

STATE OF RHODE ISLAND
AND
PROVIDENCE PLANTATIONS

COMMISSIONER OF EDUCATION

JOHN A.R. DOE

VS.

DAVIES CAREER AND TECHNICAL
SCHOOL

DECISION

Held: When proper
procedures are followed
Davies Career and
Technical School may
disenroll a student.

Date: October 7, 1993

For several years Student Doe has been a student at the Davies Career and Technical School. His academic, attendance and disciplinary record at Davies has fallen well short of the standards established for continued enrollment at the school. On June 28, 1993 the school sent Student Doe's father a certified letter informing him that his son was being disenrolled from Davies and that he had a right to appeal this decision to the principal of the school. Student Doe signed for letter but did not give it to his father.

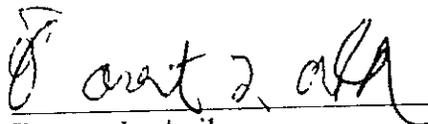
Student Doe enrolled himself in summer school for a math course and attained a passing grade. Under school standards, however, he was not eligible to attend summer school. In any event even a passing grade in math would not bring his academic standing up to the required level.

We think that Davies has wide discretion in academic matters. Jane R. Doe vs. Davies Career and Technical School, April 8, 1993. The actions of the Davies School in this case cannot be construed as being arbitrary or unreasonable.

We can find nothing contrary to law in the decision of the Davies School to disenroll Student Doe. In the light of Student Doe's efforts in summer school, however, we request, but do not require, Davies to reconsider this matter.

Conclusion

The appeal must be denied.


Forrest L. Avila
Hearing Officer

Approved:


Peter McWalters
Commissioner of Education

October 7, 1993
Date