



State of Wisconsin \ DEPARTMENT OF PUBLIC INSTRUCTION

William C. Kahl  
State Superintendent

WISCONSIN HALL, 126 LANGDON STREET  
MADISON, WISCONSIN 53702

THE STATE OF WISCONSIN

BEFORE

THE STATE SUPERINTENDENT OF PUBLIC INSTRUCTION

In the Matter of an Appeal of Mr. and Mrs. Norval G. [REDACTED] Filed with the State Superintendent of Public Instruction Appealing from the Expulsion of James G. [REDACTED] from Chetek High School.

DECISION  
AND  
ORDER

Facts related to the above entitled expulsion appeal were determined by the State Superintendent of Public Instruction at a hearing held at the State Superintendent's direction by Chester Spangler, Consultant, Special Needs, Department of Public Instruction, and Max C. Ashwill, Legal Counsel for the Department of Public Instruction, on February 8, 1973, at Chetek High School. Mr. and Mrs. Norval and James G. [REDACTED] were represented at said hearing by Attorney Roger L. Getty, Wisconsin Judicare, Wausau, Wisconsin, and the Chetek School Board appeared by its counsel, Attorney Brooks Heathman, Jr., of Rice Lake, Wisconsin.

The following appears from information, both oral and written, submitted at said hearing on February 8, 1973:

On February 1, 1973, the Chetek School Board, hereinafter known as the Board, voted to expel James G. [REDACTED], hereinafter known as James, 17 years of age and a high school student, from the Chetek High School.

That prior to the expulsion hearing of James the Board gave notice that it would review school disciplinary events involving James which occurred prior to November 9, 1972, as well as claimed smoking violations and disrespect to teachers which occurred on January 19, 1973, and thereafter.

From information secured at the February 8 hearing it appears that counsel for

James and for the Board agreed that for the purposes of the February 1 hearing matters to be considered would be the alleged smoking incident of January 19 and the instances of disrespect that were claimed to have occurred thereafter. However, the Board or the State Superintendent can hardly be other than aware of the disciplinary violations for which James voluntarily withdrew from school in November, 1972, and which with his withdrawal remains a part of James' school record.

Considering those events which occurred on or after January 19, 1973, i.e. smoking in the woodshop, as well as to the several instances of disrespect to teachers in the presence of other students, it appears that the interests of other students in securing an education would be best served by the expulsion of James for his persistent refusal to follow school or teacher rules for the remainder of the 1972-1973 school year.

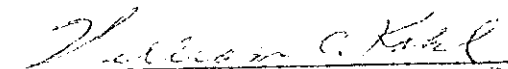
It is understood that James' expulsion will terminate at the end of the spring semester of the 1973 school year and that he will thereafter be able to apply for entrance to Chetek High School. His continued attendance thereafter would depend upon his ability to comply with reasonable rules and regulations enforced by the Board in the interests of the school.

It is my understanding that Chetek school authorities are to make school district counselor services available to James, either on his request or the request of his parents, for the remaining period of the expulsion.

IT IS HEREBY AND HEREWITH ORDERED That the expulsion of James G [REDACTED] from the Chetek High School to the end of the 1972-1973 school year be affirmed.

Dated this 27 day of February, 1973.

SIGNED:

  
WILLIAM C. KAHL  
STATE SUPERINTENDENT OF PUBLIC INSTRUCTION