

FREEDOM OF INFORMATION COMMISSION
OF THE STATE OF CONNECTICUT

In the Matter of a Complaint by

FINAL DECISION

Evan Delman,

Complainant

against

Docket # FIC 2025-0759

Superintendent of Schools, Greenwich
Public Schools; and Greenwich Public
Schools,

Respondents

August 12, 2026

The above-captioned matter was heard as a contested case on March 27, 2026, and May 13, 2026, at which times 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. It is found that, on two separate Town of Greenwich records request forms, submitted together by mail and postmarked on January 25, 2024, the complainant requested electronic copies of the following records:
 - (a) “[a]ll emails sent or received by Dr. Charles between March 1, 2023, and June 30, 2023,” and
 - (b) “[a]ll emails sent or received by Dr. Budd between March 1, 2023, and June 30, 2023.”
3. It is found that, at the time the complainant made the requests at issue, described in paragraph 2, above, Dr. Garfield Charles was the Interim Program Director of the Greenwich High School Windrose Program, and Dr. Jonathan Budd was the human resources director for the respondent Greenwich Public Schools.
4. It is found that, three months earlier in October 2023, the complainant had requested similar records from the respondents, specifically limited to “ALL emails between Dr. G. Charles and Dr. J. Budd between 1 February 2023 and 30 June 2023” (emphasis included). It is found that the respondents had provided approximately 116 pages of records to the complainant in response to such request.

5. It is found that the complainant had not been satisfied with the records provided by the respondents to his October 2023 request, described in paragraph 4, above, and, therefore, submitted the broader requests at issue in this matter, described in paragraph 2, above.

6. By email, received and filed on August 26, 2025, the complainant appealed to this Commission, alleging that the respondents violated the Freedom of Information (“FOI”) Act by failing to promptly provide all records responsive to his January 25, 2024, requests for records, described in paragraph 2, above.

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

“[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 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.

8. Section 1-210(a), G.S., provides the following 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.

9. 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.”

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

Timeline of Request Processing

11. It is found that, by email on January 29, 2024, the Town of Greenwich’s town clerk’s office acknowledged the complainant’s requests, described in paragraph 2, above, four days after their postmark date. It is further found that, in such email, the town clerk’s office informed the complainant that his requests would be forwarded to a board of education employee for processing.

12. It is found that, by email on January 31, 2024, the respondent superintendent's assistant acknowledged the complainant's requests, described in paragraph 2, above. It is further found that, in such email, the respondent superintendent's assistant requested that the complainant narrow the scope of his requests and identify which emails he was specifically seeking. It is further found that she advised the complainant in such email that reviewing and redacting the anticipated volume of responsive emails would be a time-consuming process.

13. It is found that, by email later in the day on January 31, 2024, the complainant informed the respondent superintendent's assistant that, "There are emails I saw on on [sic] the a [sic] computer screen that have yet to be sent to me, even though I was told everything had been. Now I am asking for everything [...]."

14. It is found that, by email later in the day on January 31, 2024, the respondent superintendent's assistant asked the complainant to identify the emails described in paragraph 13, above, and the complainant declined to do so. It is found that he also declined to elaborate on whose computer screen he saw such emails and when.

15. It is found that, in her final email communication to the complainant on January 31, 2024, the respondent superintendent's assistant informed him that she would forward his requests to the respondents' information technology department and that it would likely be several months before responsive records would be provided or she would have an idea of the volume of responsive emails. It is found that, later that evening, the complainant replied by email, "Understood."

16. It is found that, by email on February 6, 2024, the respondent superintendent's assistant informed the complainant that responsive records from the requested timeframe were found by the respondents, identified as follows for a total of 76,255 emails:¹

- (a) Emails to Dr. Budd: 23,355;
- (b) Emails from Dr. Budd: 30,219;
- (c) Emails to Dr. Charles: 18,530; and
- (d) Emails from Dr. Charles: 4,151.

17. It is found that, by email later in the day on February 6, 2024, the complainant wrote to the respondent superintendent's assistant: "If I was provided all the information I requested prior, we would not be at this predicament now."

