

STATE OF CONNECTICUT
FREEDOM OF INFORMATION COMMISSION

In the Matter of a Complaint by

FINAL DECISION

Joseph Sokolovic,

Complainant

against

Docket # FIC 2024-0233

Chairman, Board of Education, Bridgeport
Public Schools; and Board of Education,
Bridgeport Public Schools,

Respondents

April 9, 2025

The above-captioned matter was heard as a contested case on August 21, 2024, 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. By complaint filed April 26, 2024, the complainant appealed to the Commission, alleging that the respondents violated the Freedom of Information (“FOI”) Act by conducting an unnoticed special meeting on April 6, 2024. In the complaint, the complainant requested that the Commission order the respondents to attend training on the FOI Act.
3. Section 1-225(a), G.S., provides, in relevant part, that “[t]he meetings of all public agencies ... shall be open to the public.”
4. Section 1-200(2), G.S., in relevant part, defines “meeting” as “*any convening or assembly of a quorum of a multimember public agency ... to discuss or act upon a matter over which the public agency has supervision, control, jurisdiction or advisory power.*” (Emphasis added).
5. Section 1-225(d), G.S., provides, in relevant part:

Notice of each special meeting of every public agency ... shall be posted not less than twenty-four hours before the meeting to which such notice refers on the public agency’s Internet web site, if available, and given not less than twenty-four hours prior to the time of such meeting by filing a notice of the time and place thereof ... in the office of the clerk of such subdivision for any

public agency of a political subdivision of the state ... The ... clerk shall cause any notice received under this section to be posted in his or her office ... The notice shall specify the time and place of the special meeting and the business to be transacted. No other business shall be considered at such meetings by such public agency....

6. Section 1-206(b)(1), G.S., provides in relevant part:

Any person ... denied the right to attend any meeting of a public agency or denied any other right conferred by the [FOI] Act may appeal therefrom to the [FOI] Commission, by filing a notice of appeal with said commission. A notice of appeal shall be filed not later than thirty days after such denial, except in the case of an unnoticed or secret meeting, in which case the appeal shall be filed not later than thirty days after the person filing the appeal receives actual or constructive notice that such meeting was held.

7. At the hearing in this matter, three members of the respondent Board of Education (“Board”) testified.

8. It is found that, by email dated April 2, 2024, the Superintendent of the Bridgeport Public Schools invited the respondent Board and her cabinet-level staff to attend a “leadership experience” on Saturday, April 6, 2024.

9. It is found that, by email dated April 4, 2024, the complainant, who is a member of the respondent Board, expressed concern that the Board’s attendance at the leadership experience constituted an unnoticed meeting in violation of the FOI Act.

10. It is found that, by email dated April 4, 2024, the Office of the Superintendent replied, explaining that the Office of the City Attorney advised that, “generally, workshops and training sessions in which a public agency is not conducting any official business, voting or taking any action upon matters pending before the agency, or considering matters which might become business in the future, are not considered ‘meetings’ under the CT FOIA,” the purpose of the meeting was to engage in a “day of learning and fellowship,” and because the session did not constitute a meeting of a public agency, no agenda would be posted, no minutes would be taken, the event would not be recorded, and it also would not be open to the public.

11. It is found that eight of nine members of the respondent Board attended the leadership experience on April 6, 2024, and therefore, a quorum of the Board was present.

12. It is found that the leadership experience consisted of a presentation from LifeBridge Community Services regarding trauma and its impact on education, and a presentation from Great City Schools regarding conducting effective board meetings. It is found that, during the course of the presentations, members of the respondent Board engaged in question-and-answer exercises with the presenters and engaged in reflective discussions. It is found that, during such exercises and discussions, the Board evaluated its own practices and operations, including

agenda-setting and monitoring student outcomes. It is further found that the Board discussed how and why it has failed its students.

13. At the hearing, the respondents relied on *New London Planning and Zoning Commission v. FOI Commission*, Docket No. CV-94-0531947-S, Superior Court, Judicial District of New London (May 1, 1996) (17 Conn L. Rptr. 70) in support of their contention that the leadership experience was not a “meeting,” within the meaning of §1-200(2), G.S. In that matter, the court concluded that a workshop was not a meeting, in part, because it was attended by less than a quorum of the Planning and Zoning Commission. However, as already found in paragraph 11, above, in this matter, a quorum of the respondent Board was present for the leadership experience.

