

STATE OF RHODE ISLAND
AND PROVIDENCE PLANTATIONS

COMMISSIONER OF EDUCATION

In RE: Residency of Student T. Doe

I N T E R I M O R D E R

WHEREAS, this matter having come before the Commissioner of Education on the petition of the parents of Student T. Doe (the Student), dated the 29th day of August, 2014, in seeking a reversal of the Narragansett School Department's (Narragansett) determination of non-residency and consequent denial of enrollment in the Narragansett school system;

WHEREAS, this matter was heard in full by a hearing officer designated by the Commissioner of Education on the 11th day of September, 2013;

WHEREAS, in light of the totality of the evidence admitted at hearing, prior relevant decisions of the Commissioner, and in consideration of the prevailing statutory law applicable to public school enrollment under RIGL § 16-64-1;

WHEREAS, Narragansett has disallowed the enrollment of the Student in its school system because of its doubts concerning the family's residency within its community as well as the belief that the petitioning parents' recent relocation to the Town of Narragansett from the Town of South Kingstown is predominately intended for school enrollment purposes ;

WHEREAS, because the Student has not been allowed to attend school since the beginning of the 2014-2015 school-year;

NOW THEREFORE, based on the foregoing,

- 1) the appeal from Narragansett's determination of non-residency and denial of enrollment is reversed;
- 2) Narragansett is hereby ordered to accept and process forthwith the Student's application for enrollment for the 2014-2015 school-year;
- 3) A full Commissioner's Decision shall follow as soon as practicable.

GEORGE M. MUKSIAN, Esquire
as Hearing Officer for the Commissioner

Approved:

DEBORAH A. GIST,
as Commissioner

Dated: as of September 15, 2014