



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 of Dennis
C. [REDACTED] of the Decision made by the
School Board of the DeForest Area School
District on March 21, 1978, to Expel him
from the DeForest Area School District

TEMPORARY
ORDER

Pursuant to said student's timely appeal of his expulsion from the DeForest Area School District (hereinafter referred to as District), the Office of the State Superintendent of Public Instruction has conducted a preliminary investigation of this matter. Facts relating to said expulsion were secured from written minutes of a hearing before the School Board of the District on March 21, 1978, and from an attached exhibit. Such materials have been submitted on behalf of the District at the request of the Office of the State Superintendent of Public Instruction. The following appears from the information so submitted.

The student, Dennis C. [REDACTED], is a senior at DeForest High School. During the current school year, he has allegedly been [truant] on a number of occasions and has had [other attendance related problems.] On February 28, 1978, he was advised by letter that the School Board of the District intended to conduct a hearing for the purpose of considering his expulsion. This office has not been provided with a copy of said letter and makes no findings as to

the sufficiency of any notice contained therein. On March 21, 1978, hearing was held before the School Board. At the close of said hearing, motion was made and carried that the student be forthwith expelled from school by virtue of his alleged truancy.

While Dennis has apparently experienced some academic difficulties, there is information to suggest that, if permitted to continue in attendance, he will successfully complete his coursework and will graduate at the close of the current school year. He has taken an additional course in order to ensure that he will have sufficient credits for graduation. Moreover, he has assured the Board that he will make an honest effort to succeed in his studies if given the chance.

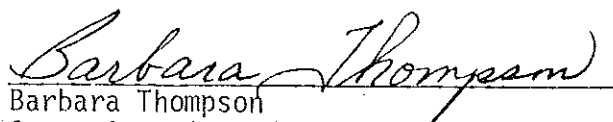
The information submitted does not support a finding that Dennis has been a disruptive student. There is no information to suggest that he has been guilty of that sort of repeated refusal or neglect to obey school rules contemplated by Section 120.13 (1)(c) Wis. Stats., nor does the information submitted tend to indicate that his conduct while at school or while under the supervision of a school authority has endangered the property, health or safety of others.

IT IS THEREFORE THE PRELIMINARY DETERMINATION OF THE STATE SUPERINTENDENT OF PUBLIC INSTRUCTION That the attendance of Dennis C. [REDACTED] at DeForest Senior High School pending the hearing of this appeal and final determination thereon will not significantly interfere with the learning processes and safety of his peers at said school and that said student will suffer irreparable harm by his continued exclusion from classroom instruction. It is further determined that there is a great probability that said student will prevail on the merits of this appeal. As time is of the essence and as no other

adequate remedy exists at law, Dennis C [REDACTED] is entitled to an order reinstating him to attendance at DeForest Senior High School pending this appeal.

IT IS HEREBY ORDERED That Dennis C [REDACTED] be forthwith admitted to attendance at DeForest Senior High School pending a hearing before the State Superintendent of Public Instruction and the issuance of a decision as to the appealed expulsion.

Dated this 11th day of April, 1978.


Barbara Thompson
State Superintendent