

0023-97

STATE OF RHODE ISLAND

COMMISSIONER OF EDUCATION

AND

PROVIDENCE PLANTATIONS

**JOHN C.I. DOE**

**V.**

**EAST PROVIDENCE SCHOOL COMMITTEE**

DECISION

Held: Student is a resident of Providence  
for school purposes.

DATE: July 18, 1997

The record in this case establishes that student Doe now lives with his family in Providence. Before this he lived with his mother in East Providence. Although the family now resides in Providence, John Doe, who is a high school student, continues to attend school in East Providence. When the East Providence school system discovered that John Doe no longer lived in East Providence, he was ordered to withdraw from the system. From this decision, John Doe now appeals.

It is clear that under the law, John Doe is now a resident of Providence for school purposes. G.L. 16-64-1. John Doe, through his parents, argues that John, at this time, is psychologically “fragile and vulnerable” and that his best interests would not be served by a transition to Providence public schools. The problem with this argument is that the residency law does not provide for placement of students based upon psychological criteria. This does not mean that school districts are insensitive to the psychological problems of students. It simply means that each school district is expected to deal with these problems through its own counseling and special education services.

#### Conclusion

We must find that John Doe is a resident of Providence for school purposes. East Providence is directed to consult with Providence to facilitate the transition of this student to the Providence school system.

---

Forrest L. Avila, Hearing Officer

Approved:

---

Peter McWalters, Commissioner

DATE: July 18, 1997