

FREEDOM OF INFORMATION COMMISSION
OF THE STATE OF CONNECTICUT

In the Matter of a Complaint by

FINAL DECISION

Tremayne Maestri and Jessica Sandler,

Complainants

against

Docket #FIC 2025-0027

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

Respondents

December 17, 2025

The above-captioned matter was heard as a contested case on May 28, 2025 and August 6, 2025, at which times the complainants and the respondents appeared, stipulated to certain facts and presented testimony, exhibits and argument on the complaint. The case caption has been amended, without objection, to accurately reflect the complainants in this matter.

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 email dated October 29, 2024, the complainants requested electronic copies of all correspondence pertaining to Tremayne “TJ” Maestri, Jr. and Tremayne Maestri, Sr. from September 1, 2023 up through the date of such request, from the following individuals: “White, Iris; Martino, Amy; Decker, Courtney; Wininger, Peter; Broderick, Ryan; Sinatro, Geoffrey; Rawcliffe, Nikki; Dunn, Kate; Honig, Elaine; Dornfried, Jessica; Hamel, Steven and any other staff members from Bristol Central High School or staff members associated with and employed by the Bristol Board of Education.”
3. It is found that, having not received a response, the complainants, by email dated December 3, 2024, followed up on their October 29th request. It is also found that, having not received a response to their December 3rd email, the complainants again, by email dated December 9, 2024, followed up on their October 29th request.
4. It is found that, by email dated December 9, 2024, the respondents acknowledged the complainants’ October 29th request for the first time and informed the complainants that a portion of responsive records would be available by the end of the week. It is also found that the respondents inquired as to whether the complainants preferred to pick up hardcopies of responsive records or to receive electronic copies of such records.

5. It is found that, by email dated December 9, 2024, the complainants informed the respondents that they preferred electronic delivery of responsive records.

6. It is found that, by email dated December 13, 2024, the respondents informed the complainants that the file containing responsive records was too large to send via email and that the complainants would have to pick up hardcopies. It is also found that, by the same email, the respondents informed the complainants that they would be charged \$239 for the hardcopies (printed singled-sided) and that such hardcopies represented roughly half of all responsive records. It is further found that the respondents encouraged the complainants to make their request as parents requesting “education records,” rather than through the Freedom of Information (“FOI”) Act.

7. It is found that, by two separate emails dated December 13, 2024, the complainants offered to provide a thumb drive to the respondents, in order to receive electronic copies of responsive records, and reiterated that they intended to make their request through the FOI Act. It is also found that the respondents did not reply to such emails.

8. It is found that, on December 16, 2024, the complainants visited the respondents’ office and accepted hard copies of responsive records, with redactions, and paid the fee of \$239.¹

9. It is found that, by email dated January 10, 2025, the complainants followed-up on their October 29th request and inquired as to when they could expect to receive the remaining portion of responsive records.

10. By letter of complaint, dated and filed January 14, 2025, the complainants appealed to this Commission, alleging that the respondents violated the FOI Act by failing to provide the records, described in paragraph 2, above. The complainants also alleged there was a potential conflict of interest with the individual primarily responsible for responding to the complainants’ records request, Chief of Talent Management Kimberly Culkin (“Dr. Culkin”).²

11. It is found that, on February 26, 2025, the respondents provided the complainants with another portion of responsive records.

12. Section 1-200(5), G.S., provides:

“[p]ublic 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, or to which a public agency is entitled to receive a

¹ The Commission notes that, although the complainants chose not to challenge the fee for hardcopies at the hearings in this matter, based upon the facts and circumstances of this case, the respondents may have violated the FOI Act by requiring the complainants to pay for hardcopies of records when the complainants had requested electronic copies of the records and were willing to provide a thumb drive in order to receive such electronic copies.

² The Commission notes that it does not have jurisdiction to adjudicate whether a conflict of interest existed regarding Dr. Culkin. See Dept. of Public Safety v. Freedom of Information Commission, 103 Conn. App. 571, 577 (2007) (the Commission is a creature of statute with limited jurisdiction; it can only administer and enforce the provisions set forth in the FOI Act).

copy by law or contract under 1-218, whether such data or information be handwritten, typed, tape-recorded, videotaped, printed, photostated, photographed or recorded by any other method.

