



State of Wisconsin

DEPARTMENT OF PUBLIC INSTRUCTION

Barbara Thompson, Ph.D.
State SuperintendentDwight M. Stevens, Ph.D.
Deputy State Superintendent

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 Mr. Roosevelt H [REDACTED], Appealing
From the Expulsion of Roosevelt H [REDACTED],
From Beloit High School After a Hearing Held
on November 15, 1974.

DECISION
AND
ORDER

A hearing having been held in the above entitled matter at the direction of the State Superintendent of Public Instruction on an appeal by Mr. Roosevelt H [REDACTED], with Leonard W. Pennington, Consultant for School Psychological Services, Department of Public Instruction, presiding at 1:30 p.m., on the 15th day of January, 1975, at the Rock County Courthouse, Beloit, Wisconsin, the appearances being as follows: Mr. and Mrs. Roosevelt H [REDACTED], appeared personally and by counsel, Mr. Glenn Davidson, Attorney at Law, Beloit, Wisconsin; the respondent Beloit School Board appeared by Mr. George K. Blakely, its attorney, with Dr. Eugene Tornow, Superintendent, Beloit School District, appearing for the purpose of giving a stipulated statement; Max C. Ashwill, Legal Counsel for the Department of Public Instruction, appearing as advisor to said presiding officer, and proceedings were had as appears by the taped transcript thereof and the exhibits on file as part of the official record of said 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

That on October 10, 1974, Roosevelt H [REDACTED], hereinafter called Roosevelt, was suspended from Beloit High School based on several teachers' observations that he and another student named Robert J [REDACTED], without apparent cause, assaulted a student named S [REDACTED] and was not thereafter permitted to return to the school following said suspension.

After a hearing held on November 15, 1974, Roosevelt, a 16 year old 10th grade student at Beloit High School was expelled by the Beloit School Board for the remainder of the 1974-75 school year for the unprovoked assault upon John S [REDACTED] on October 10, 1974.

That student S [REDACTED] did not return the attack of Roosevelt or J [REDACTED] and was observed to be solely in defense against said students' assault.

That the attack on student S [REDACTED] by Roosevelt and the student J [REDACTED] was unprovoked by S [REDACTED], however, the assault was for a short period with no apparent serious damage to the student S [REDACTED].

The attack on student S [REDACTED] on October 10, 1974, in the presence of Beloit High School teachers constituted such a threat to the safety of students in Beloit High School from which it could be found that the interest of the school demanded Roosevelt's expulsion.

It is considered that the period from October 10, 1974, to November 15, 1974, during which Roosevelt was suspended, added to the period to the date of this order, is a sufficient period of expulsion under the circumstances.

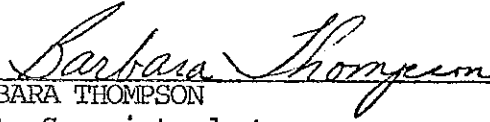
That although Roosevelt is presently attending the Skill Development Center in Beloit, Wisconsin, it appears unlikely that he will receive credits for high school graduation from such attendance.

IT IS HEREBY AND HEREWITH ORDERED That the expulsion of Roosevelt H [REDACTED], from Beloit High School be affirmed but that it be terminated as of the date of this order and that said expulsion be for that period only. It is further ordered that

Beloit High School authorities provide Roosevelt full opportunity to take all examinations necessary to complete the second semester of the 1974-75 school year.

Dated this 19th day of February, 1975.

Signed:


BARBARA THOMPSON
State Superintendent
State of Wisconsin