

FREEDOM OF INFORMATION COMMISSION
OF THE STATE OF CONNECTICUT

In the Matter of a Complaint by

FINAL DECISION

Gina Tyler,

Complainant

against

Docket # FIC 2025-0408

Executive Director, State of Connecticut,
Connecticut Technical Education and Career
System; and State of Connecticut,
Connecticut Technical Education and Career
System,

Respondents

May 13, 2026

The above-captioned matter was scheduled to be heard on November 24, 2025, at which time the complainant appeared and the respondents failed to appear. At the request of the complainant, the hearing was continued to afford the respondents an opportunity to participate. Subsequently, a contested case hearing was held on February 6, 2026, 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. By submission through the respondents' online records request portal on March 18, 2025, the complainant requested copies of certain unredacted records from the respondents, including:

[a] The investigative file, notes, and emails pertaining to a complaint filed against the complainant.

[b] All emails and complaints sent and received by Tiffani Tucker, Grasso Tech parent, regarding other employees from 2021 to present, and all emails and complaints made by Patricia and Jameel Muhammad, Grasso Tech parents, regarding other employees from 2023 to present.

3. It is found that, by email dated March 18, 2025, the respondents acknowledged the complainant's request for records, described in paragraph 2, above. It is also found that the respondents then forwarded the complainant's request to "potential record holders" and requested that they search for responsive records.

4. It is found that, by email dated May 19, 2025, the complainant asked for the status of compliance with her March 18 request.

5. By complaint filed May 29, 2025, the complainant appealed to the Commission, alleging that the respondents violated the Freedom of Information ("FOI") Act by failing to provide 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 requested records described in paragraph 2, above, are public records within the meaning of §§1-200(5) and 1-210(a), G.S.

10. It is found that the respondents sent an internal follow up email in July 2025 regarding the complainant's request, described in paragraph 2, above.

11. It is found that, on February 4, 2026, two days prior to the February 6, 2026 hearing on this matter, the complainant and respondents met and agreed upon search parameters, including the email accounts to be searched.

12. It is also found that the respondents subsequently ran an information technology ("IT") search which returned approximately 7,900 potentially responsive emails. It is found that

the respondents first ran this IT search 323 days after the complainant's initial request, and 252 days after the complainant filed her appeal with the Commission.

13. It is found that, following the February 4, 2026 meeting described in paragraph 11, above, the respondents provided the complainant with copies of records responsive to the requests described in paragraph 2, above, some of which were redacted.

14. At the February 6, 2026 hearing on this matter, the complainant contended that the respondents failed to provide her with copies of all records responsive to her request described in paragraph 2, above, and that she had to wait "almost a year" to obtain responsive records. The complainant indicated she had received some records from the respondents, including the summary of the complaint, but had not yet been able to review those records, to determine what, if anything, was still outstanding. The complainant also challenged the respondents' redaction of copies of records already provided to her.¹

15. At the February 6, 2026 hearing on this matter, the respondents admitted that they had not provided all responsive records, and explained that some records were withheld pursuant to §§1-210(b)(11) and 1-210(b)(17), G.S. The respondents also claimed they were still reviewing the emails generated by the February 4 search, described in paragraph 12, above.

16. The respondents testified, and it is found, that they did not follow up internally regarding their March 18, 2025 email, described in paragraph 3, above, until July 2025, as the complainant's request "fell off the radar." At the hearing, the respondents offered no justification for the delay.

17. The respondents testified, and it is found, that they were continuing to review and provide responsive emails to the complainant.

18. With respect to the request described in paragraph 2[b], above, the respondents testified, and it is found, that not all parent complaints are submitted to the respondents' central office. The respondents testified, and it is found, that the respondent Connecticut Technical Education and Career System is made up of 17 schools, including Ella T. Grasso Technical High School ("Grasso Tech"). It is found that complaints can be made by telephone, email, in-person visit, or during meetings; however, only complaints submitted directly to the central office are logged and tracked by the respondents.

19. The respondents testified, and it is found, that they checked their own tracking system, as well as spoke with the respondents' Affirmative Action Equal Opportunity Director for any complaints responsive to the complainant's request, described in paragraph 2[b], above, and any that were located, were provided to the complainant.

¹ The complainant also alleged that there was a potential conflict of interest with the respondents handling the complainant's records request in this matter while simultaneously being adversaries in a matter pending before the Commission on Human Rights and Opportunities. The Commission notes that it does not have jurisdiction to adjudicate whether a conflict of interest existed regarding the respondents. See Dep't of Pub. Safety v. Freedom of Info. Comm'n, 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).

