

STATE OF RHODE ISLAND
AND
PROVIDENCE PLANTATIONS

COMMISSIONER OF EDUCATION

JOHN B.R. DOE

vs.

SCITUATE SCHOOL COMMITTEE

REQUEST FOR INTERIM ORDER

Held:

Student not entitled to
participate in graduation
exercises.

The Scituate School Committee does not allow any student who has not completed all requirements for high school graduation to participate in graduation exercises. That is to say students are not allowed to receive a blank diploma on stage pending completion of the requisite academic work over the summer. While some may find this to be a stringent policy, there is no doubt that it is an allowable policy under Rhode Island Law. Jane A. E. Doe V. Cumberland School Committee, June 8, 1995.

In the present case, student John B. R. Doe alleged that he has a medical problem called "cholinergic urticaria" which has negatively impacted on his ability to obtain a passing grade in English which he needed in order to graduate. His grade is 1.8 points below a passing standard. Student John B. R. Doe is not arguing that he should be awarded a passing grade in English. He is arguing however that he should be allowed, contrary to school committee policy, to participate in graduation exercises and receive a blank diploma. Student John B. R. Doe has been accepted by several colleges and he intends to make-up his failing grade in English in summer school.

The problem we have in this case is that John B. R. Doe has never done very well in English. More than once he has had to make-up deficiencies in English course work. This was the case even before the occurrence of his illness. Moreover student John B. R. Doe's record indicates a number of days of unexcused absence from English class this year even before the occurrence of his illness. Under the circumstances, we cannot find that the Scituate school Committee has discriminated against John B. R. Doe in any way. There is no evidence in the record that Scituate has refused to accommodate John B. R. Doe's disability.

CONCLUSION

We must deny student John B. R. Doe's request for an interim protective order.



Forrest L. Avila
Hearing Officer

Approved:



Peter McWalters
Commissioner of Education

Date: 6/7/96