

Right to Know Advisory Committee

**Written Materials Submitted during Public Comment
at October 13, 2022 Meeting**

FOR RTKAC REVIEW

Included at request of
Shawn McBreairty

McCarthyReid, Colleen

From: Shawn McBreairty <shawnmcb@maine.rr.com>
Sent: Thursday, October 13, 2022 12:32 PM
To: Orbeton, Jane
Cc: McCarthyReid, Colleen; Olson, Rachel; Laxon, Lindsay; Harnett, Thomas; Carney, Anne; Kieilty, Brenda
Subject: Re: Meeting Materials for Right to Know Advisory Committee Public Records Exceptions Subcommittee Meeting on October 13

This message originates from outside the Maine Legislature.

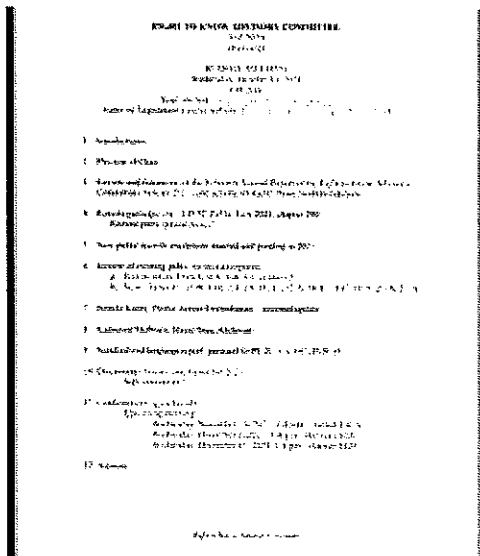
Jane,

Thanks for the response, but if we could all be transparent with this apparent hypocrisy, it would be helpful. If it was an error, then please simply admit that error. Because what this looks like is something else entirely.

This may be a pointed response to you as the messenger...but, the meeting agenda was changed yesterday to "REMOTE MEETING."

It doesn't say "hybrid," it doesn't say in person. Furthermore, there was nothing in the room in Augusta saying the meeting was still being held there. How do I know? Because someone checked it out in person not but two hours ago.

Please send the original agenda back to me, as was posted earlier in the week. That agenda was clearly an in-person meeting, with the specific location listed.



This is simply unreal gamesmanship from the Right To Know Committee. It's almost as my mere announced presence was the reason it was changed?

I request that Vicki Wallack, MSMA Director of "Communications" is recorded in the minutes for her blatant and disrespectful email about me to Ms. Perry, who achieved national press for Gorham, ME, given her slowing down of FOAA requests. I feel hurt, targeted and violated by her blatant attempt to single me out. I will take full credit for informing taxpayers of this state about their Right To Know, something not many knew just two years ago.

Now, the MSMA Right To Know member wants this same Gorham Superintendent to speak about FOAA!?

Wow.

<https://www.themainewire.com/2022/10/school-officials-to-testify-on-out-of-control-requests-for-public-records-from-parents/>

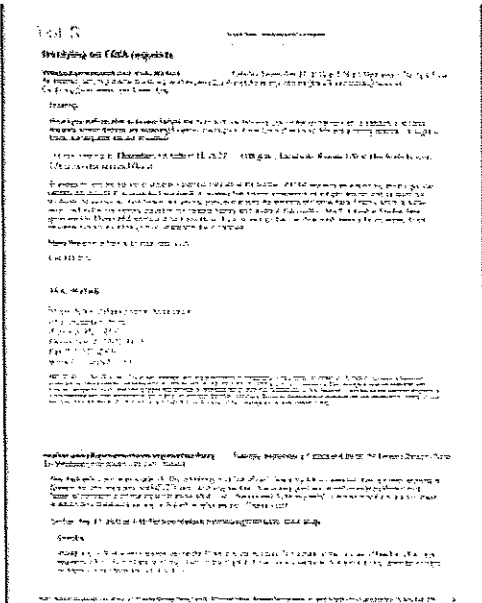
School officials to testify on “out of control” requests for public records from parents

<https://www.dailywire.com/news/maine-superintendent-told-staff-to-slow-the-process-down-after-parent-requested-gender-material-be-removed-from-classroom>

Maine Superintendent Told Staff To ‘Slow The Process Down’ After Parent Requested Gender Material Be Removed From Classroom

I request both these above stories, as well as the below email are made public records, as part of today’s meeting. The complete lack of transparency in this State is unreal right now. Make the indoctrination efforts public, as we all have proven them occurring.

The Right To Know Committee has serious issues with not knowing what is truly happening in this state with taxpayers and schools. I have dozens of examples of their willful withholding.



The Committee should be very disappointed in their current viewpoint of their MSMA member.

Shawn McBrierty
Maine Source Of Truth
shawnmcb@maine.rr.com
Sent from my MacBook Pro

On Oct 13, 2022, at 11:50 AM, Orbeton, Jane <Jane.Orbeton@legislature.maine.gov> wrote:

Hello, Mr. McBrierty,

I am forwarding the information sent out to interested parties regarding the Right to Know Advisory Committee meeting today at 1pm that will be held in hybrid format in Room 228 of the State House. You are welcome to attend in person or electronically. The directions for attending electronically are in the email below.

The 1pm meeting has always been planned as a hybrid meeting, welcoming people in person and electronically.

Please note that the meeting is being held in webinar format. To attend electronically you will need to register, after which you will be admitted as an attendee. The public comment period will be held at the end of the meeting, at which time if you wish to speak you will be changed from an attendee to a participant.

We have located your phone message on the office main line and my co-staff Rachel Olson is returning your call at this time.

Thank you.

