

STATE OF RHODE ISLAND
AND
PROVIDENCE PLANTATIONS

COMMISSIONER OF
EDUCATION

* * * * *

Student B. Doe
v.
Coventry School Committee

* * * * *

DECISION

Held: This is an appeal from the decision of local school authorities to deny the petitioners' child early admission to kindergarten. We find the school district has created a non-arbitrary process to make the difficult decision as to whether or not a child is ready for early admission to kindergarten. Because the district's decision was not arbitrary, was not contrary to state-wide academic policy, was not grounded in an incorrect computation, or made in bad faith, we can find no reason in this case to overrule the professional judgment of those who are charged with making this academic decision. This appeal is therefore denied and dismissed.

DATE: August 29, 2006

Jurisdiction and Travel of the Case

This is an appeal from the decision of local school authorities to deny the petitioners' child early admission to kindergarten. Jurisdiction is present under R.I.G.L.16-39-1 and R.I.G.L.16-39-2.

Position of the Parties

The Parents

The parents in this case submit that their daughter is prepared to enter kindergarten despite the fact that she has not yet attained the statutory age for admission to kindergarten.

The School District

The school district in this case has exercised its discretion to allow students who successfully complete a screening process to gain early admission to kindergarten. The child in this case has not, in the view of the school district, met the district's tight standards for early admission to kindergarten through this screening process. The district therefore submits that its decision to deny this student early admission to kindergarten must be sustained.

Findings of Fact

1. The school district has exercised its discretion to allow students who successfully complete a screening process to gain early admission to kindergarten.
2. In the view of the school district, the student in this case has not met the district's tight standards for early admission to kindergarten through this screening process.
3. The school districts assessment is that this student, "is a delightful but immature preschooler. She has made progress during her time in preschool gaining many rote skills such as identifying colors, shapes, letters and numbers. She can count and recite the alphabet. However, she needs additional time in preschool to further develop her listening. Communication, comprehension and social skills. ... [This student] has difficulty sitting and attending during whole class lessons and activities. She takes more time than other students to complete all tasks including eating snack, using the bathroom, writing, drawing, and cleaning up after play. [She] tires easily while working on projects and tasks and she continues to switch from left to right hand." ¹
4. The student in this case has completed two years of preschool in the school district.

¹ Exhibit 6.

Conclusions of Law

While the commissioner has more authority than a court does to review an academic decision, in most cases review of a local academic decision will be limited to determining whether the academic decision was arbitrary, contrary to state-wide academic policy, grounded in an incorrect computation, or made in bad faith.²

Discussion

In the case at hand we must find that the school district has created a non-arbitrary process to make the difficult decision as to whether or not a child is ready for early admission to kindergarten. We recognize that parent’s view of their child is ready for kindergarten. Still we can find no reason in this case to overrule the professional judgment of those who are charged with making this academic decision. These professionals have not only their own professional expertise in this area but also the practical judgment gained by teaching many young students to help them make this decision. We can find no reason to overturn this decision here.

Conclusion

The appeal is denied and dismissed.

Forrest L. Avila, Hearing Officer

APPROVED:

Peter McWalters, Commissioner

August 29, 2006
Date

² *Feit vs. Providence School Board*, Commissioner of Education, February 25, 1992. *Jane B.B. Doe v. Warwick School Committee*, Commissioner of Education, June 10, 1998.