18. It is found that, by email approximately four months later, on June 21, 2024, the complainant wrote to the respondent superintendent's assistant: "I am still waiting on my request."

¹ The Commission notes that the respondents represented that the 76,255 responsive emails totaled 270,450 pages. (See paragraph 28(b), below.)

19. It is found that, by email approximately one month later, on July 23, 2024, the complainant asked the respondent superintendent's assistant when he could pick up the records responsive to his requests, described in paragraph 2, above.

20. It is found that, by email on July 29, 2024, the respondent superintendent's assistant again informed the complainant that it "will take a very long time" to review and redact the responsive emails, identified in paragraph 16, above. It is further found that such assistant again requested that the complainant narrow the scope of his requests to expedite their processing.

21. It is found that, by email later in the day, on July 29, 2024, the complainant informed the respondent superintendent's assistant that, "I am aware of your request. I am also aware that Connecticut law states that FOI must be given priority. If my original requests were properly provided, this would not be an issue."

22. It is found that, by email eight months later, on March 29, 2025, and again three weeks later, on April 21, 2025, the complainant asked the respondent superintendent's assistant to provide the responsive records that have been compiled to date.

23. It is found that, by email three-and-a-half months later, on July 15, 2025, the complainant again asked the respondent superintendent's assistant to provide him with the responsive records that had been collected to date. It is further found that, in such email, the complainant informed the respondents that he had filed a complaint with the Commission regarding their processing of his request, described in paragraph 2, above.² It is further found that, on that same date, the respondents provided the complainant with a batch of purportedly responsive emails for the first time. (See paragraph 24, below.)

24. It is found that, by email on the following dates, the respondents provided to the complainant 5,969 pages of electronic records that they purported were responsive to the complainant's requests for Dr. Charles' emails:

- (a) on July 15, 2025, three PDFs totaling 3,606 pages;
- (b) on July 16, 2025, one PDF consisting of 1,068 pages; and
- (c) on August 26, 2025, a PDF consisting of 1,295 pages.

25. It is found that, by email on August 26, 2025, the complainant inquired about the status of the remaining responsive records that the respondents had not yet provided to him. It is found that, by email later that same day, the respondents replied, "In process."

² The Commission notes that, due to lack of subject matter jurisdiction, it did not docket the complainant's July 15, 2025, complaint, to which it assigned Docket #FIC 2025-0618. The complainant subsequently submitted a new complaint on August 26, 2025, described in paragraph 6, above, which is the subject of the instant matter.

26. By email, received and filed on August 26, 2025, the complainant filed a complaint with this Commission, as described in paragraph 6, above.

27. It is found that the respondents continued to provide purportedly responsive emails to the complainant during the period between the filing of the complaint on August 26, 2025, through the convening of the March 27, 2026, contested case hearing. It is found that the records provided by the respondents during this period totaled 26,785 pages and were provided to the complainant by email on the following dates:

- (a) on September 19, 2025, a PDF consisting of 1,193 pages;
- (b) on October 14, 2025, two PDFs totaling 1,649 pages;
- (c) on February 5, 2026, a PDF consisting of 1,501 pages;
- (d) on February 12, 2026, a PDF consisting of 1,103 pages;
- (e) on February 18, 2026, a PDF consisting of 763 pages;
- (f) on February 19, 2026, a PDF consisting of 668 pages;
- (g) on February 24, 2026, a PDF consisting of 1,336 pages;
- (h) on February 24, 2026, four PDFs totaling 5,093 pages;
- (i) on February 27, 2026, four PDFs totaling 6,395 pages;
- (j) on March 2, 2026, a PDF consisting of 2,001 pages;
- (k) on March 6, 2026, three PDFs totaling 2,962 pages;
- (l) on March 17, 2026, a PDF consisting of 943 pages; and
- (m) on March 20, 2026, a PDF consisting of 1,178 pages.