Jane

Jane Orbeton, Esq.
Legislative Analyst
Office of Policy and Legal Analysis

207-287-1584

From: McCarthyReid, Colleen
Sent: Wednesday, October 12, 2022 11:31 AM
To: 'right.to.know-ip@lists.legislature.maine.gov' <right.to.know-ip@lists.legislature.maine.gov>
Cc: Laxon, Lindsay <Lindsay.Laxon@legislature.maine.gov>; Orbeton, Jane <Jane.Orbeton@legislature.maine.gov>; Olson, Rachel <Rachel.Olson@legislature.maine.gov>
Subject: RE: Meeting Materials for Right to Know Advisory Committee Public Records Exceptions Subcommittee Meeting on October 13

Dear RTKAC interested parties,

For your information, the meeting agenda and materials for tomorrow's Public Records Exception Subcommittee meeting are attached. The agenda includes discussion of selected existing public records exceptions in Title 24-A; other existing exceptions under review will be discussed at future subcommittee meetings.

These materials will also be posted as soon as possible, but will likely not be posted until sometime after tomorrow's meeting.

As mentioned below, this will be a hybrid meeting in Room 228 SH. Members of the public may attend the meeting in person or may choose to view a livestream of the meeting [here](#).

Interested parties may also register as a meeting attendee on Zoom at the following link: https://legislature-maine-gov.zoom.us/webinar/register/WN_TyUmvZBrSf2hd8CgQ7UZbw. The same registration link will be used for the subcommittee meeting at 11:00 am and the full Advisory Committee meeting at 1:00 pm.

If you have any questions or need additional information, please reach out.

Colleen McCarthy Reid, Esq.
Office of Policy and Legal Analysis, Maine Legislature
207-287-1688 (direct)

<RTKAC PRE Agenda 10-13-22.pdf><List of exceptions in Titles 22 to 25 for review.pdf><FOR OCT. 13 Chart of exceptions for review in Titles 23, 24 and 24-A.pdf><matrix blank revision - NEW.pdf><Ref. Nos. 118 to 144 merged.pdf>

testifying on FOIA requests

VWallack@msmaweb.com Vicki Wallack

Tuesday, September 27, 2022 at 3:54:40 PM Eastern Daylight Time

To: heather.perry@gorhamschools.org heather.perry@gorhamschools.org, cboone@rsu22.us cboone@rsu22.us

Cc: EKing@msmaweb.com Eileen King

Greeting,

Would you both be able to appear before the Right to Know Advisory Committee on the number of freedom of access requests school districts are receiving? I am on the Right to Know Committee for MSMA and a strong defender of Right to Know, but requests are out of control.

Our next meeting is **Thursday, October 13, 2022 @ 1:00 p.m., location Room 228 at the Statehouse. 228 is on the second floor.**

In writing my request for you to appear, I said our concern is the number of FOIA requests we are seeing around gender identity discussions in schools and pushback on posters that support acceptance of our gay, lesbian and transgender students. As you know, districts also are getting pushback around the teaching of Critical Race Theory, which is better described as the role slavery played in our national history and racism in this country. Much or most of this has been generated by Shawn McBreairey and his supporters. If you're seeing other trends around reasons for increased FOIA requests that too would be good to share with the committee.

Many thanks in advance for your help. Vicki

Cell 441-8197

Vicki Wallack

Maine School Management Association
49 Community Drive
Augusta, ME 04330
Direct Line 207-622-3473
Fax 207-626-2968
www.msmaweb.com

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heather.perry@gorhamschools.org Heather Perry

Tuesday, September 27, 2022 at 4:25:16 PM Eastern Daylight Time

To: VWallack@msmaweb.com Vicki Wallack

Yes, I am willing and able to attend. Should I bring my FOIA officer? She's my Admin. assistant that has been working in Gorham for 34+ years and has NEVER seen anything like this. She is very good and would provide a different less "political" perspective on the impact of these what I call - "harassment FOIA requests". Let me know if you want to meet in advance to make sure we are calibrated on what we say. Thanks Vicki!

On Tue, Sep 27, 2022 at 3:54 PM Vicki Wallack <VWallack@msmaweb.com> wrote:

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Vicki Wallack

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heather.perry@gorhamschools.org Heather Perry Tuesday, September 27, 2022 at 4:28:01 PM Eastern Daylight Time
To: VWallack@msmaweb.com Vicki Wallack
Cc: cboone@rsu22.us cboone@rsu22.us, EKing@msmaweb.com Eileen King

What a mess Vick

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10/3/22, 2:51 PM

Google Vault - testifying on FOIA requests

Cell 441-8197

Vicki Wallack

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heather.perry@gorhamschools.org Heather Perry Tuesday, September 27, 2022 at 5:07:06 PM Eastern Daylight Time
To: VWallack@msmaweb.com Vicki Wallack

If not, will need to move to November...I can't make the Oct. 13 meeting cause I will be in Denver!

On Tue, Sep 27, 2022 at 4:31 PM Vicki Wallack <VWallack@msmaweb.com> wrote:

Hello,

I will see if we're still doing zoom. We have been for members who can't drive. Will find out tomorrow and get back.
Thanks!

Vicki Wallack

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Fax 207-626-2968
www.msmaweb.com

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From: Heather Perry <heather.perry@gorhamschools.org>
Sent: Tuesday, September 27, 2022 4:27 PM
To: Vicki Wallack <VWallack@msmaweb.com>
Cc: cboone@rsu22.us; Eileen King <EKing@msmaweb.com>
Subject: Re: testifying on FOIA requests

DAILY WIRE

THE
DAILY WIRE

NEWS

Maine Superintendent Told Staff To 'Slow The Process Down' After Parent Requested Gender Material Be Removed From Classroom

A Maine school superintendent told school staff to slow walk the process after a dad asked the school to remove gender identity materials.

