



The State of Wisconsin

DEPARTMENT OF PUBLIC INSTRUCTION

ROOM 147 NORTH, CAPITOL
MADISON, 53702

Decision & Order #2
ANGUS B. ROTHWELL
STATE SUPERINTENDENT

ASSISTANT SUPERINTENDENTS
WILLIAM C. KAHL, FIRST ASSISTANT
ARCHIE A. BUCHMILLER, ASSISTANT
ALAN W. KINGSTON, ASSISTANT
JOHN W. MELCHER, ASSISTANT
HENRY A. OLSON, ASSISTANT
ROBERT C. VAN RAALTE, ASSISTANT

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 Dock D [redacted] on December 4, 1963, Appealing from An Order of the Board of School Directors of the City of Milwaukee School System, Expelling William D [redacted], Son of Dock D [redacted], from Robert Fulton Junior High School.

FINDINGS OF FACT

A N D

O R D E R

Facts related to the above entitled matter were determined by the State Superintendent of Public Instruction at an informal conference held at the State Superintendent's direction by Max C. Ashwill, Legal Consultant for the Department of Public Instruction, and Charles Wilman, Supervisor, Department of Public Instruction, on December 13, 1963, at the School Administration Building, Milwaukee Public Schools, 5225 W. Vilet Street, Milwaukee, Wisconsin.

The following persons were present at said informal conference:

- C. H. Wilman, State Department of Public Instruction, Madison;
- Carl F. Kimmel, Attorney for the School Board;
- T. C. Potter, General Assistant to the Superintendent of Schools;
- Lucius Walker, Director of the Northcott Neighborhood House;
- Dock D [redacted], Milwaukee;
- William D [redacted], Milwaukee;
- Donald Braun, Pupil Personnel, Milwaukee Public Schools;
- T. J. Kuzmerlein, Pupil Personnel, Milwaukee Public Schools;
- James Davis, Teacher, Robert Fulton Junior High School, Milwaukee.

The following appears from information secured at said informal conference held December 13, 1963.

That following a disciplinary incident, involving William D [redacted], student, and Norman H. Wernicke, substitute teacher, said student did, in the course of an altercation which occurred shortly after said incident, forcibly strike said substitute

teacher causing severe physical injury thereto.

That William D. [REDACTED] was suspended immediately for his actions in said altercation.

That after the matter was heard by the Children's Division of Milwaukee County Court on September 19, 1963, and William D. [REDACTED] was found delinquent for his conduct of June 12, 1963, and was placed on probation therefore, the suspension from school was continued with a recommendation of formal expulsion by the Board.

That on November 5, 1963, the Board of School Directors formally expelled William D. [REDACTED] without said suspension ever being lifted and no terminating date was given in the expulsion Order of the Board.

That no other disciplinary incidents appeared on the scholastic record of William D. [REDACTED] and said pupil is attempting to keep up with his studies since the expulsion with the help and cooperation of Mr. Lucius Walker, Director, Northcott Neighborhood House, and with the interest and concern shown by his father, Mr. Dock D. [REDACTED].

That the application of William D. [REDACTED] for admittance to Robert Fulton Junior High School for the second term of the 1963-1964 school year will be treated as that of any other student seeking entrance at said school.

In consideration of the foregoing, the State Superintendent affirms the authority of the Board to act in said matter and that it was proper to expel for some period of time in order to maintain the discipline of the school.

It further appears that the purposes of the expulsion have been accomplished by the fact that the pupil has been expelled for the first term of the 1963-1964 school year. It is to the benefit of William D. [REDACTED] and the state at large that he properly conduct himself in the future and it appears that the City of Milwaukee School System has not foreclosed William D. [REDACTED] of an opportunity to demonstrate in the second term of the 1963-1964 school year that he will conform to the rules of the school.

IT IS HEREBY AND HEREWITH ORDERED that the expulsion of William D. [REDACTED] by the Board is affirmed and the appeal dismissed.

Dated this 13th day of January, 1964.

SIGNED:

August B. Rothwell
AUGUST B. ROTHWELL, STATE SUPERINTENDENT
OF PUBLIC INSTRUCTION