



The State of Wisconsin

DEPARTMENT OF PUBLIC INSTRUCTION

ROOM 147 NORTH, CAPITOL
MADISON, 53702

THE STATE OF WISCONSIN

BEFORE

THE STATE SUPERINTENDENT OF PUBLIC INSTRUCTION

Decision & Order #6
ANGUS B. ROTHWELL
STATE SUPERINTENDENT

ASSISTANT SUPERINTENDENTS
WILLIAM C. KAHL, FIRST ASSISTANT
ARCHIE A. BUCHMILLER, ASSISTANT
ALAN W. KINGSTON, ASSISTANT
JOHN W. MELCHER, ASSISTANT
HENRY A. OLSON, ASSISTANT
ROBERT C. VAN RAALTE, ASSISTANT

In the Matter of an Appeal Filed with the State Superintendent of Public Instruction by Mrs. Frank B [REDACTED], Appealing from the Expulsion of Donald B [REDACTED] from Coleman High School by the Board of Education of Joint School District No. 1, Coleman et al, Wisconsin.

FINDINGS OF FACT

A N D

O R D E R

Facts related to the above entitled matter were determined by the State Superintendent of Public Instruction at a conference held at the State Superintendent's direction by Robert Van Raalte, Assistant Superintendent, State Department of Public Instruction, and Max C. Ashwill, Legal Consultant for the Department of Public Instruction, on April 29, 1965, at Coleman High School, Coleman, Wisconsin.

Persons attending the conference were:

Mrs. B. A. Robinette, Member of Board of Education
Bernard Stodola, Treas., Board of Education
Mrs. Arlene Valenti, Teacher of Geography
Mrs. Lelah A. Kosnar, Teacher of U. S. History
Lawrence A. Woulf, Board Member
Lawrence Bittner, Board Member
John W. Blaske, Teacher of Industrial Arts
Heary Delacenserle, Teacher of English
Marlynn Bartels, Counselor
Wm. Vandrum, Teacher of Industrial Arts
Geo. Sprenger, Teacher of Math. & Science
Ransom L. Rhode, Teacher of Science & Asst. H. S. Principal
Earl Herbert, Jr., Teacher of Physical Ed. & Athletic Coach
Allen Kosnar, Teacher of Art
Rene Durocher, Clerk of Board of Education
Mrs. Frank B [REDACTED], Parent
Donald B [REDACTED], Student
Frank B [REDACTED], Parent
John Holley, Director of Board of Education

The following appears from information secured at said conference held April 29,

1965:

That on April 13, 1965, the Board of Education of Joint School District No. 1,

Coleman, et al, Marinette County, Wisconsin made an order expelling Donald B [REDACTED] from Coleman High School in which he was an eleventh grade student for the remainder of the term of the school year ending June 30, 1965.

On April 8, 1965 while attending a class conducted by Mrs. Lelah Kosnar in said high school, Donald B [REDACTED] went to the front of the classroom and threw his book on the desk of said teacher in a vigorous manner expressing defiance or disregard for the control or authority of the teacher in the conduct of said class and thereupon proceeded to leave the room. He thereafter left the school for the remainder of the school day.

By letter dated April 9, 1965 Ransom Rhode, the principal of said school, upon receiving report thereof, suspended Donald B [REDACTED] from said school, said suspension to begin on April 13, 1965 and thereupon by letter notified Mr. and Mrs. Frank B [REDACTED], the parents of Donald B [REDACTED], of said suspension for non-compliance with school rules.

On April 9, 1965 Donald B [REDACTED] came to attend said school and attended classes therein until the afternoon when upon hearing of said suspension he left the school premises before the end of the school day upon his assumption that his said suspension was in operation and without notifying the school authorities thereof and without their knowledge or permission.

On April 14, 1965, Rene Durocher, Clerk, Board of Education, Joint School District No. 1, Coleman et al, notified Mr. and Mrs. B [REDACTED] that their son was expelled for the remainder of the 1965 school year.

It appears that on several prior occasions Donald B [REDACTED] had broken school rules for which he was suspended or otherwise disciplined, that among the reasons which the board considered was a suspension on November 18, 1964 and several unexcused absences since that date, and that the precipitating instances for the expulsion were the April 8 and 9 events previously mentioned.

It would appear that the incident of November 18, 1964, coupled with others culminating in the incident of April 8, 1965, in Mrs. Kosnar's class would be evidence of a persistent refusal to follow the rules of the school sufficient to justify and which the board, under the difficulties encountered in maintaining discipline in the school, might call for substantial measures.

The classroom record of Donald B [REDACTED] since his entrance into Coleman High School has not been complimentary and members of the Coleman teaching staff are to be complimented for their efforts to improve Donald's interest in his school subjects in the face of what appears to have been almost a total disinterest on the part of this student.

The parents of Donald B [REDACTED] have received notice of his failing class work and had such parents worked closer with the Coleman School authorities, particularly the Guidance Counselor and the Superintendent, there may have been no need for the disciplinary action which resulted in the Coleman School Board's expulsion of said student on April 13, 1965.

It appears from the school records of Donald B [REDACTED], that if he continues in his present pattern of failing class work, negative attitude in the classrooms, there may develop such persistent refusal or neglect to obey school rules so as to justify his expulsion in the interest of the school. Such incidents as Donald was involved in on April 8th, as well as refusal to obey rules of the school, if repeated, may in such case be the basis for expulsion.

The record is replete with the evidence of academic failure and uncooperative attitude on the part of Donald which, as did the throwing of the book on April 8th, reflects on Donald's part an attitude toward school life which will net him little in an academic way to prepare him for his adult years.

The problems that have been presented to the school administration and the board are thoroughly appreciated, but it does not appear that the educational needs of Donald B [REDACTED] would be served or enhanced by further continuation of the expulsion

and in the interest of giving him and his parents an opportunity to adjust his conduct to conform and comply with the directions and supervision of the teachers and the school administrators the expulsion is lifted and terminated upon the date of the receipt hereof and upon the conditions and requirements that Donald B [REDACTED] abide and comply with the directions and reasonable rules or regulations of the school authorities, including the teacher, school advisors and the school board.

This order is not being made upon the basis that the school board may not have been fully justified in ordering the expulsion of Donald B [REDACTED], but solely in the exercise of the discretion of the State Superintendent in further providing the opportunity for Donald's obtaining the benefits of an adequate education necessary under our present system.

Mr. and Mrs. Frank B [REDACTED] are urged to cooperate with school authorities toward improving Donald's attitude toward school as well as his academic record. It is to the benefit of Donald B [REDACTED] and the state at large that he properly conduct himself in the future and that he be given opportunity to demonstrate that he will conform to the rules of the school.

IT IS HEREBY AND HEREWITH ORDERED That the expulsion of Donald B [REDACTED] from Coleman High School be terminated on the date of the receipt of this order by Coleman School authorities.

Dated this 7th day of May, 1965.

SIGNED:

ANGUS B. ROTHWELL, STATE SUPERINTENDENT
OF PUBLIC INSTRUCTION