

STATE OF RHODE ISLAND
COMMISSIONER OF EDUCATION

PARENTS OF ST. LUKE’S SCHOOL
STUDENTS,

Petitioner

v.

RIDE No. 25-059K

BRISTOL-WARREN REGIONAL
SCHOOL DISTRICT,

Respondent.

FINAL ORDER

WHEREAS, this consolidated action was initiated by ten parents¹ (collectively, “Petitioners”) who reside within the Bristol-Warren Regional School District (“BWRSD”) and whose minor children attend St. Luke’s School, a nonprofit nonpublic school located in Barrington, Rhode Island; and

WHEREAS, Petitioners collectively allege that the BWRSD violated R.I. Gen. Laws § 16-21-1 by terminating bus transportation for their children from their residence to St. Luke’s School for the 2025-2026 school year and seek an Order from the Commissioner of Elementary and Secondary Education (“Commissioner”) finding that the BWRSD is required to provide transportation to resident students attending St. Luke’s School; and

WHEREAS, during a pre-hearing telephone conference held on September 8, 2025, all attending parties agreed that the material facts are not in dispute and, in lieu of a hearing, agreed to proceed with a briefing schedule; and

WHEREAS, in accordance with the September 8, 2025 Scheduling Order, on September 9, 2025 the BWRSD submitted its *Bristol-Warren Regional School District’s Legal Memorandum* in support of its position that the BWRSD is not required to provide resident students with transportation to St. Luke’s School under either R.I. Gen. Laws § 16-21-1 or § 16-21.1-1, *et seq.* because St. Luke’s School is not designated as a “regional” school by the Diocese of Providence, Catholic School Office (“CSO”)²; and

WHEREAS, upon receipt and review of the legal arguments and claims raised by the BWRSD in its memorandum, and upon consideration of the claims raised in each of the

¹ In total, the Commissioner received ten complaints on behalf of the following students (collectively, “Does”): J. Does (filed September 2, 2025); C. Doe (filed September 4, 2025); P. Doe (filed September 4, 2025); W. Does (filed September 4, 2025); B. Doe (filed September 5, 2025); C. Does (filed September 5, 2025); F. Doe (filed September 5, 2025); F. Doe (filed September 5, 2025); R. Doe (filed September 7, 2025); L. Doe (filed September 8, 2025).

² The full list of designated “regional” nonpublic schools maintained by the CSO is available at: <https://catholicschools.org/transportation/>.

complaints, the undersigned Hearing Officer determined that a memorandum from Petitioners was unnecessary and, instead, issues this final order; and

WHEREAS, to verify the accuracy of the CSO's list of designated "regional" nonpublic schools, the undersigned Hearing Officer contacted the Superintendent of Catholic Schools ("Superintendent"); and

WHEREAS, on September 22, 2025, the Superintendent sent the undersigned Hearing Officer a "Resolution of the Directors of Saint Luke's Church Corporation, Barrington," ("Resolution"), which establishes: (1) "the service area of [St. Luke's School] includes, but is not limited to, [] Barrington, Bristol, East Providence, Providence and Warren"; and (2) St. Luke's School "was established to serve residents of specific areas within the state of Rhode Island, including but not limited to state busing region III." See Resolution, attached as Exhibit A; and

WHEREAS, given that the Resolution is undated and unsigned, the undersigned Hearing Officer next contacted the St. Luke's School Principal ("Principal") to verify the accuracy of the Resolution, who stated via email on September 22, 2025 that the Resolution was passed on October 28, 1999 and provided the undersigned Hearing Officer with additional documentation verifying and authenticating the Resolution. See Exhibit B; and

WHEREAS, on September 23, 2025, the undersigned Hearing Officer emailed copies of both the Resolution and all authenticating documents, as well as her emails with the Superintendent and Principal, to the parties stating that she was prepared to take judicial notice of these documents and inviting the parties to state any objections prior to rendering any final decision; and

WHEREAS, to date, none of the parties have issued any objections and, therefore, the undersigned Hearing Officer hereby takes judicial notice of the Resolution and all supporting documents that were provided, verified, and authenticated directly by the Superintendent and Principal; and

WHEREAS, R.I. Gen. Laws § 16-21.1-1 was established to "[c]reate a state plan for the busing of pupils beyond city or town limits" and "[a]fford bus transportation to pupils who attend nonpublic nonprofit schools which are consolidated, regionalized, or otherwise established to service residents of a specific area within the state"; and

WHEREAS, R.I. Gen. Laws § 16-21.1-2(b) provides:

A pupil attending a school, including . . . a nonpublic nonprofit school for grades kindergarten through twelve (12), consolidated, regionalized, or otherwise established to serve residents of a specific area within the state for any of the grades of schools, kindergarten through twelve (12), in the interest of public safety, health, and welfare, **shall be provided with bus transportation to the school or facility which the pupil attends, within the region**

in which the pupil resides, by the school committee of the city or town within which the pupil resides.

(emphasis added); and

WHEREAS, R.I. Gen. Laws § 16-21.1-2(a) goes on to state:

There are hereby established school bus districts within the state to provide bus transportation in the interest of public safety, health, and welfare for pupils in grades kindergarten through twelve (12), or in special education programs, who attend . . . nonpublic nonprofit schools which are consolidated, regionalized, or otherwise established to serve residents of a specific area within the state which schools satisfy the requirements of law for any of the grades of school, kindergarten through twelve (12), as follows:

[. . .]

(3) Region III: The towns of Lincoln, Smithfield, Johnston, North Providence, Barrington, Warren, and Bristol, and the cities of Cranston, Central Falls, East Providence, Pawtucket, and Providence.

NOW THEREFORE, it is hereby ORDERED that:

1. St. Luke’s School is a nonpublic nonprofit school “established to serve residents of a specific area within the state” under R.I. Gen. Laws § 16-21.1-2.
2. As St. Luke’s School is both a “regional” nonpublic school and within the same busing region as the BWRSD, students residing in Bristol and Warren who attend St. Luke’s School are therefore entitled to state bus transportation pursuant to R.I. Gen. Laws § 16-21.1-1, *et seq.*
3. The BWRSD and the Rhode Island Department of Education Statewide Student Transportation System shall hereby coordinate to implement and provide the bus transportation required for such eligible students in accordance with the requirements of R.I. Gen. Laws § 16-21.1-1, *et seq.*
4. For all the above reasons, the Complaints are hereby granted.

This ORDER is entered this 2nd day of October, 2025.

/s/ Kaelyn R. Phelps
Kaelyn R. Phelps Prigge, Esq.,
as Hearing Officer for the Commissioner

/s/ Angelica Infante-Green
ANGÉLICA INFANTE-GREEN,
Commissioner

CERTIFICATE OF SERVICE

The undersigned hereby certifies that on this 2nd day of October, 2025, a true and accurate copy of the above Final Order was delivered by e-mail to the following individuals:

Mary Ann Carroll, Esq.
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Carolina Corona Jamiel
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/v/ Vilma DiOrio