



The State of Wisconsin

DEPARTMENT OF PUBLIC INSTRUCTION

ROOM 148 NORTH, CAPITOL
MADISON 53702

THE STATE OF WISCONSIN

BEFORE

THE STATE SUPERINTENDENT OF PUBLIC INSTRUCTION

Decision & Order #10
WILLIAM C. KAHL
STATE SUPERINTENDENT
ARCHIE A. BUCHMILLER
DEPUTY STATE SUPERINTENDENT
ASSISTANT SUPERINTENDENTS
DONALD K. DEAN
W. LYLE EBERHART
ALAN W. KINGSTON
JOHN W. MELCHER
HENRY A. OLSON
ALLEN T. SLAGLE
ROBERT C. VAN RAALTE

In the Matter of an Appeal Filed with the State Superintendent of Public Instruction by Mr. and Mrs. Leon W [REDACTED], Appealing from the Expulsion of Loren W [REDACTED] from Arrowhead High School, Hartland, Wisconsin by the Board of Education of said High School.

FINDINGS OF FACT

A N D

O R D E R

Facts relating to the above entitled matter were determined by the Deputy State Superintendent, acting Superintendent of Public Instruction, in the absence of the State Superintendent, at a conference held at the State Superintendent's direction by Robert Van Raalte, Assistant Superintendent, State Department of Public Instruction, and Max C. Ashwill, Legal Consultant for the Department of Public Instruction, on March 20, 1967, and adjourned conference on March 23, 1967 at Arrowhead High School, Hartland, Wisconsin.

Persons attending the conference and adjourned conference were:

- Dwight M. Stevens, District Administrator
- Alfred Vandertie, Jr., Principal
- Herbert Usow, Attorney for W [REDACTED]
- Leon W [REDACTED], Parent of Loren W [REDACTED]
- Loren W [REDACTED], Student, Arrowhead High School
- Mrs. Leon W [REDACTED], Parent of Loren W [REDACTED]
- Isabel M. Brown, Clerk, School Board
- Ralph Salich, School Board Member
- Kenneth Leque, President, School Board
- Rev. Carl Wildnick, Our Savior's Lutheran Church
- Fred G [REDACTED], Student, Arrowhead High School
- George Weinberg, School Board Member
- Robert McGraw, Attorney for School Board

The following appears from the information secured at said conference and adjourned conference:

That on February 23, 1967, the Board of Education of Arrowhead High School met and ordered the expulsion of Loren W [REDACTED], age 15 years, from Arrowhead High School for the remainder of the 1966-67 school year for listed student infractions, and notice of said expulsion was sent to Mr. and Mrs. Leon W [REDACTED] by letter of February 27, 1967.

The school authorities had a rule against smoking on the premises and near to the premises of Arrowhead High School, and it appears that Loren W [REDACTED] was aware of such rule when, on several occasions, he was found smoking in violation of such rule.

On February 1, 1967, Loren W [REDACTED] was suspended from school for smoking in the school lavatory and never returned to school after that date.

From the list of infractions of the rules of the school authorities, it appears that the precipitating instance for the suspension of February 1, and ultimate expulsion of February 23 was the February 1 disputed violation of the rules.

It appears to the Deputy State Superintendent that under the circumstances the Board of Education of Arrowhead High School was justified in determining that Loren W [REDACTED] was guilty of persistent refusal to follow the school rules.

It further appears that the period of February 4 to the date of expulsion of February 23 should, in effect, be considered expulsion, Loren W [REDACTED] never having been allowed the privileges of the school since that time.

In consideration of the foregoing, the Deputy State Superintendent affirms the authority of the Board to act in said matter and that it was proper to expel for some period of time in order to maintain the discipline of the school.

In consideration of Loren W [REDACTED]'s absence of 2 months from school, and of the fact that his continued absence places both he, and possibly his parents, in violation of this state's compulsory attendance laws, and in the interest of giving he and his parents an opportunity to adjust his conduct to conform and comply with the direction and supervision of the teachers and administrators, the expulsion is lifted and terminated upon the receipt hereof, and upon the conditions and requirements that Loren W [REDACTED] comply with the directions and reasonable rules or regulations of the school authorities.

This order is not being made upon the basis that the Board of Education may not have been fully justified in ordering the expulsion of Loren W [REDACTED], but solely in the exercise of the discretion of the Deputy State Superintendent in further providing the opportunity for Loren's obtaining the benefits of an adequate education necessary under our present system.

IT IS HEREBY AND HEREWITH ORDERED That the expulsion of Loren W [REDACTED] from Arrowhead High School be affirmed, but that such expulsion be terminated on the date of the receipt of this order by Arrowhead High School authorities.

Dated this 31st day of March, 1967.

SIGNED: Archie A. Buchmiller
ARCHIE A. BUCHMILLER
DEPUTY STATE SUPERINTENDENT
OF PUBLIC INSTRUCTION