

**HOUSE . . . . . No. 4333**

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The Commonwealth of Massachusetts

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**In the Year Two Thousand Fourteen**  
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An Act to ensure equity and fairness for students with disabilities.

*Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:*

1           SECTION 1. Section 3 of chapter 71B of the General Laws, as appearing in the 2012  
2 Official Edition, is hereby amended by inserting after the twelfth paragraph the following  
3 paragraph:--

4           Parents, guardians or persons with custody of a student and, in the case of students with  
5 legal authority to act on their own behalf, students who have either requested a hearing before  
6 the bureau of special education appeals seeking resolution of any dispute, or who are parties to a  
7 proceeding initiated by a school committee at such bureau may receive reasonable attorney's  
8 fees and costs, including the costs associated with expert witnesses, as a prevailing party if they  
9 obtain relief on a significant claim as a result of such hearing request, or an appeal thereof, that  
10 effects a material alteration in the parties' legal relationship, and is not merely de minimis,  
11 whether such relief is the result of a voluntary change in the school committee's conduct or a  
12 settlement agreement.