PEABODY PUBLIC SCHOOLS

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Telephone: 978.536.6500

Dr. Josh Vadala
Superintendent of Schools

Dr. Kelly Chase
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Dr. Mark Higgins
Assistant Superintendent

October 20, 2026

Via Electronic Mail at: **Joey@parentdataforce.com**

Joey Ford
Parent Data Force

Re: Public Records Request

Dear Mr. Ford:

As the Records Access Officer of Peabody Public Schools, I am writing in response to your request for clarification regarding the fee estimate for your public records request, dated September 22, 2026. Your request seeks the following special education or general education documents from September 18, 2021 to the present:

1. *Please provide all final or executed student-related agreements resolving, compromising, settling, memorializing, or otherwise disposing of a dispute, claim, complaint, appeal, due-process matter, grievance, or other contested educational issue involving Peabody Public Schools, including:*
   - *Settlement agreements and settlement-and-release agreements;*
   - *Resolution agreements;*
   - *Memoranda of Understanding (MOUs);*
   - *Memoranda of Agreement (MOAs);*
   - *Mediation agreements;*
   - *Stipulations, consent agreements, or agreements for judgment/resolution;*
   - *Side agreements, side letters, or similar written agreements;*
   - *Amendments, addenda, extensions, or attachments that materially alter or form part of such agreements; and*
   - *Any other final written agreement, regardless of title, that resolves or memorializes the resolution of a student-related educational dispute.*

2. *If the District already maintains an existing log, index, spreadsheet, database export, or other existing record identifying responsive student-related agreements during this period, please include that existing record as well, with student PII redacted as necessary.*

With regard to your request for a waiver of fees, you state that the requested records are intended to "contribute to the public understanding of the District's use of funds and its resolution of student-related disputes." This generalized statement, without more, is insufficient to demonstrate that disclosure of the requested records is likely to contribute to the public understanding of the District's operations or activities. Accordingly, the District is unable to grant your request for a fee waiver and will assess the applicable fee for the search, review, and redaction of responsive records in accordance with M.G.L. c. 66 § 10(d).

Fee Estimate:

Because responsive settlement agreements may contain personally identifiable information and other information that must be withheld or redacted pursuant to FERPA, M.G.L. c.4 § 7(26), and/or other applicable confidentiality provisions or exemptions, the District has provided below a good-faith estimate of the time and cost required to review and redact the responsive records.

A. Search and Volume Determination

Based on the District's search and review of its records, the District identified approximately 47 potentially responsive settlement agreements and/or related agreements requiring individualized review.

B. Nature of the Responsive Emails

The responsive records are not uniform. Based on the District's search and review, the agreements may include settlement agreements, resolution agreements, Memoranda of Understanding ("MOUs"), Memoranda of Agreement ("MOAs"), mediation agreements, stipulations, consent agreements, agreements for judgment or resolution, side agreements, amendments, addenda, attachments, and other final written agreements resolving or memorializing the resolution of a student-related educational dispute.

Such agreements may concern special education matters, including IEPs, evaluations, eligibility, placement, services, compensatory services, transportation, or other disputes arising under the IDEA or Section 504, as well as general education matters, including student discipline or exclusion, access to educational programming or services, bullying, harassment or discrimination complaints, civil rights complaints, enrollment, student conduct, or other student-related disputes.

The responsive records may contain student- and family-specific information, including personally identifiable information protected under FERPA, as well as other confidential or highly personal information that may require review and redaction pursuant to M.G.L. c. 4 § 7(26) and other applicable law.

C. Segregation and Redaction Rate

Each responsive agreement must be individually reviewed to determine whether it contains exempt information and, where appropriate, segregated and redacted before disclosure. Based on the District's review, the District conservatively estimates an average review and redaction time of approximately 20.42 minutes per agreement, or approximately 2.9 agreements per hour.

The estimate accounts for the need to review each agreement in its entirety, identify personally identifiable information and other potentially exempt information, determine whether such information may be segregated, and prepare the record for production.

D. Total Time Calculation

Applying this conservative review rate to approximately 47 responsive agreements, the District estimated approximately sixteen (16) hours of employee time would be required to complete the review and redaction process.

E. Application of Statutory Fee Rules

Consistent with G.L. c. 66 § 10(d)(iii), the District excluded the first two (2) hours of employee time. The remaining fourteen (14) hours were calculated at $25.00 per hour, which is equal to or less than the hourly rate of the lowest-paid District employee with the requisite skill to perform the search, review, and redaction of the requested records.

F. Total Fee Estimate: (16-2) hours x $25.00 per hour = $350.00

This estimate was calculated in good faith, reflects a conservative assessment of the time required, and does not capture the full amount of time that may ultimately be necessary to complete a line-by-line review and redaction of reach responsive agreement. The estimate is necessarily subject to adjustment if the number, length, or substantive nature of the responsive agreements differs from the district's initial assessment. The estimate was intentionally calculated conservatively and in the interest of facilitating public access to records to the greatest extent permitted by law. The District will commence gathering and redacting documents responsive to your request upon receipt of this estimated fee.

Conclusion

The Public Records Law provides you with the right of administrative appeal to the Supervisor of Public Records, under 950 CMR 32.08(1), as well as the right to seek judicial review of any unfavorable decision by commencing a civil action in court.

Thank you,

Lily Bettencourt
Central Office Operations Assistant / RAO