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

[e]xcept 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 ... (3) receive a copy of such records in accordance with section 1-212.

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

15. It is concluded that the requested records are public records within the meaning of §§1-200(5) and 1-210(a), G.S.

16. At the May 28, 2025 hearing in this matter, the complainants alleged that they still had not received all responsive records but stated that they were willing to work amicably with the respondents to receive all such records and reach a potential settlement.

17. It is found that, at the May 28th hearing, the respondents offered to have their information technology (“IT”) director conduct a new search for responsive records, in order to avoid any apparent conflict of interest, as described in paragraph 10, above, and ensure that all responsive records were provided to the complainants.

18. Based upon the representations made by both parties, as described in paragraphs 16 and 17, above, the hearing officer continued the May 28th hearing to allow the respondents an opportunity to conduct a new search and provide all responsive records to the complainants.

19. It is found that, on June 25, 2025, the hearing officer ordered the respondents to submit to the Commission for in camera inspection, an unredacted copy of all responsive records that remained at issue between the parties.

20. It is found that, on or around July 8, 2025, the respondents provided the complainants with approximately 2,000 pages of responsive records with redactions. It is also found that, by email dated July 21, 2025, the complainants objected to the July 8th production as being “incomplete, altered, and improperly redacted”.

In Camera Records

21. It is found that, on July 22, 2025, the respondents submitted to the Commission an unredacted copy of 104 pages of responsive records for in camera inspection, along with an in camera index. Such records shall be identified hereinafter as IC-2025-0027-1 through IC-2025-0027-104.

22. On the in camera index, the respondents contended that portions of the in camera records are exempt from disclosure pursuant to §§1-210(b)(11) and 1-210(b)(17), G.S.

23. With regard to the respondents' claim that portions of the in camera records, as indicated on the in camera index, are exempt from disclosure pursuant to §1-210(b)(11), G.S., such provision provides, in relevant part, that disclosure is not required of:

[n]ames or addresses of students enrolled in any public school or college without the consent of each student whose name or address is to be disclosed who is eighteen years of age or older and a parent or guardian of each such student who is younger than eighteen years of age

24. Based upon a careful in camera inspection, it is found that the following portions of the in camera records are not the "names or addresses" of students other than the student³ named in the request described in paragraph 2, above:

IC-2025-0027-8 (line 34, words 1 through 3 and 6 through 8);

IC-2025-0027-11 (line 28, words 1 through 3 and 6 through 8);

IC-2025-0027-12 (line 28, words 1 through 3 and 6 through 8);

IC-2025-0027-61 (line 12, word 5);

IC-2025-0027-63 (line 5, words 2 through 4);

IC-2025-0027-64 (line 2, words 2 through 4);

IC-2025-0027-67 (line 4, word 5 through line 5, word 1);

IC-2025-0027-68 (line 2, words 2 through 4);

IC-2025-0027-69 (line 2, words 2 through 4);

IC-2025-0027-70 (line 3, word 6 through line 4, word 1); and

IC-2025-0027-71 (line 3, word 5 through line 4, word 1).

³ The Commission notes that the complainants are the parents of the named student and have given their consent that such student's name be disclosed. The Commission also notes that the respondents have disclosed such student's name elsewhere in the in camera records provided to the complainants.

25. It is therefore concluded that the portions of the in camera records identified in paragraph 24, above, are not exempt from disclosure pursuant to §1-210(b)(11), G.S., and the respondents violated the disclosure provisions of §§1-210(a) and 1-212(a), G.S., by withholding such portions of the in camera records from the complainants.

26. With regard to the respondents' claim that portions of the in camera records, as indicated on the in camera index, are exempt from disclosure pursuant to §1-210(b)(17), G.S., such provision provides that disclosure is not required of "[e]ducation records which are not subject to disclosure under the Family Educational Rights and Privacy Act, 20 USC 1232g"⁴ ("FERPA").

