



State of Wisconsin \ DEPARTMENT OF PUBLIC INSTRUCTION

William C. Kahl
State Superintendent

WISCONSIN HALL, 126 LANGDON STREET
MADISON, WISCONSIN 53702

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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 by Mrs. Jane B. [REDACTED] Dated October 15, 1968, Appealing from the Expulsion of Thomas B. [REDACTED] from the Williams Bay High School, Williams Bay, Wisconsin.

ORDER

A formal hearing having been held before the State Superintendent of Public Instruction on an appeal by Mrs. Jane B. [REDACTED] from an order of the Board of Education of the Williams Bay High School District expelling her son, Thomas B. [REDACTED], from the Williams Bay High School as a student under Section 120.13 (1) (c), Wis. Stats. The matter having been heard October 30, 1968, at the Department of Public Instruction, 126 Langdon Street, Madison, Wisconsin, the appearances being as follows: Mrs. Jane B. [REDACTED] and her son personally and by Karp & Greenberg, Attorneys at Law; the respondent school board appearing by Mr. Rodney Richardson, Attorney at Law; Robert D. Martinson, Assistant Attorney General, and Max C. Ashwill, Legal Consultant for the Department of Public Instruction, as advisors to the State Superintendent; and proceedings were had as appears by the transcript thereof and the exhibits on file as a part of the official record of the matter. The State Superintendent after consideration of all the testimony and the entire record and being fully advised in the premises makes and files the following findings of fact and conclusions of law:

FINDINGS OF FACT

That on October 14, 1968, Thomas B. [REDACTED], then a student at Williams Bay High School, was expelled therefrom by the school board of the Williams Bay High School

for persistent refusal to comply with that certain rule adopted by the school board relating to the length of hair permitted to be worn by male students, which rule is as follows:

"Hair should be washed, combed and worn so it does not hang below the collar line in the back, over the ears on the side and must be above the eyebrows. Boys should be clean shaven; long sideburns are out."

The violation of the rule was admitted both by Mrs. Jane B [REDACTED] and her son, Thomas, in addition to the stipulation of counsel, as appears in the transcript of the proceedings.

That prior to the expulsion on September 3, 1968, two infractions of the same school board rule pertaining to the length of hair by Thomas B [REDACTED] were reported; a similar violation on September 4, 1968, another on September 9, 1968, and another on September 19, 1968, as evidenced by the transcript of proceedings and the exhibits on file, resulting in a suspension of Thomas B [REDACTED] from school effective September 27, September 30 and October 1, 1968, and another suspension on October 8, 9 and 10, 1968, for refusal after the first suspension to comply with the said rule.

That written notice of the suspension had been given to the appellants and personal conferences between them and the school board had been held regarding same, all prior to the expulsion and as shown by the exhibits and transcript of proceedings now on file.

That proper written notice of the expulsion was given to the appellants by letter dated October 11, 1968, which appears in the record hereof as Exhibit 7.

That the persistent refusal of Thomas B [REDACTED] to obey said rule constituted a disruptive influence or factor within the school, and that the board believed and was satisfied that the best interest of the school required the expulsion of Thomas B [REDACTED] until such time as Thomas B [REDACTED] should comply, upon which he would be permitted to return to school immediately. That Thomas B [REDACTED] will not comply with the hair rule unless directed to do so by Mrs. B [REDACTED] and that Mrs. B [REDACTED] is satisfied with the present length of Thomas's hair as appears from the minutes of the special board

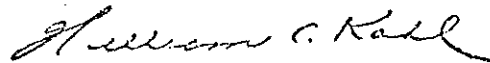
meeting dated September 30, 1968, being shown at Page 4 of Exhibit 2 of the record now on file, and that there is therefore no likelihood that if Thomas E. [REDACTED] is returned to school the violation of said rule would cease. And I find as:

CONCLUSIONS OF LAW

That the persistent refusal to obey said rule constitutes a disruption in the school, and warrants the expulsion, as held in Ferrell vs. Dallas Independent School District, 261 F. Supp. 545 (1966). Certiorari denied by the United States Supreme Court October 15, 1968.

NOW THEREFORE, IT IS ORDERED That the expulsion of Thomas E. [REDACTED] be and is hereby affirmed.

Dated this 27 day of November, 1968.



William C. Kahl
State Superintendent