



SPONSOR: Sen. Poore & Rep. Jaques & Rep. Ramone
Sens. Ennis, Hansen, Sokola, Walsh; Reps. Mitchell,
Yearick

DELAWARE STATE SENATE
149th GENERAL ASSEMBLY

SENATE CONCURRENT RESOLUTION NO. 79

DIRECTING THE DEPARTMENT OF EDUCATION, WITH THE ASSISTANCE OF THE DELAWARE INTERSCHOLASTIC ATHLETIC ASSOCIATION, TO PROMULGATE REGULATIONS THAT PERMIT COACHES TO COACH ATHLETES OUT OF SEASON, WITH RESTRICTIONS THAT MINIMIZE THE RISK OF UNETHICAL ACTIVITY.

1 WHEREAS, the nature of youth athletics have changed so that youth often participate in the same sport
2 throughout the year; and

3 WHEREAS, student athletes should have the opportunity to work with coaches the student athletes believe will
4 develop their skills and support their athletic goals; and

5 WHEREAS, the State Public Integrity Commission has issued Advisory Opinions stating that a public school
6 coach violates the State Employees', Officers' and Officials' Code of Conduct if the coach provides out of season
7 instruction for pay for returning members of the varsity or sub-varsity teams of the school where the coach works as a
8 coach; and

9 WHEREAS, the goal of this Senate Concurrent Resolution is to support the ability for student athletes to work
10 with a coach they believe will develop their skills and support their athletic goals, while still protecting the integrity of
11 education-based athletics; and

12 WHEREAS, because of the changed nature of youth athletics, states such as Maryland and West Virginia now
13 allow public school coaches to provide instruction, with or without pay, to students they coach under limited circumstances
14 that include organized camps, clinics, leagues, lessons, and clubs supervised by a member of an overreaching national
15 program or organization that is not affiliated with a resident school, such as the Amateur Athletic Union ("AAU"), Olympic
16 Development Program ("ODP"), United State of America Volleyball ("USAV"), and United States of America Track and
17 Field ("USATF"); and

18 WHEREAS, Delaware athletes are at a disadvantage when competing against youth from other states because the
19 Delaware coaches cannot coach their students out of season.

20 NOW, THEREFORE:

21 BE IT RESOLVED by the Senate of the 149th General Assembly of the State of Delaware, the House of
22 Representative concurring therein, that the Department of Education, with the assistance of the Delaware Interscholastic

Athletic Association, is directed to promulgate regulations that permit coaches to coach student athletes out of season, with restrictions that minimize the risk of unethical activity.

BE IT FURTHER RESOLVED that the Department of Education and the Delaware Interscholastic Athletic Association should consider model guidelines from other states, including rules regarding the number of athletes who can be coached, no contact periods, the amount of contact time, and enforcing compliance by organizations.

BE IT FURTHER RESOLVED that the Department of Education and the Delaware Interscholastic Athletic Association should specifically address all of the following in drafting the regulations under this Resolution:

(1) No contact periods.

(2) Programs and activities in which high school coaches may work with returning student athletes.

(3) Programs and activities in which high school coaches may not work with returning student athletes.

(4) Out of Season coaching, including all of the following:

a. Terms under which a coach may provide instruction to non-school teams which are affiliated and in good-standing with an overseeing national organization such as AAU, ODP, USAV, or USATF, but which do not have a direct affiliation with a coach's school.

b. Compensation for coaching non-school teams.

c. The percentage of returning student athletes allowed for the starting lineup of non-school teams, for each sport.

d. Terms under which a coach may provide instruction to returning student athletes at clinics, lessons, and camps not affiliated with the member school.

e. Compensation for instruction at clinics, lessons, and camps not affiliated with the member school.

(5) When a high school coach is permitted or prohibited from working with returning student athletes at out of season programs and activities, addressing all of the following:

a. When a coach may provide instruction at clinics, lessons, and camps that include returning student athletes but are not affiliated with the member school.

b. Coach compensation for instructing at clinics, lessons, and camps that include returning student athletes but are not affiliated with the member school.

c. Conditions under which a coach may work with a returning student athlete, at an athlete's request, including the maximum number of returning players and the maximum amount of time.

BE IT FURTHER RESOLVED that the Department of Education shall publish the proposed regulations developed under this Resolution no later than October 1, 2018.

SYNOPSIS

This Senate Concurrent Resolution directs the Department of Education, with the assistance of the Delaware Interscholastic Athletic Association, to promulgate regulations that permit coaches to coach student athletes out of season, with restrictions that minimize the risk of unethical activity.

Author: Senator Poore