



Framingham Public Schools

Dr. Edward Gotgart, Acting Superintendent of Schools

OFFICE OF THE ASSISTANT SUPERINTENDENT
Dr. Frank A. Tiano, Assistant Superintendent of Schools

73 Mount Wayte Avenue, Suite #5

Framingham, Massachusetts 01702

Telephone: 508-626-9118 Fax: 508-877-4240

February 23, 2017

Jorge Manuel Teixeira

Sent via email to "shinesunlight" <infoshinesunlight@gmail.com>

Re: Public Records Request to Framingham Public Schools

Dear Mr. Teixeira,

This letter is in response to your request for public records pursuant to Mass. General Laws c. 66, §10. Your request was originally sent to the Superintendent of Framingham Public Schools at his email address. However, the Superintendent was on a leave of absence at the time that your request was apparently sent and he has since departed from the District, so your request was not actually received at that time. You have requested that you be provided with copies of the following records:

“Settlement agreements entered into by your School District with parents and guardians, from January 1, 2011 through today, relative to the provision of special education series and/or educational placements for students with disabilities, redacted of all personally identifiable information. “

In accordance with the decision of the Massachusetts Supreme Judicial Court in Champa v. Town of Weston, 473 Mass. 86 (2015), the District will produce redacted copies of settlement agreements regarding the placement of students in out of district placements for the time period that you requested, January 1, 2011 through December 2016. These documents will be provided to you upon receipt of payment of the estimated cost, described below.

The records requested by you contain personally identifiable information which is exempt from disclosure under the Public Records Law, M.G.L. c. 4, §7(26)(a) and (c). Personally identifiable information is exempt from disclosure by federal and state student and family privacy laws. See the federal Family Education Rights and Privacy Act (FERPA); the federal Individuals with Disabilities Education Act (IDEA), and the state student record statutes and regulations concerning confidentiality of student record information. See 20 U.S.C. § 1232g, 20 U.S.C. § 1400; see also G. L. c. 71, §§ 34D, 60, G. L. c. 71B, § 1; and 603 CMR 23.00 et seq.

Accordingly, it is necessary to review the documents that you have requested and redact personally identifiable information contained in the records. Your public records request acknowledges the need for and agrees to the redaction personally identifiable information. Accordingly the records requested will be redacted of all such personally identifiable information.

We have estimated that there are approximately 27 settlement agreements in response to your request, covering the period January 2011 through December 2016. The following is an estimate of the

anticipated fees to provide you with the records you have requested, redacted of personally identifiable information:

- Fees for searching, compiling, segregating, redacting and reproducing the requested records.
 - Since maximum rate allowable under the Public Records Regulations (\$25.00 per hour) exceeds the lowest hourly rate of a person capable of compiling, segregating, redacting and reproducing the requested records, you will be charged at the maximum allowable rate of \$25.00.
 - Per the regulations, the first two hours will not be assessed.
 - The District estimates your request will take approximately 7 hours, less 2 hours not assessed per regulations, for a net of 5 hours at \$25.00 per hour, for a cost of \$125.00.
- Fees for copying the records, at 5 cents per page. The District estimates that the records you have requested will be approximately 150 pages, for a cost of \$7.50.
- Based on the above estimates, the total estimated cost is \$132.50.

If you wish to proceed with the request, please confirm to me that you wish to do so and provide me with a check payable to the Framingham Public Schools in the amount of \$132.50. Upon receipt of your payment, we will proceed to process your request. If you wish to modify your request, please let me know.

Please let me know the method of delivery of the documents: Whether you wish to pick up the documents or have them mailed to you. If the documents are to be mailed, the estimated cost of postage is \$7.00. Please add that amount to your payment. If the documents are to be mailed, please provide the address to which they are to be sent.

Please let me know if you have any questions.

Sincerely,



Frank A. Tiano, Ed.D.
Assistant Superintendent