

STATE OF RHODE ISLAND
AND
PROVIDENCE PLANTATIONS

COMMISSIONER OF EDUCATION

WARWICK SCHOOL COMMITTEE *

V. *

CITY OF WARWICK *

Order

Held: Order prohibiting the hiring of
teachers is denied.

Date: August 21, 1995

The city of Warwick is requesting that we order the school committee of Warwick not to hire permanent teachers for a number of vacancies which now exist in the Warwick School system. The basis for this request is a concern that if the school committee hires these teachers this will constitute an irrevocable commitment of funds which will make it difficult for the Commissioner to order further reductions in the school committee budget if such reductions turn out to be warranted.

The School Committee's answer to this request is to argue that the new teachers are needed to fill essential positions and that any attempt to fill these positions with substitutes would be disruptive.

The School Committee also argues that if the Commissioner were to ultimately order a further reduction in the school committee's budget the committee is prepared to make cuts in other parts of its program. It argues also that the positions are required by the BEP or by contract. The committee is also concerned that in certain areas (e.g. marine trades) it must offer positions now or risk having no candidate for the positions.

We note that the Commissioner has been prepared to hear this matter at a earlier date but at the request of the parties the hearing was postponed until last week. Based upon the adamant representations of the school committee that the filling of these positions is essential to the public school interests of Warwick, we think we must, at this early stage of the hearing, given the limited record before us, decline to prohibit the school committee from hiring teachers for the positions at issue.

Conclusion

The request order is denied.


Forrest L. Avila, Hearing Officer

Approved:


Peter Commissioner, Commissioner

August 21, 1995
Date