

STATE OF RHODE ISLAND
AND
PROVIDENCE PLANTATIONS

COMMISSIONER OF EDUCATION

BEVERLY LaPRADE, ROBIN MUGGLE *
AND ODETE LOPES, et al *
*
VS. *
PAWTUCKET SCHOOL COMMITTEE *

INTERIM ORDER
JUNE 29, 1989

Jurisdiction to decide this matter is present under 16-39-1, 2 and 3.2. Based upon the abbreviated record now before us, we think that the students might suffer irreparable injury if their educational placement is disrupted once again and possibly again in the following year for reasons which are alleged to be arbitrary or unreasonable. On the other hand, the school district does not suffer long term if we prevent it from taking action to change the placement of these students while we consider the matter during the next several days.

We think that the parents have put enough facts on the record at this very preliminary stage to show a probability of success on the merits. These children were at some disadvantage when they were moved in 1987 and went through a period of adjustment and to be moved once again they may suffer further disadvantage by virtue of that move. A decision to move these students for "geographic reasons" without taking into account the academic difficulties which they might experience by virtue of another move may well be arbitrary.

Therefore, we order as follows:

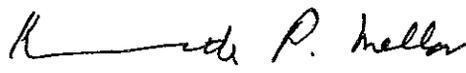
- (1) This matter will be heard and decided in an expeditious manner.
- (2) The assignment of these students shall not be changed until the

Commissioner has decided the matter.

(3) The School Committee is hereby forbidden from taking any action or signing any contract which would commit the district financially or legally to change the assignment of these students (known as the Barton Street students.)



DONALD DRISCOLL, HEARING OFFICER

for 

J. TROY EARHART, COMMISSIONER