

## THE STATE OF WISCONSIN

BEFORE

## THE STATE SUPERINTENDENT OF PUBLIC INSTRUCTION

In the Matter of the Expulsion of  MICHAEL D [REDACTED] by the Mauston School District Board of Education	DECISION AND ORDER 96/97-EX-30
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**NATURE OF THE APPEAL**

This is an appeal to the State Superintendent of Public Instruction pursuant to sec. 120.13(1)(c), Wis. Stats., from the June 17, 1997 order of the Mauston School District Board of Education to permanently expel the above named pupil from the Mauston School District. This appeal was filed by the pupil's attorney and was received by the Department of Public Instruction on July 9, 1997.

**FINDINGS OF FACT**

On or about July 24, 1997, the pupil's attorney, Ms. Linda Hale, contacted the Department of Public Instruction asking for a postponement of the briefing schedule regarding this appeal. Based upon her request and the acquiescence of the school district, briefing was suspended until August 20, 1997. On September 8, 1997, after attempts to contact Ms. Hale were made, the Department of Public Instruction spoke with District Administrator, Jay Mitchell. The Department of Public Instruction was informed by Mr. Mitchell that following an exceptional educational need re-evaluation, Michael was readmitted to school under a behavior contract.

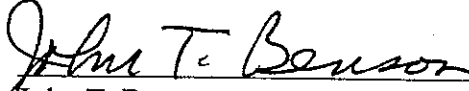
**CONCLUSIONS OF LAW**

Pursuant to sec. 120.13(1)(c), Stats., this Department has jurisdiction of this appeal. Based upon my review of the record in this case and the findings set out above, I conclude that the appeal is moot.

**ORDER**

IT IS THEREFORE ORDERED that the appeal of the expulsion of Michael D [REDACTED] by the Mauston School District Board of Education is dismissed.

Dated this 10th day of September, 1997.

  
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John T. Benson  
State Superintendent of Public Instruction