

STATE OF RHODE ISLAND
AND
PROVIDENCE PLANTATIONS

COMMISSIONER OF EDUCATION

JOHNSTON SCHOOL COMMITTEE
V.
TOWN OF JOHNSTON

INTERIM ORDER DECISION

Held: Johnston must continue to pay
school committee bills. Priority
established.

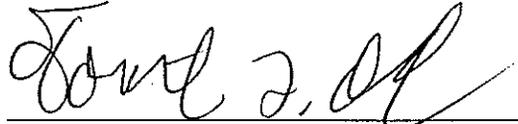
Date: May 1, 1995

The Town of Johnston agrees with the School Committee of Johnston that the School Committee's past due bills must be paid. There is no dispute about the propriety of these bills. The problem in this case is the result of the fact that a prior Johnston administration has left the town in a very difficult financial position. In hearing this matter over the past several months we have made every effort to cooperate with Johnston's good faith effort to get its fiscal house in order. Despite the urging of the School Committee we have not ordered Johnston to pay all overdue School Committee bills immediately. While Johnston has made progress in getting bills paid it has a long way to go before it is current in making payments.

Johnston argues that quarterly tax payments due at the end of April will give it an opportunity to get more current with past due bills. The School Committee points out however, that (e.g.) tuition's required by state and federal laws have not been paid to Cranston for vocational education services or to Pawtucket for special education services. Indeed Cranston has filed an appeal with the Commissioner claiming payment for past due vocational education.

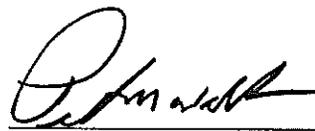
Conclusion

We order Johnston to continue to pay the past due bills of the School Committee with priority given to vocational education tuitions and special education tuitions. We will reconvene this hearing on May 31, 1995 to decide whether we should enter an order requiring the immediate payment of all past due School Committee bills. We will also decide whether we should withhold school aid due and owing to Johnston and use this money to pay over due bills.



Forrest L. Avila, Hearing Officer

Approved:



Peter McWalters, Commissioner

May 1, 1995
Date