



State of Wisconsin

DEPARTMENT OF PUBLIC INSTRUCTION

Barbara Thompson, Ph.D.  
State Superintendent

Dwight 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 on or about January 14, 1977, by James Whiting, Attorney for Mr. and Mrs. William P. [REDACTED], Appealing the Decision made by the School District of Elcho, Langlade County, Wisconsin, on December 22, 1976, to Expel their son William P. [REDACTED] from Elcho High School.

DECISION  
AND  
ORDER

The facts related to the above entitled appeal were determined by the State Superintendent of Public Instruction at a hearing held at the State Superintendent's direction by Roger Sunby, Supervisor, Department of Public Instruction and Kay Daut, Legal Counsel, Department of Public Instruction, commencing at approximately 3:15 p.m. on February 2, 1977, at the Superintendent's Office of the School District of Elcho, Elcho, Wisconsin. Andrew P. [REDACTED] and Mr. and Mrs. William P. [REDACTED] appeared in person and by their Attorney, James Whiting, and District Administrator Merrill Switzenberg appeared for the School District of Elcho. The State Superintendent, after consideration of all the testimony and the entire record and being fully advised in the premises, files the following findings and order.

FINDINGS

That Andrew P [REDACTED], a 17 year old student at Elcho High School, was expelled by the Elcho School Board after a hearing held on December 22, 1976. Andrew was [expelled for threatening the safety of Mr. Mark Pedersen, a teacher at Elcho High School, in a verbal manner as part of a conversation in the school parking lot at approximately 3:30 p.m. on December 16, 1976.

That the threats by Andrew were made in a serious manner and that Mr. Pedersen took them in like manner.

That Andrew did initiate the topics of discussion with Mr. Pedersen at their Thursday afternoon, December 16, 1976 school parking lot meeting that led to the threats made by Andrew.

That the threats included references to potential bodily harm that Andrew would cause upon Mr. Pedersen.

That these threats arose out of Mr. Pedersen's responsibilities as a noon duty supervisor.

That Andrew was not enrolled in any classes taught by Mr. Pedersen.

CONCLUSIONS

That Andrew knowingly made verbal threats upon the personal safety of Mr. Mark Pedersen, a teacher at Elcho High School.

That Andrew's threats were made in a serious manner and that Mr. Pedersen did feel that his personal safety was threatened.

That such threats do endanger the safety of others as provided in Section 120.13 (1) (c).

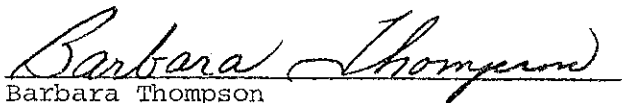
That personal safety is especially important for the students and staff of a school so that a proper learning atmosphere can be maintained.

That although the expulsion of Andrew is hereby affirmed, it is recognized that enabling him to complete his high school education is a continuing responsibility of the State of Wisconsin and the School District of Elcho.

IT IS HEREBY AND HEREWITH ORDERED That the expulsion of Andrew P [REDACTED] from Elcho High School be affirmed and that he is to be reinstated as a full-time student in the School District of Elcho at the beginning of the 1977-78 school year.

As the responsibility for completing Andrew's high school education continues to be a responsibility of the School District of Elcho, the parents and the student, and because the expulsion concerns are not classroom related, it is further ordered that the Board provide some means for Andrew to salvage at least a portion of his 1976-77 school year credits. This could be accomplished by Andrew either having the opportunity to complete his academic assignments at home and/or with school personnel outside of the regular school day or whatever other means the Board may establish so that he has the opportunity to continue to work toward his graduation requirements.

Dated this 14<sup>th</sup> day of February, 1977.



Barbara Thompson  
State Superintendent  
State of Wisconsin