



State of Wisconsin \ DEPARTMENT OF PUBLIC INSTRUCTION

William C. Kahl  
State Superintendent

WISCONSIN HALL, 126 LANGOON 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 Mary L. [REDACTED]  
from the Schools of Joint School District  
No. 6, City of Evansville et al.

O R D E R

Facts related to the above entitled expulsion appeal were determined by the State Superintendent at hearing held by Dr. A. A. Buchmiller, Deputy State Superintendent of Public Instruction, and Max C. Ashwill, Legal Counsel for the Department of Public Instruction, on March 28, 1973, at Evansville High School. Mr. T. P. Bidwell, Attorney, appeared for Mr. and Mrs. Roger N. L. [REDACTED], parents of Mary L. [REDACTED]. Dr. Duane Ahlf, Mr. George Knuckles and Mr. Richard Steinbach were present for the Evansville School District Administration, and Mrs. Ruth Petersen, Clerk, Mrs. Elizabeth Hatlen, Mr. Adamany Nimmer and Mr. Arthur Olsen, members of the Evansville School Board, were present.

The following appears from information, both written and oral, submitted at said hearing on March 28, 1973:

On or about March 12, 1973, the Evansville School Board, hereinafter known as the Board, voted to expel Mary L. [REDACTED], hereinafter known as Mary, 14 years of age and a high school student, from the Evansville District Schools.

The disciplinary incidents involving Mary's attendance in said school for the 1972-1973 school year and which were considered by the Board were as follows:

That Mary was absent or truant from her classes or from school on numerous

occasions, however, there was no indication that the school district truant officer had given the notice required by section 118.16, Wis. Stats.

In consideration of the foregoing the following appears:

The proper remedy of school authorities in event of student truancies is to enforce compliance with the state compulsory attendance law rather than expulsion which might serve the student with means of avoiding both school and parental authority and securing the desired result, namely, dismissal from school.

That although Mary specifically denied her involvement in the incidents of February 6, 1973, which resulted in damage to school buses, the Board apparently considered this as the precipitating and main event in ordering Mary's expulsion from Evansville High School.

That Mr. L. [REDACTED] expressed concern over Mary's inability or lack of desire to attend her classes and to perform the work necessary for her to pass her courses and promised his cooperation in compelling her to school attendance.

It is recognized that school authorities must act promptly in such as occurred on February 6, 1973, yet even if it were admitted that Mary participated in such incidents, which she has specifically denied, such incident by itself would not consist of persistent refusal to follow school rules.

It is understood that Evansville School authorities must compel school and class attendance as well as obedience to school rules and if Mary continues in high school she must conduct herself accordingly.

Therefore,

IT IS HEREBY AND HEREWITH ORDERED That the expulsion of Mary L. [REDACTED] from Evansville High School be terminated and any ineligibility of said Mary L. [REDACTED] to attend Evansville High School is herewith and hereby removed.

Dated this 30th day of March, 1973.

SIGNED:



A. A. BUCHMILLER

DEPUTY STATE SUPERINTENDENT