

STATE OF RHODE ISLAND
AND
PROVIDENCE PLANTATIONS

COMMISSIONER OF EDUCATION

REGINALD LAVALLEE *
V. *
FOSTER/GLOCESTER REGIONAL SCHOOL *

DECISION

Held: Good and just cause is found to
sustain a dismissal.

DATE: November 18, 1997

The Rhode Island General Assembly has plenary authority over public education. City of Pawtucket v. Sundlun, 662 A.2d 40 (R.I. 1995). A good measure of this authority has been delegated to local school committees which have "...the entire care, control, and management of all the public school interests of the several towns". G.L. 16-2-18. School committees have authority to "...establish policies governing curriculum, courses of instruction, and textbooks". G.L. 16-2-9(20). They also have authority to "...establish standards for the evaluation of personnel". G.L. 16-2-9. In particular the local school committees are required:

To approve a master plan defining goals and objectives of the school system. These goals and objectives shall be expressed in terms of what men and women should know and be able to do as a result of their educational experience. The committee shall periodically evaluate the efforts and results of education in light of these objectives.
G.L. 16-2-9.

With regard to curriculum the law specifically provides as follows:

16-2-16. Rules and regulations – Curriculum. —The school committee shall make and cause to be put up in each school house rules and regulations for the attendance and classification of the pupils, for the introduction and use of textbooks and works of reference, and for the instruction, government, and discipline of the public schools, and shall prescribe the studies to be pursued therein, under the direction of the department of elementary and secondary education.

While the authority of local school committees is wide-ranging this authority is not to be exercised arbitrarily or in a vacuum. A school committee must "accept and encourage a variety of opinions from and communication with all parts of the community". G.L. 16-2-9.1(4). It must "act on legislative and policy-making matters only after examining pertinent facts and considering the superintendent's recommendations". Most

importantly the “prime directive” of the Rhode Island General Assembly with regard to public education requires school committees to:

Recognize that the first and greatest concern must be the educational welfare of the students attending the public schools. G.L. 16-2-9.1(11)

The Foster-Glocester School Committee, after due consultation with the professional teaching staff of its school system, and after consultation with the superintendent of schools accepted their recommendation that the science curriculum in the Foster-Glocester Public Schools should be based upon experimentation and observation rather than emphasizing textbook instruction. This decision can hardly be said to be arbitrary, capricious, or contrary to best academic practices. Indeed the American Association for the Advancement of Science has long advocated an approach to science education grounded on experimentation. (Project 2061, Science Literacy for a Changing Future, AAAS). Subsequently the Rhode Island Board of Regents adopted this policy on a statewide basis. The Rhode Island Science Framework states:

In hands-on science instruction the teacher engages the students in questions that require them to think about and apply what they are doing to new situations. The “minds-on” part of instruction comes with dialogue, discussion, and exploration using hands-on materials. Experiences with a particular science phenomenon must be concrete, relevant to the students, and varied.

All hands-on activities require the use of materials. Student learn by doing, using materials such as plants, batteries and bulbs, or water, or instruments such as the microscope, meter stick, or test tube. These instructional materials must be sequenced to facilitate students’ construction of meaning. Giving students sets of activities without connections drawn among them leads to isolated bits of knowledge. Therefore, rather than presenting students with bits and pieces of information, and leaving it to them to piece these together, the teacher needs to help students see

the interconnections among scientific ideas (Raizen and Michaelson, 1994).

In practice, however, despite the emphasis on “doing science” with the use of instructional materials, textbooks have defined the curriculum. In drawing a comparison one science educator commented: “Teaching with hands-on activities is demanding, but everyone is involved, eager, and active, and participants remember what they have done... I never saw a textbook do that” (Haurly and Rillero, 1992). Textbooks may have a place in the curriculum as a support for inquiry and experimentation. However, a more experimental base is needed at all levels involving use of instructional materials and equipment and thought-provoking questions and dialogue.

This case results from a dispute concerning the implementation of this new type science curriculum in the Foster-Glocester public school. The record before us demonstrates that the appellant, Mr. Reginald Lavallee, was a science teacher in the Foster-Glocester school system. His teaching style was based upon a textbook approach to teaching science. By using this approach he attained a good measure of success in teaching science at least in terms of the prevailing standards of instruction. When the new science curriculum came into effect the teaching evaluations which Mr. Lavallee received dropped precipitously from their prior level. Mr. Lavallee wished to continue to rely on a textbook approach to teaching science and resisted the notion of preparing connected lesson plans. He said he preferred to “wing it”. Evaluations conducted by school administrators also highlighted problems with grading, classroom relations, and the need to establish a positive classroom atmosphere.

There is no need to rehearse here all the steps which school administrators took to attempt to change and improve Mr. Lavallee’s teaching. These efforts are fully stated in the findings of fact made by the school committee in this case. We exercise our de novo

review authority, and adopt these findings as our own. In the end all the efforts of the school district, including placing Mr. Lavallee on a seven month paid leave of absence, failed to change the situation. In the end Mr. Lavallee refused to adopt the new curriculum or to move away from a textbook approach to teaching science. He also refused to take the steps that were seen as necessary to improve his teaching. When informed by school administrators that failure to change could lead to his dismissal for poor performance and insubordination Mr. Lavallee replied: “You can do what you need to do”.

The school committee, after an extensive hearing, voted to dismiss Mr. Lavallee for poor teaching performance and insubordination. From this decision Mr. Lavallee has appealed to the Commissioner of Education. After a do novo hearing, however, we reach the same conclusion reached by the school committee. While we certainly recognize that a measure of deference must be accorded to differing teaching styles this deference does not extend to the point of encompassing and countenancing direct refusal to implement a properly established curriculum or the failure to meet appropriate standards of teaching. Based upon the facts of this case we must find good and just cause to sustain the dismissal of Mr. Lavallee.

Conclusion

The appeal is denied and dismissed.

Forrest L. Avila, Hearing Officer

Approved:

Peter McWalters, Commissioner

DATE: November 18, 1997