



The Commonwealth of Massachusetts
William Francis Galvin, Secretary of the Commonwealth
Public Records Division

Manza Arthur
Supervisor of Records

July 31, 2026
SPR26/2850

Michael Manning
Records Access Officer
City of Worcester
455 Main Street
Worcester, MA 01608

Dear Mr. Manning:

On July 24, 2026, this office received your petition on behalf of the City of Worcester (City) seeking an extension of time to produce records and permission to charge for time spent segregating or redacting responsive records. G. L. c. 66, § 10(c); G. L. c. 66, § 10(d)(iv); see also 950 C.M.R. 32.06(4). As required by law, it is my understanding that the City furnished a copy of the petition to the requestor, Joey Ford, of *Parent Data Force*. G. L. c. 66, § 10(c); G. L. c. 66, § 10(d)(iv)(2). On July 9, 2026, Mr. Ford requested the following:

- [1] Please provide de-identified aggregate data, preferably in Excel, CSV, or other native spreadsheet/database export format, showing for each school year: [eleven subcategories of data][;]
- [2] Please provide the same aggregate data above specifically for requests involving Nelson Place School, including: [six subcategories of data][;]
- [3] For each school year from SY 2016–2017 through SY 2026–2027 to date, please provide records showing, by school and grade where available: [eight subcategories of data][;]
- [4] Please provide all policies, procedures, forms, rubrics, criteria, guidance documents, memoranda, training materials, scripts, checklists, workflow documents, or written instructions used to process, approve, deny, rank, waitlist, reconsider, or appeal voluntary transfer placement requests during the requested timeframe. This includes records showing: [six subcategories of data][;]
- [5] Aggregate Disability-Related and Hardship-Related Transfer / Placement Data To the extent tracked in a non-identifying way, please provide aggregate data showing: [four subcategories of data][;]
- [6] Data Dictionaries / Field Definitions / Database Export Information: For any spreadsheet, database export, dashboard, enrollment system, or student-information-system report used to respond to this request, please provide any

available data dictionary, column definitions, report descriptions, or field explanations needed to understand the data.

Open Appeal

Concurrent with the opening of this petition, the City provided Mr. Ford with a fee estimate and assigned reference number W091663-070926 to this request. Mr. Ford appealed the City's response, objecting to the fee estimate. See SPR26/2861. A determination will be issued separately within ten business days of receipt of the appeal.

Mr. Ford additionally objects to the City's petition for an extension of time and to assess fees for segregation and redaction not required by law.

Petition for an Extension of Time

Under the Public Records Law, upon a showing of good cause, the Supervisor of Records (Supervisor) may grant a single extension to an agency not to exceed 20 business days and a single extension to a municipality not to exceed 30 business days. In determining whether there has been a showing of good cause, the Supervisor shall consider, but shall not be limited to considering:

- (i) the need to search for, collect, segregate or examine records;
- (ii) the scope of redaction required to prevent unlawful disclosure;
- (iii) the capacity or the normal business hours of operation of the agency or municipality to produce the request without the extension;
- (iv) efforts undertaken by the agency or municipality in fulfilling the current request and previous requests;
- (v) whether the request, either individually or as part of a series of requests from the same requestor, is frivolous or intended to harass or intimidate the agency or municipality; and
- (vi) the public interest served by expeditious disclosure.

G. L. c. 66, § 10(c).

If the Supervisor determines that the request is part of a series of contemporaneous requests that are frivolous or designed to intimidate or harass, and the requests are not intended for the broad dissemination of information to the public about actual or alleged government activity, the Supervisor may grant a longer extension or relieve the agency or municipality of its obligation to provide copies of the records sought. Id.

The filing of a petition does not affect the requirement that a Records Access Officer (RAO) must provide an initial response to a requestor within ten business days after receipt of a request for public records. 950 C.M.R. 36.06(4)(b).