27. "[E]ducation records" is defined at 20 U.S.C. §1232g(a)(4)(A), as those records, files, documents, and other materials which (i) contain information directly related to a student and (ii) are maintained by an educational agency or institution or by a person acting for such agency or institution.

28. Based upon a careful in camera inspection, it is found that the portions of the in camera records described in paragraph 26, above, relate directly to various students and their academic performances and evaluations of their classroom behavior. It is therefore found that such records are "education records" as defined by FERPA.

29. It is found that FERPA prohibits public schools that receive federal funding from disclosing personally identifying information of students contained in "education records," without the appropriate consent.

30. "Personally identifying information," includes, but is not limited to:

- (a) [t]he student's name;
- (b) [t]he name of the student's parent or other family members;
- (c) [t]he address of the student or student's family;
- (d) [a] personal identifier, such as the student's social security number, student number, or biometric record;
- (e) [o]ther indirect identifiers, such as the student's date of birth, place of birth, and mother's maiden name;
- (f) [o]ther information that, alone or in combination, is linked or linkable to a specific student that would allow a reasonable person in the school community, who does not have personal

⁴ The Commission notes that §1-210(b)(17), G.S., was amended pursuant to P.A. 25-124, §1, which changed "[e]ducational records" to "[e]ducation records" and added the language: "revised to January 3, 2012".

knowledge of the relevant circumstances, to identify the student with reasonable certainty; or

- (g) [i]nformation requested by a person who the educational agency or institution reasonably believes knows the identity of the student to whom the education record relates.

34 C.F.R. §99.3.

31. Based upon a careful in camera inspection, it is found that the portions of the in camera records, described in paragraph 26, above, constitute personally identifying information as defined by FERPA. Accordingly, it is concluded that the respondents did not violate the FOI Act by withholding such portions of the in camera records from the complainants.

Provision of Records

32. It is found that responsive records were missing from the December 16th production, described in paragraph 8, above. It is also found that responsive records were missing from the February 26th production, described in paragraph 11, above.

33. At the August 6, 2025 hearing in this matter, the complainants alleged, and it is found, that responsive records were still missing from the respondents' July 8th production, described in paragraph 20, above, and that some records that were produced had been altered in various ways (e.g. certain formatting had been changed, information had been removed, computer symbols were newly inserted, etc.).

34. The respondents' IT director testified that, due to the large number of records responsive to the complainants' records request and the purportedly short time period between the May 28th hearing and the in camera order, described in paragraph 19, above, the IT director utilized a novel computer program to help search for responsive emails, collect such emails, remove duplicates, and export such responsive emails into ".pdf" format. The IT director also testified, and it is found, that he personally developed this novel computer program and had never used it prior to employing it to search for the records at issue here. The IT director further testified, and it is found, that at least some of the missing records, as well as the alterations to other responsive records, as described by the complainants in paragraph 33, above, were the result of errors caused by his computer program's software code. The IT director testified that he discovered certain errors in his software code one week prior to the August 6th hearing and was actively working on fixing such errors.

35. Based upon the foregoing, it is found that, as of the August 6, 2025 hearing, the respondents failed to prove that they conducted a diligent and thorough search for the records described in paragraph 2, above.

36. Accordingly, it is concluded that the respondents violated §§1-210(a) and 1-212(a), G.S., by failing to provide all responsive records to the complainants.

Promptness

37. With regard to the complainants' allegation that the respondents failed to disclose records promptly, this Commission takes guidance from Advisory Opinion #51, In the Matter of a Request for Declaratory Ruling, Third Taxing District of the City of Norwalk, Applicant (Notice of Final Decision dated January 11, 1982).

38. In Advisory Opinion #51, the Commission advised that the word "promptly," as used in §1-210(a), G.S., means quickly and without undue delay, taking into consideration all of the factors presented by a particular request. As the court recognized in Commissioner of Department of Emergency Services and Public Protection v. Freedom of Information Commission, Superior Court, judicial district of New Britain, Docket No. HHB-CV-18-6047741 (July 20, 2020) *6, a public agency should consider its obligations under the FOI Act as a "primary duty" of that agency, "on par with the [agency's] other significant duties, or said another way, that the agency's FOIA duty is not a second class duty."

