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STATE OF MARYLAND
PUBLIC INFORMATION ACT COMPLIANCE BOARD

PIACB 26-32
February 20, 2026
Prince George's County Public Schools, Custodian
Tanisha Wooten, Complainant

In July of 2025, complainant Tanisha Wooten sent a Public Information Act (“PIA”) request to Prince George’s County Public Schools (“PGCPS”) seeking a list of special education vendors for the last three years, including certain information about those vendors. The complainant asked PGCPS to waive any fees associated with her PIA request. PGCPS denied the complainant’s request for a fee waiver, and provided an estimated fee of \$1,036.40. Later, however, PGCPS produced the requested information for the most recent year and asked the complainant to pay an estimated fee of \$657.64 for the information for the two years prior. In this complaint, the complainant alleges that the \$657.64 estimated fee is unreasonable. In response, counsel for PGCPS maintains that the fee is reasonable under § 4-206¹ of the PIA in light of the work required to respond to the complainant’s PIA request. As explained below, we find the estimated fee unreasonable to the extent that it is not based on the appropriate hourly rates.

Background

On July 17, 2025, the complainant sent the PIA request below to PGCPS:

I am requesting an opportunity to inspect or obtain emailed copies of public records that [contain] the current PGCPS list of used contracted Special Education/504, Compensatory Services Vendors and vetted Parent Choice Vendors for the past three years. Please include the Vendors’ names, addresses, email addresses, phone numbers, description of services they provide, and cost per hour or session.

The complainant asked PGCPS to inform her of any fees for searching and copying the records, if the fees would exceed \$100. At the same time, the complainant asked PGCPS to waive all fees, stating that disclosure of the records was in the public interest because it would “contribute significantly to the public’s understanding of why there is a lack of

¹ Statutory citations are to the General Provisions Article of Maryland’s Annotated Code unless otherwise specified.

support in the special education program.” The complainant advised that the information was “not being sought for commercial purposes.”

PGCPS sent the complainant a ten-day letter² on August 1, 2025. In that letter, PGCPS explained that it would take approximately twenty-three hours to search for and prepare the records—fifteen hours for administrative staff to search the files and eight hours for an attorney to review and prepare the records for disclosure. Administrative staff time would be charged at \$42.87 per hour and attorney time at \$78.67 per hour. Thus, PGCPS advised, the total estimated fee for the response was \$1,036.40. PGCPS further explained that “[t]he estimated cost reflects the significant time it will take staff to review three (3) years of records to identify vendors and to organize and prepare the information in the manner . . . requested.” PGCPS also stated that it was obligated, under § 4-335—a mandatory exemption for certain confidential commercial or financial information—to contact each vendor before releasing any financial information. PGCPS denied the complainant’s request for a fee waiver, taking the position that “[c]ompensatory vendors are used to provide missed special education or related services outside of the regular school day and do not reflect the provision of services within PGCPS’s special education program.”

PGCPS’s ten-day letter also asked, “[i]n an effort to compromise,” that the complainant narrow the timeframe of her PIA request to one year. If so narrowed, PGCPS explained, then the search for records would likely take five hours and the review two hours. PGCPS would be willing to waive fees for that narrowed request. If the complainant was unwilling to narrow her PIA request, PGCPS asked that she submit payment of the \$1,036.40 estimated fee. PGCPS asked that the complainant advise as to how she wished to proceed and that, if she did not respond, PGCPS would “proceed to gather records for the past one (1) year.”

On August 15, 2025, PGCPS sent the complainant a response letter and provided a spreadsheet containing the requested compensatory services vendor information for the 2024-2025 school year. The spreadsheet provided information for eleven vendors and did not contain any redactions to pricing information. PGCPS did not charge a fee for the record. As indicated in its August 1, 2025, letter, PGCPS advised that, if the complainant wanted the information from the previous two years, she would need to pay an estimated fee of \$657.64. PGCPS stated, “[i]f we do not receive further response from you, we will assume that we have responded fully to your request.”

² When a custodian reasonably believes that it will take longer than ten working days to produce records, § 4-203(b)(2) requires the custodian to notify the requester of this fact in writing and provide certain information, including the reason for the delay and an estimate of any fees that may be charged.

