



FREEDOM OF INFORMATION



Connecticut Freedom of Information Commission • 18-20 Trinity Street, Suite 100 • Hartford, CT 06106
Toll free (CT only): (866) 374-3617 Tel: (860) 566-5682 Fax: (860) 566-6474 • www.ct.gov/foi • email: foi@ct.gov

Nicole Dorman
Complainant(s)
against

Notice of Meeting

Docket #FIC 2017-0219

Chairman, Board of Education, Glastonbury Public
Schools; Superintendent of Schools, Glastonbury Public
Schools; and Glastonbury Public Schools
Respondent(s)

July 6, 2017

Transmittal of Proposed Final Decision

In accordance with Section 4-179 of the Connecticut General Statutes, the Freedom of Information Commission hereby transmits to you the proposed finding and decision prepared by the hearing officer in the above-captioned matter.

This will notify you that the Commission will consider this matter for disposition at its meeting which will be held in the Freedom of Information Commission Hearing Room, 18-20 Trinity Street, 1st floor, Hartford, Connecticut, at **2 p.m. on Wednesday, July 26, 2017**. At that time and place you will be allowed to offer oral argument concerning this proposed finding and order. Oral argument shall be limited to ten (10) minutes. For good cause shown, however, the Commission may increase the period of time for argument. A request for additional time must be made in writing and should be filed with the Commission **ON OR BEFORE July 17, 2017**. Such request **MUST BE (1) copied to all parties, or if the parties are represented, to such representatives, and (2) include a notation indicating such notice to all parties or their representatives.**

Although a brief or memorandum of law is not required, if you decide to submit such a document, an **original and fourteen (14) copies** must be filed **ON OR BEFORE July 17, 2017**. **PLEASE NOTE: Any correspondence, brief or memorandum directed to the Commissioners by any party or representative of any party MUST BE (1) copied to all parties, or if the parties are represented, to such representatives, (2) include a notation indicating such notice to all parties or their representatives and (3) be limited to argument. NO NEW EVIDENCE MAY BE SUBMITTED.**

If you have already filed a brief or memorandum with the hearing officer and wish to have that document distributed to each member of the Commission, it is requested that **fifteen (15) copies** be filed **ON OR BEFORE July 17, 2017** and that **notice be given to all parties or if the parties are represented, to their representatives, that such previously filed document is being submitted to the Commissioners for review.**

By Order of the Freedom of
Information Commission

Wendy R.B. Paradis
Acting Clerk of the Commission

Notice to: Attorney Nicole Dorman
Attorney Richard A. Mills

FIC# 2017-0219/ITRA/LFS//KKR/WRBP/2017-07-6

FREEDOM OF INFORMATION COMMISSION
OF THE STATE OF CONNECTICUT

In the Matter of a Complaint by

Report of Hearing Officer

Nicole Dorman,

Complainant

against

Docket #FIC 2017-0219

Chairman, Board of Education,
Glastonbury Public Schools;
Superintendent of Schools, Glastonbury
Public Schools; and Glastonbury Public
Schools,

Respondents

July 3, 2017

The above-captioned matter was heard as a contested case on June 7, 2017, at which time the complainant and the respondents appeared, stipulated to certain facts and presented testimony, exhibits and argument on the complaint.

After consideration of the entire record, the following facts are found and conclusions of law are reached:

1. The respondents are public agencies within the meaning of §1-200(1), G.S.
2. It is found that by letter dated March 31, 2017, the complainant sent a written request for copies of records to the respondent Chairman. It is found that the complainant requested that the Chair “forward, or make available for copying, all reports, statistics, raw data, analyses and other materials relied upon for the three different elementary school redistricting scenarios presently being considered by the Board of Education.”
3. It is found that on April 7, 2017, the respondent superintendent spoke with the complainant by telephone concerning her request for records.
4. By letter filed April 18, 2017, the complainant appealed to this Commission, alleging that the respondents violated the Freedom of Information (“FOI”) Act by failing to provide the records she requested.
5. Section 1-200(5), G.S., provides:

Public records or files means any recorded data or information relating to the conduct of the public's business prepared, owned, used, received or retained by a public agency, ...whether such data

or information be handwritten, typed, tape-recorded, printed, photostated, photographed or recorded by any other method.

6. Section 1-210(a), G.S., provides, in relevant part:

Except as otherwise provided by any federal law or state statute, all records maintained or kept on file by any public agency, whether or not such records are required by any law or by any rule or regulation, shall be public records and every person shall have the right to (1) inspect such records promptly during regular office or business hours, ... or (3) receive a copy of such records in accordance with section 1-212.

7. Section 1-212(a), G.S., provides in relevant part: “Any person applying in writing shall receive, promptly upon request, a plain, facsimile, electronic or certified copy of any public record.

8. It is found that the records requested by the complainant are public records within the meaning of §§1-200(5), 1-210(a), and 1-212(a), G.S.

9. It is found that in December 2016, the respondents retained a consulting firm to develop a redistricting plan for Glastonbury Public Schools. It is found that the consulting firm, Milone and MacBroom, had recently worked with the respondents to develop a consolidation plan.

10. It is found that in conjunction with the consulting firm’s contract to develop a consolidation plan, the respondents provided data, reports, and other relevant information to the consultants.

11. It is found that in conjunction with the subsequent redistricting plan, Milone and MacBroom relied on the same data and information provided in conjunction with the consolidation study.

12. It is found that the respondents’ website contains pages and pages of tables, FAQs, charts, maps, and other information, which are responsive to the complainant’s request, described in paragraph 2, above.

13. It is found that on April 10, 2017, the respondents made available to the complainant an additional two pages that they had not yet posted on their website.

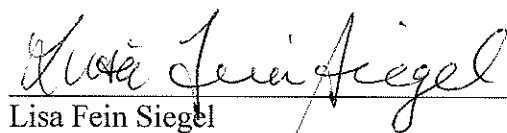
14. It is found that in a letter to the complainant sent May 8, 2017 (Respondents’ Exhibit 2), the respondent Superintendent directed the complainant to the website, informed her that all the information she requested was posted on the website in relation to the consolidation plan studied earlier by Milone and MacBroom, and offered to send the reports and data to the complainant if she could not find it on the website as directed.

15. It is found that the respondents provided, or made available to the complainant, all records responsive to her request.

16. It is concluded that the respondents did not violate the FOI Act as alleged.

The following order by the Commission is hereby recommended on the basis of the record concerning the above-captioned complaint:

1. The complaint is dismissed.



Lisa Fein Siegel
as Hearing Officer