28. At the May 13, 2026, continued hearing, the respondents represented the following:

- (a) as of April 13, 2026, they had reviewed an additional 1,298 pages of emails sent to Dr. Charles in response to the complainant's request described in paragraph 2, above, but had not yet released them to the complainant; and
- (b) as of the date of such continued hearing, the respondents had provided the complainant with a total of 32,760 pages of

emails out of 270,450 pages of emails found to be responsive to his request (i.e., 12% of the responsive emails located).³

29. At the May 13, 2026, continued hearing, the complainant represented that he had reviewed all the records that the respondents had provided him to date, identified in paragraphs 24 and 27, above.

Promptness

30. At the hearings, the complainant contended that he did not receive any records from the respondents until the date he filed his first complaint with the Commission, described in paragraph 23, above, approximately one-and-a-half years after he made his requests, described in paragraph 2, above. He further contended that the respondents' delay in responding to such requests was unfounded, based in part upon his inspection of the records provided by the respondents to date, which he alleged contained thousands of pages of duplicate records.⁴

31. Conversely, the respondents contended that the complainant's refusal to narrow his requests and provide details to aid their search for responsive records contributed to their delay in providing responsive records. The respondents further contended that the volume of records responsive to the complainant's requests, the time required to review and redact student information from such records, and the volume of pending FOI requests from other requesters also contributed to their delay.

32. The Commission has held that the meaning of the word "promptly" is a particularly fact-based question. In Advisory Opinion #51, In the Matter of a Request for Declaratory Ruling, Third Taxing District of the City of Norwalk, Applicant (January 11, 1982), the Commission advised that the word "promptly," as used in §1-210(a), G.S., means "quickly and without undue delay," taking into account all factors presented by a particular request.

33. 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 requestor, if ascertainable; and the importance to the public of completing other agency business without the loss of personnel time

³ The Commission notes that the records found to have been provided by the respondents to the complainant, described in paragraphs 24 and 27, above, total 32,754 pages, a difference of six (6) pages compared to the respondents' representation.

⁴ The Commission notes that the complainant also raised at the hearings the allegation that the respondents were using artificial intelligence or some type of automated computer program to review and redact the records they had been providing to him up through the date of the March 27, 2026, hearing. Specifically, he alleged that the respondents were using such technology and yielding imprecise results. Because the complainant stipulated to the fact that the FOI Act does not prescribe any methodology that a public agency must use when making mandatory or permissive redactions to public records it maintains prior to providing them to a requester, the Commission will not address such allegations further herein.

involved in complying with the request. In addition, common sense and goodwill ought to be the guiding principles.

34. Based upon a careful inspection of the records provided by the respondents to the complainant described in paragraphs 24 and 27, above, it is found that the respondents provided the following volume of duplicate records to the complainant on the following dates:

- (a) on February 24, 2026: out of 5,093 pages of emails, 3,016 pages duplicating the same email regarding staff vacancies in the respondent school district; and 267 and 102 pages duplicating the same two emails regarding staff surveys (i.e., 66% duplicates);
- (b) on February 27, 2026: out of 6,395 pages of emails, 3,885 pages duplicating the same email regarding staff vacancies and 162 pages duplicating the same email regarding a staff survey (i.e., 61% duplicates);
- (c) on March 2, 2026: out of 2,001 pages of emails, all pages duplicating the same email regarding staff vacancies (i.e., 100% duplicates); and
- (d) on March 6, 2026: out of 2,962 pages of emails, 1,360 pages duplicating the same email regarding staff vacancies; and 66 and 136 pages duplicating two separate staff surveys (i.e., 53% duplicates).

35. It is found that the duplicate emails identified in paragraph 34, above, comprise approximately 34% of the cumulative 32,754 emails provided by the respondents to the complainant as described in paragraphs 24 and 27, above.

36. Based upon the credible testimony of the respondent superintendent's assistant, it is found that she reviewed every page of the records provided to the complainant individually for redactions, including the emails identified in paragraph 34, above.

37. It is found, however, based upon a careful inspection of the duplicate emails identified in paragraph 34, above, that such records did not contain redactions.

38. Although the complainant contends that the unredacted, duplicate emails identified in paragraphs 34 and 37, above, should have been produced by the respondents more quickly, it is found that the respondents' methodical page-by-page review was not performed in bad faith to delay their provision of responsive records.

