

STATE OF CONNECTICUT
FREEDOM OF INFORMATION COMMISSION

In the Matter of a Complaint by

FINAL DECISION

Max Bakke,

Complainant

against

Docket # FIC 2024-0671

Superintendent of Schools, Bridgeport
Public Schools; and Bridgeport Public
Schools,

Respondents

May 28, 2025

The above-captioned matter was heard as a contested case on April 1, 2025, at which time the complainant appeared and presented testimony, an exhibit and argument on the complaint. The respondents failed to appear.

The hearing officer notes that the Order to Show Cause was delivered to the respondents' mailing address by certified U.S. mail on March 6, 2025. It is further noted that the Commission staff attempted to contact the respondents on the day of the hearing on this matter and, ultimately, spoke with an attorney at the Bridgeport Office of the City Attorney who indicated that she was unaware of the matter but that she would contact the respondents. Since then, the Commission has received no communications or motions from the respondents.

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 letter dated November 1, 2024, the complainant requested that the respondents provide him with copies of "records related to the school district's budget for fiscal year 24-25. Those records include, but are not limited to: a line-item breakdown of the total district operating expenses, the operating budget of Central High School, and individual budgets for the existing libraries in each of the district schools." The complainant also requested a waiver of all fees.
3. It is found that the complainant never received an acknowledgement of the request described in paragraph 2, above.
4. By letter of complaint, dated November 11, 2024 and filed November 12, 2024, the complainant appealed to the Commission, alleging that the respondents violated the Freedom of Information Act by failing to provide him access to the records described in paragraph 2, above.

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

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

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

Except 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 the provisions of section 1-212.

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

8. It is concluded that the requested records, to the extent that they exist and are maintained by the respondents, are public records within the meaning of §§1-200(5) and 1-210(a), G.S.

9. At the hearing on this matter, the complainant testified, and it is found, that the respondents provided him with no records responsive to his request described in paragraph 2, above. It is further found that the complainant left a voice mail with the respondent superintendent's office approximately one week after the date of his request inquiring about the status of his request and that he followed up again, in January 2025, with the then acting superintendent of Bridgeport Public Schools.

10. In the absence of the respondents, and any testimony or evidence proffered by them, the complainant's testimony concerning the events described in paragraph 9, above, is credited as fact.

11. It is found that the respondents failed to provide the complainant with any records responsive to the request described in paragraph 2, above.¹

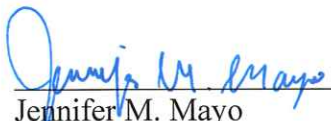
12. It is therefore concluded that the respondents violated §§1-210(a) and 1-212(a), G.S., by failing to provide the complainant with all responsive records, to the extent such records exist.

¹ Given that the complainant requested copies of financial records and budgets for the Bridgeport Public Schools, it would defy reason and logic for the respondents to assert that *no* responsive records exist.

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

1. The respondents shall forthwith conduct a search of all files within their custody and control for any and all records responsive to the complainant's November 1, 2024 request, and provide the complainant with any responsive records, free of charge. The respondents shall execute, or cause to be executed, an affidavit detailing the particulars of the search, including who conducted the search, what steps were taken, the locations searched, and whether any responsive records exist.
2. The respondents shall provide the complainant with all responsive records located and the affidavit, as directed in paragraph 1 of this order, no later than thirty days after the date of the mailing of Notice of Final Decision in this case. In addition, the respondents shall simultaneously provide a copy of the affidavit to the Commission.
3. Henceforth, the respondents shall strictly comply with the disclosure provisions of §§1-210(a) and 1-212(a), G.S.

Approved by Order of the Freedom of Information Commission at its regular meeting of May 28, 2025.

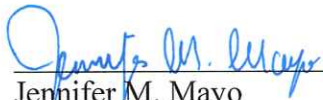

Jennifer M. Mayo
Acting Clerk of the Commission

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:

MAX BAKKE, Central High School, 1 Lincoln Blvd., Bridgeport, CT 06606

**SUPERINTENDENT OF SCHOOLS, BRIDGEPORT PUBLIC SCHOOLS; AND
BRIDGEPORT PUBLIC SCHOOLS**, c/o Attorney Bryan L. LeClerc, Berchem Moses PC, 75
Broad Street, Milford, CT 06460



Jennifer M. Mayo
Acting Clerk of the Commission