



# The State of Wisconsin

## DEPARTMENT OF PUBLIC INSTRUCTION

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THE STATE OF WISCONSIN

BEFORE

THE STATE SUPERINTENDENT OF PUBLIC INSTRUCTION

In the Matter of an Appeal Filed with the  
State Superintendent of Public Instruction  
Appealing from the Expulsion of Michael  
A. [REDACTED] from Pembine High School, Pembine,  
Wisconsin, on February 7, 1968.

O R D E R

Facts related to the above entitled expulsion appeal were determined by the State Superintendent of Public Instruction at a conference held at Pembine High School, Pembine, Wisconsin, held at the State Superintendent's instruction by Robert Van Raalte, Assistant Superintendent, State Department of Public Instruction, and Max C. Ashwill, Legal Consultant for the Department of Public Instruction, at or about 8:45 P.M. on April 2, 1968, at said Pembine High School.

Persons attending the conference of April 2, 1968, were:

Howard N. Lehner, Attorney for School Board  
Margaret R. Parr (Mrs. William C.), Clerk of School Board  
Clifford L. Wood, District Administrator  
Chester McCorkle, Director of School Board  
Rolland W. Yocum, Math.-Science Teacher, President of Pembine Teachers' Education Association  
Catherine M. Anderson, Treasurer of School Board  
Mrs. Betty A. [REDACTED], Parent  
Michael A. [REDACTED], Student  
Eugene Larrabee  
Mrs. Wm. Ehlert

The following appears from information secured at said conference on April 2, 1968:

On February 7, 1968, the Board of Education of said Pembine High School voted to expel Michael A. A. [REDACTED] from Pembine High School in which he was a ninth grade student.

The disciplinary incidents involving Michael's attendance at said high school for the 1967-1968 school year which were thoroughly considered by the Board prior to Michael's expulsion were as follows:

On or about October 2, 1967, Michael was suspended from classes in the Pembine High School for three days for talking in classes and for remarks made in study hall. Michael was returned to school after this incident after a conference between Michael, his mother and Mr. Wood, the School Administrator.

On November 6, 1967, Michael was suspended for three days by the Administrator for discourteous remarks concerning school rules for which he was put on probation by the Board of Education after a conference at a Board meeting with both Michael and his mother present.

On December 4, 1967, Michael was again discourteous in his remarks and actions to the Administrator and he was suspended until the start of the second semester-- January 15, 1968--by the School Board.

On January 29, 1968, Michael was suspended by the Administrator for making threats to the Administrator and for other remarks made.

The Board on February 7, 1968, after considering the disciplinary incidents involving Michael's attendance in said school for the 1967-1968 school year, concluded to expel Michael permanently from the Pembine High School.

The incidents leading to Michael's expulsion have been admitted by him. The Board decided at the time of Michael's expulsion that it was in the interest of the school to expel this student.

There is some indication that the Board in deciding to expel Michael from school considered a Board of Education policy whereupon after a second suspension from Pembine High School the student is permanently removed or expelled from school. There was evidence, however, that the Board considered the disciplinary incidents and waived the rule so to speak in permitting Michael to return to school after various suspensions.

As in the companion case of Kerry Lane E [REDACTED], heard at Pembine High School on

the same date of April 2, 1968, there was some indication that force was used in disciplining Michael. Although the Board has not prohibited the use of corporal punishment and there is no claim that excessive force was used, the State Superintendent can only urge the Pembine school authorities to seek other means of solving the school's disciplinary problems.

Although Pembine High School does not have a student counselor, some counseling services are made available to the students of the district through contracts with the Cooperative Educational Service Agency No. 3, State of Wisconsin, and should be made available to Michael A. [REDACTED] in order that he may qualify for future attendance in the Pembine District Schools.

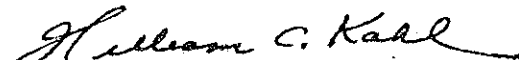
The Pembine school authorities are urged to cooperate with Michael in the manner in which they have indicated they will work with the expellee in the companion case (Kerry Lane E. [REDACTED]) in providing counseling and make up school work fitting this minor child for attendance in the public schools.

It is understood that Michael's expulsion will terminate at the end of the 1967-1968 school year and that he will thereafter be able to apply for entrance to the Pembine High School. His continued attendance thereafter would depend upon his ability to comply with the reasonable rules and regulations enforced by the School Board in the interest of the school.

IT IS HEREBY AND HEREWITH ORDERED That the expulsion of Michael A. A. [REDACTED] from Pembine High School to the end of the 1967-1968 school year be affirmed and that the expulsion be for that period only.

Dated this 25<sup>th</sup> day of April, 1968.

SIGNED:

  
WILLIAM C. KAHL  
STATE SUPERINTENDENT