athletic directors, coaches, local school board members, officials,

public members, licensed physicians and sports medicine professionals, school staff, state interpreters, coaches' association representatives, and mental health professionals.

- 4.3.1 Each committee shall include a current Board member as a member of the committee.
- 4.3.2 Each recognized sport committee, as provided in subsection 3.1.1, shall consist of the following:
 - 4.3.2.1 At least one athletic director;
 - 4.3.2.2 One representative each from the Blue Hen, Diamond State, Henlopen, and Independent Conferences;
 - 4.3.2.3 One non-conference representative;
 - 4.3.2.4 One coaches' association representative;
 - 4.3.2.5 One officials' association representative from each DIAA-recognized association in the applicable sport; and
 - 4.3.2.6 At least one public member.
- 4.3.3 The Student-Athlete Development Committee shall also include school counselors, mental health professionals, and school climate or student discipline personnel.
- 4.4 The Student-Athlete Advisory Subcommittee shall be comprised of student-athletes only and shall be geographically representative of the three counties.
- 4.5 The Executive Director shall make a call for applications to fill vacancies on committees. Prospective and current committee members shall submit a DIAA Committee Application to the DIAA Office. The Executive Director and the committee's chairperson shall review the applications and make recommendations to the Board for approval and appointment or reappointment.
- 4.6 Except for the Sports Medicine Advisory Committee, each committee shall elect a chairperson, vice chairperson, and secretary annually. The Sports Medicine Advisory Committee shall elect a chairperson, vice chairperson, and secretary every 2 years.
 - 4.6.1 The committee chairperson shall preside over all meetings of the committee.
 - 4.6.2 The committee's vice chairperson shall serve in the capacity of the committee's chairperson in the chairperson's absence.
- 4.7 The Executive Director shall make a call for applications to fill vacancies on the Student-Athlete Advisory Subcommittee. Prospective and current subcommittee members shall submit a DIAA Committee Application to the DIAA Office. The Student-Athlete Development Committee shall review the applications and appoint or reappoint members.
- 4.8 Committee and subcommittee members shall serve staggered 4-year terms.
- 4.9 Committee members who miss three consecutive meetings shall be reported to the Board, which may appoint replacement committee members.
- 4.10 Members of the Student-Athlete Advisory Subcommittee who miss 3 consecutive meetings shall be reported to the Student-Athlete Development Committee, which may appoint replacement subcommittee members.
- 4.11 The Board may remove a committee member whose actions are contradictory to the committee's purpose or DIAA's purpose or are in violation of applicable law. In such case, the Board shall appoint a replacement committee member.
- 4.12 The Student-Athlete Development Committee may remove a member of the Student-Athlete Advisory Subcommittee whose actions are contradictory to the subcommittee's purpose or DIAA's purpose or are in violation of applicable law. In such case, the Student-Athlete Development Committee shall appoint a replacement subcommittee member.

5.0 Committee Reports and Recommendations

- 5.1 The recognized sport committees, as provided in subsection 3.1.1, shall provide a report to the Board at the conclusion of the state tournament for their sport. The other committees, as provided in subsection 3.1.2, shall provide a progress report to the Board after each meeting.
- 5.2 Committees shall submit the report in writing to the DIAA Office or designate at least 1 committee member to deliver the report in writing at the Board's next regularly scheduled meeting.
- 5.3 Recommendations to the Board from committees shall be submitted in writing to the DIAA Office at least 1 week prior to the Board's next regularly scheduled meeting. The committee shall designate at least 1 committee member to attend the Board's meeting and present the committee's recommendation to the Board.

6.0 Administrative Assistance from DIAA Office

The Executive Director and the Coordinator of Interscholastic Athletics shall provide administrative assistance to the

committees before, during, and after committee meetings subject to the Department's approval and supervision.

26 DE Reg. 195 (09/01/22)

26 DE Reg. 552 (01/01/23) (Final)