

State of Rhode Island  
And  
Providence Plantations

Commissioner of Education

Student B. Doe

v.

Providence School Board

#### DECISION

Held: This student has not fulfilled graduation requirements at Central High School. His failing grade in Algebra II is, in part, attributable to chaos in the classroom but his grade has not been shown to be an inaccurate measure of his performance in this subject. Although notice of his ineligibility to graduate was insufficient, his grades on his report card in the first three quarters rendered him ineligible to pass math, no matter how well he performed in the fourth quarter.

DATE: June 7, 2010

An expedited hearing in this case was held today, and graduation ceremonies are scheduled to begin within the hour.

Although there is testimony with respect to insufficient notices from Central High School with respect to this student's eligibility to graduate, his parents did receive one notice in February of this year that he was in danger of not graduating. In fact, it was mathematically impossible for him to graduate, given the numerical grades he had received in each of the first three quarters (his letter grade in each quarter was "F." The letter grades were indicated on each of his quarterly report cards.

There may have been a misstatement or misunderstanding in a meeting with the teacher and Student Doe's father after the third quarter report cards were issued (father testified that the teacher indicated "everyone in my class will pass." Even if reliance on this statement caused the parents to discontinue the services of their son's tutor, i.e. reliance to their detriment- nothing this Student and his tutor could have accomplished at that time would have improved his grades sufficient to pass Algebra II for the year and be eligible to graduate. There is no evidence that this teacher routinely scaled grades, or provided extra-credit assignments in the subject to raise a student's grade. In fact, seven seniors in total are not graduating because of failing grades in this class.

For the foregoing reasons, this appeal is denied.

Student Doe should be given opportunity to complete Algebra II this summer and be eligible to graduate in August to continue on his plans to attend a post-graduate program.

The principal of Central is directed to look into the issue of the number of students of this teacher who have failing grades and follow up appropriately. We are concerned that such a large proportion of students have failed Algebra II with this instructor. However, there is insufficient evidence in this case to conclude that Student Doe's failure is the result of the incompetency of his teacher. If any issue of teacher competency is found to exist, a report to the Commissioner should be provided no later than August 1, 2010.

For the Commissioner,

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Kathleen S. Murray

APPROVED:

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Deborah A. Gist, Commissioner

June 7, 2010  
Date