

SPR Appeal — Natick Public Schools — Sept. 28, 2026

Dear Supervisor of Records:

Pursuant to G.L. c. 66, § 10A(a)

<<https://malegislature.gov/Laws/GeneralLaws/PartI/TitleX/Chapter66/Section10A>>

and 950 C.M.R. 32.08(1), I appeal Natick Public Schools' response to my September 21, 2026 public-records request and submit this opposition to Natick's fee and time petition transmitted to your office on September 28, 2026.

My request seeks final or executed student-related settlement, resolution, MOU/MOA, mediation, stipulation, side, and similar agreements from September 18, 2021 through the date of response. It expressly excludes employment and ordinary commercial matters, expressly states that I am *not requesting student PII*, authorizes lawful redaction of PII, requests electronic and rolling production, and requests a public-interest fee waiver or reduction.

Natick states that it has already identified approximately *300 responsive pages*, has already spent *2 hours searching*, and estimates that reviewing all 300 pages at one minute per page requires approximately *5 hours*.

Nevertheless, it seeks a total fee of *\$275*, including a requested *\$75-per-hour* attorney-review rate, and asks for an additional *30 business days*.

I respectfully request that the increased-rate petition and requested

30-business-day extension be denied, or at minimum substantially narrowed, for the following reasons.

1. Requests sent to other custodians do not establish a Natick-specific workload under § 10(c).

Natick's petition relies heavily on the fact that Parent Data Force sent similar requests to numerous other school districts and that Natick's legal counsel represents some of those other districts. Natick states that counsel cannot review and redact the responsive records of all of its clients within ten business days.

That is not the statutory inquiry. G.L. c. 66, § 10(c)

<<https://malegislature.gov/Laws/GeneralLaws/PartI/TitleX/Chapter66/Section10>>

focuses on whether the magnitude or difficulty of the particular request, or the receipt of multiple requests from the same requester, unduly burdens the responsibilities of *the agency or municipality receiving the request*.

Natick has not identified multiple contemporaneous requests that I submitted to Natick which create the claimed burden. Instead, it relies on requests received by separate public custodians that happen to retain the same outside counsel. The workload of other custodians should not be aggregated and attributed to Natick merely because those custodians share a law firm.

2. Natick does not identify the supposed shared clients or provide facts allowing the claimed counsel bottleneck to be tested.

The petition does not identify which other districts are allegedly represented by the same counsel for these requests, how many such clients there are, when those requests were received, their responsive page counts, their actual deadlines, how much attorney time each supposedly requires, or how those separate matters prevent Natick from completing approximately five hours of estimated review. Without those facts, the Supervisor cannot meaningfully evaluate whether the claimed conflict is real, current, material, or request-specific.

The Supervisor's Bulletin 03-17

<https://www.sec.state.ma.us/divisions/public-records/prepra/significant-interest/SPR-Bulletin-03-17-Petitions-B>

instructs RAOs seeking additional time to supply information applying the statutory factors to the *specific request*, including the need to search/collect/examine records, the scope of redaction, the municipality's capacity, and the efforts already undertaken. The unexplained workload of unnamed outside clients does not provide that request-specific showing.

3. Routine redaction of student PII does not inherently require legal counsel, and Natick has not justified reviewing every page at an attorney rate.

My request expressly tells Natick to redact student names, identifying parent/guardian names, addresses, contact information, student identification numbers, dates of birth, and other protected direct or indirect identifiers. The Supreme Judicial Court's rule in *Champa v.

Weston Public Schools* is that these agreements may be redacted to remove personally identifiable information and then disclosed. DESE has likewise stated that Massachusetts special-education settlement agreements are public records once personally identifiable information is removed. See DESE's published statement regarding Champa

<<https://www.mass.gov/info-details/departments-of-elementary-and-secondary-education-other-matters-1>>

.

Natick's response says District Counsel is supposedly necessary to decide whether *attorney-client privilege* requires redaction, while the time petition says that *only counsel* can determine the student-record confidentiality exception. Those are different rationales. Natick does not explain why ordinary identification and redaction of names, addresses, DOBs, IDs, and other PII requires an attorney, why the RAO or another lower-paid qualified employee cannot perform that work, or why every one of the approximately 300 pages requires counsel-level review.

The statute requires use of the *lowest-paid employee with the necessary skill*, unless the municipality meets the heightened standard for a rate above \$25. See G.L. c. 66, § 10(d)(iii)-(iv). The fact that attorneys may have negotiated some agreements does not itself establish that final executed agreements are categorically privileged or that counsel must personally perform routine PII redaction. If Natick can identify a discrete passage presenting a genuine privilege question, that may warrant narrow

legal review; it does not justify assigning the entire 300-page

PII-redaction task to counsel at \$75 per hour.

