



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 Filed with the State Superintendent of Public Instruction Appealing from the Expulsion of Ryan K. H [REDACTED] from Eisenhower High School, New Berlin School District, New Berlin, Wisconsin, on January 29, 1973.

ORDER

Facts relating to the above entitled expulsion appeal were determined at a conference with the State Superintendent and Max C. Ashwill, department legal counsel, held at 126 Langdon Street, Madison, Wisconsin, on February 5, 1973. Attorney Patrick F. Brown appeared for the New Berlin School District administration. Also present for the New Berlin administration, hereinafter referred to as the Administration, were Virgil Staples, Superintendent, Richard Hagen, Vice Principal, and Hallis L. Bude II. Attorney Richard M. Klein appeared for Ryan K. H [REDACTED], hereinafter known as Ryan, and for his foster parents with whom he resides in the New Berlin District. The New Berlin School Board, hereinafter referred to as the Board, was advised of this conference through its counsel, Attorney John P. Buckley. Mr. Bude operated the recorder which replayed the entire recorded transcript of the expulsion proceedings held before the Board. Counsel for Ryan and the Administration identified persons speaking at said hearing and clarified and explained questions relating thereto.

Ryan and his foster parents through his counsel have consented to the use of said hearing transcript as a basis for the State Superintendent's decision on this appeal.

Ryan and his foster parents by agreement of their counsel have further agreed

that any statements obtained by the State Superintendent or his agent may be made a part of this appeal proceedings and that a copy thereof is to be provided to counsel.

On February 7, 1973, Leonard Pennington, Consultant, School Psychological Services, Department of Public Instruction, proceeded at my direction to New Berlin Schools for the purpose of securing the interviews of counselors and school psychologists in the New Berlin Schools who were acquainted with Ryan, as well as interviews with Ryan and his foster parents. Counsel for the Administration and for Ryan were advised of these interviews. Summary of the interviews is contained in a memorandum to me from Mr. Pennington dated February 8, 1973, and attached thereto are copies of statements and grade reports secured during the course of Mr. Pennington's interviews. Copies of this memorandum are being furnished with a copy of this Order to counsel involved.

The following appears from the information submitted at said conference and secured by Mr. Pennington:

In an order dated February 12, 1973, the Board confirmed the expulsion of Ryan from Eisenhower High School on January 29, 1973.

The basis for the expulsion recommendations which the Administration presented to the Board at its hearing were contained in a summary of Ryan's referrals at Eisenhower High School dated January 25, 1973, summarizing disciplinary incidents involving Ryan from September 2, 1971, to January 18, 1973.

The information submitted at the hearing before the Board tends to show a lessening in number and degree of disciplinary incidents involving Ryan for the 1972-1973 school year with the exception of the January, 1973 incidents. It is most unfortunate that there was not more effort on the part of the school, its counselors and psychologists, and Milwaukee County Social Services in a combined effort to aid Ryan in working into the school community.

It further appears from the information submitted that Ryan has continued for some period of time on a course of violation of school and teacher rules which if

allowed to continue could seriously affect the education of other children attending Eisenhower High School and the expulsion is affirmed for the remainder of the present school semester.

It is understood that Ryan's expulsion will terminate at the end of the spring semester of the 1972-1973 school year and that he will thereafter be able to apply for entrance to the New Berlin District Schools.

It is also understood that New Berlin District Schools will in cooperation with Ryan and his foster parents recommend and seek Ryan's attendance in the Waukesha County Technical Institute's schools and to grant such attendance credit for graduation in New Berlin School District.

IT IS HEREBY AND HEREWITH ORDERED That the expulsion of Ryan K. H[REDACTED] from Eisenhower High School to the end of the spring semester for the 1972-1973 school year be affirmed.

Dated this 27<sup>th</sup> day of February, 1973.

SIGNED:

William C. Kahl  
WILLIAM C. KAHL  
STATE SUPERINTENDENT OF PUBLIC INSTRUCTION