

January 5, 2020

Dear Records Access Officer ("RAO") Brookline Public Schools

This request is being made pursuant to General Laws c. 66 §10 of the Massachusetts public records law (Public Records Law). As you are aware, the Public Records Law and its Regulations were updated with changes effective January 1, 2017; I am making my request in light of these changes.

I am requesting that I be provided with a copy of the following records **in electronic form**:

Settlement agreements entered into by your School District with parents and guardians, from January 1, 2017 through today, relative to the provision of special education services and/or educational placement(s) for students with disabilities, redacted of all personally identifying information I recognize that you may charge reasonable costs for provision of these agreements. As we have requested records in electronic form, a copying fee may not be charged. If you expect costs related to search and segregation to exceed \$10.00, please provide a detailed fee estimate. Please note that Public Records Access Regulations mandate that search and segregation time must be assessed at the lowest hourly rate of an individual in the School District's office, and may not include attorney's fees. Generally, an RAO is not permitted to charge an hourly rate in excess of \$25.00 per hour to search for records. Municipal RAOs may petition the Supervisor for permission to charge a fee in excess of \$25.00.

Please also note that when the School District segregates exempt material (including, but not limited to, records that you do not provide or information that is redacted from a provided record) from the responsive records, I must receive a separate written explanation, with specificity, how a particular exemption applies to each record or each portion of a record. To meet the specificity requirement, you must not only cite an exemption, but must also state why the exemption applies to the withheld or redacted portion of the responsive record. Please include this information along with your response.

Please also note that *Champa v. Town of Weston*, 473 Mass. 86 (2015) finds that, once personally identifiable information is redacted from a settlement the public has a right to know the financial terms of these agreements. As you are aware, the public records law requires you to provide me with a written response within 10 calendar days. If you cannot comply with my request, you are statutorily required to provide an explanation in writing.