20. It is found that the complainant had requested all complaints from the parents of two specific students at Grasso Tech, as described in paragraph 2[b], above. It is also found that the respondents did not check for any responsive records at Grasso Tech, the school specifically mentioned in the complainant's request.

21. Based on all of the foregoing, including the respondents admission referenced in paragraph 15, above, it is found that the respondents failed to prove that they conducted a diligent and thorough search for records responsive to the complainant's request for the records described in paragraph 2, above. It is therefore found that the respondents failed to prove that they provided the complainant with a copy of all records responsive to the request described in paragraph 2, above.

22. Accordingly, it is concluded that the respondents violated the disclosure provisions of §§1-210(a) and 1-212(a), G.S., with respect to such request.

23. On April 21, 2026, pursuant to the order of the hearing officer, the respondents submitted copies of unredacted records to the Commission for in camera inspection.² On the Index to Records Submitted for In Camera Inspection ("Index"), accompanying such records, the respondents contended that portions of the in camera records are exempt from disclosure pursuant to §§1-210(b)(2), 1-210(b)(11) and/or 1-210(b)(17), G.S. The records submitted to the Commission for in camera inspection shall be referred to as IC-2025-0408-2³, lines 31-32; IC-2025-0408-4, lines 11 and 43; IC-2025-0408-6, lines 3, 6, 7, 19, 22, 38 and 40; IC-2025-0408-8, lines 26, 31, 33 and 37; IC-2025-0408-10, line 34; IC-2025-0408-13, lines 16 and 22; IC-2025-0408-15, lines 2 and 7; IC-2025-0408-16, lines 18, 28, 30 and 31; IC-2025-0408-19, line 24; IC-2025-0408-21, lines 7 and 12; IC-2025-0408-23, lines 4 and 12; IC-2025-0408-24, lines 3, 8, 29 and 33; IC-2025-0408-25, lines 15, 23 and 35; IC-2025-0408-27, lines 15 and 42; IC-2025-0408-29, line 35; IC-2025-0408-32, line 16; IC-2025-0408-35, line 25; IC-2025-0408-37, line 20; IC-2025-0408-40, lines 33 and 34; IC-2025-0408-41, lines 8-10 and 17. Such records consist of emails and logged phone messages.

§1-210(b)(2), G.S.

24. The respondents claimed that IC-2025-0408-2, lines 31-32, and IC-2025-0408-41, lines 8-10 and 17, are exempt from disclosure pursuant to §1-210(b)(2), G.S. Section 1-210(b)(2), G.S., exempts from disclosure "personnel or medical and similar files the disclosure of which would constitute an invasion of personal privacy."

25. "When a claim for exemption is based upon §1-210(b)(2), the person claiming the exemption must meet a twofold burden of proof. First, the person claiming the exemption must establish that the files are personnel, medical or similar files. Second, the person claiming the exemption . . . must also prove that the disclosure of the files would constitute an invasion of

² The Commission notes that the respondents failed to comply with the requirements of hearing officer's first order to submit records for in camera inspection, issued on February 20, 2026. Following a second in camera order issued on April 8, 2026, the respondents complied with such order and delivered the in camera records to the Commission as ordered on April 21, 2026.

³ The first in camera record is labeled #2 and there is no in camera labeled as #1. Therefore, the in camera records start with record #2.

personal privacy.” Rocque v. Freedom of Info. Comm’n, 255 Conn. 651, 661 (2001), citing Perkins v. Freedom of Info. Comm’n, 228 Conn. 158 (1993). In determining whether disclosure would constitute an invasion of personal privacy, the claimant must establish both of two elements: first, that the information sought does not pertain to legitimate matters of public concern, and second, that disclosure of such information would be highly offensive to a reasonable person.

26. It is found that the respondents did not raise §1-210(b)(2), G.S., as a claimed exemption during the February 6, 2026 hearing on this matter, nor did they provide any evidence in support of the applicability of such exemption. After a careful inspection of the in camera records, it is found that the records at issue, on their face, would pertain to legitimate matters of public concern.

27. It is therefore found that the respondents failed to prove that such records are exempt from disclosure pursuant to §1-210(b)(2), G.S.

28. Based on the foregoing, it is found that the portions identified in paragraph 24, above, are not exempt from disclosure pursuant to §1-210(b)(2), G.S. It is therefore concluded that the respondents violated §§1-210(a) and 1-212(a), G.S., by withholding such records from the complainant.

§1-210(b)(11), G.S.

