

THE STATE OF WISCONSIN

BEFORE

THE STATE SUPERINTENDENT OF PUBLIC INSTRUCTION

In the Matter of the Expulsion of
David J [REDACTED]
by the Ashland School District Board of
Education

DECISION AND ORDER
98/99 EX 17

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 March 23, 1999 order of the Ashland School District Board of Education to expel the above named pupil from the Ashland School District. This appeal was filed by the pupil and his parents and was received by the Department of Public Instruction on April 14, 1999.

FINDINGS OF FACT

On March 16, 1999, the Ashland School District Board of Education conducted an expulsion hearing concerning David [REDACTED], a twelfth grade student at Ashland High School. On March 16, 1999, the school board voted to expel David through the end of the 1998-99 school year. However, David was given an opportunity to re-enroll, beginning on March 17, 1999 under specific conditions. The order also indicated that if David re-enrolled and complied with the conditions, the expulsion would be rescinded and expunged from his record. On March 23, 1999, the Ashland School District Board of Education signed the expulsion order.

On June 4, 1999, Dr. Benjamin Villarruel, Ashland School District Administrator, sent David written confirmation that he successfully completed the conditions of expulsion. He indicated that the expulsion was removed from his record.

As the expulsion has been rescinded, this appeal is moot. *See Travis O. v. Lake Geneva-Genoa City Union School District Board of Education*, Decision and Order No. 370 (August 21, 1998); *Christopher D. v. Hartland Lakeside Joint No. 3 School District Board of Education*, Decision and Order No. 270 (January 18, 1996); *Sheryl T. v. Winter School District Board of Education*, Decision and Order No. 245 (March 6, 1995).

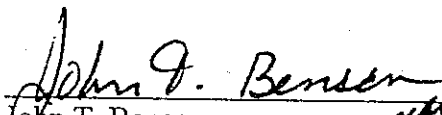
CONCLUSIONS OF LAW

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 David J. [redacted] by the Ashland School District Board of Education is dismissed.

Dated this 14th day of June, 1999.



John T. Benson
State Superintendent of Public Instruction