

**COMMONWEALTH OF MASSACHUSETTS  
DIVISION OF ADMINISTRATIVE LAW APPEALS  
BUREAU OF SPECIAL EDUCATION APPEALS**

**MEMORANDUM**

**TO: Interested Parties**

**FROM: Alina Kantor Nir, Esq., Hearing Officer (AKN)**

**DATE: April 6, 2021**

**RE: In Re: Student v. Lawrence Public Schools and DESE, BSEA #2107071**

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Please note the following correction to the first page of the Ruling issued on March 29, 2021 on the Lawrence Public Schools' *Motion to Challenge the Sufficiency on any Remaining Claim* in the above-referenced matter.

Uncorrected version:

**“RULING ON LAWRENCE PUBLIC SCHOOLS’ MOTION TO CHALLENGE THE SUFFICIENCY OF THE HEARING REQUEST**

This matter comes before the Hearing Officer on the Lawrence Public Schools’ (District) *Motion to Remove Hearing Request from Accelerated Status, Partial Motion to Dismiss for Lack of Jurisdiction and/or Failure to State a Claim, and Motion to Challenge the Sufficiency on any Remaining Claim (Motion)* which was filed with the BSEA on March 25, **2020.**”

Corrected version:

**“RULING ON LAWRENCE PUBLIC SCHOOLS’ MOTION TO CHALLENGE THE SUFFICIENCY OF THE HEARING REQUEST**

This matter comes before the Hearing Officer on the Lawrence Public Schools’ (District) *Motion to Remove Hearing Request from Accelerated Status, Partial Motion to Dismiss for Lack of Jurisdiction and/or Failure to State a Claim, and Motion to Challenge the Sufficiency on any Remaining Claim (Motion)* which was filed with the BSEA on March 25, **2021.**”

The corrected page is enclosed for your records.

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DIVISION OF ADMINISTRATIVE LAW APPEALS  
BUREAU OF SPECIAL EDUCATION APPEALS**

**In Re: Student v. Lawrence Public Schools and DESE**

**BSEA # 2107071**

**RULING ON LAWRENCE PUBLIC SCHOOLS' MOTION TO CHALLENGE THE  
SUFFICIENCY OF THE HEARING REQUEST**

This matter comes before the Hearing Officer on the Lawrence Public Schools' (District) *Motion to Remove Hearing Request from Accelerated Status, Partial Motion to Dismiss for Lack of Jurisdiction and/or Failure to State a Claim, and Motion to Challenge the Sufficiency on any Remaining Claim (Motion)* which was filed with the BSEA on March 25, 2021.

This Ruling addresses the challenge to the Hearing Request's sufficiency only. For the reasons set forth below, the District's *Motion* is hereby **DENIED**.

**RELEVANT PROCEDURAL HISTORY:**

On February 26, 2021, Parent filed a Hearing Request in the above-referenced matter. In it she alleged that Student, who is 19 years old, has been residing in Lawrence, MA since June 2020 but has not been receiving special education and related services in accordance with his IEP from Puerto Rico. She also alleged that the District has not evaluated Student and that his program does not offer him a FAPE. Parent asked for relief as follows:

- a) "200,000 dollars for all of the mistreatment, abuse of power, discrimination, emotional damage, and mismanagement of the case";
- b) that "the Department of Education take responsibility for offering [Student] a fair and appropriate education with all services in a timely manner and with all of the benefits that correspond to him";
- c) that "the Department of Education take responsibility if for some reason or another the student is not able to complete the fourth year of high school (12<sup>th</sup> grade) before 21 or 22 years of age, the Department of Education should be required to continue providing him his classes and studies with all of his special education services and assistance until he goes to or finishes 12<sup>th</sup> grade and goes to university";
- d) that "the Department of Education make up for the psychological, occupational therapy times that have not been offered to the student since he entered Lawrence High School, and order all of the types of evaluations that the student needs";
- e) that "the student be given a vocational evaluation and registered in the vocational rehabilitation program"; and