

FREEDOM OF INFORMATION COMMISSION
OF THE STATE OF CONNECTICUT

In the Matter of a Complaint by
Raymond R. Baginski,
Complainant

Report of Hearing Officer

against

Docket #FIC78-180

Board of Education of the Town
of Southington

November / , 1978

Respondent

The above captioned matter was heard as a contested case on October 30, 1978, at which time the complainant and the respondent board appeared and presented testimony, exhibits and argument on the complaint.

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

1. The respondent board is a public agency as defined by §1-18a(a), G.S.
2. On August 31, 1978, the complainant requested from the respondent board certain records relating to the transfer of Mr. Conrad Gozzo from his assignment as the Southington High School band director.
3. Having failed to receive a reply within four business days, the complainant filed a letter of complaint with this Commission on September 11, 1978.
4. At hearing, the complainant agreed to withdraw this matter as a contested case based upon the following agreement entered into between the parties:
 - a. The assistant superintendent of schools will provide Mr. Gozzo with access to the requested records some time during the week of October 30, 1978;
 - b. The complainant may accompany Mr. Gozzo during the inspection of such records;
 - c. The records sought include written communications by individuals and community organizations evaluating the performance of Mr. Gozzo as high school band director;
 - d. The assistant superintendent of schools will direct his secretary to contact individual board members to ascertain whether any such communications were sent to their residences and remain to be filed in the board's offices. Access to such records will be provided, if such records are found to exist, and the complainant will be so notified;

e. The respondent board reserves the right to contest disclosure of any such communications provided by students, if such records are found to exist, and the complainant will be so notified.

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


1. The complaint is hereby dismissed without prejudice to either party.



Commissioner Donald Friedman

as Hearing Officer

Approved by order of the Freedom of Information Commission on November 29, 1978.



Charlene G. Arnold
Clerk of the Commission