

# DEPARTMENT OF EDUCATION

## OFFICE OF THE SECRETARY

Statutory Authority: 14 Delaware Code, Sections 122(b)(15) and 303 (14 **Del.C.** §§122(b)(15) & 303)

### FINAL

### ORDER

#### 1042 Coaches

#### I. SUMMARY OF THE EVIDENCE AND INFORMATION SUBMITTED

Pursuant to 14 **Del.C.** §§122(b)(15) and 303, the Delaware Interscholastic Athletic Association ("DIAA") Board of Directors, acting in consultation and cooperation with the Delaware Department of Education ("Department"), proposes the adoption of 14 **DE Admin. Code** 1042 Coaches. The regulation provides certain requirements for coaches at DIAA Member Schools. The proposed regulation includes specifying the content of the regulation in Section 1.0 and incorporating new and existing defined terms into Section 2.0. Additionally, the Board is simultaneously proposing to repeal existing sections from 14 **DE Admin. Code** 1008 and 14 **DE Admin. Code** 1009 and incorporate them into this new regulation. Specifically, proposed Section 3.0 is formerly subsection 7.1 of 14 **DE Admin. Code** 1008 and 14 **DE Admin. Code** 1009; proposed Section 4.0 is formerly subsection 7.2 of 14 **DE Admin. Code** 1008 and 14 **DE Admin. Code** 1009; proposed Section 5.0 is formerly subsection 7.3 of 14 **DE Admin. Code** 1008 and 14 **DE Admin. Code** 1009; and proposed Section 6.0 is formerly subsection 7.4 of 14 **DE Admin. Code** 1008 and 14 **DE Admin. Code** 1009. In addition, the proposed regulation adds the requirement that certified and emergency coaches hold current AED and first aid certification to subsections 3.3 and 4.2; adds the requirement that volunteer coaches hold current CPR, AED, and first aid certification to subsection 5.2; and replaces "Heads Up Football Training" with "certified football" in Section 6.0.

Notice of the proposed regulation was published in the *Register of Regulations* on June 1, 2022. The DIAA Board of Directors received a written submittal from Bill Schultz concerning the proposed regulation. Mr. Schultz, who is President of the Henlopen Conference, commented there would be a cost to require volunteer coaches to have CPR/AED and first aid certification.

#### II. FINDINGS OF FACTS

On August 11, 2022, the DIAA Board of Directors considered the written submittal, which concerned adding the requirements that certified and emergency coaches hold current AED and first aid certification to subsections 3.3 and 4.2 and that volunteer coaches hold current CPR, AED, and first aid certification to subsection 5.2. The DIAA Board of Directors found that CPR certification is currently required for coaches. Additionally, the DIAA Board requested that the DIAA Office provide it with an accounting. The DIAA Board of Directors decided not to make changes as a result of the written submittal at this time and proposed 14 **DE Admin. Code** 1042 Coaches, in the form attached hereto as Exhibit A, for adoption by the Department subject to the State Board of Education's approval.

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**. Accordingly, the Department finds that it is appropriate to adopt 14 **DE Admin. Code** 1042 Coaches.

#### III. DECISION TO ADOPT THE REGULATION

For the foregoing reasons, the Department concludes that it is appropriate to adopt 14 **DE Admin. Code** 1042 Coaches subject to the State Board of Education's approval. On August 12, 2022, the State Board of Education approved the adoption of 14 **DE Admin. Code** 1042 Coaches. Therefore, pursuant to 14 **Del.C.** §§122(b)(15) and 303, 14 **DE Admin. Code** 1042 Coaches, attached hereto as Exhibit A, is hereby adopted.

#### IV. TEXT AND CITATION

The text of 14 **DE Admin. Code** 1042 Coaches adopted hereby shall be in the form attached hereto as Exhibit A and said regulation shall be cited as 14 **DE Admin. Code** 1042 Coaches 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 12th day of August, 2022.

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

Approved this 12th day of August, 2022.

**State Board of Education**

/s/ Shawn Brittingham, President

/s/ Vincent Lofink, Vice President

/s/ Candice Fifer

/s/ Audrey J. Noble, Ph.D.

/s/ Rev. Provey Powell, Jr.

Wali W. Rushdan, II (Absent)

/s/ Deborah Stevens

**\*Please note: Electronic signatures ("/s/") were accepted pursuant to 6 Del.C. §12A-107(d).**

**1042 Coaches**

**1.0 Content**

In accordance with 14 Del.C. §303(b), this regulation sets forth requirements for certified, emergency, and volunteer coaches at the middle and high school levels. Additional requirements for coaches are set forth in other interscholastic athletic regulations, including 14 DE Admin. Code 1023 Sportsmanship, 14 DE Admin. Code 1035 In-Season Athletic Activities and Contact, and 14 DE Admin. Code 1040 Out-of-Season and Summer Athletic Activities and Contact.