By Mairead Elordi

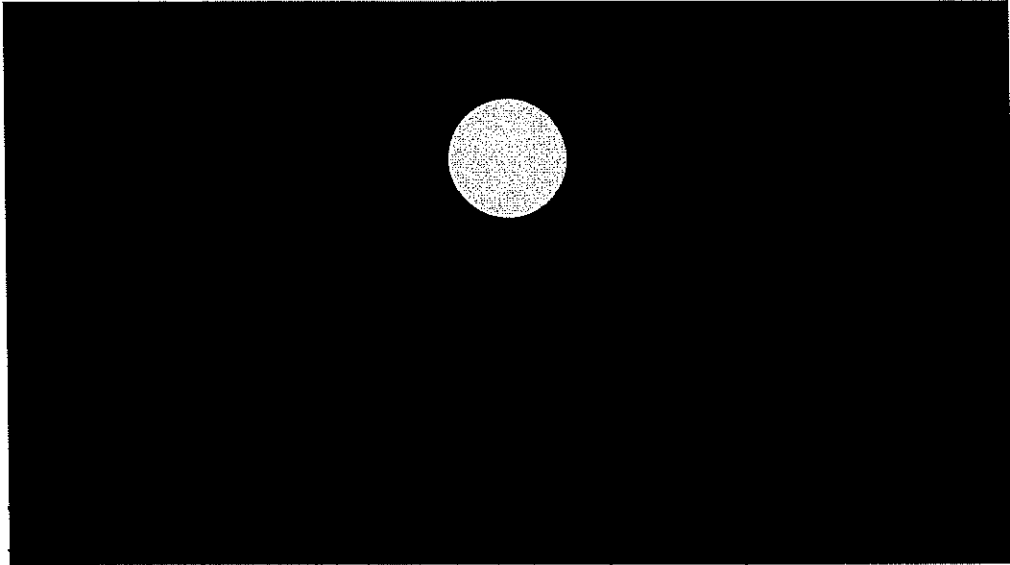
May 20, 2022 [DailyWire.com](https://www.dailywire.com)



Michael Siluk/UCG/Universal Images Group via Getty Images

A Maine school superintendent told staff to make sure a father had to jump through hoops to get progressive gender identity materials removed from his child's classroom.

Now, the dad is calling for her to be fired.



gender identity be removed from his daughter's sixth-grade classroom at Gorham Middle School in Maine, about two hours north of Boston.

For months now, Lane, a single parent with joint custody of his daughter, says he has been battling with the Gorham school district to remove "gender theory promotional and educational material" from his daughter's classroom, or at least convince the school to provide opposing viewpoints. Lane was particularly concerned about posters that defined terms like cisgender, transgender, and nonbinary.

Back in October, Lane met with Superintendent Perry and explained that his Christian values were the reason he objected to the gender posters. Months later in April, Perry denied his request, saying she was going off the recommendation of a review committee, Lane said.

She did not count on Lane obtaining her emails through Maine's Freedom of Access Act, however.

In an April 20 email to school staff, Perry urged staffers to slow walk Lane's request to remove the gender ideology materials, according to one of the government documents Lane obtained through his request.

“The reason I am reaching out is because for the first time in many people’s memories, we have a parent who would like to exercise their rights ... to request removal of instructional materials from either our curriculum/classrooms or from our library,” Perry wrote in her email.

“This particular parent alone is likely to continue these requests for years to come,” the superintendent continued, adding that, “we need to use as many ‘rungs’ in the ladder as possible to slow the process down to ensure this parent has to ‘work’ a little on their end as well.”

After discovering the email, Lane submitted a formal complaint for First Amendment discrimination against Perry and Gorham Schools to

the Gorham School Committee.

“There is a culture of contempt for anyone living and expressing Christian values in Gorham Schools and this email is a glimpse behind the curtain of how this school operates and intends to stifle Christians and their exercise of their rights,” Lane stated in his complaint.

On May 11, Lane spoke at a school board meeting and accused the school of a laundry list of offenses relating to forcing progressive gender ideology on students, saying the school is “encouraging children to be woke activists and fight for change.”

Perry apologized to Lane in a letter several days later, saying her intention was simply to make sure the proper process was followed regarding removing curriculum materials.

“Please accept my apology for my poorly chosen words and know that I remain committed to continue to represent Gorham and its Schools with a high level of passion and integrity,” Perry wrote.

The dad said he is not convinced.

“I don’t find the [apology] to be sincere and the timing suggests it was sent in defense of herself,” Lane said.

Lane told The Daily Wire that his initial reaction was that he did not want the superintendent to lose her job.


“Then I considered her position as a leader, her openness, and suggestion to other staff members of her agenda, the year-long battle I have had against those posters being hung, hung 24/7 in my daughter’s classroom for my daughter to be influenced by, which I find tantamount to child abuse, my faith-based objections and not least of all, the stress of dealing with it all as a single parent working two jobs,” he continued.

Now, he wants Perry fired and said there also needs to be a third-party investigation into the district “to evaluate how pervasive this behavior has become.”

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FOR RTKAC REVIEW

Distributed to RTKAC
by Vicki Wallack 10/13/22

GORHAM SCHOOL DEPARTMENT
Office of the Superintendent

75 SOUTH STREET, SUITE #2, GORHAM, MAINE 04038

Hollis S. Cobb
Business Manager
(207) 222-1000
FAX 839-5003

Heather J. Perry, PhD
Superintendent of Schools
(207) 222-1012
FAX 839-8885

Brian A. Porter, PhD
Assistant Superintendent
(207) 222-1025
FAX 839-8885

Tuesday, October 11, 2022

To: Honorable Members of Maine's Right to Know Advisory Committee
From: Heather J. Perry, Ph.D. Superintendent of Schools, Gorham, ME.
Re: Impacts of Recent Increases in Politicized FOAA Requests made to Public Schools

Dear Committee Members,

Some Personal Background:

My name is Dr. Heather Perry and I am the current Superintendent of Schools in Gorham, ME. I have been a proud public school educator in Maine for 26 years. I began as an Educational Technician, then teacher, and then building principal in the Machias area of Maine. I have since spent the past 15 years as a Superintendent of Schools in Maine, first serving School Union 60 and SAD 12 (Greenville and Jackman area), then RSU 3 (Unity/Thorndike Area) and most recently, serving the past 7 years as Superintendent of Schools in Gorham, ME.

