

Facts of the 4/25/ 14 Track Incident

1. Fact - Each discipline case an administrator handles is different from the one before. Ultimately there is often no clear cut script written other than the district's policy, advice of legal counsel, and the clear understanding that, whatever the process is, you are still dealing with the lives of young adults.
2. Fact - Before this particular event, a clear cut understanding of what vapor pens are was unknown. This was new for our district and it was unknown whether or not this item was drug paraphernalia or not.
3. Fact- vapor pen was confiscated at the track meet that night but there were NO DRUGS confiscated and it was believed that the vapor pen was the item the students were smoking in the room due to the entire group's confession. At that time no one admitted anything other than the vapor pen.
4. Fact - The vapor pen was tested by the Kinney County Sheriff's Department and yielded a negative test for any paraphernalia or nicotine. It appeared that the item had some type of coconut oil in the canister.
5. Fact- I asked the athletic director to interview all students Monday morning. It was my belief that individual interviews might uncover truths unknown from talking to the entire group.
6. Fact – Interviews were conducted one-at-a-time, but several of the students admitted there was some type of device used in the bathroom that may have contained an illegal or illegal synthetic product and was smoked as well. The same number of students did not admit to anything other than the vapor pen in the bathroom and to date have never confessed anything different.
7. Fact - I sought assistance from the school district's legal counsel.
8. Fact – The drug testing company representative recommended against imposing sanctions until the second test confirmation was in, which is what the policy requires. The testing representative reported that another

district recently had a positive test that was negative after the more specific confirmation test. That school administration had followed policy as we did and avoided any repercussions from acting outside of the policy.

9. Fact—On the Friday night before the play-off baseball game, I told the coach without qualification that he had the inherent authority to decide who to play and who not to play in the game, regardless of drug testing results, but he chose not to exercise that authority.