Request for Additional Time to Produce Records

In its petition, the City requests “an extension of thirty business days.” In support of its petition, the City provides the following information:

The completion of this request will involve the review and redaction of over 400,000 cells of information and over 1,300 pages of responsive records. As noted in the petition to assess fees the City expects redactions to be made pursuant to Exemptions (a) and (c) of the Public Records Law. In the time span since this request was placed the City has received 723 public records requests. It is likely that a portion of these additional requests may also require review and redaction by the City’s Law Department. In light of the need to collect, segregate and examine the records, as well as the capacity of the City to produce the records without an extension, the City respectfully asks that the Supervisor grant an extension of thirty business days from receipt of payment of its fee estimate.

In light of the need to collect, segregate, and examine the records, the scope of redaction required to prevent unlawful disclosure, and the capacity of the City to produce the records without an extension, the City has established good cause to permit an extension of time. G. L. c. 66, § 10(c)(i)-(iii). The City is granted an extension of 30 business days.

Petition to Assess Fees – Municipalities

The Supervisor of Records (Supervisor) may approve a petition from a municipality to charge for time spent segregating or redacting or to charge in excess of \$25 per hour, if the Supervisor determines that 1) the request is for a commercial purpose or 2) the fee represents an actual and good faith representation by the municipality to comply with the request. G. L. c. 66, § 10(d)(iv).

In rendering such a decision, the Supervisor is required to consider the following: a) the public interest served by limiting the cost of public access to the records; b) the financial ability of the requestor to pay the additional or increased fees; and c) any other relevant extenuating circumstances. G. L. c. 66, § 10(d)(iv).

The statute sets out a two-prong test for determining whether the Supervisor may approve a municipality’s petition to allow the municipality to charge for time spent segregating or redacting records. The first prong is whether the request for records was made for a commercial purpose. G. L. c. 66, § 10(d)(iv). It is my determination that this request was not made for a commercial purpose.

The second prong of the test is whether the fee represents an actual and good faith representation by the municipality to comply with the request. The Supervisor must consider 1) if the fee is necessary such that the request could not have been prudently completed without the redaction or segregation or fee in excess of \$25 per hour; 2) the amount of the fee is reasonable; and 3) the fee is not designed to limit, deter or prevent access to requested public records. Id.

Fee Estimates – Municipalities

A municipality may assess a reasonable fee for the production of a public record except those records that are freely available for public inspection. G. L. c. 66, § 10(d). The fees must reflect the actual cost of complying with a particular request. Id. A maximum fee of five cents (\$.05) per page may be assessed for a black and white single or double-sided photocopy of a public record. G. L. c. 66, § 10(d)(i).

Municipalities may not assess a fee for the first 2 (two) hours of employee time to search for, compile, segregate, redact or reproduce the record or records requested unless the municipality has 20,000 people or less. G. L. c. 66, § 10(d)(iii). Where appropriate, municipalities may include as part of the fee an hourly rate equal to or less than the hourly rate attributed to the lowest paid employee who has the necessary skill required to search for, compile, segregate, redact or reproduce a record requested, but the fee shall not be more than \$25 per hour. Id. However, municipalities may charge more than \$25 per hour if such rate is approved by the Supervisor of Records under a petition under G. L. c. 66, § 10(d)(iv).

A fee shall not be assessed for time spent segregating or redacting records unless such segregation or redaction is required by law or approved by the Supervisor of Records under a petition under G. L. c. 66, § 10(d)(iv). See G. L. c. 66, § 10(d)(iii); 950 C.M.R. 32.06(4).

Conclusion

Accordingly, I find that the City has established good cause for a time extension of 30 business days as described above. However, this office received the City's petition on July 24, 2026, more than ten business days after receipt of the request. In light of the fact that the City has not demonstrated it submitted a timely petition, permission to charge for time spent segregating or redacting responsive records cannot be granted. 950 C.M.R. 32.06(4)(g). Please note, however, this determination does not preclude the City from charging for segregation and redaction that is required by law.

Please be advised, Mr. Ford has the right to seek judicial review of this decision by commencing a civil action in the appropriate superior court. See G. L. c. 66, §§ 10(c), 10(d)(iv)(4), 10A(c).

Sincerely,

A handwritten signature in black ink, appearing to read "Manza Arthur", with a stylized, cursive script.

Manza Arthur
Supervisor of Records

cc: Joey Ford