

STATE OF RHODE ISLAND  
AND  
PROVIDENCE PLANTATIONS

COMMISSIONER OF EDUCATION

WILLIAM AND SHERI W.  
V.  
CRANSTON SCHOOL COMMITTEE

DECISION

Held: Students are residents of Warwick  
for school purposes.

Date: July 26, 1994

The Doe family lived in Cranston until the beginning of 1993 when they went to live in the Susse Chalet, a motel, in Warwick. They would like to move back to Cranston but they have found it difficult to locate housing in Cranston which meets their needs and which is within their price range. Although the Doe family now lives in Warwick their children have continued to attend the public schools of Cranston. The Cranston School Committee requests the Commissioner to find that the Doe's are now residents of Warwick for school purposes.

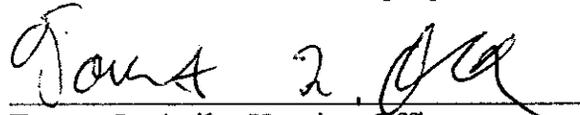
The students in this case have exceeded the one semester "grace period" for transferring to the school of their new town of residence. G.L. 16-64-2. Moreover, the Doe's also do not fall under the protection of the McKinney "Homeless Act" since they do, in fact, have an adequate fixed place of abode.

Even if they were protected by the McKinney Act they have exceeded the one year grace period permitted by the Act for enrollment in the new town of residence. 42 U.S.C.A. 11421 (3)(A).

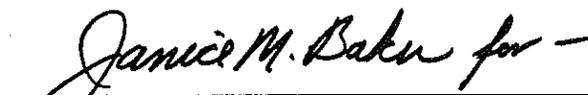
The undisputed facts in this case establish that the Doe's are residents of Warwick for school purposes since that is where they are living.

Conclusion

The students in this case are residents of Warwick for school purposes.

  
Forrest L. Avila, Hearing Officer

Approved:

  
Peter McWalters, Commissioner

July 26, 1994  
Date