

STATE OF RHODE ISLAND
AND
PROVIDENCE PLANTATION

COMMISSIONER OF EDUCATION

PARENT OF STUDENT N. DOE

v.

NORTH SMITHFIELD SCHOOL COMMITTEE

ORDER OF DISMISSAL

WHEREAS the Petitioner, parent of Student N. Doe, filed an appeal received May 22, 2014, thereby contesting the North Smithfield School Committee's (School Committee's) denial of a waiver for kindergarten enrollment outside the prescribed age requirement; and

WHEREAS a prehearing conference was convened by mutual agreement of the parties on June 4, 2014, on the issue of whether Student N. Doe is entitled to a waiver of the kindergarten enrollment policy of the School Committee ; and

WHEREAS representatives of the North Smithfield School Department attended said prehearing conference with counsel; and

WHEREAS the School Committee had presented relevant and uncontested evidence of the School Committee's duly enacted and strictly implemented policy as to kindergarten enrollment, including representation by the School Committee through counsel¹.

¹ In attendance at the prehearing conference were the school principal of the Petitioner's home school district and the superintendent of the school district, both of whom affirmed that the policy has been strictly applied without exception from the time of its adoption.

NOW THEREFORE, based on the foregoing representations and consistent with governing state law and prior decisions of the Commissioner of Education², the appeal from the North Smithfield School Committee's denial of waiver from the kindergarten enrollment policy is hereby

1. Denied and Dismissed with prejudice.

For the Commissioner

George M. Muksian, Esq.
Hearing Officer

Deborah A. Gist, Commissioner

June 20, 2014
Date

² See Student D.M. v North Providence (Commissioner's Decision, August 26, 2005); Parents of C.D. Doe v. Warwick School Committee (Commissioner's Decision, September 18, 2009.)