

# DEPARTMENT OF EDUCATION

## OFFICE OF THE SECRETARY

Statutory Authority: 14 Delaware Code, Section 303 (14 **Del.C.** §303)  
14 **DE Admin. Code** 1021

### PROPOSED

### PUBLIC NOTICE

#### Educational Impact Analysis Pursuant to 14 Del. C. §122(d)

#### 1021 DIAA Committees

#### A. TYPE OF REGULATORY ACTION REQUESTED

Amendment to Existing Regulation

#### B. SYNOPSIS OF SUBJECT MATTER OF REGULATION

Pursuant to 14 **Del.C.** §303, the Delaware Interscholastic Athletic Association Board of Directors ("Board") proposes amendments to 14 **DE Admin. Code** 1021 DIAA Committees. The proposed amendments eliminate non-existent committee, change the name of two committees, add a committee for girls' wrestling, eliminate the requirement that a Board member be on every committee, and eliminate the requirement that public committee members must have lived in Delaware for at least three years.

Persons wishing to present their views regarding this matter may do so in writing by submitting them to the Department, Office of the Secretary, Attn: Regulation Review, 401 Federal Street, Suite 2, Dover, Delaware 19901 or through the Department's online submission form at <https://education.delaware.gov/community/governance/regulations-code/post-a-comment/> by the close of business (4:30 p.m. EST) on or before November 4, 2024. Any person who wishes to receive a copy of the proposed regulation may obtain a copy from the Department at the Office of the Secretary on the second floor of the Townsend Building, 401 Federal Street, Dover, Delaware.

#### C. IMPACT CRITERIA

1. Will the amended regulation help improve student achievement as measured against state achievement standards? The proposed change will have no effect on student achievement.
2. Will the amended regulation help ensure that all students receive an equitable education? The proposed change will have no effect on the receipt of an equitable education.
3. Will the amended regulation help to ensure all students' health and safety are adequately protected? The proposed change will have no effect on student health and safety.
4. Will the amended regulation help to ensure that all students' legal rights are respected? The proposed change will have no effect on students' legal rights.
5. Will the amended regulation preserve the necessary authority and flexibility of decision-makers at the local board and school level? The amended regulation will have no effect on the authority and flexibility of decision makers at the local board and school level.
6. Will the amended regulation place unnecessary reporting or administrative requirements or mandates upon decision makers at the local board and school levels? The amended regulation does not place unnecessary reporting or administrative requirements or mandates upon decision makers at the local board and school levels.
7. Will decision making authority and accountability for addressing the subject to be regulated be placed in the same entity? The Board enforces the regulations relating to interscholastic athletics in Delaware (14 **Del.C.** §304).
8. Will the amended regulation be consistent with and not an impediment to the implementation of other state educational policies, in particular to state educational policies addressing achievement in the core academic subjects of mathematics, science, language arts, and social studies? The amended regulation will have no effect on state educational policies addressing achievement in the core academic subjects of mathematics, science, language arts, and social studies.
9. Is there a less burdensome method for addressing the purpose of the amended regulation? There is not a less burdensome method for addressing the purpose of this amended regulation.
10. What is the cost to the state and to the local school boards of compliance with the amended regulation? There is no expected cost to the state or to the local school boards of compliance with the amended regulation.

#### 1021 DIAA Committees

#### 1.0 Content

This regulation sets forth the process for an individual to be appointed or removed as a member of 1 of the ~~27~~ standing

~~committees or committees,~~ another committee, or subcommittee 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.

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

## 2.0 Definitions

The following words and 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.

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

## 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 Boys' Wrestling Committee
- ~~3.1.1.6~~ ~~3.1.1.7~~ Cross Country Committee
- ~~3.1.1.7~~ ~~3.1.1.8~~ Field Hockey Committee
- ~~3.1.1.8~~ ~~3.1.1.9~~ Football Committee
- ~~3.1.1.9~~ ~~3.1.1.10~~ Girls' Basketball Committee
- ~~3.1.1.10~~ ~~3.1.1.11~~ Girls' Lacrosse Committee
- ~~3.1.1.11~~ ~~3.1.1.12~~ Girls' Soccer Committee
- ~~3.1.1.12~~ ~~3.1.1.13~~ Girls' Volleyball Committee
- 3.1.1.14 Girls' Wrestling Committee
- ~~3.1.1.13~~ ~~3.1.1.15~~ Golf Committee
- ~~3.1.1.14~~ ~~3.1.1.16~~ Softball Committee
- ~~3.1.1.15~~ ~~3.1.1.17~~ Swimming and Diving Committee
- ~~3.1.1.16~~ ~~3.1.1.18~~ Tennis Committee
- ~~3.1.1.17~~ ~~3.1.1.19~~ Track and Field Committee
- 3.1.1.18 Wrestling Committee

3.1.2 The other committees are:

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

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

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

## 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~~. Notwithstanding the foregoing, the Unified Sports® Committee shall consist of no less than 10

and no more than 18 committee members ~~in addition to 1 current Board member~~ and shall include 1 representative for each Unified Sport® recognized by DIAA. ~~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 as provided in subsections 4.3.1 through ~~4.3.5~~ 4.3.3.

