

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

Dear Supervisor of Records:

I appeal the Town of Weymouth School Department's September 28, 2026 response to my September 23, 2026 public-records request for final or executed student-related settlement and resolution agreements. This appeal is brought pursuant to G.L. c. 66, § 10A and 950 C.M.R. 32.08(1).

Weymouth states that an initial search identified *approximately 30 records that may be responsive*, while simultaneously stating that its search is not complete because additional hard-copy records still must be searched. It nevertheless demands a \$350 advance payment based principally on 12 hours to review, segregate, and redact “approximately 30 files,” plus one additional search hour and one hour of final review/preparation.

The arithmetic is not the principal issue. Thirty files at 20–30 minutes each could mathematically produce a range of 10–15 hours. The problem is that the response does not establish a sufficiently definite or supported factual basis for the estimate, does not separate legally chargeable from potentially nonchargeable work, and omits a required production timeframe.

1. Weymouth provides no production timeframe required by G.L. c. 66, § 10(b)(vi).

Because Weymouth is not producing the records within the ordinary ten-business-day period, its written response must identify a reasonable timeframe for production. For a municipality, that timeframe ordinarily may

not exceed 25 business days following initial receipt unless the requester voluntarily agrees otherwise or the municipality obtains additional time through the statutory petition process.

Weymouth gives no production date or timeframe at all. It states only that, after full payment, it will “begin the work necessary to fulfill this request.” That does not tell me whether production will occur in five days, twenty-five days, or at some unspecified later point. I ask that Weymouth be required to provide the timeframe required by § 10(b)(vi).

2. The fee estimate uses an unresolved record universe.

The response says that an initial search found “approximately 30 records that may be responsive,” but also says that additional hard-copy searching is necessary to determine whether still more responsive records exist. The estimate then calculates the principal labor component from “approximately 30 files.”

That creates a basic ambiguity. If approximately 30 files are the universe upon which the \$350 estimate is based, Weymouth should explain how it can reasonably estimate the total cost while conceding that the responsive universe remains unknown. If the 30-file figure is only the currently identified subset, the response should state whether the \$350 covers only those files, whether additional charges may follow, and what objective basis supports the total estimate before the hard-copy search is completed.

I am not arguing that a custodian must know the final record count with

mathematical certainty before giving any estimate. I am asking that an "itemized, good faith estimate" under G.L. c. 66, § 10(b)(viii) disclose enough information to understand what universe the estimate covers and how its assumptions were derived.

3. The 12-hour "review, segregation, and redaction" block does not distinguish chargeable work.

Weymouth assigns 12 hours to a combined category of "review, segregation, and redaction" at \$25 per hour. G.L. c. 66, § 10(d)(iii)(C) and 950 C.M.R.

32.07(2)(d), (m)(4) provide that a municipality may not assess time for segregation or redaction unless that work is required by law or approved by the Supervisor.

I expressly anticipated and did not object to legally required removal of student personally identifiable information. *Champa v. Weston Public Schools*, 473 Mass. 86 (2015), recognizes that settlement agreements containing protected student information may be redacted to remove personally identifiable information and then disclosed. My request specifically disclaimed student PII for that reason.

But Weymouth's estimate does not state how much of the 12 hours is attributable to legally required student-record redaction, how much is ordinary responsiveness review or segregation, or whether any other discretionary exemption review is included. Without that breakdown, neither the requester nor the Supervisor can determine what portion of the 12-hour

block is legally chargeable.

4. The stated privacy examples do not match the scope of the request and do not adequately explain the claimed redaction burden.

Weymouth's principal examples are employee personal addresses, email addresses, telephone numbers, and other employee/private information. But my request expressly excludes agreements whose subject is a District employee, former employee, administrator, teacher, staff member, bargaining unit, or employment relationship, and excludes employee grievances, personnel settlements, employment discrimination matters, separation agreements, staff discipline matters, and other labor/employment agreements.

Incidental employee information could of course appear in a student agreement, but the response does not explain why employee-information redaction is expected to drive a 12-hour review of this student-only request. It also cites Exemption (c) and G.L. c. 66A in generalized fashion rather than identifying the actual categories of information expected in these records and the specific legal rule that makes each category of redaction chargeable. If Weymouth intends to charge for redaction, its revised estimate should identify the redaction category, legal basis, and time attributable to that category.