I have also served in many other leadership roles across the state, from president of the Maine Small Schools Coalition to chair of MSSA's state funding committee, to current member of MSSA's executive committee as well as AASA's executive committee. I have volunteered my time as the chair of the board for Good Will Hinckley, as a member of USM's School of Education and Human Development Advisory Committee and have served many years on the JMG Board of Directors.

I do not share these experiences to brag. I share them to demonstrate my record of service to the children of Maine. I love Maine's people. I love Maine's public school educators. Most of all, I love Maine's incredible school children. They deserve our very best.

Because I believe our children deserve our very best, I want to share with you a recent and troubling trend that I believe is causing harm to public schools across the state of Maine.

Before I share this concern, I believe it is important for me to be up front and clear that I fully support and have consistently worked to uphold Maine's FOAA laws throughout my career. I believe FOAA is a foundational aspect of accountability for our government institutions (including public schools). FOAA, when used appropriately, lies at the heart of a democratic government. Transparency and open decision-making are essential to ensuring continued trust and confidence in our government and its public institutions. As is stated on Maine's FOAA webpage: "Open government is good government..." and I couldn't agree more

An Overview of The Current Problem With Examples:

All this being said, there is a recent trend among a very small group of individuals across the state that seems to be using FOAA requests not to learn about Maine schools, but as a political tool to support their agenda and/or to take much needed resources from the running of our schools to answering their "questions." For example, we are getting multiple FOAA requests, sometimes 2-3 in a single day, from a single person. Often times, these FOAA requests come in emails that are several pages in length with just 2-3 sentences of a FOAA request buried in the text of their emails. These not only take time to process, but the pages include allegations, the calling of school officials liars or worse, and propaganda.

Another example of weaponizing FOAA requests and avoiding the good faith rules that currently exist, is that if they believe that their request goes over the 2 hour "free" limit, they will simply break the request into smaller chunks and spread it out over "weeks or months" since they have "all the time in the world to expose it" – "it" being this information they believe they know exists in the practices of our public schools.

In addition, we now receive FOAA requests buried in emails to teachers, emails that otherwise are filled with hateful messages/allegations. For example, several emails accuse our staff of things like "grooming" or harming students by indoctrinating them into transgender ideologies, tell people they shouldn't be working with students, and inform them that they should be fired for teaching their "radical ideology." One recent email went so far as to state that we either have an "incompetent buffoon" or a "child sex groomer" as our HS librarian, an employee who has dedicated her more than 25 year career to helping students.

The Data & Associated Costs:

I have data to support the comments I have made above. A small sampling include:

During the 2021-22 School Year we received 25 requests, 18 of which were from a single parent. So far this year, and we are only in our second month, we have received 15 FOAA requests, of which 10 are from this same single parent. At this pace of 15 requests in two months we are on track to add another 60 requests before the end of the school year. To try and mitigate repetitious requests and to be transparent to our public, we have begun posting these requests on our district website.

Last year, a very conservative estimate of our unreimbursed costs were in excess of \$1,000.00. So far this year, the conservative estimate of unreimbursed costs have exceeded \$300.00 and will surely get higher. The amount of time that our staff have had to spend processing FOAA requests (in addition to their other work) has forced us to the point where we will be creating a new part time position to help manage this detail oriented work. We estimate that this position will cost the taxpayers of Gorham more than \$17,000 in wage and benefit costs.

The Possible Path Forward:

When we look at the requests that are being made via FOAA right now, the vast majority deal with issues regarding gender identity, gay, lesbian and transgender students, sex education and the allegations that we are teaching Critical Race Theory in our schools (see list provided in appendix). Our public schools are required to provide learning environments free of discrimination in its various forms. The issues listed above are current political hot button issues and just as our schools should not be politicized, I do not believe that FOAA should be politicized.

As I stated earlier FOAA is one of the hallmarks of our democratic society and the average citizen should be able to get information from governments and the public institutions that serve them. It is a core aspect of government accountability. But the purpose of FOAA is not to use it to grandstand one's political beliefs, especially against public schools who must balance the political beliefs of our entire community and our obligations under the law in a manner that ensures every child feels welcomed.

As a means to move forward, I have brainstormed several ideas that I believe might allow us to strike the appropriate balance moving forward between needing to maintain strong FOAA laws, while also limiting a small group's ability to use FOAA as a costly weapon against public schools for perceived political gain. These ideas can be considered individually, or combined in ways that may move the conversation forward.

I absolutely defer to the expertise and knowledge of the Right to Know Committee Members regarding which ideas or combination of ideas may make most sense. These initial ideas are as follows:

1. Limit each person, not each request, to 2 free hours. If this is untenable, consider rules that require multiple requests that are made within certain defined time frames be treated as a single request.
2. Require that FOAA requests go to the right school official, and require schools to provide information on its website regarding who that official is.
3. Create a greater understanding of the effort it takes a school to respond to FOAA requests asking for every email, communication, etc. These types of requests often require looking through thousands of emails for potentially confidential information – something I do not think individuals appreciate.
4. Consider increasing the rate structure so that schools could charge actual costs above the 2 hour requirement rather than the current \$25.00/hour.
5. Consider creating a one page form that constituents must use to make a FOAA request of any public institution that does not allow for "thesis" statements to be shared. Create a form that requires limited text to be used so that individuals responsible for processing these requests do not have to waste valuable time reading through pages upon pages of information to get to the FOAA request itself.

I'm sure that if the intelligent people of Maine get together, other ideas could also be generated that might allow us to better move forward in striking this important balance.

In closing, I appreciate the time that the Right to Know Committee is taking to try and better understand the impacts these types of FOAA are having on public schools in our current political climate. I appreciate that the committee may consider that while the core of the law is sound, some changes may be in order to prevent a small handful of people from using FOAA in a way that is not in alignment with its original intent and that places our public schools in the crossfire of our current political contexts.

