

STATE OF RHODE ISLAND
AND
PROVIDENCE PLANTATIONS

COMMISSIONER OF
EDUCATION

S. Doe

v.

North Kingstown School Committee
South Kingstown School Committee
Department for Children Youth and Families

Department for Children, Youth and
Families (“DCYF”)

v.

North Kingstown School Committee
South Kingstown School Committee
Mr. and Mr. S. Doe

CONSENT ORDER

1. The Petition for Issuance of an Interim Protective Order pursuant to R.I.G.L. 16-39-3.2 filed by S. Doe on behalf of Student M.S. is hereby withdrawn without prejudice;
2. The parties agree that the Petition for Issuance of an Interim Protective Order filed by DCYF pursuant to R.I.G.L. 16-39.3.2 and 16-64-6 shall be resolved as follows:
 - (a) Student M.S. shall be enrolled and attend North Kingstown schools immediately pursuant to the education stability provisions of the “Fostering Connections to Success and Increasing Adoptions Act” (Section 475 of 42 U.S.C. 675, as amended) (the “Act”).
 - (b) North Kingstown is designated as his Local Education Agency for purposes of the Individuals with Disabilities Education Act (“IDEA”);
 - (c) North Kingstown shall provide suitable transportation for Student M.S. from the Sand Turn House on Sand Turn Road in South Kingstown to school in North Kingstown, and South Kingstown shall pay \$15,000 (its “per bed” group home allocation), annually to the North Kingstown School Department, both

obligations to continue for so long as Student M.S. resides in a group home in the town of South Kingstown and he continues to attend North Kingstown Schools;

- (d) DCYF shall designate any and all Title IV (E) monies that may become available in the future for Student M.S. for this student's transportation costs, pursuant to the Act, and shall pay such sums to North Kingstown annually to reimburse North Kingstown for the costs of transportation that it has incurred with respect to Student M.S.' transportation.
- (e) This Consent Order shall continue in full force and effect while Student M. S. remains in the care, custody and control of DCYF;

This Order is hereby entered this 18th day of September, 2014 as an Interim Order and Final Decision in both of these matters:

For the Commissioner:

Kathleen S. Murray, Esq.
Hearing Officer

James P. Howe, Esq.
Attorney for Mr. and Mrs. S Doe

Patricia Byrnes, Esq.
Attorney for Office of Child Advocate

Sara Rapport, Esq.
Attorney for South Kingstown

Jason Knight, Esq.
Attorney for North Kingstown

Patricia Hessler, Esq.
Attorney for DCYF

Deborah A. Gist, Commissioner

DATE: September 18, 2014