

THE STATE OF WISCONSIN

BEFORE

THE STATE SUPERINTENDENT OF PUBLIC INSTRUCTION

In the Matter of the Expulsion from
the School District of Three Lakes
of BRIN L. [REDACTED],

OPINION AND
FINAL ORDER

Appellant.

THE NATURE OF THE CASE

This is an appeal pursuant to sec. 120.13(1)(c), Stats., of a decision of respondent's Board of Education, hereinafter the Board, to permanently expel appellant from the schools of respondent district.

FINDINGS OF FACT

On May 9, 1980, near the end of the last semester of the 1979-80 school year, appellant was suspended for 3 days from attendance in the schools of respondent district for having in possession a controlled substance (marijuana) on school grounds.

Near the middle of September 1980, appellant was apprehended on school grounds with a container of marijuana in his pocket.

After an expulsion hearing held on September 25, 1980, the Board, by unanimous decision, ordered that appellant be permanently expelled from the respondent district's schools.

That notice of said expulsion was given to appellant and to his parents in a letter dated September 26, 1980.

That the Board has made no provision for the continuation of appellant's education.

CONCLUSIONS OF LAW

That appellant has engaged in repeated violations of school rules and his behavior has been disruptive of the educational behavior of respondent's schools.

That the permanent expulsion of appellant on its merits was not justified under sec. 120.13(1)(c), Stats.

IT IS HEREBY ORDERED that the expulsion of appellant be affirmed, but that it be terminated at the beginning of the 1981-82 school year thereby admitting the appellant to the district schools.

Dated this 6th day of July, 1981.

Barbara Thompson
Barbara Thompson
State Superintendent