

STATE OF RHODE ISLAND
AND
PROVIDENCE PLANTATIONS

COMMISSIONER OF EDUCATION

CENTRAL FALLS SCHOOL :
COMMITTEE :
 :
 :
vs. :
 :
 :
DEPARTMENT OF EDUCATION :

D E C I S I O N

September 25, 1990

This matter was heard on July 23, 1990 upon the appeal to the Commissioner by the School Committee of Central Falls. The appeal concerned the decision of the Commissioner to withhold funds for school aid because of the failure of the city of Central Falls to pay an amount due for tuition at the William M. Davies Vocational-Technical School.

The commissioner has jurisdiction to hear the appeal by virtue of the provisions of Section 16-39-1 of the General Laws of Rhode Island, 1989, as Amended. The matter was heard by the Deputy Commissioner under authorization from the Commissioner.

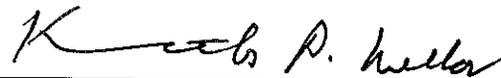
Due notice was given to the interested parties of the time and place of the hearing. The School Committee was represented by counsel, the City of Central Falls was represented by the Finance Director. Testimony was taken, a transcript of which was made, and evidence was presented. Upon the testimony taken and the evidence presented, we find the following:

1. By letter date May 31, 1990, the Commissioner asked the General Treasurer of the State of Rhode Island to withhold from the City of Central Falls \$67,404.05 of school aid due to the failure of Central Falls to pay the amount due the department of education for the first semester's tuition at the William M. Davies Vocational-Technical High School.
2. The Central Falls School Committee on March 13, 1990 requested the city treasurer of Central Falls to pay the tuition due for the first semester at the Davies school.
3. Funds sufficient to pay the Davies tuition bill existed in the 1989-90 school committee budget.
4. The city treasurer of Central Falls, after discussion with state officials, made arrangements to "pay" the bill by having the amount of the bill withheld from the June 1990 state aid payment due Central Falls and made appropriate revenue and expenditure entries on the financial records of the city.

The School Committee claims that it adopted a fiscal year 1989-90 budget which included funds sufficient to pay the tuition for the Davies Vocational School, forwarded the tuition bills to the city treasurer for payment and that the bills were not paid by the city. The School Committee claims the bills were not paid through no fault on their part and, therefore, the commissioner should not withhold state funds.

The city treasurer testified that she discussed with state officials whether the city would send a check to the state for the amount due in order to release the state aid funds or agree that the funds due would be deducted from the next state aid payment due Central Falls. The treasurer testified that she selected the latter course of action as the means of paying the bill and entries to reflect appropriate revenue and expenditures were made on the financial records of the city. The bill has now been paid.

Accordingly, the appeal of the School Committee is denied because the matter is moot.



Kenneth P. Mellor

Hearing Officer

Approved:



J. Troy Earhart

Commissioner of Education