

THE STATE OF NEW HAMPSHIRE
BOARD OF EDUCATION
Student/Franklin School Board
SB-FY-12-09-005

RECOMMENDED DECISION

I. INTRODUCTION

This is an appeal of the decision of the Franklin School Board (“Franklin”) to decline awarding credit to Student for an online geometry course.

The matter was heard on November 4, 2011. Parent represented Student’s interests at the hearing, and called three witnesses, including the Student and two family friends. The Franklin School Board, represented by Attorney Matthew Upton, called two witnesses, including the guidance counselor and school principal. Exhibits were submitted by both parties.

II. DISCUSSION

In order to earn credit for courses taken through an online course known as PLATO Learning, students must take the unit post-tests under staff supervision to insure the integrity and validity of the assessment. In addition, the student must earn a 65% on each test. Student and his mother were made aware of those requirements, and received a copy of the Franklin High School student handbook containing grading and course requirement information.

Student has taken several PLATO courses, but failed two units of geometry, and did not take the final geometry exam in the presence of staff. Parent maintains that, during a July 2011 telephone conversation with Principal Richard Towne, Principal Towne agreed to award the credit nonetheless because Student “had so much on his plate”. Parent further maintains that Principal Towne subsequently reneged on his agreement. Principal Towne recalls the conversation somewhat differently, testifying that he advised Parent that he could “overlook some irregularities” but would have to review Student’s records before making a determination.

Parent and Student met with school staff later that summer, and, in September of 2011, Principal Towne wrote to Parent reiterating the credit-granting policies and proposing “to arrange for Student to stay after school or work during a study hall on the geometry unit post-tests and final exam”. Subsequently, Franklin offered what it considered to be a reasonable solution - to waive the failed two units, and allow the Student to simply take the final exam. Franklin’s efforts at collaborative resolution were rejected by the Parent. The Parent instead insists that the Principal should honor

what Parent believes to have been a verbal agreement to award Student the geometry credit.

III. RECOMMENDATION TO STATE BOARD

Parent does not challenge the credit-granting standards themselves, nor is there any dispute as to Student's failure to meet those standards. Rather, Parent's case appears to rest entirely on what she believes Franklin school staff verbally agreed to in July of 2011, and she takes the position that Franklin should honor that agreement regardless of the academic requirements. Both Parent and Franklin presented conflicting testimony as to the pertinent portion of the July 2011 telephone conversation between Parent and principal.

It is nearly impossible in retrospect to determine precisely what was said during the July 2011 telephone conversation; verbal statements can be subject to interpretation and possibly interpreted in a manner unintended by the speaker. However, it is clear that Parents and Student were well aware of the academic policies and requirements for obtaining online course credit, through meetings, correspondence, written materials and the student handbook. In addition, Parent and Student were offered reasonable opportunity to complete those requirements; Student was even given the option of waiving the two failed units and simply taking the final exam. It is hoped that Student will reconsider and decide to take advantage of this opportunity.

Under these circumstances, the Hearing Officer recommends that the decision of the Franklin School Board be upheld.

Signed,
Amy B. Davidson

Amy B. Davidson, Hearing Officer

Date: January 20, 2012