~~4.3.1 Each committee shall include a current Board member as a member of the committee except for the Student-Athlete Advisory Subcommittee.~~

~~4.3.2~~ 4.3.1 ~~In addition to 1 current Board member,~~ each Each recognized sport committee, as provided in subsection 3.1.1, may consist of the following members:

4.3.2.1 ~~4.3.1.1~~ At least 1 athletic director from a DIAA Member School. If there are 2 or more athletic directors on a recognized sport committee, the athletic directors shall be from DIAA Member Schools in different counties;

4.3.2.2 ~~4.3.1.2~~ One representative each from the Blue Hen, Diamond State, Henlopen, and Independent Conferences;

4.3.2.3 ~~4.3.1.3~~ One non-conference representative;

4.3.2.4 ~~4.3.1.4~~ One coaches' association representative;

4.3.2.5 ~~4.3.1.5~~ One officials' association representative from each DIAA-recognized association in the applicable sport; and

4.3.2.6 ~~4.3.1.6~~ At least 1 public member who is a current Delaware resident at the time of application. If there are 2 or more public members on a recognized sport committee, the public members shall reside in different counties in Delaware.

~~4.3.3~~ 4.3.2 All other committees, including the committees provided in subsection 3.1.2, may consist of the following members:

4.3.3.1 ~~4.3.2.1~~ Administrators from DIAA Member Schools in different counties;

4.3.3.2 ~~4.3.2.2~~ Athletic directors from DIAA Member Schools in different counties;

4.3.3.3 ~~4.3.2.3~~ Coaches from DIAA Member Schools in different counties;

4.3.3.4 ~~4.3.2.4~~ Local school board members from DIAA Member Schools in different counties;

4.3.3.5 ~~4.3.2.5~~ Officials who officiate at DIAA Member Schools;

4.3.3.6 ~~4.3.2.6~~ Public members who resided in Delaware for at least 3 years prior to being appointed to the committee are current Delaware residents at the time of application and who reside in different counties in Delaware;

4.3.3.7 ~~4.3.2.7~~ Physicians and sports medicine professionals who hold an active, unencumbered license to practice in Delaware;

4.3.3.8 ~~4.3.2.8~~ School staff members from DIAA Member Schools in different counties;

4.3.3.9 ~~4.3.2.9~~ DIAA State Interpreters;

4.3.3.10 ~~4.3.2.10~~ Coaches' association representatives; and

4.3.3.11 ~~4.3.2.11~~ Mental health professionals who hold an active, unencumbered license to practice in Delaware.

4.3.4 ~~4.3.3~~ The Student-Athlete Development Committee may also include school counselors, mental health professionals, and school climate or student discipline personnel from DIAA Member Schools in different counties.

4.3.5 ~~Notwithstanding subsection 4.3.3, the Student-Athlete Advisory Subcommittee shall be comprised of student athletes. The student athletes shall be from DIAA Member Schools in different counties in Delaware.~~

4.4 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.

4.5 Each committee shall elect a chairperson, vice chairperson, and secretary every 2 years.

4.5.1 The committee chairperson shall preside over all meetings of the committee.

4.5.2 The committee's vice chairperson shall serve in the capacity of the committee's chairperson in the chairperson's absence.

4.6 ~~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.~~

4.7 ~~4.6~~ An individual may be appointed to serve on no more than 1 recognized sport committee during a particular season.

4.8 ~~4.7~~ Committee and subcommittee members shall serve staggered 4-year terms.

4.9 ~~4.8~~ Committee members who miss 3 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 ~~4.9~~ 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.~~

**27 DE Reg. 154 (09/01/23)**

**27 DE Reg. 523 (01/01/24)**

## **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~~ on a quarterly basis.

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 DIAA shall provide administrative assistance to the committees before, during, and after committee meetings subject to the Department's Executive Director's approval and supervision.~~

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

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

**27 DE Reg. 154 (09/01/23)**

**27 DE Reg. 523 (01/01/24)**

**28 DE Reg. 257 (10/01/24) (Prop.)**