

STATE OF RHODE ISLAND
AND
PROVIDENCE PLANTATIONS

COMMISSIONER OF EDUCATION

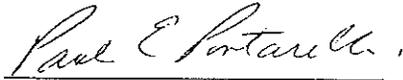
IN RE: RESIDENCY OF JOHN C.T. DOE

DECISION ON RECONSIDERATION

On June 5, 1998, we issued a decision in this matter finding that student Doe was a resident of Scituate for school enrollment purposes. Subsequently, the School Committee filed a motion for reconsideration based upon "substantive intervening evidence." A hearing regarding the motion was conducted on September 11, 1998. All parties in interest were provided with notice of the hearing.

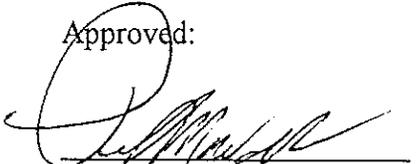
At the hearing, the School Committee presented evidence which had become available after our June 5th decision. This evidence concerned student Doe's involvement in drugs, weapons and gang-related activities at his grandparents' home in Scituate. In light of this evidence, we find that the record fails to support the claims of student Doe's mother that her son was living with his grandparents in Scituate in order to care for them and to improve his behavior. We therefore hold that student Doe's residence in Scituate was not for a substantial, legitimate purpose other than school attendance, and that he is deemed to be a resident of Johnston, where his mother resides, for school enrollment purposes.

Our previous decision and order in this matter is modified accordingly.



Paul E. Pontarelli
Hearing Officer

Approved:



Peter McWalters
Commissioner of Education

Date: November 18, 1998