4. Natick's petition contains a request-specificity problem on its face.

The fee petition states: *"Each page of the invoices sought in the request must be reviewed..."* But my request does not seek invoices at all; it seeks settlement and resolution agreements. That language appears to have been carried over from a different matter. This matters because Bulletin 03-17 requires a petition to demonstrate why the requested relief is necessary for the *specific request at issue*. A templated assertion concerning records I did not request does not satisfy that standard.

5. The fee calculation does not cleanly apply the statutory two-hour rule.

Natick states that it has already spent two hours searching and charges *\$50* for those two hours. Natick's 2020 Census population was *37,006*, so it falls squarely within the rule that a municipality over 20,000 may not assess a fee for the *first two hours of work performed*. See U.S. Census Bureau, Natick QuickFacts
<<https://www.census.gov/quickfacts/fact/table/naticktownmiddlesexcountymassachusetts/POP010220>>
and G.L. c. 66, § 10(d)(iii)(B).

Natick then appears to apply the two free hours against later attorney review instead. Even if Natick intended that as a credit, the estimate should transparently identify the uncompensated statutory hours and the actual compensable tasks rather than simultaneously describe the first two

search hours as a \$50 charge. In all events, the much larger problem is that the requested \$75 attorney rate has not been shown necessary for the routine redaction work described above.

6. Natick should account for work already performed for the Boston Globe's earlier statewide settlement-records project.

The Boston Globe publicly states that it began requesting special-education settlement agreements from every Massachusetts school district in summer 2023, covering 2013-2023, and ultimately obtained more than 2,600 settlements from 141 districts. See the Globe's settlement-records database and methodology

<<https://apps.bostonglobe.com/metro/graphics/2024/11/settlements/>>. That prior statewide project overlaps my present request for the period beginning September 18, 2021.

I understand that Natick previously compiled at least a portion of its responsive settlement records for the Globe request. If so, the previously located, reviewed, and/or redacted copies should materially reduce the work needed now for the overlapping 2021-2023 period. Natick's response and petition do not say whether it checked the prior Globe production file, reused prior redactions, or credited any prior compilation work. At minimum, Natick should be required to address that overlap before additional fees or a lengthy extension are approved.

*7. Actual performance by another district shows that statewide

simultaneity is not itself a basis for delay.*

Tantasqua Regional School District received substantially the same request on September 23, 2026 and, on September 25, sent responsive documents with the message, "Please find attached the information requested." Its response email did not state a fee demand or seek an extension. I attach a concise comparator exhibit documenting the request and response.

I do not suggest that every district necessarily has the same record volume. The relevance is narrower: the fact that I sent similar requests to multiple independent custodians does not itself establish an undue burden on Natick, and it does not justify shifting a shared law firm's other-client workload onto this requester.

8. Natick has not justified withholding all approximately 300 pages for 30 additional business days instead of making rolling production.

My request expressly asked for rolling production. Natick has already identified the responsive universe. To the extent some agreements are already redacted from an earlier production, contain little PII, or can be processed sooner, those records should be produced as they become available. The petition does not explain why all production must await completion of counsel's work for unnamed other clients.

9. The public-interest factors weigh against the requested increased fee.

This request is noncommercial and part of a public-facing statewide project concerning how public school districts resolve student educational disputes

and expend public resources. Section 10(d)(iv) specifically directs the Supervisor, when considering an increased-fee petition, to consider the public interest served by limiting the cost of public access and other relevant circumstances. Natick has not meaningfully addressed that factor.

Requested relief

I respectfully ask the Supervisor to:

1. deny Natick's request to charge \$75 per hour for blanket attorney review of the approximately 300 pages;
2. reject the present \$275 estimate and require any revised estimate to use the lowest-paid qualified employee for each actual task, clearly apply the statutory two-hour allowance, and confine attorney time to any genuinely identified legal issue that cannot prudently be handled otherwise;
3. deny the requested 30-business-day extension, or substantially reduce it and require prompt rolling production on a defined schedule;
4. decline to treat requests received by separate municipalities as Natick's workload merely because those municipalities share outside counsel;
5. if Natick continues to rely on other counsel clients as the basis for delay, require enough identifying and workload information for the Supervisor to evaluate that assertion rather than accepting an unsupported reference to unnamed clients;
6. require Natick to account for and credit any prior collection/redaction work from the overlapping Boston Globe

settlement-records production; and

7. direct Natick to produce the responsive agreements promptly with student PII redacted as required by law.

Attachments

1. Original Natick public-records request - September 21, 2026;
2. Natick response / fee estimate transmitted September 28, 2026 (letter dated September 29, 2026);
3. Natick fee and time petition to the Supervisor transmitted September 28, 2026; and
4. Tantasqua comparator exhibit documenting substantially the same request and prompt production.

Thank you for your review.

Sincerely,

Joey Ford