

STATE OF CONNECTICUT
FREEDOM OF INFORMATION COMMISSION

In the Matter of a Complaint by

FINAL DECISION

Deborah G. Stevenson,

Complainant

against

Docket # FIC 2025-0375

Commissioner, State of Connecticut, State
Department of Education; and State of
Connecticut, State Department of Education,

Respondents

May 13, 2026

The above-captioned matter was heard as a contested case on November 12, 2025, at which time the complainant and 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 email dated May 5, 2025, the complainant requested that the respondents provide her with the following:
 - a) A copy of all records that mention, contain, or are otherwise related to the term “homeschool”, “homeschooling”, “home school”, “home schooling” or otherwise refer to instruction of a student by a parent or guardian other than at a public or private school, from the period of February 1, 2025 up to and including May 5, 2025;
 - b) A copy of all records that mention, contain, or are otherwise related to Kimberly Sullivan, her stepson, 2 Blake Street, Waterbury, Connecticut, “pulled from school”, Kimberly Sullivan’s employment with the Waterbury Public School district, including the title of her position within the Waterbury Public School district and the dates during which she was employed in each position held and at each location where the position was held;
 - c) A copy of all records regarding reports or complaints made to the Connecticut Department of Children and Families or to any other law enforcement or State agency regarding the stepson of Kimberly Sullivan from the date of enrollment of the stepson in the Waterbury Public School district until the stepson’s 18th

birthday, including but not limited to the dates each report or complaint was made and to whom; and

- d) A copy of all records that mention, contain, or are otherwise related to “regulation”, laws, statutes, bills of any kinds, rules, proposals, ideas, guidance, methods, policies, emergency certification, implementer, information session or hearing, relevant to “homeschool”, “home school”, “homeschooling”, or “home schooling” from February 1, 2025 up to and including May 5, 2025.

3. It is found that, by email dated May 7, 2025, the respondents acknowledged the complainant’s May 5, 2025 request.

4. By complaint received and filed May 20, 2025, the complainant appealed to the Commission, alleging that the respondents violated the Freedom of Information (“FOI”) Act by failing to comply with her May 5, 2025 request.¹

5. 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.

6. 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 (1) inspect such records promptly during regular office or business hours, . . . or (3)

¹ At the hearing on this matter, the respondents objected to the complainant’s exhibits that, although relevant to whether the respondents complied with her May 5, 2025 request, were provided to her by the respondents on a date after the complaint was filed in this matter. The respondents argued that the scope of the Commission’s inquiry into alleged violations of the FOI Act in this matter was limited to events that occurred between the May 5, 2025 request and the filing of the complaint in this matter on May 20, 2025. The hearing officer overruled the respondents’ objection.

The Commission notes that in City of Bridgeport v. Freedom of Info. Comm’n, 222 Conn. App. 17, 65 (2023), cert denied, 348 Conn. 936 (2024), the Appellate Court squarely addressed and rejected this argument. In that case, the plaintiff claimed that the Commission “should have limited the scope of its inquiry to the facts and allegations *that existed at the time of the complaint*, and the failure to do so evidences procedural errors and abuses of discretion that further [justify] vacating the final decision.” *Id.* (Emphasis added.) The Appellate Court was not persuaded and rejected such claim.

receive a copy of such records in accordance with 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 records described in paragraph 2, above, are public records within the meaning of §§1-200(5) and 1-210(a), G.S.

9. At the hearing, the complainant acknowledged that the respondents provided her with records responsive to her May 5, 2025 request, but claimed that she was not properly informed² by the respondents as to how to access the records via the GovQA portal and, moreover, that the respondents failed to provide her with all records responsive to her May 5, 2025 request. Specifically, at the hearing on this matter, the complainant alleged that the respondents failed to thoroughly search the respondent Commissioner’s files,³ as well as provide her with attachments to certain emails that were included in the respondents’ disclosures, as described in paragraphs 14 and 15, below.⁴

10. The respondents contended that they provided all responsive records to the complainant that existed at the time of her May 5, 2025 request.

11. It is found that, upon receiving the complainant’s May 5, 2025 request, the respondents searched for all records responsive to the request, including by searching the respondent Commissioner’s and her chief of staff’s email accounts, consulting with the Department of Administrative Services (“DAS”), and requesting that certain individual employees of the respondents also personally search their email accounts.

12. At the hearing on this matter, the respondents’ witness testified, and it is found, that the respondents were not aware that the complainant could not access the GovQA portal, or certain parts thereof, until the hearing on this matter. It is found that the respondents’ June 25, 2025, and July 16, 2025, emails to the complainant directed her to the GovQA portal to access the records and that the complainant did successfully access the GovQA portal assigned to the complainant’s May 5, 2025 request.⁵

² At the hearing on this matter, the complainant claimed that she did not receive the respondents’ instructions regarding how to access the GovQA portal because they were sent to an incorrect email address, “stevenson@dgslawfirm.com”. The Commission notes that the respondents contacted the complainant using the email address on the complainant’s own letterhead on which she sent the May 5, 2025 request. See complainant’s Exhibit 5.

³ The complainant claimed that the respondents’ June 25, 2025, and July 16, 2025 disclosures did not contain any records in which the respondent Commissioner was the sender and submitted evidence she believed supported this claim.