**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.

"Competition" means a contest between schools in which student athletes compete.

"Department" means the Delaware Department of Education.

"Member School" means a full or associate member school of the DIAA.

"School Day" or "School Days" means actual school attendance days during the regular academic school year including a partial day that students are in attendance at school for instructional purposes as adopted by the district or governing body of the school not to include weekends, holidays, summer school, etc.

"Unified Sports" means a co-ed program that combines an approximately equal number of students with and without autism or intellectual disabilities on a sports team for training and interscholastic competition.

**3.0 Certified Coaches**

3.1 Only those professional employees certified by the Department and whose salary is paid by the State or local board of education, or in the case of charter and nonpublic schools by a similar governing body, if acceptable as a coach by the governing body, shall coach, assist in coaching, or direct member school teams in any district. The terms of employment shall be for the regular school year and the professional assignment shall be no less than half of the School Day, exclusive of coaching duties.

3.2 All middle school head coaches and high school varsity head coaches (or the junior varsity head coach, if the school does not sponsor a varsity team) shall be required to attend the DIAA rules clinic for their sport or, if applicable, pass an open book rules examination supplied by the DIAA office. A Member School shall be assessed a \$50.00 fine and the coach shall be placed on probation if the coach fails to attend the DIAA rules clinic or pass the open book rules examination in the coach's respective sport. Failure to comply for a second consecutive year shall result in the school being assessed a \$50.00 fine and the coach being suspended for up to five contests as determined by the Board.

3.3 Certified coaches at all levels of competition shall hold a current certification in adult CPR, AED, and first aid.

3.4 Certified coaches at all levels of competition shall complete the NFHS' "Concussion in Sports" course online through [NFHSLearn.com](https://www.nfhslearn.com) every two years.

3.5 Certified coaches of Unified Sports shall complete the NFHS' "Unified Sports®" course online through [NFHSLearn.com](https://www.nfhslearn.com) every two years.

#### **4.0 Emergency Coaches**

- 4.1 An emergency coach shall be defined as an individual who is either not certified by the Department, or is certified by the Department but is not employed for the regular school year or whose professional assignment is less than half of the School Day. An individual who meets the requirements of a certified coach but whose professional assignment is located in a different school or district than their coaching assignment shall not be considered an emergency coach.
- 4.2 Emergency coaches at all levels of competition shall hold a current certification in adult CPR, AED, and first aid.
- 4.3 Emergency coaches at all levels of competition shall complete the NFHS' "Concussion in Sports" course online through [NFHSLearn.com](https://nfhslearn.com) every two years.
- 4.4 Emergency coaches of Unified Sports shall complete the NFHS' "Unified Sports®" course online through [NFHSLearn.com](https://nfhslearn.com) every two years.
- 4.5 Emergency coaches may be employed provided the local governing body adheres to the following procedures:
  - 4.5.1 The employing board of education must attempt to locate an acceptable, certified professional staff member by advertising the coaching vacancy in the district for as many days as are required by the district's collective bargaining agreement.
  - 4.5.2 If an acceptable, certified professional staff member is not available, an individual who is acceptable to the employing board of education may be hired as an emergency coach.
  - 4.5.3 Any individual employed as a coach under the emergency provision must comply with the following regulations:
    - 4.5.3.1 Emergency coaches must be officially appointed by the local board of education. The Superintendent or designee may temporarily appoint an individual if a coaching vacancy arises and the sport season begins during the interim between meetings of the local board of education.
    - 4.5.3.2 The emergency coaches' coaching salary must be paid exclusively by the local board of education.

#### **5.0 Volunteer Coaches**

- 5.1 In addition to the members of the school's regular coaching staff, the local governing body may supplement a school's coaching staff with volunteer coaches. Volunteer coaches are individuals who donate their services to a school, who have been approved by that school's local governing body, and who are supervised by a certified or emergency coach. A current list of approved volunteer coaches shall be on file in the school's administrative office before any coaching duties are assumed.
- 5.2 Volunteer coaches at all levels of competition shall hold a current certification in adult CPR, AED, and first aid.
- 5.3 Volunteer coaches at all levels of competition shall complete the NFHS' "Concussion in Sports" course online through [NFHSLearn.com](https://nfhslearn.com) every two years.
- 5.4 Volunteer coaches of Unified Sports shall complete the NFHS' "Unified Sports®" course online through [NFHSLearn.com](https://nfhslearn.com) every two years.

#### **6.0 Football Coaches**

All football coaches (including certified, emergency, and volunteer coaches) at all levels of competition shall annually complete certified football training.

**26 DE Reg. 206 (09/01/22) (Final)**