

STATE OF CONNECTICUT
FREEDOM OF INFORMATION COMMISSION

In the Matter of a Complaint by

FINAL DECISION

John H. Spang, Jr.,

Complainant

against

Docket # FIC 2025-0366

Administrator, State of Connecticut,
Teachers' Retirement Board; and State of
Connecticut, Teachers' Retirement Board,

Respondents

May 13, 2026

The above-captioned matter was heard as a contested case on November 5, 2025, 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. It is found that, by letter dated March 15, 2025, the complainant requested that the respondents provide him with copies of the following records:
 - (a) Any and all emails, written correspondence, and records of telephone conversations between Danbury Board of Education employee Laura Lock and any and all TRS staff, including but not limited to Bob Ribera and Helen Sullivan during the period beginning August 1, 2021 through and including March 15, 2025 regarding the following present and former Danbury Board of Education employees: John Spang, Merle Jackson, and Brent Dean.
 - (b) Any and all emails, written correspondence, and records of telephone conversations between Danbury Board of Education employee Kimberly Mango Thompson and TRS staff including but not limited to Bob Ribera and Helen Sullivan during the period beginning August 1, 2021 through and including March 15, 2025 regarding the following present and former Danbury Board of Education employees: John Spang, Merle Jackson, and Brent Dean.

(c) 2022-23 TRS Member Annual Statement for Merle Jackson and Brent Dean.

3. It is found that, by email dated March 31, 2025, the respondents acknowledged receipt of the complainant's request.

4. It is found that, by email dated April 22, 2025, the respondents notified the complainant that they do not maintain any records responsive to his request.

5. By complaint filed May 19, 2025, the complainant appealed to the Commission, alleging that the respondents violated the Freedom of Information ("FOI") Act by denying his request for copies of the records described in paragraph 2, above.

6. 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 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.

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

[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.

8. 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."

9. It is concluded that the records described in paragraph 2, above, to the extent they exist and are maintained by the respondents, are public records within the meaning of §§1-200(5) and 1-210(a), G.S.

10. At the hearing on this matter, the respondents contended that they do not maintain any records responsive to the request described in paragraph 2, above. The complainant disputed such contention.¹

¹ Throughout the hearing on this matter, the complainant contended that he was specifically seeking: a record of a job description referenced in a letter that he received from the respondents; a 2024 audit report; and the statements referenced in paragraph 2(c), above. However, as described in paragraphs 12 through 15, below, the respondents' searches did not yield any records responsive to the request described in paragraph 2, above.

11. At the hearing on this matter, an Assistant Administrator for the respondents appeared and testified. With respect to the request described in paragraphs 2(a) and 2(b), above, it is found that following receipt, the respondents tasked the Assistant Administrator with responding to such request.

12. It is found that the Assistant Administrator contacted each of the respondents' four division directors (administration, benefits, fiscal and information technology), as well as the respondent Administrator, provided a copy of the request, and instructed the directors and respondent Administrator that all staff were required to conduct a search for responsive records. It is further found that among the staff instructed to conduct a search were the staff responsible for corresponding with the Board of Education employees referenced in paragraphs 2(a) and 2(b), above.

13. It is found that all of the respondents' staff conducted a search for records responsive to the request described in paragraphs 2(a) and 2(b), above, and that such search included the respondents' emails, document management system, and individual hard drives. It is found that the staff searched using the names of the individuals identified by the complainant in paragraphs 2(a) and 2(b), above. It is found, however, that none of the searches yielded responsive records.

14. With respect to the records described in paragraph 2(c), above, for copies of "2022-23 TRS Member Annual Statement for Merle Jackson and Brent Dean," it is found that the Assistant Administrator searched the respondents' database of information about its members, wherein responsive records would be located. It is found, however, that she did not locate any member within such database by the name of "Brent Dean." It is also found that the Assistant Administrator searched the same database for "Merle Jackson." It is found that, although Merle Jackson is a member identified in the respondents' database, the respondents did not locate any records responsive to the complainant's request, described in paragraph 2(c), above.²

15. Based on all the foregoing, it is found that the respondents conducted a reasonable and diligent search for records responsive to the request described in paragraph 2, above, and did not locate any records responsive to such request. Accordingly, it is found that the respondents do not maintain any records responsive to the request described in paragraph 2, above.

16. It is therefore concluded that the respondents did not violate the disclosure requirements of the FOI Act as alleged in the complaint in this matter.

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

1. The complaint is hereby dismissed.

² The witness explained that, because "Merle Jackson" did not become a member of the system until September 1, 2023, there was no record responsive to the request described in paragraph 2(c), above.

Approved by Order of the Freedom of Information Commission at its regular meeting of May 13, 2026.

A handwritten signature in blue ink, appearing to read "Jennifer M. Mayo", is written over a horizontal line.

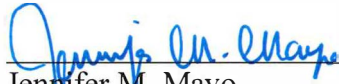
Jennifer M. Mayo
Acting Clerk of the Commission

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:

JOHN H. SPANG, JR., 21 Hassake Road, Old Greenwich, CT 06870

ADMINISTRATOR, STATE OF CONNECTICUT, TEACHERS' RETIREMENT BOARD; AND STATE OF CONNECTICUT, TEACHERS' RETIREMENT BOARD, c/o Assistant Attorney General Richard T. Sponzo, Office of the Attorney General, 165 Capitol Avenue, 4th Floor, Hartford, CT 06106



Jennifer M. Mayo
Acting Clerk of the Commission