

STATE OF RHODE ISLAND  
AND  
PROVIDENCE PLANTATIONS

COMMISSIONER OF EDUCATION

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JANE L. DOE :  
vs. :  
CRANSTON & LINCOLN :  
SCHOOL COMMITTEES :  
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DEMAND FOR STAY

May 21, 1991

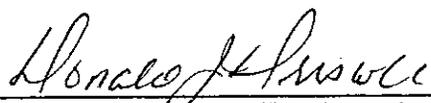
In the matter of the Town of Lincoln School Department's request for a Stay of the Commissioner's decision of January 4, 1991, Re: Jane L. Doe vs. Lincoln School Committee and the Cranston School Committee, we find as follows:

The Demand for Stay is denied.

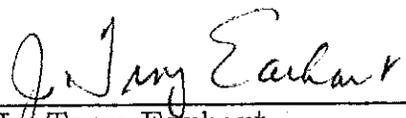
Upon review of the original transcript, the transcript of the hearing on Demand for Stay ( February 12, 1991) and attendant written and oral comment of the parties, we cannot support a Stay in this matter.

This student and the School Committee of Lincoln are in active status under the due process provisions of the Regulations of the Board of Regents for Elementary and Secondary Education governing the Special Education of Children with Disabilities, amended September 1, 1990. That matter, despite our urging has not as of this request been resolved.

To delay further the assuming of responsibility by Lincoln for this girl's education would not be proper; therefore, the Demand for Stay is denied.

  
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Donald J. Driscoll, Hearing Officer

Approved:

  
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J. Troy Earhart  
Commissioner of Education

May 21, 1991