For more information, I would encourage you to review the following information attached to this letter:

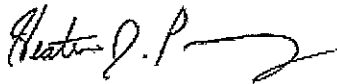
- **Gorham Schools FOAA request spreadsheet** (this is just a simple spreadsheet of all FOAA requests made in the past two years to include the date made, the name of the person that made it, the topic, the date closed and the estimated time required to complete).

- **Gorham Schools FOAA requests website** (this includes the same information listed above, but with links to the actual documents produced as part of the FOAA request that was made. Go to www.gorhamschools.org, then click on “Community” and then click on FOAA requests to view).

I am also available to come and speak with the Committee in November if that is something the committee would like to entertain. Additionally, I would be more than happy to provide any clarifying information the Committee may seek to better understand the issues at play.

I thank you for your time and commitment to this important public law aimed at protecting our democracy. I ask that you consider what can be done to better protect another core democratic institution – our public schools – from this current rash of politicized FOAA requests.

Sincerely,



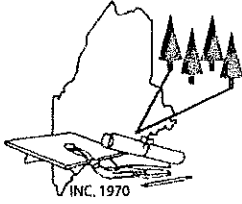
Heather J. Perry, Ph.D
Superintendent of Schools, Gorham, ME.

FOAA Requests				
Date Received	Person Requesting	Topic of Request	Date Closed	Est. Time
9/11/2021	Eric Lane	6th gr Health materials/curriculum relating to sex, sexuality, sexual orientation, gender, diversity & inclusion/ content related to racism, bias/anti bias, skin color & race (include presentations, assignments, and assessments)	9/15/2021	2 hours
9/15/2021	Eric Lane	information on IDI Survey and Learning Module #1 materials being used with the Anti-Racism & Equity Committee	9/16/2021	1 hour
9/30/2021	Eric Lane	class materials/curriculum as relate to sex, sexuality, sexual orientation, gender, diversity & inclusion includee content related to racism, bias skin color/race for 6th Health class from 8/30/21 - 9/30/21 (include presentations, assignments, assessments)	10/4/2021	withdrew
10/7/2021	Eric Lane	gr 6 8/30/21-10/7/21 class materials/curriculum related to sex, sexuality, sexual orientation, gender, diversity & inclusion/ content related to racism, bias, skin color/race (include presentations, assignments, assessments)	10/20/2021	2 hours
10/12/2022	Eric Lane	All 2021 6, 7, 8 grade student & staff recommended, suggested and mandatory books & literature as well as training materilas as relate to sex, sexuality, sexual orientation, gender, diversity & inclusion, content related to racism, bias skin color and race	10/18/2021	withdrew
10/14/2021	Eric Lane	All 7th & 8th 8/30/21-10/14/21 calss materials & curriculum as relate to sex, sexuality, sexual orientation, gender, diversity & inclusion, include content as relates to racism, bias/anti bias, skin color/race (presentations, assignments, assessments)	11/12/2021	4 hours
11/15/2021	Eric Lane	Village School's Mrs. Meggison 20-21 curriculum regarding LGBTQ realted topics. Include handouts /presentations for both past & planned curr.	12/3/2021	2 hours
3/5/2022	Eric Lane	GMS reference material regarding Maine State Statute governing the use of bathrooms and locker rooms regarding sex/gender.	3/8/2022	1 hour
4/26/2022	Eric Lane	Communications regarding the Citizen's Challenge of Educational Material that was submitted on 4/10/22. Includes any related communications to or from the School Committee.	5/5/2022	2 hour
5-1/2022	Eric Lane	Expense records and commitments regarding agreements/contracys ONLY for service, consultants, training/materials for anti=racism, microagression, bias & related anti=bullying training/curriculum for GMS & GHS staff & students for 2019 to date.	5/13/2022	2 hours
5/13/2022	Eric Lane	Expense records/commitments regarding agreements/contracts ONLY for service, consultants, training/materials for gender theory topics and related anti=bullying training and/or curriculum for school staff and students 2019 to present.	5/25/2022	2 hours
5/21/2022	Eric Lane	Administrative emails from administrative staff, school committee, principals, vice principals regarding Eric Lane in any way Include instruction, suggestions, comments to administrative staff, school committee members,	5/22/2022	withdrew

		principals, vice principals actions/behavior as it relates to Eric Lane.		
5/22/2022	Eric Lane	Emails to or from Heather Perry, Brian Porter, Rhonda Warren, School Committee members, principals of GHS & GMS regarding Eric Lane. Limit to emails January 1, 2020 - present.	6/3/2022	10 hours
5/25/2022	Eric Lane	All communications to/from the following GSD staff as they relate in any way to me, my citizen's challenge or any aftermath of Heather Perry's infamous email sent on 4/20/22. (Liz Henry, Lauren Roberts, Catherine Paul, Anna Sedenka, Colleen Tims, Kim Fadrigon) Include any communications that may have been accidentally or intentionally deleted or destroyed.	6/3/2022	2 hours
6/5/2022	Eric Lane	email thread/responses related to Heather Perry email 3/17/22. Email, responses, forwarded emails to/from Anne Schools & Heather Perry. Email that contained assurance to Anne that we will divert and stall.	6/10/2022	2 hours
5/24/2022	Bob Lowell	Copies of recent residents' complaints involving Supt. Heather Perry relative to her April 20 email to staff members.	5/25/2022	1 hour
6/6/2022	Bob Lowell	Copies of emails from Supt Perry on 3/17/22 to Anne Schools and email from Brian Jandreau on 3/17/22.	6/10/2022	1 hour
6/15/2022	Bob Lowell	All emails relative to Eric Lane to include those from or to Supt. Perry, Brian Jandreau and other staff members.	6/22/2022	1 hour
5/13/2022	Andrew LaPlaca	4th gr. Class materials & curriculum as relate to human bodies, LGBTQAI, sex, sexuality, sexual orientation, gender, diversity & inclusion topics. Include video, presentations, assignments and assessments.	5/23/2022	2 hours
4/21/2022	Michelle England	All purchasing records 1/1/15 - current. Include purchase order number, purchase date, line item details, line item quantity, line item price, vendor number, name, address, contact person and email address.	5/23/2022	2 hours
4/6/2022	Mandy Dorman	List of full time employees (first, last, middle), position, campus/office location, date of hire, email address.	4/8/2022	2 hours
7/16/2022	Eric Lane	All non-email communications to/from Heather Perry and SC members related to Eric Lane and his complaints, requests or actions.	7/29/2022	2 hours
7/16/2022	Eric Lane	Provide name of GMS teacher who gave this assignment (image below) to students in 21-22. Also provide origins of this assignment. Who developed and sent to GMS.	7/20/2022	1 hour
7/20/2022	Eric Lane	Provide communications made by Heather Perry, Quinton Donahue and/or SC members regarding: instructions on depriving me of information, regarding Shawn McBairty, regarding Maine First Project, regarding Maine Source of Truth	9/22/2022	withdrew
8/20/2022	Michelle England	All purchasing records 5/19/22 - current. Include purchase order number, purchase date, line item details, line item quantity, line item price, vendor number, name, address, contact person and email address.	8/31/2022	1 hour
9/1/2022	Andrew LaPlaca	All communications as it pertains to his formal complaint against Heather Perry on 5/19/22, including any that reference his name or this complaint.	9/15/2022	2 hours