On August 7, 2025, prior to receiving PGCPs's response and records, the complainant contacted the Public Access Ombudsman to request dispute resolution assistance.³ The complainant disputed PGCPs's denial of her request for a fee waiver and the estimated fee itself. On October 8, 2025, the Ombudsman issued a final determination stating that the disputes were not resolved and the complainant then filed this complaint with our Board in which she asks our Board to "[d]ismiss unreasonable fees."⁴

In response to the complaint, counsel for PGCPs states that the \$657.64 estimated fee reflects eight hours of administrative, secretarial staff time to search for the records (charged at \$42.87 per hour) and four hours of attorney time to prepare the records (charged at \$78.67 per hour). Counsel explains that the four hours of attorney time include:

[T]ime for PGCPs counsel to review the searched records, extract the requested information, create a spreadsheet inclusive of the requested information, and providing notification to vendors that the information was requested and that pricing information would be disclosed in the event that any vendor wanted to raise any concerns with the disclosure of pricing that may relate to a MPIO disclosure exemption.

Counsel for PGCPs asserts that PGCPs "has made every effort to be responsive to [the complainant's] request while balancing the need to consider staff time and efforts for responding to extensive MPIO requests." Counsel asks that we find the \$657.64 estimated fee reasonable.

³ The PIA directs the Public Access Ombudsman to "make reasonable attempts to resolve disputes between applicants and custodians relating to requests for public records." § 4-1B-04(a). Before submitting a complaint to our Board, a complainant must attempt to resolve a dispute through the Ombudsman and receive a final determination that the dispute was not resolved. § 4-1A-05(a).

⁴ The complainant also alleges that PGCPs "provided an outdated list that did not reflect the current vendors used within the requested timeframe," and asserts that PGCPs is "obligated to publicly post information about contractors used for compensatory and related services, particularly when families are directed to select from approved vendors." We cannot review the first allegation about the substance of PGCPs's response to her PIA request, as that dispute was not presented for mediation through the Ombudsman. *See* § 4-1A-05(a); *see also* COMAR 14.02.02.01B (requiring that a complaint "[p]ertain only to the dispute described in the Final Determination"). The second allegation is beyond the scope of our jurisdiction, which is limited to the PIA. *See* PIACB 24-04, at 4-5 (Oct. 5, 2023) (explaining that an allegation that a custodian improperly removed certain opinions from its website and then replaced them with redacted opinions did not "present a PIA-related issue within our jurisdiction"). At the same time, we note that, in response to the second allegation, counsel for PGCPs states that "[d]isclosure of the list of approved vendors does not in any way preclude the provision of any services to students with disabilities nor does it impede a parent's ability to participate in the selection of vendors to provide services, when necessary and appropriate."

Analysis

Under § 4-1A-04, we must review and resolve complaints alleging certain violations of the PIA's provisions, including that a custodian charged an unreasonable fee higher than \$350 to produce public records. § 4-1A-04(a)(1)(ii). When we receive a complaint, we forward it to the relevant custodian for a written response. § 4-1A-06(a). If the complaint and response do not supply enough information for us to resolve the allegations, we may ask for additional information, including "the basis for the fee that was charged." § 4-1A-06(b)(2)(iii). If, after review of the parties' submissions, we find that a custodian charged an unreasonable fee, we must order the custodian to "reduce the fee to an amount determined by the Board to be reasonable and refund the difference," if applicable. § 4-1A-04(a)(3)(ii).

The PIA requires custodians of public records to allow inspection and copying of those records, unless an exemption from disclosure applies. §§ 4-201(a), 4-205(b). While the PIA is to be interpreted in favor of disclosure of public records with "the least cost and least delay," § 4-103(b), the PIA also permits custodians to charge a "reasonable fee" for the work associated with responding to a PIA request, § 4-206(b). The PIA defines "reasonable fee" as a fee that bears a "reasonable relationship to the recovery of actual costs incurred by a governmental unit." § 4-206(a)(3). Actual costs include the costs of searching for, preparing, and reproducing the responsive records. § 4-206(b)(1). To calculate actual labor costs, the PIA directs custodians to use the individual's prorated salary and the "actual time attributable to the search for and preparation of a public record." § 4-206(b)(2). A custodian may not charge a fee for the first two hours of labor needed to "search for a public record and prepare it for inspection." § 4-206(c).

We needed additional information to resolve this complaint, so we asked PGCPs to have a person with knowledge provide: (1) the annual salaries, without benefits or overhead, of the individuals performing work on the PIA response; (2) the specific tasks associated with the search and records review, i.e., the bases for the time estimates; and (3) whether there is lower-paid staff competent and available to perform the review of records. *See* § 4-1A-06(b)(2)(iii).

