

STATE OF RHODE ISLAND
AND
PROVIDENCE PLANTATIONS

COMMISSIONER
OF
EDUCATION

* * * * *

In Re Israel O.

* * * * *

INTERIM ORDER

In this Interim Order hearing the Department of Children, Youth, and Families is requesting the Commissioner to designate a community to be responsible for writing and paying for an IEP for a student named Israel O. G.L. 16-64-1.2 Israel’s educational advocate is Lynn DeMerchant.

Findings of Fact

Based on testimony adduced at the hearing in this matter, the peripatetic journeying of this student, his mother, and his father, as they have walked their several paths through numerous towns in Rhode Island and adjoining Massachusetts, are of extraordinary complexity. In the end, however, the rule is that a child is rebuttably deemed to be a resident of the town where his or her parents are living. R.I.G.L. 16-64-1 The parent of this child is now living in Woonsocket where she is receiving educational services from Woonsocket.

Conclusion

We therefore find an interim basis that Woonsocket is responsible for educating this child until further order of the Commissioner. This matter will be set down for a full hearing on the merits at the request of Woonsocket – but until a decision on the merits of this case is made, Woonsocket is to be responsible for the education of Israel O.

Forrest L. Avila, Hearing Officer

APPROVED:

Peter McWalters, Commissioner

DATE: October 21, 1999