

STATE OF RHODE ISLAND`
AND
PROVIDENCE PLANTATIONS

COMMISSIONER OF
EDUCATION

.....

Student F.

v.

Pawtucket

.....

INTERIM ORDER

Held: This is an interim order hearing concerning the residency of a student for school purposes. The student in this case has the right to finish the present semester in Pawtucket.

DATE: March 16, 2006

Travel of the Case

This is an interim order hearing concerning the residency of a student for school purposes. Jurisdiction is present under R.I.G.L.16-38-1, R.I.G.L.16-39-2, R.I.G.L.16-39-3.2, and R.I.G.L.16-64-6.

Position of the Parent

The parent contends that she moved from Pawtucket into East Providence on March 1, of 2006. She therefore contends that her child has the right to finish the semester in Pawtucket. R.I.G.L.16-64-8

Position of Pawtucket

Pawtucket contends that East Providence discouraged the parent from immediately enrolling her child in East Providence.

Findings of Fact

- 1. This parent moved to East Providence on March 1, 2006. At all times she intended for her child to complete the semester in Pawtucket.
- 2. No one discouraged her from enrolling her child in East Providence.
- 3. No valid reason has been shown for not allowing this student to finish the semester in Pawtucket.

Conclusions of Law

Under R.I.G.L.16-64-8 a student has the option to finish the semester in his or her original school district when his or her residency changes in the course of a semester.

Conclusion

The student in this case has the right to finish the present semester in Pawtucket.

APPROVED:

Forrest L. Avila, Hearing Officer

Peter McWalters, Commissioner

March 16, 2006
Date