39. Based upon the credible testimony of the respondent superintendent's assistant, it is further found that, in the time between receipt of the complainant's requests on January 25, 2024, and the time when the respondents first began providing him with responsive records on July 15,

2025, the assistant was engaged in the following routine duties in addition to her duty to respond to records requests under the FOI Act:

- (a) supporting the respondent superintendent by keeping her calendar, scheduling her meetings, answering her phones, managing her correspondence and preparing board of education meeting materials for her;
- (b) managing and overseeing the respondent school district's homeschooling intention forms;
- (c) responding to requests from other school districts;
- (d) assisting the respondent school district's communications office with editing a biweekly newsletter;
- (e) creating the annual school calendar; coordinating the respondent school district's summer leadership conference;
- (f) managing the elementary and high school handbooks; and
- (g) working with the principals and administrators in all fifteen schools within the respondent district.

40. It is found that, during the period from January 25, 2024, through July 15, 2025, during which the respondents had not yet begun providing responsive emails to the complainant, the respondent superintendent's assistant received fifty-four (54) requests for records from requesters other than the complainant pursuant to the FOI Act, in addition to the complainant's requests at issue, described in paragraph 2, above.

41. It is found that the respondents made multiple efforts to work with the complainant to try to provide him with the particular email he appeared to be seeking more quickly, rather than keep him waiting as they reviewed over 72,000 emails, as described in paragraphs 12 through 16, above.

42. Based upon the complainant's representations at the May 13, 2026, continued hearing, it is found that he is truly only interested in receiving a copy of an email allegedly concerning himself that he purportedly saw on a computer screen while standing in a school district administrator's office. It is further found that, despite this narrow interest, the complainant repeatedly conveyed to the respondents that he did not wish to narrow his requests at issue and declined to attempt to engage in a collaborative dialogue with the respondents, even after learning that, to comply with his requests, they would have to review hundreds of thousands of pages of emails, as described in paragraphs 14 through 16 and 28(b), above.

43. It is found, as described in paragraph 22, above, that the complainant did not check in with the respondents for an eight (8)-month period regarding the status of his request.

However, it is further found that the respondents did not attempt to communicate with or provide responsive emails to the complainant during this period.

44. It is found that, over a subsequent three (3)-month period, the respondents did not reply to numerous emails from the complainant, described in paragraphs 22 and 23, above, inquiring about the status of his complaint. It is further found that the respondents did not provide any evidence to explain such period of non-responsiveness to the complainant's requests.

45. It is found, however, that, since July 2025, the respondents have worked diligently to process the complainant's requests at issue. Furthermore, the Commission has no doubt that the respondents will continue to process these requests and will use their best efforts to produce responsive records to the complainant until all responsive records have been provided.

46. Given the aforementioned findings, particularly the respondents' unexplained three-month period of non-responsiveness, described in paragraph 44, above, it is found that the respondents did not commence their provision of responsive records to the complainant "quickly and without undue delay" within the meaning of Advisory Opinion #51.

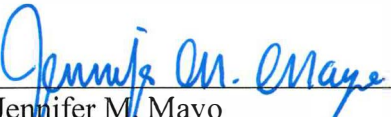
47. Accordingly, it is concluded that the respondents violated the promptness and disclosure provisions of §§1-210(a) and 1-212(a), G.S.

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

1. Within two years of the date of the Notice of Final Decision in this matter, the respondents shall provide to the complainant the remaining emails that are responsive to his requests on a rolling monthly basis.

2. Henceforth, the respondents shall strictly comply with the promptness and 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 August 12, 2026.


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:

EVAN DELMAN, 1 Fairview Terrace, Greenwich, CT 06831

**SUPERINTENDENT OF SCHOOLS, GREENWICH PUBLIC SCHOOLS; AND
GREENWICH PUBLIC SCHOOLS**, c/o Attorney Lisa Waller, Greenwich Town Attorney's
Office, 101 Field Point Road, Greenwich, CT 06830


Jennifer M. Mayo
Acting Clerk of the Commission