



## State of Wisconsin \ DEPARTMENT OF PUBLIC INSTRUCTION

William C. Kahl  
State SuperintendentWISCONSIN HALL, 126 LANGDON STREET  
MADISON, WISCONSIN 53702

## 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 Mr. Albert S [REDACTED], Appealing from the  
Expulsion of Elmer S [REDACTED] from Middleton  
High School by the Middleton School Board.

DECISION  
AND  
ORDER

Facts relating to the above entitled matter were determined by the State Superintendent of Public Instruction 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 Counsel for the Department of Public Instruction, on March 17, 1971, at Old Elm Lawn School, 7106 South Avenue, Middleton, Wisconsin.

Persons attending the conference were:

Dale N. Gillings, Board Member  
Hiram Hallock, Board Member  
Kathleen Wirth, Board Member  
Henry E. Wechter, Clerk of Board of Education  
Shelley J. Cary, Assistant Principal  
Roy A. Laszewski, Principal  
Ralph M. Christensen, Teacher  
John A. Berkich, Board Member  
John Stofflet, Superintendent of Schools  
Constance F. Threinen, Board Member  
Albert S [REDACTED], Parent  
Elizabeth S [REDACTED], Parent  
Elmer S [REDACTED], Student  
George H. Brieske, Board Member  
Michael Ripp, Parent  
Mrs. Michael Ripp, Parent  
Neil Ripp, Student

The following appears from the information secured at said conference held  
March 17, 1971:

That on February 24, 1971, the School Board of the Middleton School District

at a special meeting ordered the expulsion of Elmer S [REDACTED] from Middleton High School in which he was a tenth grade student until the beginning of the fall term of the 1971-1972 school year.

On February 16, 1971, at the conclusion of classes for the day, Elmer S [REDACTED] started a fire or assisted another student in starting such fire in the hallway of Middleton High School.

It appears that on several prior occasions Elmer S [REDACTED] had broken school rules for which he was suspended 4 times during the 1970-1971 school year and that it was information regarding such suspensions that the Board considered on March 17 along with the February 16th instance previously mentioned which was the precipitating instance for the expulsion.

The incident of February 16, 1971, along with the other instances of breaking school rules during the 1970-1971 school year for which Elmer was suspended from school on 4 occasions would appear to be evidence of a persistent refusal to follow school rules.

The parents of Elmer S [REDACTED] received letters notifying them of the various absences of Elmer for which disciplinary action, including 4 suspensions, was taken and had they worked closer with Middleton School authorities, there may have been no need for Elmer's expulsion by the Middleton School Board on February 24, 1971.

Even though the expulsion is sustained to the end of the spring term of the 1970-1971 school year it is urged that the local school authorities provide every opportunity short of school attendance to Elmer S [REDACTED] to earn credit toward graduation.

It does not appear that the educational needs of Elmer S [REDACTED] would be served or enhanced by further continuation of the expulsion beyond the end of this school term and in the interest of giving Elmer and his parents an opportunity to adjust his conduct to conform and comply with the direction and supervision of the teachers and the school administrator the expulsion is lifted and terminated at the end of the current school semester at Middleton High School.

IT IS HEREBY AND HEREWITH ORDERED That the expulsion of Elmer S [REDACTED] from Middleton High School be affirmed and that such expulsion be terminated at the end of the current semester at Middleton High School.

Dated this 16<sup>th</sup> day of April, 1971.

SIGNED:



WILLIAM C. KAHL  
STATE SUPERINTENDENT