

## THE STATE OF WISCONSIN

BEFORE

THE STATE SUPERINTENDENT OF PUBLIC INSTRUCTION

In the Matter of the Expulsion of  R. N  by Green Bay Area School District Board of Education	DECISION AND ORDER  Appeal No.: 05-EX 13
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This is an appeal to the State Superintendent of Public Instruction pursuant to Wis. Stats. § 120.13(1)(c) from the order of the Green Bay Area School District Board of Education to expel the above-named pupil from the Green Bay Area School District. This appeal was filed by the pupil's parent and received by the Department of Public Instruction on April 5, 2005.

After the appeal was received, the state superintendent learned that the pupil was over 18 years old. Because she was over 18 years old, §120.13(1)(c)3. requires the pupil to personally appeal the expulsion. The parent does not have standing to file an appeal. On April 25, 2005, the department sent a letter to the pupil and her parent notifying the pupil that if she wished to proceed with the appeal, she needed to provide a written letter indicating her desire to the department within 20 days or the parent's appeal would be dismissed. The pupil did not respond to the letter. Therefore, the appeal is dismissed.


## CONCLUSIONS OF LAW

The parents did not have standing to file an appeal on behalf of the 18 year old pupil.  
§120.13(1)(c)e. See also *Michael W. v. Boyceville Community School District*, Decision and  
Order No. 123 (November 1984).

## ORDER

IT IS THEREFORE ORDERED that the appeal of the expulsion order is dismissed.

Dated this 3rd day of June, 2005.

  
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Anthony S. Evers, Ph.D.  
Deputy State Superintendent of Public Instruction