

State of Rhode Island  
And  
Providence Plantations

Commissioner of Education

**Student R.R.**

**v.**

**Cranston School Committee**

**DECISION**

Held: This student has not fulfilled graduation requirements at Cranston East High School. His failing grade in English has not been shown to be the fault of school officials. Although he and his parents did not receive a fourth quarter interim progress report, this fact does not justify an exemption from the requirement that he receive a passing grade in English.

June 14, 2004

## Travel of the Case

This matter was appealed to Commissioner McWalters on June 14, 2004 by Student R.R.'s mother. By letter dated June 13, 2004 Student R.R.'s mother indicated that she had been caught by surprise by information relayed to her by her son that he is failing English and therefore unable to graduate with his class on June 15, 2004. She requested an expedited hearing to resolve the matter, as it was her understanding, as reported by her son, that he had fulfilled all graduation requirements as well as the requirement that he pass twelfth grade English.

A hearing was held on June 14, 2004 at which time evidence was presented by both parties. The record on which the decision is based of necessity consists of the documentation presented at the hearing, and the hearing officer's notes of the testimony and arguments of the parties.

## Findings of Relevant Facts

\*Student R.R. is a senior at Cranston High School East.

\*On or about June 10, 2004 Student R.R.'s teacher notified him that based on his cumulative grade in English of 55, he was not eligible to graduate on June 15, 2004.

\*Student R.R. did not receive a passing grade on any of the six tests, quizzes, or projects during the fourth quarter. He also received an F- on the final draft of a 7-9 page research paper which counted for sixty (60%) percent of his fourth quarter grade. He received a grade of 41 on the final exam. Of fourteen homework assignments, this student completed five. He received a grade of zero for the nine homework assignments he did not complete.

\*Student R.R. third quarter report card, sent home on or about April 26, 2004 indicated that he had achieved a grade of "D-" (cumulative grade of "D") and in the comment section noted that he was "in danger of failing".

\*Student R.R. did not receive an interim progress report passed out to students in homeroom on either May 18 or 19, 2004. His parents also did not receive a copy of this report.

\*The interim progress report, described above, indicated that in English his assignments were often incomplete and he was not meeting research requirements.

\*At no time were Student R.R.'s parents contacted by his guidance counselor with respect to his academic progress in English. In fact, his

guidance counselor was not aware of the situation with respect to Student R.R.'s graduation status until contacted by Student R.R.'s mother.

## Positions of the Parties

### Student R.R.

The parents of this student acknowledge that his English grades are accurate, and that he technically has not met graduation requirements. Although aware that her son's grades in English were low, Student R.R.'s mother was not aware of the complete picture and the actuality that he would not graduate until just last week. Her position is that school officials were under an obligation to notify her of the situation prior to the eleventh hour so that she could take steps to ensure that her son brought his English grade up to a passing grade. Since school officials did not notify her, she argues that the failure in English should not be an obstacle to his graduation.<sup>1</sup>

### Cranston School Committee

Counsel for the School Department submits that Student R.R.'s grade in English is an accurate reflection of the amount of effort he put into the course. He points out that the teacher presented numerous opportunities for students in the class to be graded. Student R.R.'s grades were consistent and all were below passing. Despite the availability of his teacher to help him, particularly with the long-term research paper, Student R.R. did not avail himself of her assistance, except on one or two occasions early on in the project. Counsel argues that this student's strategy was to do the minimum in all of his courses. His strategy at the end of the fourth quarter was to calculate exactly what grade he needed on the final exam in each of his courses in order to pass. This strategy failed in English when he received a grade of 41 on the final exam.

Even if one were to disregard the F- on the long-term research paper, Student R.R. would not have a higher grade than a 55 overall.

With respect to the issue of notice, even conceding that Student R.R. and his parents may not have received the interim academic progress report on May 18 or 19, 2004, ample notice of his failing grades was otherwise

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<sup>1</sup> Student R.R.'s mother did not elaborate as to whether she believes he should be allowed to attend the graduation ceremony and receive his diploma at a later time, but this is the inference we received.

provided. Student R.R. received all of his grades directly, and his parents received a grade report for the third quarter on April 26, 2004. The third quarter report clearly indicated a D- for the quarter and noted that he was in danger of failing. No contact with the school was made.

## DECISION

The failure of the Cranston School Department to send a specific notice with respect to the possibility that Student R.R. might not graduate, because of the consistently low and failing grades he was receiving in English in the fourth quarter is regrettable.<sup>2</sup> Under the circumstances of this case, however, such failure does not create an entitlement for Student R.R. to attend graduation ceremonies. A prior warning with respect to the danger of his failing English was included in the April 26, 2004 third quarter grade report. This report was received by Student R.R.'s parents. In the ensuing quarter, the information that the parents chose to accept, despite receipt of this warning, was exclusively from their own child. In light of the April 26, 2004 notice to the parents, we reject the argument that school officials had a legal obligation to convey further and updated grade information during the fourth quarter, or that such a notice is a prerequisite to holding Student R.R. responsible for his failing grade. Stated another way, under the circumstances of this specific case, the obligation to obtain updated and accurate information on Student R.R.'s grades and graduation eligibility was that of his parents.

Having said that, we are constrained to note the absence of Student R.R.'s guidance counselor as a witness at this hearing. It appears from the limited record we have at this expedited hearing that guidance, and Student R.R.'s guidance counselor, played no role in his ongoing academic situation, despite its seriousness. We note this fact so that school officials at Cranston East may review the role of guidance and ensure that counselors are appropriately involved, especially when the consequences of grade failure

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<sup>2</sup> We must note that even if this student and his parents had received the May 18, 2004 Academic Progress Report which was sent to students who had grade issues, this would not be the "red flag" to which we refer. The information conveyed in that report with respect to English was merely that assignments were often incomplete and this student was not meeting research requirements.

are as serious as those presented in this case. Based on the limited record created in this appeal, we are unable to lift from Student R. R. the burden of responsibility for his failing grade in English and his failure to meet graduation requirements.

For the Commissioner,

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Kathleen S. Murray  
Hearing Officer

Approved:

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Commissioner

June 14, 2004