



GARDNER

PUBLIC SCHOOLS

"Intelligence without ambition is a bird without wings." C. A. Danielson

From the Office of
Joyce West
*Director of Pupil Personnel
Services*

October 27, 2016

Jorge Manual Texeira

ELECTRONIC MAIL AT: infoshinesunlight@gmail.com

Re: Public Records Request

Dear Mr. Texeira:

On October 14, 2016, the Gardner Public Schools received a request from you for certain records under the Massachusetts Public Records law. As the Keeper of the Records for the Gardner Public Schools, and on behalf of the District, I am responding to your request. In your correspondence, you requested 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 services and/or educational placement(s) for student with disabilities, redacted of all personally identifiable information.

The District will provide the requested documents or portions of those documents that are not specifically or by necessary implication exempted by statute. M.G.L. c. 4, § 7(26)(a); G.L. c. 71, §§ 34D, 34E; 20 U.S.C. § 1232g; and the Individuals with Disabilities Education Act ("IDEA"). Additionally, the District will withhold those documents or portions of those documents that are exempt from disclosure because they contain material, "relating to a specifically named individual, the disclosure of which may constitute an unwarranted invasion of privacy." G.L. c. 4, § 7(26)(c). More specifically, as acknowledged and agreed to in your request, the District will redact the documents responsive to your request to ensure the removal of any personally identifiable information so that the confidentiality of students is protected in a manner consistent with the above-referenced statutes and regulations as well as *Champa v. Weston Public Schools & Others*, 473 Mass. 86 (2015).

The District, in good faith, estimates the following costs associated with the searching, segregating, and refileing of documentation that may be responsive to your request to be as follows: 2 hours at \$15.44 for a total cost of \$30.88. This estimate is based on the lowest hourly rate of a District staff person capable of performing the work identified above. Please note that this detailed good faith estimate does not include the per page cost of reproducing these records (\$0.05 per page) or the cost of postage should you request that the documents be mailed to you.

Please be advised that the actual cost of producing the record might vary once the Gardner Public Schools begins preparing the record. The District will commence gathering documents responsive to your request once the estimated fee is paid. The above estimate is due, in part, to

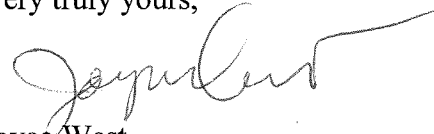
the broad scope of your request. If you elect to narrow the scope of your request, please notify the District in writing and the District will provide you with an updated cost estimate for any such revised request.

Should you still seek the redacted agreements, kindly forward a check for the estimate fee in the amount of \$30.88 to Robert Detweiler, Business Administrator for Gardner Public Schools, 70 Waterford Street, Gardner, MA 01440.

You may appeal this decision in writing within ninety (90) days to the Supervisor of Public Records at the Office of the State Secretary, One Ashburton Place, Room 1719, Boston, Massachusetts, 02108.

Thank you for your attention to this matter.

Very truly yours,



Joyce West
Director of Pupil Personnel Services
Gardner Public Schools

Cc: Superintendent Denise Clemons
Business Manager Robert Detweiler