



State of Wisconsin \ DEPARTMENT OF PUBLIC INSTRUCTION

William C. Kahl
State Superintendent

WISCONSIN HALL, 126 LANGDON STREET
MADISON, WISCONSIN 53732

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 Mrs. John A. M [REDACTED], Appealing from
the Expulsion of Terence J. M [REDACTED] from
Wauwatosa East High School.

AMENDED
O R D E R

A formal hearing having been held at the direction of the State Superintendent of Public Instruction on an appeal by Mrs. John A. M [REDACTED] from an order of the Board of Education of the Wauwatosa School District expelling her son, Terence M [REDACTED], from Wauwatosa East High School as a student under section 120.13 (1) (c), Wis. Stats. The matter having been heard with Leonard W. Pennington, Consultant of School Psychological Services, Department of Public Instruction, presiding at 7:30 P.M., on April 30, 1973, at Wauwatosa East High School, Wauwatosa, Wisconsin, the appearances being as follows: Mrs. John A. M [REDACTED] and her son, Terence, appeared personally and without counsel and were advised of their rights of representation; the respondent school board appeared by Mr. Francis Krembs, Attorney at Law; Max C. Ashwill, Legal Counsel for the Department of Public Instruction, as advisor to said hearing officer, and proceedings were had as appears by the taped transcript thereof and the exhibits on file as a part of the official record of the matter. The State Superintendent after consideration of all the testimony and the entire record and being fully advised in the premises makes and files the following findings and order:

FINDINGS

On March 26, 1973, Terence M [REDACTED], then a student at Wauwatosa East High

School, was permanently expelled therefrom by the school board of the Wauwatosa School District.

That several admitted acts in violation of school or teacher rules of good order occurring prior to March 14, 1973, were admitted by Terence.

On March 14, 1973, Terence refused the repeated requests of a teacher serving as lunch room supervisor and two high school principals to leave the school lunch room. Immediately following Terence's refusal to leave the lunch room and after being told that he was suspended from school Terence used abusive language and spat on and struck the lunch room supervisor. At this time Terence used abusive language and threatened bodily harm to another teacher who had attempted to assist the lunch room supervisor in dealing with Terence.

The incidents of March 14 took place in the presence of other Wauwatosa High School students and such incidents constitute such a disruptive factor within the school for which, with the other admitted acts of violation of school rules, it could be found that the interest of the school demanded Terence's expulsion.

That Terence has apologized in writing to the teachers and principals for the March 14 incident which precipitated his expulsion from Wauwatosa East High School.

That the expulsion of Terence on March 26, 1973, was permanent with, however, an indication that upon proof of professional counseling his reentrance application would be considered.

That although Terence is being condemned for his conduct, particularly on March 14, it is considered that his attendance in Wauwatosa High School after the end of the spring or last term of the 1972-1973 school year will benefit the Wauwatosa community, the state as a whole, as well as Terence and his family.

In assisting Terence in his return to school the Wauwatosa school authorities are directed to make the school counseling services available to him at this time for advice and conference and, as a condition for Terence's return to school, he is directed to make use of the counseling services extended to him by the terms

of this order and to cooperate fully with the Wauwatosa school authorities.

The school authorities are further directed to give Terence the opportunity to attend such summer classes or to receive such school instructional services as will assist Terence in receiving at least a substantial partial credit for the subjects in which he was enrolled in the 1972-1973 spring term.

IT IS HEREBY AND HEREWITH ORDERED That the expulsion of Terence M [REDACTED] from Wauwatosa East High School to the end of the present term of the 1972-1973 school year be affirmed and the expulsion be for that period only.

Dated this 31st day of May, 1973.

SIGNED: *William C. Kahl*
WILLIAM C. KAHL
STATE SUPERINTENDENT