Lexington Public Schools

Public Records Requests

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The Massachusetts Public Records Law provides that every person has a right of access to public information. This right of access includes the right to inspect, copy, or have copies of records provided.

The Secretary of State has published a guide that outlines the law and provides an FAQ and allowable exemptions.

A Guide to the Massachusetts Public Records Law 2022 ed (PDF)

What is a Public Record
Every record that is made or received by a government entity or employee is presumed to be a public record unless a specific statutory exemption permits or requires it to be withheld in whole or in part. The Records Access Officer (RAO), Julie Kaye, must prove with specificity why certain records should be withheld. All requests for public records must be directed to the RAO.

Making a Request
All requests for public records must be directed to the RAO. The RAO has up to 10 days to provide a response. This response may be the cost estimate of fees to provide the requested records. The RAO is only required to provide records that are in existence. Under the updated Public Records Law, RAOs are required to provide public records in an electronic format, unless the record is not available electronically or the requester does not have the ability to receive or access electronic formats.

Requests should be written and can be sent through the postal mail, by fax, or submitted through the Google Form here. A reasonable description of the document(s) requested should be provided to assist the RAO in identifying the requested documents. If the description is unclear or unreasonably burdensome, the RAO will contact the requester for clarification and/or modification of the request. Should you have any questions regarding your request, please contact Julie Kaye at recordsrequest@lexingtonma.org.

Fees
The Lexington Public Schools are committed to transparency in responding to public records requests. Due to the volume of requests received, the time necessary to accurately and fully

complete these requests, and the impact it has on the day-to-day business of running the school department, fees will be assessed in accordance with MGL r G. L. c. 66, § 10.

There is no charge for the first 2 hours to complete a request; however, requests which take longer than 2 hours to complete due to segregation and redaction will be assessed a fee of $25 per hour, plus copying fees of $0.05 per page if hard copies are requested. The requestor will be notified of the estimated fee for their request and will have the opportunity to modify their request or move forward with it. Once the fee is received by LPS, the request will be processed.

The following is a brief summary from A Guide to the Massachusetts Public Records Law 2022 ed (PDF). Please consult that document for additional details and definitions.

> *A records custodian may charge a reasonable fee to recover the costs of complying with a public records request. However, it is important to note that a fee for a public record may not be charged unless the RAO responded to the requestor within 10 business days under G. L. c. 66, § 10(b), described above.*
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> ***Fees for Copies***
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> *In addition to the search and segregation fees, records custodians may charge $0.05 for either single and double-sided black and white paper copies or printouts. When the request is for materials that are not susceptible to ordinary means of reproduction, such as photographs or computer tapes, the actual cost of reproduction may be assessed to the requestor. There are also specific statutes that establish fees for copies of public records.*
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> ***Municipalities*** *(Please note, the population of Lexington exceeds 20,000)*
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> *Municipalities with a population of over 20,000 may not assess a fee for the first 2 hours of time spent searching for, compiling, segregating, redacting and reproducing a requested record. Municipalities with a population of 20,000 and under may assess a fee, including the first 2 hours, for time spent searching for, compiling, segregating, redacting and reproducing a requested record. Population data shall be determined by the decennial US. Census and it shall be the burden of the RAO to provide population data information when responding to a request. A municipality may not assess a fee of more than $25 per hour for the cost to comply with a request for public records unless approved by the Supervisor through a petition...*