

THE STATE OF WISCONSIN

BEFORE

THE STATE SUPERINTENDENT OF PUBLIC INSTRUCTION

In the Matter of the Expulsion from the
School District of Webster of BLAKE
S█████,

OPINION AND
FINAL ORDER

Appellant.

THE NATURE OF THE CASE

This is an appeal pursuant to Section 120.13(1)(c), Stats., of a decision of respondent's Board of Education, hereinafter the Board, to expel the appellant for the remainder of the 1979-80 school year. The basis of the appeal was that appellant was suffering irreparable injury by being denied his lawful right to attend school.¹ Now having fully reviewed all matters of record, the State Superintendent makes the following:

CONCLUSIONS OF LAW

That the appeal became moot at the end of 1979-80 school year at which time appellant was entitled to reenroll in respondent's schools at the beginning of the 1980-81 school year.²

IT IS HEREBY ORDERED that the appeal of appellant of March 21, 1980 be dismissed.

Dated this 6th day of July, 1981.

Barbara Thompson
Barbara Thompson
State Superintendent

¹Appellant's Notice of Appeal does not state whether appellant is likely to prevail on appeal nor does it state any basis therefor.

²On March 31, 1980, appellant's counsel was sent a request by this office to "specify with particularity the grounds upon which the appeal is brought, the attendant facts and the relief sought pursuant to P.I. 1.03, Wis. Admin. Code." No reply was received to DPI's request, and the issue of the appeal became moot being that the end of the 1979-80 school year terminated the expulsion period.