5. The additional search and "final review and preparation" charges are not sufficiently explained.

Weymouth assigns one hour to an additional hard-copy search but provides no

factual description of the repositories, files, date ranges, or anticipated volume supporting that hour. It separately charges one hour for “final review and preparation of files for delivery” without explaining what that task consists of.

950 C.M.R. 32.02 defines segregation time as review to determine what portions are subject to redaction or withholding and expressly excludes time spent reviewing records for accuracy and correcting errors. If the final hour is quality-control or accuracy review, it should not be relabeled as chargeable segregation. If it is instead compilation, reproduction, or another compensable task, Weymouth should identify it as such and explain why one hour is reasonably necessary.

6. The response miscites the municipal fee provision.

Weymouth cites G.L. c. 66, § 10(d)(ii) as authority for its municipal personnel charge. Subsection (d)(ii) governs agencies. Municipal personnel fees are governed by § 10(d)(iii), including the two-hour exclusion applicable to municipalities with populations over 20,000 and the limitation on segregation/redaction charges. The response reaches the familiar \$25 cap and first-two-hours-free framework, but a revised fee estimate should rely on the correct municipal provisions and apply their limitations.

7. The response does not adequately identify what Weymouth intends to produce or why additional time is necessary.

G.L. c. 66, § 10(b)(v) requires the written response to identify the public records or categories of records the municipality intends to produce and, where additional time is needed because of magnitude or difficulty, provide a detailed statement describing why the request unduly burdens other municipal responsibilities.

Weymouth says only that approximately 30 records “may be responsive” and require further review. It does not state which categories of my request it has accepted for production, whether the requested existing log/index exists or will be produced, or provide a detailed explanation of why the request cannot be completed within the ordinary period.

8. Public-interest fee waiver/reduction.

My original request expressly sought waiver or reduction under G.L. c. 66, § 10(d)(v), explaining that the request is noncommercial and intended to contribute to public understanding of the District's use of public funds and resolution of student-related educational disputes. I recognize that waiver or reduction is discretionary. Weymouth's response does not indicate whether that request was considered. I ask that it address the waiver/reduction request when issuing any revised estimate.

9. The request should not be deemed withdrawn while this timely appeal is pending.

Weymouth states that it will consider the request withdrawn and close it if payment is not received, or the request is not modified, within twenty

business days. Because I am timely challenging the legal sufficiency of the estimate, I ask that Weymouth maintain request #26-4756 as open while this appeal is pending and not treat the filing of an appeal as abandonment of the underlying request.

Requested relief

I respectfully ask the Supervisor to determine that Weymouth's present response and \$350 estimate do not satisfy G.L. c. 66, § 10 and 950 C.M.R. 32.00, and to require a revised response that:

- provides the production timeframe required by G.L. c. 66, § 10(b)(vi);
- states the current number of identified potentially responsive records, explains whether the \$350 estimate covers only those records or the entire anticipated production, and supplies an objective volume measure such as page count or another reasonable basis for the 20–30 minute-per-file assumption;
- separately itemizes search/retrieval, compilation, segregation, legally required redaction, reproduction/scanning, and any other claimed work;
- identifies the legal basis and time attributed to each category of chargeable redaction and excludes discretionary segregation/redaction time unless authorized by law or approved by the Supervisor;
- explains the remaining hard-copy search and the one-hour “final review and preparation” charge;

- identifies the records or categories Weymouth intends to produce, including whether the requested existing log/index exists and will be produced;
- uses the correct municipal fee provisions in G.L. c. 66, § 10(d)(iii) and 950 C.M.R. 32.07(2)(m);
- addresses the requested public-interest fee waiver or reduction and provides rolling production where practicable; and
- keeps request #26-4756 open while this appeal is pending.

For completeness under 950 C.M.R. 32.08(1)(f), I have attached the original September 23 request, the September 23 acknowledgment/portal correspondence, and Weymouth's September 28 response and fee estimate. The Town Clerk/RAO and Weymouth Public Schools are copied pursuant to 950 C.M.R. 32.08(1)(g).

Thank you for your review. Please confirm receipt of this appeal.

Sincerely,

Joey Ford