In response, PGCPs provided the requested annual salaries, which, when prorated under § 4-206(b)(2), produce slightly different hourly rates than those charged by PGCPs—\$37.09 for the administrative secretarial staff and \$81.03 for the attorney. As to the tasks associated with searching for the records, PGCPs states that staff need to conduct a "[c]omputer and paper search of records" for the relevant school years, review "certain student level records to determine if parent vendors were granted," and contact the procurement department to "search for approved vendors" and "determine if vendors did business with or on behalf of PGCPs" during the relevant school years. As for the review of the records, PGCPs explains that the attorney needs to send "notice letters to any identified vendors to determine if they oppose disclosure of pricing information" and then

subsequently respond to and/or meet with any vendors who opposed disclosure. In addition, the attorney must “determine whether any vendor has a valid exception to disclosure of pricing information.”

Addressing the issue of whether lower-paid staff is available to and capable of conducting the review of records, PGCPs explains that the Office of General Counsel has certain vacancies that have “shifted administrative work to other staff.” PGCPs advises that there are two attorneys who primarily handle PIA requests, and that “determining whether there is a relevant exception to disclosure for any vendor requires an understanding of procurement and MPIA exceptions.” PGCPs maintains that finding lower-paid staff to do these things would actually add to the amount of time a response takes because “the staff member would need to be trained to draft the vendor letters, meet with any opposing vendors, and determine if opposition is consistent with applicable MPIA exceptions.”

With this additional information, we start with the hourly rates charged. The PIA requires that “staff and attorney review costs . . . be prorated for each individual’s salary and actual time attributable” to work on the response. § 4-206(b)(2). Given the annual salaries of the relevant individuals provided by PGCPs, it seems that those hourly rates would be \$37.09 for the administrative secretarial staff and \$81.03 for the attorney. The time estimates—eight hours of administrative work and four hours of attorney work—reflect the amount of time PGCPs anticipates it will take to prepare the records for two school years. Generally, we refrain from attempts to “micromanage” an agency’s search and retrieval process, PIACB 24-10, at 7 (Nov. 13, 2023), and we try to be mindful that custodians are “far more familiar with the volume and content of the files,” and how they are maintained, than we are, PIACB 22-06, at 7 (Jan. 18, 2022). In this particular matter, we also note that PGCPs has already produced the list of vendors for one school year, and thus has some experience with the amount of time it will take to process the records. *Cf.* PIACB 25-83, at 4 (Sept. 18, 2025) (reviewing a challenge to an estimated fee in which the employee “timed himself to get an accurate estimate of the time it would take” to retrieve and process records).

Based on the information we have, we cannot find PGCPs’s time estimates unreasonable. The complainant has asked for a list of specific information, including pricing information, about certain vendors used over a period of two school years.⁵ To produce this information, PGCPs must determine the relevant vendors and ascertain whether any pricing information might be exempt under § 4-335, a mandatory exemption for confidential commercial and financial information the government obtains from a private entity. Often, making such a determination requires input from the relevant entity.

⁵ Here we note that, under § 4-205(c)(4)(iii), a custodian is not required to “create, compile, or program a new public record” in response to a PIA request. This provision does not, however, preclude a custodian from doing so, especially if it will produce the requested information in a more efficient, timely, and comprehensible manner, as we suspect is the case here.

See, e.g., PIACB 24-73, at 2-3 (June 4, 2023) (involving redactions to records related to a school system's contract with a student transportation company). While we encourage PGCPs (and all custodians) to train lower-paid staff to identify potentially exempt material—especially when certain exemptions are routinely at issue—we cannot find it unreasonable that PGCPs has tasked an attorney with performing the tasks associated with review of the records here.

While we find PGCPs's time estimates reasonable, to the extent that hourly rates charged do not reflect the individuals' prorated salaries, the estimated fee itself is unreasonable. We thus direct PGCPs to reduce the estimated fee to \$620.84, which reflects eight hours of work by administrative secretarial staff charged at \$37.09 per hour, and four hours of attorney work, charged at \$81.03 per hour.

Conclusion

For the reasons discussed above, we do not disturb the time estimates underlying PGCPs's estimated fee, but do direct PGCPs to use the hourly rates that correspond to the individuals' annual salaries. Under § 4-1A-04(a)(3)(ii), we thus direct PGCPs to reduce the estimated fee to \$620.84.

Public Information Act Compliance Board

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