

STATE OF RHODE ISLAND
AND
PROVIDENCE PLANTATIONS

COMMISSIONER OF EDUCATION

JANE G. DOE, I

vs.

A RHODE ISLAND
SCHOOL COMMITTEE

DECISION

April 18, 1988

This is an appeal involving a school suspension for the rest of this school year imposed by a Rhode Island school committee. The high school student concerned, a senior, does not dispute the allegation that she furnished some LSD to another student at school. She has cooperated with school authorities and she concedes that a suspension is appropriate in her case. The offense has, of course, also been referred to the criminal justice system through the local police department. The only issue before us is the issue of the extent of the suspension to be imposed. The student requests that we modify the suspension as it now stands so as to allow her to complete school work at home so that she would be able to graduate on schedule.

Under Rhode Island school law a student may not be permanently expelled from school. The greatest penalty along these lines which can be imposed is a long-term suspension. As the School Committee points out this student will be eligible to return to high school next year. If she does not return to school next year the state will be faced with another drop-out statistic, with all that that entails for society and for this particular individual. If she does return to school there is a risk, however small, that the offense might be repeated. We do not like either of these alternatives.

Under the circumstances we think it best that we order that this student be allowed to attempt to complete her course-work at home. Except for testing, this student is not to return to the premises of the school. She is not to associate with students going to or returning

from school. She is not to participate in any school social functions or in graduation ceremonies.

Conclusion:

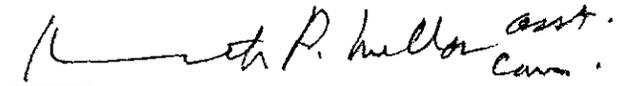
This student is to be allowed to complete her course-work at home in accordance with the terms of this Decision. If the student hires a tutor the School District shall, of course, have no responsibility for any costs thus incurred.



Forrest L. Avila, Esq.
Hearing Officer

Approved:

for



asst. comm.

J. Troy Earhart
Commissioner of Education

April 18, 1988