

FREEDOM OF INFORMATION COMMISSION  
OF THE STATE OF CONNECTICUT

In the Matter of a Complaint by            )  
Bill Finch, Complainant                    )        Report of Hearing Officer  
  )        Docket #FIC 76-162  
  )        October 20, 1976  
State of Connecticut; the                    )  
University of Connecticut; and             )  
the Program Review Committee of         )  
the University of Connecticut,            )  
Respondents                                    )

The above captioned matter was heard as a contested case on October 12, 1976, at which time the complainant and the respondents appeared and presented testimony, exhibits and argument on the complaint.

After consideration of the entire record, the following facts are found:

1. On September 7, 1976, the complainant orally requested Dr. Kenneth G. Wilson, vice-president for academic affairs of the respondent university, to inspect or copy the findings of the program review committee.
2. The requested findings consist of a series of recommendations for changing existing administrative structures and programs within the respondent university. These findings are in the form of correspondence between the committee and Vice-president Wilson. One such recommendation was a proposal to reduce the school of home economics to departmental status.
3. Because this request was denied by Dr. Wilson, the complainant appealed to this Commission by letter filed September 22, 1976.
4. No request was made to any member of the respondent program review committee.
5. The issue of whether or not the program review committee is itself a public agency within the meaning of P. A. 75-342 is not pertinent to this complaint. The requested documents are in the custody and possession of Dr. Wilson, who is an administrative official of the respondent university, itself a public agency.

6. The respondent university contends that disclosure of the requested documents is not required under Sec. 2 (b) (1) of P. A. 75-342 on the ground that they are preliminary drafts or notes. The university also contends that these documents are personnel or similar files, disclosure of which would constitute an invasion of privacy.

7. It is found that the requested documents are not preliminary drafts within the meaning of Sec. 2 (b) (1) of P. A. 75-342 but rather are summarized discussions and conclusions of the program review committee of the respondent university. The fact that the proposals are subject to possible revision, and are not decisions of the university until acted upon by other boards within the respondent university's administrative structure, is irrelevant to their status as preliminary drafts or notes. The requested documents are separate, distinct and completed documents in and of themselves.

8. It is further found that the requested documents do not form a personnel or similar file within the meaning of Sec. 2 (b) (1) of P. A. 75-342.

On the basis of the record concerning the above captioned complaint, the following order by the Commission is hereby recommended:

1. The respondent university shall forthwith provide the complainant with access to inspect or copy the requested documents in accordance with the provisions of Sec. 2 (a) of P. A. 75-342.

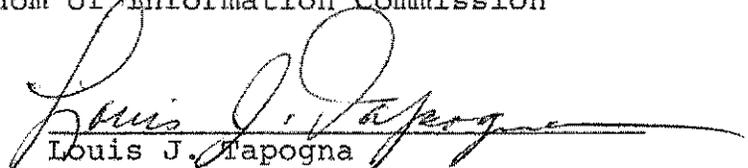
2. As to the program review committee, the complaint is hereby dismissed.



Commissioner Herbert Brucker

as Hearing Officer

Approved by order of the Freedom of Information Commission  
on October 27, 1976



Louis J. Napogna  
as Clerk of the Commission