9/1/2022	Andrew LaPlaca	All communications as it pertains to his citizen's challenge of the book <i>A Graphic Novel of a Handmaids Tale</i> submitted on 5/31/22, including any that reference his name or this specific challenge.	9/15/2022	1 hour
9/2/2022	Eric Lane	Provide communications via personal and/or public methods made by or to Brooke Proulx regarding Eric Lane, Fiona Lane or the 2022 school book and/or poster complaints.	9/15/2022	1 hour
9/9/2022	Eric Lane	Provide for inspection 7th grade health class curriculum which represents opposing viewpoints to gender theory.	9/16/2022	2 hours
9/15/2022	Eric Lane	Provide for inspection Middle School and High School staff material which may be used as reference to intersexuality and the varying values of marginalization placed on groups or individuals. This is to include any hierarchy information of intersectionalism.	9/21/2022	1 hour
9/15/2022	Ronda Snyder	Provide any and all documents, including but not limited to, emails, policy approval, memos, letters, etc regarding who approved these posters for display at Gorham Middle School. Any and all correspondence via email or written letter or in any other form from any staff of Gorham schools and/or the administrative staff with OUT Maine from January 1, 2019 to present. Any and all information and documentation regarding the approval process for materials to be displayed in Gorham schools.		
9/15/2022	Laura Lossie	Provide for inspection all communications as it pertains to the closure or moving the schools to RED during the height of the Covid 19 pandemic. Include any communications between school committee members during the timeframe of January 2020 - December 2021.		
9/21/2022	Eric Lane	Provide for inspection all educational material hanging on walls of middle school and high school buildings that reference gender. This includes references and terminology related to gender. Please ensure that the contents of the material are able to be read.	10/5/2022	4 hours
9/22/2022	Eric Lane	Provide name of Gorham Middle School teacher(s) who gave a genderbread assignment/worksheet to 8th grade students in the 21-22 school year. Also provide the origins of this assignment, or in other words, what organization developed this assignment and/or sent it to Gorham Schools.	9/23/2022	1 hour
9/22/2022	Eric Lane	Provide for inspection the "Be Yourself" poster in the Middle School chorus classroom.	9/22/2022	1 hour
9/22/2022	Eric Lane	Provide for inspection communications made by or to Heather Perry, Quinton Donahue, Brian Jandreau and/or the school committee regarding: any suggestion/instructions on depriving me of information, suggestion/instruction not to respond to me, suggestion/instruction not to answer my inquiries directly, Shawn McBreairty, Maine First Project, Maine Source of Truth.	9/28/2022	Withdrew
9/26/2022	Shawn McBreairty	Provide for inspection all written materials the Gorham, ME School District has with "OutMaine" or "Out Maine" over the last 90 days. All emails, lesson plans, texts, IM's, written meeting minutes, PowerSchool items, presentations, invoices, book promotions, poster programs, school kits, pins, activity lessons, activity guides, all of it from OutMaine, and/or Out Maine.		

9/27/2022	Eric Lane	Provide for inspection communications made by or to Heather Perry, Quinton Donahue and/or the school committee regarding Shawn McBreairty.	10/4/2022	2 hours
9/27/2022	Eric Lane	Provide for inspection any books that were shared with students in GMS and/or GHS as part of Banned Books Week. Include teacher names associated with any books shared.	10/5/2022	1 hour
10/5/2022	Eric Lane	Provide for inspection communications made between Heather Perry and Kelli Deveaux between September 2021 and present.		



Maine Regional School Unit #22

Hampden, Newburgh, Winterport, Frankfort

24 Main Road North • Hampden, ME 04444 • Phone (207) 862-3255 • Fax (207) 862-2789

REGAN NICKELS
Superintendent of Schools
rnickels@rsu22.us

CHRISTINE BOONE
Assistant Superintendent for District Development
cboone@rsu22.us

RE: Request for Public Records Dated October 7, 2021

Dear Shawn:

In follow up to your request *“Interesting...let’s widen the net then. Provide for inspection any RSU22 materials regarding equity, anti-racism, anti-racist, racism, Black Lives Matter, BLM, Critical Race Theory, CRT, social, or racial justice, privilege, prejudice, oppressed, oppressor, microaggression, cultural appropriation, reparations, intersectionality, inclusion, diversity, bias, institutional, or structural racism, Ibram X. Kendi, or white supremacy from August 2021 to date, that was not already provided. This would include any ad hoc committee information and any documented RSU22 student group hosted events also.”*

Regional School Unit #22 will make available to you all “public records” falling within your request that are in the District’s custody and control. However, the District will not be producing records which are designated confidential by statute (1 M.R.S.A. §402(3)(A)), or records which are otherwise privileged or confidential (including communications that are protected by the attorney-client privilege or work product doctrines). Records which are considered confidential and not subject to disclosure under the Act would include, but are not limited to, records pertaining to students (20-A M.R.S.A. §6001 and the federal Family Educational Rights and Privacy Act), records including the personal contact information of public employees (1 M.R.S.A. §402(O)), records concerning pending or threatened litigation, records consisting of employee or applicant records (or that include comments about any employee’s character, performance, or conduct)(20-A M.R.S.A. §6101), records prepared for an executive session of the school board, and records describing the District’s security plans/procedures (1 M.R.S.A. §402(L)).

