

FREEDOM OF INFORMATION COMMISSION
OF THE STATE OF CONNECTICUT

In the Matter of a Complaint by)
Frank S. Cooper, Jr.,) Report of Hearing Officer
Complainant)
) Docket #FIC78-4
against)
) February 14, 1978
Town of Darien; Board of Education)
of the Town of Darien; and)
Superintendent of Schools of the)
Town of Darien, Respondents)
)

The above captioned matter was heard as a contested case on February 2, 1978, at which time the complainant and the respondents appeared and presented testimony and exhibits on the complaint.

Upon motion, William Benton was granted full leave to participate as a party.

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

1. The respondent board and the respondent superintendent are public agencies as defined by §1-18a(a), G.S.

2. By letter dated October 18, 1977, the complainant requested from the respondent superintendent and the respondent board the name and current salary of each professional employee in the school system of the respondent town.

3. By same letter, the complainant further requested any additional compensation or allowances for extra duties given to such employees.

4. By letter dated December 19, 1977, the respondent superintendent denied the complainant's request.

5. From such denial, the complainant filed his notice of appeal with the Commission on January 10, 1978, asserting his right to such information.

6. The respondent board and the respondent superintendent agreed to give to the complainant the names and the current salaries of teachers who were not under the prior teacher contract covering the years 1973-1976.

7. The respondent board and the respondent superintendent further agreed to give to the complainant all of the additional compensation or allowances requested, by reference to employee names.

8. The only matter in controversy at the time of hearing therefore was the question of whether the current salary of those teachers who were under the prior teacher contract covering the years 1973-1976 must be given out by reference to the name of each such teacher.

9. During the years 1973-1976, teachers were given salary increases on the basis of merit ratings.

10. The current salaries of those teachers covered relate back to the salary base of 1976.

11. By cross-referencing the current salary figures with other information which is a matter of public record, one may be able to deduce which teachers received superlative performance awards consecutively for the three years covering 1973-1976.

12. The requested salaries constituted a portion of the personnel files of such teachers.

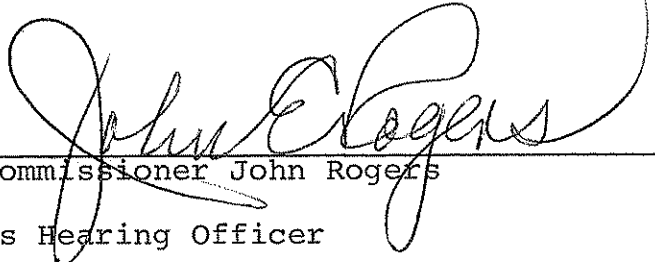
13. However, the salaries of public employees are subject to disclosure as an essential part of the public's business.

14. It is therefore found that the disclosure of the salaries in issue does not constitute an invasion of personal privacy within the meaning of §1-19(b)(2), G.S.

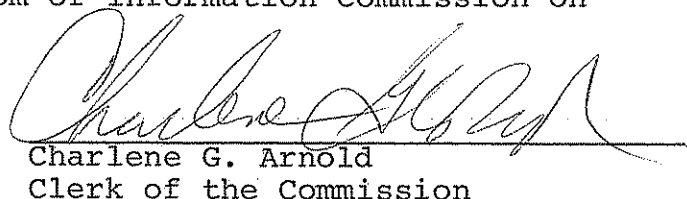
The following order by the Commission is hereby recommended on the basis of the record concerning the above captioned complaint:

1. The respondent superintendent and the respondent board shall forthwith provide the complainant with the names and current salaries of those teachers who were covered under the prior teacher contract for the years 1973-1976.

2. If the information outlined in paragraphs 6 and 7 of the Finding above has not already been tendered, the respondent board and the respondent superintendent shall also forthwith provide the complainant with such information, as agreed at the hearing herein.


Commissioner John Rogers
as Hearing Officer

Approved by order of the Freedom of Information Commission on
February 22, 1978.


Charlene G. Arnold
Clerk of the Commission