



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 the Appeal Filed with the State Superintendent of Public Instruction on or About March 17, 1977, by Mr. and Mrs. Clifford P. [REDACTED], Appealing the Decision of the Pulaski School Board to expel their son, Rick, from the Pulaski High School.

DECISION
AND
ORDER

Both parties to this appeal through their counsel have agreed and stipulated that the full record of the expulsion hearing held by the Pulaski School Board (hereafter Board) on February 17, 1977, including exhibits and minutes of said hearing, may be used in lieu of any further de novo hearing by the State Superintendent in determination of this appeal. The State Superintendent, after consideration of the entire record, and being fully advised in this matter, makes the following findings and order.

Findings

Rick P. [REDACTED], a seventeen year old eleventh grade student at Pulaski High School, was expelled by the Pulaski School Board after a hearing held by the Board on February 17, 1977, for [repeated violations of a no smoking policy.] The Board expelled Rick for the remainder of the 1976-1977 school year.

In August, 1976, the Board adopted a no smoking policy, which applied to both students and teachers.

Students were made aware of the policy, and of the possible sanctions for violating the rule.

Rick was, on five separate occasions, found to have violated the no smoking policy.

After each violation, Rick and his parents were notified and each violation was dealt with according to the adopted no smoking policy.

Rick and his parents were notified after Rick's fourth smoking violation, that a fifth violation might result in his expulsion from school.

Rick admitted at the expulsion hearing that he had violated the no smoking rule on these occasions, and that he was aware of the penalties for violating the rule.

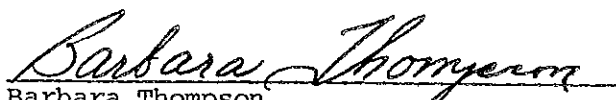
Conclusions

Rick has repeatedly violated the school rule pertaining to no smoking.

IT IS HEREBY ORDERED That the expulsion of Rick P. [REDACTED] from the Pulaski High School is affirmed. However, it is also recognized that the responsibility for Rick's education continues to be a joint responsibility of the State of Wisconsin, the Pulaski School District, Rick and Rick's parents; and therefore,

IT IS FURTHER ORDERED That the Pulaski School Board allow Rick to engage in a program of self-study by making available to him the books and assignments for the courses he was enrolled in prior to his expulsion. It is further ordered that Rick be permitted to turn in such assignments and take examinations and to receive credit for such work if it meets the standards established by the school.

Dated this 25th day of April, 1977.


Barbara Thompson
State Superintendent