

STATE OF RHODE ISLAND
AND
PROVIDENCE PLANTATION

COMMISSIONER OF EDUCATION

JOHN A.T. DOE

V.

EXETER-WEST GREENWICH
SCHOOL COMMITTEE

DECISION

Held: It is practical for this student to
walk to the bus stop.

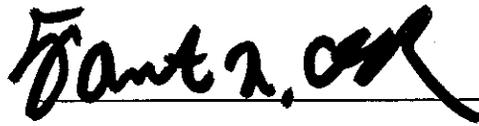
John Doe is a 16 year old student in the Exeter-West Greenwich school system. He lives at Hazard Avenue and has to walk a little less than a half-a-mile to the bus stop at Escoheag Hill Road. He has walked this route for four (4) years. He must leave the house at a little after 5:30 a.m. to be sure to catch the school bus which leaves the stop at a little before 6:00 a.m. Student Doe is at school by 7:10 a.m. and school starts at 7:30 a.m. For much of the school year Student Doe's walk to the bus stop is made in the dark or in the twilight. There are no street lights or sidewalks along the route but there are houses in the area. There is room to walk along the side of the road.

The Police Chief of West Greenwich testified that the walk and the bus stop were safe even when it was dark. He based his testimony on his 22 years experience as a police officer in the area. Lynn Buckley, the terminal manger for the bus company testified that the route and bus stop were safe. John C. Tinsley, the safety manager for the bus company seconded these opinions.

Our examination of the area convinces us that the walking route and the bus stop are safe even under conditions of darkness. We recognize that Student Doe's parents must be very sensitive to any possible hazards along the route since Student Doe and his father were involved in a recent car accident in the area. Still we can find no inordinate hazards in the area. We conclude that it is practical for Student Doe to walk to the school bus stop at issue. (G.L. 16-21-1) Brown v. Elston, 445 A.2d 279 (R.I. 1982).

Conclusion

The appeal must be denied and dismissed.



Forrest L. Avila, Hearing Officer

Approved:



Peter McWalters
Commissioner of Education

January 4, 1994
Date