The District will need to gather and review all records that may exist and may need to work with its legal counsel to determine what records are “public records” that can be made available for inspection. As you may be aware, the FOIA provides that public entities may charge a reasonable fee to cover copying costs and also an hourly rate to cover the cost of searching for, retrieving, and compiling records (including reviewing and redacting confidential information from those records if the District determines that it can do so). Given the breadth of your request, and the number of individuals in the District that may have records falling within the scope of your request, our good faith, non-binding estimate is that it will take approximately 305 hours to conduct this search and estimate that we could make the requested public records available to you on or about June 8, 2022. We also estimate that the cost associated with your request will be \$21,037.15. This excludes the cost to the District of having legal counsel weigh in on what records fall within the definition of a “public record”.

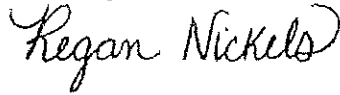
We recognize this search is expensive and time consuming. If you would like to narrow and tighten your scope, we could potentially eliminate groups of employees who are likely not to have relevant records therefore reducing the production costs and delivery time.

Maine law expressly affords public entities the right to require an advance payment before commencing the search, retrieval, compilation process where, as here, the costs to complete the request are expected to exceed \$100. 1 M.R.S.A. §408-A (10). Therefore, upon receipt of your payment of \$21,037.15 to cover the estimated costs to complete the request, the District will commence the search and make available to you for inspection and copying the "public records" you have requested in a reasonable period of time estimated to be June 8, 2022.

The search and compilation process will be conducted in a manner that does not delay or interfere with the regular activities of the District.

Thank you for your email, and please let me know if you have any questions.

Sincerely,

A handwritten signature in cursive script that reads "Regan Nickels".

Regan Nickels
Superintendent

RSU 22
Hamden

Name of person requesting FOAA	Date Received	Date Acknowledged	Acknowledged by	Estimate of Time	Estimate of Materials	Approved	Refused	Reason for Refusal	Date documentation provided	Cost	Paid	Description
1 Miller, Brooke	8/23/2021	8/27/2021	B. Moore	n/a	n/a	n/a	n/a	n/a	9/7/2021	n/a	n/a	Weighted votes / Emergency Meeting / Survey Results
2 Rasmussen, Dane	8/23/2021	8/27/2021	B. Moore	n/a	n/a	n/a	n/a	n/a	9/7/2021	n/a	n/a	Weighted votes / tabulation / internet connection
3 McBrearity, Shawn	8/23/2021	8/27/2021	B. Moore	n/a	n/a	n/a	n/a	n/a	9/7/2021	n/a	n/a	Emergency Meeting / Weighted Votes
4 Miller, Brooke	8/25/2021	8/31/2021	B. Moore	n/a	n/a	n/a	n/a	n/a	9/28/2021	n/a	n/a	Emails - BOD EA22 / News Media / Weighted votes / Roberts Rules / Resumes
5 McBrearity, Shawn	8/26/2021	8/31/2021	B. Moore	n/a	n/a	n/a	n/a	n/a	9/28/2021 and 10/5/2021	n/a	n/a	Hamden Public Safety Communication
6 McBrearity, Shawn	9/15/2021	9/20/2021	B. Moore	n/a	n/a	n/a	n/a	n/a	9/28/2021 and 10/6/2021	n/a	n/a	Equity Slide Show presentation
7 McBrearity, Shawn	9/20/2021	9/27/2021	B. Moore	n/a	n/a	n/a	n/a	n/a	10/6/2021	n/a	n/a	RSU 22 Reads Three
8 Miller, Brooke	9/28/2021	10/4/2021	B. Moore	n/a	n/a	n/a	n/a	n/a	11/23/2021			2.4 Million ARP (American Rescue Plan)
9 McBrearity, Shawn	10/3/2021	10/5/2021	B. Moore	n/a	n/a	n/a	n/a	n/a	10/20/2021	n/a	n/a	National School Board Assoc. Cost / Biden letter
10 Miller, Brooke	10/5/2021	10/5/2021	B. Moore	n/a	n/a	n/a	n/a	n/a	10/7/2021	n/a	n/a	Reason for no remote learning 2021 & cost of Medical Assessment Board (Sept BOD meeting)
11 X McBrearity, Shawn	10/7/2021	#####	B. Moore	#####	#####	#####	#####	#####	#####	#####	#####	Wider Net (Provide for inspection any RSU 22 materials regarding equity, anti-racism, anti-racist racism, Black Lives Matter, BLM, Critical Race Theory, CRT, social, or racial justice, privilege, prejudice, oppressed, oppressor, microaggression, cultural appropriation, reparations, intersectionality, inclusion, diversity, bias, institutional, or structural racism, Ibram X. Kendi, or white supremacy from August 2021 to date, that was not already provided.)
12 Acosta, Daniel	10/17/2021	#####	B. Moore	n/a	n/a	n/a	n/a	n/a	11/17/2021 and 12/6/2021	n/a	n/a	Cost of Equity Audit
13 McBrearity, Shawn	10/20/2021	#####	B. Moore	n/a	n/a	n/a	n/a	n/a	11/30/2021	n/a	n/a	All written documents from Kelsey Stoyanova, Susan Thibedeau and Regan Nickels regarding the RSU 22 Reads Three Reaching Challenge / Book List