⁴ The complainant did not challenge any of the exemptions claimed nor the redactions made to the records that were provided to her, as described in paragraphs 14 and 15, below, in response to her May 5, 2025 request. Consequently, the Commission shall not consider such claims of exemption further herein.

⁵ See respondents’ Exhibit C (page 2, line 11, June 25, 2025, 10:51 AM, showing access by the complainant).

13. The respondents' witness testified, and it is found, that she initiated multiple requests to DAS to search certain of the respondent employees' email accounts based on the date ranges and search criteria provided by the complainant in her May 5, 2025 request. The respondents' witness further testified, and it is found, that she also consulted with the respondent Commissioner's chief of staff to determine which email accounts to have DAS search in response to the complainant's May 5, 2025 request, based upon the nature and scope of the request.

14. It is found that, by email dated June 25, 2025, the respondents informed the complainant that they had located records responsive to her May 5, 2025 request and would be uploading such records to the GovQA portal on a rolling basis.⁶ It is found that the respondents' June 25, 2025 email also informed the complainant that the first batch of responsive records was available at that time on the GovQA portal and included a statement declaring that certain records, or portions thereof, were redacted or withheld pursuant to §§1-210(b)(11) and (17), G.S.

15. It is found that, by email dated July 16, 2025, the respondents informed the complainant that another batch of records responsive to her May 5, 2025 request was available on the GovQA portal.⁷ It is found that the respondents' July 16, 2025 email also included a statement declaring that certain records, or portions thereof, were redacted or withheld pursuant to §§1-210(b)(11) and (17), G.S.⁸

16. In response to the complainant's contention that she was not provided with copies of certain attachments, the respondents' witness testified, and it is found, that certain of the responsive emails disclosed to the complainant contained attachments and to access such attachments in the GovQA Portal, a user must "hover [the mouse] over the document and double click the hyperlink."⁹ There is no evidence that, prior to the hearing on this matter, the respondents were aware that the complainant could not access the records on the GovQA portal, however it is found that the June 25, 2025, and July 16, 2025 disclosures to the complainant both provided that the responsive "records [have] been uploaded to the GovQA portal and can be accessed here: FOI Records Request – R000052-050725".¹⁰

17. It is also found, contrary to the assertions of the complainant, that some of the records that were provided to her by the respondents on June 25, 2025, and July 16, 2025, included emails which originated from the respondent Commissioner as the sender.¹¹

⁶ GovQA is a web-based software system, which the respondents utilize to manage their public records requests and responses thereto. The respondents' witness testified, and it is found, that the respondents use the GovQA portal to respond to higher volume responses to FOI requests.

⁷ The Commission notes that the June 25, 2025, and July 16, 2025 disclosures, collectively, provided 9,973 pages of records responsive to the complainant's request. See respondents' Exhibit B.

⁸ The Commission acknowledges that the respondents tried but were unable to retrieve potentially responsive records from Microsoft Teams Meetings with the Office of the Child Advocate because the respondents did not initiate those meetings.

⁹ The Commission notes that the respondents' witness testified that upon uploading the responsive records to the GovQA portal, the respondents tested the email attachment hyperlinks to confirm that they worked.

¹⁰ See respondents' Exhibit A (original underlined texts included a hyperlink to the referenced portal).

¹¹ See complainant's Exhibit 4 (email dated Wednesday, April 23, 2025, 10:23:00 AM.).

18. The respondents' witness also testified, and it is found, that each individual staff person in the respondent Department was provided with a copy of the complainant's request, and was instructed to conduct a search for records responsive to the request, which included notes, text messages, and social media. It is found, however, that the respondents did not locate any other records responsive to the request.

19. It is found that the respondents searched all of the locations where records responsive to the complainant's request would reasonably be located.

20. The respondents' witness testified that, as of the second disclosure of records by way of the GovQA portal on July 16, 2025, all responsive records were provided to the complainant in response to the complainant's May 5, 2025 request.

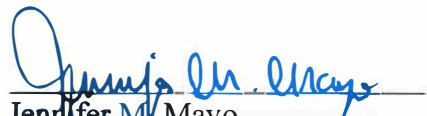
21. Based on all of the foregoing, it is found that the respondents conducted a reasonable and diligent search and provided the complainant with a copy of all records responsive to the May 5, 2025 request.

22. Accordingly, it is concluded that the respondents did not violate the disclosure provisions of §§1-210(a) and 1-212(a), G.S., as alleged in the complaint.

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.

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

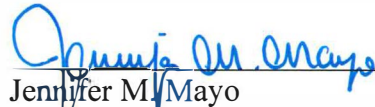

Jennifer M. Mayo
Acting Clerk of the Commission

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:

DEBORAH G. STEVENSON, PO Box 704, Southbury, CT 06488

COMMISSIONER, STATE OF CONNECTICUT, STATE DEPARTMENT OF EDUCATION; AND STATE OF CONNECTICUT, STATE DEPARTMENT OF EDUCATION, c/o Attorney Michael P. McKeon, Connecticut Department of Education, Director of Legal and Governmental Affairs, 450 Columbus Blvd., 6th floor, Hartford, CT 06103



Jennifer M. Mayo
Acting Clerk of the Commission