

STATE OF RHODE ISLAND  
AND  
PROVIDENCE PLANTATIONS

COMMISSIONER OF EDUCATION

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JOHN DOE

V.

JOHNSTON SCHOOL COMMITTEE  
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**Decision**

Held: Student's final grade in  
senior English course is  
not arbitrary.

Date: June 14, 2002

## **Introduction**

This is an appeal by John Doe's mother concerning his failing grade in his senior English course.<sup>1</sup>

For the reasons stated below, we deny the appeal.

## **Background**

John Doe is a senior at Johnston High School. He has met all graduation requirements except for the successful completion of English IV.

In his four years at Johnston High School, John has struggled in his college-preparatory English courses. He failed English III in his junior year, but completed the course in summer school.

For his senior-level English IV course, John was placed in a class that was to be taught in a manner particularly suited to students who had experienced difficulty with college English courses. He received a grade of 68 in the first quarter in this course.<sup>2</sup>

Early in the second quarter, another college-level English IV class was added to the school course schedule. John and 9 other students were randomly selected from the existing English IV class and placed in the new class. The new English class was not taught in the same manner as the original class. The new English teacher did not confer with John's first-quarter teacher regarding teaching methods. John's guidance counselor was not involved in the switch in classes.

John received a grade of 50 for the second quarter in English IV. He received a grade of 65 for the third quarter. At the end of the third quarter, John and Petitioner met with his English teacher and guidance counselor to discuss John's English grades. The teacher proposed "a compromise so that [John] would have a legitimate chance of passing English and graduating with his class." [School Committee Exhibit 7]. Everyone agreed with the proposal. According to its terms, John needed to (1) earn at least a C+ average for the fourth quarter, (2) meet with the teacher on Mondays for tutoring, (3) attend class unless legitimately ill, and (4) submit all work on time, fully completed.

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<sup>1</sup> The Commissioner of Education designated the undersigned hearing officer to hear and decide the appeal. Hearings were held on June 12 and June 13, 2002. The Johnston High School graduation is scheduled for June 14th.

<sup>2</sup> A grade of 65 is passing.

Of John's 18 work assignments following the agreement, 7 were missing or late. John "cut," i.e., did not attend, three English classes despite being in school at the time. He attended two of the six scheduled tutoring sessions. His fourth quarter average was 62.<sup>3</sup> He received a final grade of 57 in English IV.

The English teacher spoke with Petitioner on May 6th and May 14<sup>th</sup>, and John on May 8th, regarding the latter's work deficiencies. A letter dated May 6th informed Petitioner that John was failing English IV.<sup>4</sup> A letter dated May 13th notified Petitioner that John was failing English and that "graduation will depend upon his/her receiving a final passing grade . . ." [School Committee Exhibit 6].

On May 31st, Petitioner was informed that John failed English IV. On June 3rd, Petitioner met with the English teacher. They discussed whether John's work could be graded on a general-English level, the class that Petitioner thought John belonged in all along. No valid basis was found to grade John in this manner.

Petitioner testified that she saw a big change in John's work habits and effort during the fourth quarter. He spent significantly more time doing schoolwork, including studying with another student.

### **Positions of the Parties**

Petitioner contends that John's placement in college-level English courses was ill-advised and not properly reviewed by the guidance department. She maintains that John gave his best effort in a class that was too demanding for him. She asserts that fairness requires that John be graded according to general-level English standards.

The School Committee contends that John was given a fair opportunity to pass English IV and that his final grade is not arbitrary. It questions John's effort and emphasizes its need to consistently apply academic standards to all students.

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<sup>3</sup> John received a 52 on the final examination.

<sup>4</sup> The letter further stated that John "lacks effort/does not work to ability," "has excessive absences," "does not submit class assignments/homework on time," and "has work to make-up." [School Committee Exhibit 5].

## **Discussion**

Despite our initial concerns with the manner in which John was moved to a different English IV class at the beginning of the second quarter, we do not find that his final failing grade is arbitrary.

John's difficulties in college-level English courses made it imperative that his course selection and resulting teaching methods be given careful attention by guidance and teaching personnel. This type of attention did not occur in early November 2001 when John was moved to a different English IV course.

The record establishes, however, that particularized attention was devoted to John's academic performance in early April, at the start of the fourth quarter. A fair and realistic plan was adopted for the specific purpose of helping John pass English IV and qualify for graduation. Petitioner and John agreed with the plan. At this point, John needed to take advantage of the opportunity that was presented to him.

To everyone's dismay, John did not take full advantage of that opportunity. Notice of his shortcomings was given to John and Petitioner. Nonetheless, work was not made up and test scores were inadequate. Critical tutoring sessions were not used. John's resulting final grade, while unfortunate, is not arbitrary. We therefore find the appeal to be without merit.

## **Conclusion**

John's failing grade in English IV is not arbitrary. The appeal is denied.

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Paul E. Pontarelli  
Hearing Officer

Approved:

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Peter McWalters  
Commissioner of Education

Date: June 14, 2002