39. The advisory opinion goes on to describe some of the factors that should be considered in weighing a request for records against other priorities: the volume of records requested; the time and personnel required to comply with a request; the time by which the person requesting records needs them; the time constraints under which the agency must complete its other work; the importance of the records to the requester, if ascertainable; and the importance to the public of completing the other agency business without the loss of the personnel time involved in complying with the request.

40. At the August 6th hearing, the Superintendent of Schools for Bristol Public Schools ("Superintendent"), testified, and it is found, that Dr. Culkin was predominantly responsible for working on the complainants' request and locating responsive records. The Superintendent testified, and it is found, that Dr. Culkin assured her subsequent to the first production on December 16, 2024, that all responsive records had been produced. The Superintendent also testified, and it is found, that Dr. Culkin again assured her subsequent to the second production on February 26, 2025, that all responsive records had been produced. The Superintendent further testified, and it is found, that it was not until May of 2025 that she became aware that the complainants had not received all responsive records, and by that point, Dr. Culkin had resigned and the Superintendent offered to have the IT director conduct a new search.

41. It is found that, on July 8, 2025, over seven months after the complainants first submitted their records request, the respondents provided approximately 2,000 pages of responsive records to the complainants. It is also found, however, that such production did not consist of all responsive records and that some records that were produced were altered from their original form and missing certain information.

42. It is found that the respondents knew, or should have known, that the requested records are of high importance to the complainants, who requested records that mention, refer to, or include their son and/or one of the complainants.

43. It is concluded, based upon the facts and circumstances of this case, that the respondents violated the promptness requirements in §§1-210(a) and 1-212(a), G.S., as alleged by the complainants.

44. The Commission commends the complainants for their patience and decorum throughout their records request and the Commission's process. The Commission also notes that, although the complainants did not request a civil penalty, and the Commission, likewise, declines to consider a civil penalty in this case on its own, the respondents are cautioned that a similar response to future records requests, as occurred in this matter, may necessitate such consideration.

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

1. Forthwith, the respondents shall undertake a diligent and thorough search for all records responsive to the request described in paragraph 2 of the findings, above, and within sixty (60) days of the date of the Notice of Final Decision in this matter, the respondents shall provide the complainants with unredacted copies of such records, free of charge.

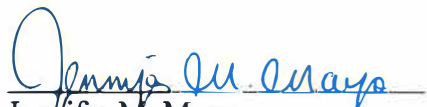
2. In complying with paragraph 1 of the order, above, and conducting the search, the respondents shall not use the novel computer program described in paragraph 34 of the findings, above.

3. In complying with paragraph 1 of the order above, the respondents may redact the names and addresses of students, pursuant to §1-210(b)(11), G.S., and personally identifying information from "education records", pursuant to §1-210(b)(17), G.S.

4. If the respondents fail to comply with any order set forth in paragraphs 1 through 3 of the order, above, or the complainants wish to challenge redactions made to records provided pursuant to the orders set forth in paragraphs 1 through 3 of the order, above, the complainants may file an appeal with the Commission and such appeal may be afforded expedited treatment.

5. Henceforth, the respondents shall strictly comply with the provisions of §§1-210(a) and 1-212(a), G.S.

Approved by Order of the Freedom of Information Commission at its special meeting of December 17, 2025.



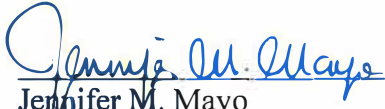
Jennifer M. Mayo
Acting Clerk of the Commission

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:

TREMAYNE MAESTRI AND JESSICA SANDLER, 143 Hull Street, Bristol, CT 06010

**CHAIRMAN, BOARD OF EDUCATION, BRISTOL PUBLIC SCHOOLS; AND
BOARD OF EDUCATION, BRISTOL PUBLIC SCHOOLS**, c/o Attorney Jessica L.
Ritter and Attorney Joseph Miller, Shipman & Goodwin LLP, One Constitution Plaza,
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Jennifer M. Mayo
Acting Clerk of the Commission