14. The respondents also relied on the Commission’s final decision in Docket #FIC 2020-0583; *Shawn Murphy v. Board of Selectmen, Town of North Stonington, et al.* (Mar. 9, 2022). However, in that case, the Commission found that the respondents’ attendance at a workshop did not constitute a “meeting,” within the meaning of §1-200(2), G.S., in part, because none of the members of the Board of Selectmen contributed to any discussions and the board took no action.

15. However, in the present matter, during the leadership experience, members of the respondent Board engaged in discussions of matters over which the Board has supervision, control, jurisdiction or advisory power, as described in paragraph 12, above. See Docket #FIC 88-447; *Mark Pazniokas and The Hartford Courant v. Mayor’s Commission on Crime, Board of Education and City Council* (June 28, 1989) (retreat to “encourage communication and develop trust” was a “meeting,” within the meaning of §1-200(2), G.S.); Docket #FIC 91-35; *Eliot C. White, William H. Watson and Record Journal v. Wallingford Board of Education* (Mar. 13, 1991) (Board failed to prove that self-evaluation retreat to discuss “interpersonal relationships” was not a “meeting,” within the meaning of §1-200(2), G.S.); Docket #FIC 1996-247; *Edward Peruta v. J. A. Camille Vatour, Superintendent, of Schools, Rocky Hill Public Schools, et al.* (Feb. 13, 1997)(discussion of possible board action during a retreat was a “meeting,” within the meaning of §1-200(2), G.S.); and Docket #FIC 2014-388; *Anna Maria Lemoine, Leslie Rovetti and The Westerly Sun v. Education Subcommittee, Board of Finance, Town of Stonington, et al.* (May 13, 2015) (discussion of budgetary matters over breakfast by a quorum of subcommittee constituted a “meeting,” within the meaning of §1-200(2), G.S.)

16. Based upon the findings in paragraphs 11-15, above, it is concluded that the leadership experience on April 6, 2024, constituted a “meeting,” within the meaning of §1-200(2), G.S., that should have complied with the open meeting provisions of the FOI Act.

17. It is found, however, that the respondents did not file a notice or an agenda at least twenty-four hours in advance of such meeting, as required by §1-225(d), G.S.

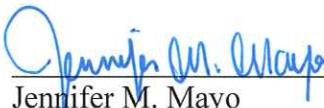
18. It is therefore concluded that the respondents violated §§1-225(a) and (d), G.S.

19. The Commission, in its discretion, declines to impose the remedy requested by the complainant, as described in paragraph 2, above, based on the fact that the Commission’s staff conducted FOI Act training for the respondents on January 15, 2025.

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

1. Henceforth, the respondents shall strictly comply with the provisions of §§1-225(a) and (d), G.S.

Approved by Order of the Freedom of Information Commission at its regular meeting of April 9, 2025.



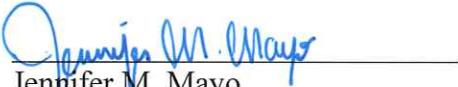
Jennifer M. Mayo
Acting Clerk of the Commission

PURSUANT TO SECTION 4-180(c), G.S., THE FOLLOWING ARE THE NAMES OF EACH PARTY AND THE MOST RECENT MAILING ADDRESS, PROVIDED TO THE FREEDOM OF INFORMATION COMMISSION, OF THE PARTIES OR THEIR AUTHORIZED REPRESENTATIVE.

THE PARTIES TO THIS CONTESTED CASE ARE:

JOSEPH SOKOLOVIC, 334 Burnsford Avenue, Bridgeport, CT 06607

CHAIRMAN, BOARD OF EDUCATION, BRIDGEPORT PUBLIC SCHOOLS; AND BOARD OF EDUCATION, BRIDGEPORT PUBLIC SCHOOLS, c/o Attorney Dina A. Scalo, Office of the City Attorney, 999 Broad Street, Bridgeport, CT 06604 and Attorney Bryan L. LeClerc, Berchem Moses PC, 75 Broad Street, Milford, CT 06460



Jennifer M. Mayo
Acting Clerk of the Commission