

STATE OF RHODE ISLAND  
AND  
PROVIDENCE PLANTATIONS

COMMISSIONER OF EDUCATION

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JOHN Q. DOE	:
	:
	:
vs.	:
	:
	:
COVENTRY	:
SCHOOL COMMITTEE	:
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INTERIM ORDER

G. L. 16-39-3.2

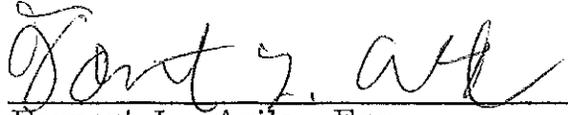
May 25, 1990

This case concerns an eighteen (18) year old male student who is currently placed at Vocational Resources, Inc., a day program, in Providence, Rhode Island. On April 11, 1990 a local level Hearing Officer ordered that a residential placement be located for this student or, in the alternative, that a group home placement be located with an educational placement made through the public school system. This decision has been appealed by the School District to a state level Review Officer. The petitioning student is seeking an Interim Order directing the School District to begin locating a placement for this student which meets the requirements of the local level Hearing Officer's decision. The petitioner is not seeking an order that a placement be made now.

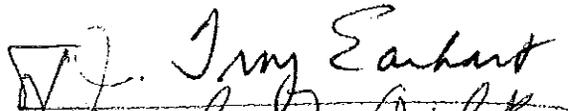
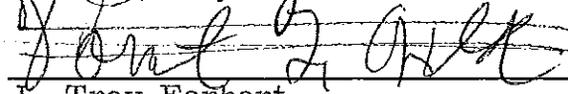
The merits of this case, which rest upon 1198 pages of transcript, are obviously not before us. We do not know whether the student or the School District will prevail in the appeal, nor do we know whether, if the student were to be successful on appeal, we would order immediate placement of the student. Blazejewski v. Board of Ed. 560 F.Supp. 701. We do know, however, that this student is approaching the age of twenty-one (21) which is the upward age limit for the provision of special education services. Time constraints are, therefore, an issue in this case. We also know that it is often difficult to locate a placement in cases of this nature.

Under these circumstances we must order that the School District undertake an immediate search for a placement for this student. Petitioner's attorney will be kept informed by the District of the progress of this

search. Nothing in this decision shall be taken as expressing any view on the merits of this case.

  
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Forrest L. Avila, Esq.  
Hearing Officer

Approved:

  
  
\_\_\_\_\_  
J. Troy Earhart  
Commissioner of Education