		Rec'd follow-up email requesting information by 11/17/21	#####		n/a	n/a	n/a	n/a	n/a	n/a	11/30/2021	n/a	n/a	
14	Liberatore, Anthony	10/23/2021	#####	B. Moore	closed at the request of Dr. Liberatore	n/a	n/a	n/a	n/a	n/a	READY TO SEND			Documentation regarding Grievance
15	Lockman, Lawrence	10/28/2021	11/3/2021	B. Moore	n/a	n/a	n/a	n/a	n/a	n/a	12/15/21	n/a	n/a	June 1, 2020 to present - Any teacher training materials purchased regarding diversity, equity, privilege etc. Any communication for Culture Competence Institute. Any communication to Racial Equity and Justice. Invoices for services paid.
16	McBrearty, Shawn	11/15/2021	#####	B. Moore	n/a	n/a	n/a	n/a	n/a	n/a	12/6/2021	n/a	n/a	Provide for inspection all RSU22 legal bills (most likely all from DrummondWoodsum) for 2021, September, October and November. Provide for inspection all costs incurred, including fees paid, meals, lodging, travel and payroll for any RSU22 staff that spent time involved with the contracted work of Gia Drew, between the years 2016 and 2019, as well as material related to the purpose of the individual's consultation, and a copy of the individual's presentation material. This request is pursuant to the current FOIA laws of the state of Maine.
17	Curtis, Amy	11/15/2021	#####	B. Moore	n/a	n/a	n/a	n/a	n/a	n/a	12/17/21	n/a	n/a	
18	McBrearty, Shawn	11/18/2021	#####	B. Moore	n/a	n/a	n/a	n/a	n/a	n/a	11/30/21	n/a	n/a	Contracts for R. Nickels, S. Thibodeau and K. Stoyanova
19	McBrearty, Shawn	11/18/2021	#####	B. Moore	n/a	n/a	n/a	n/a	n/a	n/a	11/30/21	n/a	n/a	Oath of Office, Heath Miller
20	McBrearty, Shawn	11/23/2021	12/3/2021	B. Moore	n/a	n/a	n/a	n/a	n/a	n/a	12/9/21	n/a	n/a	Legal fees for S. Thibodeau DW
21	Miller, Brooke	11/22/2021	12/1/2021	B. Moore	n/a	n/a	n/a	n/a	n/a	n/a	12/9/21	n/a	n/a	Middle school and high school survey. Copy of survey, number of students who completed, number who opted out. Data storage, where and how long, time allocated.
22	Miller, Brooke	11/27/2021	#####	B. Moore	n/a	n/a	n/a	n/a	n/a	n/a	12/14/21	n/a	n/a	Number of transient 20-21 and 21-22 by school. Amount paid per student who is the payer?
23	McBrearty, Shawn	11/26/2021	12/9/2021	B. Moore	n/a	n/a	n/a	n/a	n/a	n/a	12/13/21	n/a	n/a	Briar Patch book list. Requester viewing classroom.
24	Laster, Roma	12/10/2021	#####	B. Moore	n/a	n/a	n/a	n/a	n/a	n/a	1/27/22	n/a	n/a	Pool Testing for Athletes (mandatory) pool testing cost, test provider, pool process
25	LaChance, Matt	12/10/2021	#####	B. Moore	n/a	n/a	n/a	n/a	n/a	n/a	12.16.21	n/a	n/a	Documentation regarding Weatherbee Investigation
26	Miller, Brooke	12/15/2021	#####	B. Moore	n/a	n/a	n/a	n/a	n/a	n/a	1.25.22	n/a	n/a	Medical team communications between team and Regan Nickels and Heath Miller

46	McBrearity, Shawn	4/1 (7:38 pm) Business Day 4/4/22	4/11/2022 B.	Moore	n/a	n/a	n/a	n/a	n/a	5.2.22 n/a n/a	Postcard Ballot mailing costs	
47	McBrearity, Shawn	4/3/2022 (5:13 pm) Business Day	4/11/2022 B.	Moore	n/a	n/a	n/a	n/a	n/a	5.2.22 n/a n/a	Reeds Brook Rebel Report - "Cause a Ruckus"	
48	McBrearity, Shawn	4/4/2022 4/11/2022 5:48 pm Business Day	4/19/2022 B.	Moore	n/a	n/a	n/a	n/a	n/a	5.2.22 n/a n/a	Rudman Winchell Letter / Name since 3/16/2022	
49	McBrearity, Shawn	4/22/2022	4/28/2022 B.	Moore	n/a	n/a	n/a	n/a	n/a	5.3.22 n/a n/a	Term search "filter box" and "filter boxes"	
50	McBrearity, Shawn	4/25/2022	5.2.22 B.	Moore	n/a	n/a	n/a	n/a	n/a	5.16.22 n/a n/a	Challenge Form FOIA request HA	June 7th Book Challenge Committee meeting deadline
51	McBrearity, Shawn	4/25/2022	5.2.22 B.	Moore	n/a	n/a	n/a	n/a	n/a	5.16.22 n/a n/a	Challenge Form FOIA request WBI/RB and 5 yr American Library Association payments	June 7th Book Challenge Committee meeting deadline
52	McBrearity, Shawn	4/27/2022	5.3.22 B.	Moore	n/a	n/a	n/a	n/a	n/a	5.16.22 n/a n/a	Brnar Patch HA 3 year History	
53	Maine Policy Institute	5/27/2022	6.3.22 B.	Moore	n/a	n/a	n/a	n/a	n/a	6.7.22 n/a n/a	Abbott & Associates 2020-2022 payment history	
54	McBrearity, Shawn	4/25/2022								6/24/22	Challenged Book HA, RB and WBI	