

STATE OF RHODE ISLAND
AND
PROVIDENCE PLANTATIONS

COMMISSIONER OF EDUCATION

P. DOE

V.

CRANSTON SCHOOL COMMITTEE

Decision

Held: Student failed to complete necessary English course and therefore does not meet graduation requirements.

June 13, 2005

Introduction

This is an appeal of a failing grade in a course that a student needs to pass in order to graduate.¹

Background

Student Doe is a senior at Cranston East High School. She has been diagnosed with chronic fatigue syndrome. She has a Section 504 plan that includes homework and schoolwork modifications and the availability of tutoring to provide “homebound services as needed.” [School Committee Exhibit 2].

Doe had more than 90 absences during the 2004-05 school year.² On numerous occasions she did not attend her English class when she was in school. As a result, she did not complete a significant amount of assignments and projects. Doe received a grade of “Incomplete” for the first semester due to the missing work. Her grades in the second semester continued to deteriorate.

On approximately May 25, 2005, Doe’s parent was given a list of assignments and schoolwork that needed to be completed. The list included the course’s 8-step research paper. The English teacher testified that many homework assignments, class quizzes and in-class writing exercises were not included on the list as an accommodation to Doe.

Doe was given extended time to complete the research paper. Her final examination was scheduled for June 9th. Doe’s parent was informed that her daughter could not graduate with a missing final examination and other work.

Doe made a valiant effort to complete her work during the last week of school. She took her final English examination. She completed her research paper. There was some confusion, however, among Doe, her mother and her tutor regarding a number of the missing work assignments.

¹ The appeal was received on June 10, 2005. The Commissioner of Education designated the undersigned hearing officer to hear and decide the appeal. A hearing was held on June 13th, the day of the graduation ceremony. The 4-hour hearing concluded at 3:20 p.m.

² Two-thirds of Doe’s absences occurred after January 1, 2005.

In the end, Doe did not complete all of her work. She scored a 69 on the English final examination. She received a final grade of 55 in English, 5 points short of passing the course that is required for graduation.³

Positions of the Parties

Petitioner contends that the district did not follow Doe's 504 plan, that it did not maintain effective communication with the family, and that Doe was allowed to become overwhelmed by the amount of work that was demanded of her at the end of the school year.

The School Committee contends that the school complied with Doe's 504 plan by waiving numerous work assignments and granting her extra time to complete other work. It argues that Doe failed to seek necessary information from her teacher, did not become invested in her own education, and relied on tutoring to supplant the instruction that she could have received in the classroom.

Discussion

Regrettably, Doe's attendance and performance in English class deteriorated to the point where she could not make up the lost ground in time to graduate on schedule. Despite the deletion of assignments and the extensions of time, she did not achieve a passing grade in this required course. The evidence in this case fails to establish that her failure was the result of her disability or the district's violation of her Section 504 plan.

Accordingly, the appeal is dismissed.

Paul E. Pontarelli
Hearing Officer

Approved:

Peter McWalters
Commissioner of Education

June 13, 2005

³ The requirement that seniors pass at least 3 of their 5 courses in order to graduate was waived by the district in light of the special circumstances of Doe's case.