29. Next, the respondents claimed that the following portions of the in camera records are exempt from disclosure pursuant to §1-210(b)(11), G.S.: IC-2025-0408-4, lines 11 and 43; IC-2025-0408-6, lines 3, 6, 7, 19, 22, 38, and 40; IC-2025-0408-8, lines 26, 31, 33, and 37; IC-2025-0408-10, line 34; IC-2025-0408-13, lines 16 and 22; IC-2025-0408-15, lines 2 and 7; IC-2025-0408-16, lines 18, 28, 30 and 31; IC-2025-0408-19, line 24; IC-2025-0408-21, lines 7 and 12; IC-2025-0408-23, lines 4 and 12; IC-2025-0408-24, lines 3, 8, 29 and 33; IC-2025-0408-25, lines 15, 23 and 35; IC-2025-0408-27, lines 15 and 42; IC-2025-0408-29 line 35 and 41⁴; IC-2025-0408-32, line 16; IC-2025-0408-35, line 25; and IC-2025-0408-37, line 20. Section 1-210(b)(11), G.S., 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

30. It is found that the records identified in paragraph 29, above, consist of the first names of students enrolled in public school whose parents had not consented to the release of their names.

⁴ On the Index, the respondents seem to have inadvertently not included the first name of a student identified on IC-2025-0408-29, line 41, although the student name is highlighted for redaction within the in camera records. Such portion of the in camera record is permissibly exempt from disclosure pursuant to §1-210(b)(11), G.S.

31. It is found that the first names of such students, are permissibly exempt from disclosure pursuant to §1-210(b)(11), G.S. It is therefore concluded that the respondents did not violate the FOI Act by withholding the records identified in paragraph 29, above, from the complainant.⁵

32. However, it is found that IC-2025-0408-40, lines 33 and 34, consist of the telephone numbers of parents of students of the respondents, and not names or addresses of students. Accordingly, such portions of the in camera records are not exempt from disclosure pursuant to §1-210(b)(11), G.S., as claimed by the respondents.⁶

33. It is therefore concluded that IC-2025-0408-40, lines 33 and 34, are not exempt from disclosure pursuant to §1-210(b)(11), G.S.

§1-210(b)(17), G.S.

34. The respondents also claimed that IC-2025-0408-40, lines 33 and 34, 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" ("FERPA").

35. Section 1-210(b)(17), G.S., permits nondisclosure of the records at issue only if such records are, in the first instance, "education records" within the meaning of 20 USC §1232g(a)(4)(A).

36. The term "education records" is defined at 20 USC §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.

37. The Commission has previously held in Joe Wojtas and The Day v. Superintendent of Schools, Stonington Public Schools, et al., Docket #FIC 2019-0493 (July 22, 2020), that written correspondence from a principal to the superintendent entitled "Investigation of Student Allegation of Inappropriate Contact by a Teacher", are not "directly related to the student" and therefore are not "education records" protected by FERPA. See also Christopher Peak and New Haven Independent v. Principal, Amistad Academy, et al., Docket #FIC 2019-0369 (February 13, 2020) (student/employee disciplinary records regarding allegations of misconduct relate directly to such teacher/employee discipline and therefore are not "directly related to a student" and are not "education records" protected by FERPA).

⁵ The respondents also claimed that the same records referenced in paragraph 29, above, are also exempt from disclosure pursuant to §1-210(b)(17), G.S. However, because the records identified in paragraph 29 are determined to be exempt from disclosure pursuant to §1-210(b)(11), G.S., the Commission need not examine whether they are also exempt from disclosure under §1-210(b)(17) G.S.

⁶ The Commission notes that the respondents have already provided the complainant with records of the identifies of such parents.

38. More recently, in Conner Drigotas and Connecticut Inside Investigator v. Director of Public Records, State of Connecticut, University of Connecticut, et al., Docket #FIC 2025-0036 (December 17, 2025), (“Drigotas”) the Commission held that records of investigations into sexual misconduct by faculty or staff are not “education records” because they relate directly to the faculty or staff being investigated and are not “directly related to a student.”

39. In this matter, similar to Drigotas, the records at issue and identified in paragraph 34, above, relate to the investigation of a complaint against a teacher, and do not relate directly to a student.

40. It is therefore found IC-2025-0408-40, lines 33 and 34, are not “education records” as defined by FERPA and therefore are not exempt from disclosure pursuant to §1-210(b)(17), G.S. It is therefore concluded that the respondents violated §§1-210(a) and 1-212(a), G.S., by withholding such records from the complainant.

41. Finally, with respect to the complainant’s contention that the respondents failed to provide her with responsive records promptly, the Commission has defined the word “promptly,” as used in §§1-210(a) and 1-212(a), G.S., to mean “quickly and without undue delay, taking into account all of the factors presented by a particular request.” See FOI Commission 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) (hereinafter “Advisory Opinion #51”).

42. Advisory Opinion #51 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 amount of personnel time necessary to comply with the request; the time by which the requestor needs the information contained in the records; 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 involved in complying with the request.

43. Additionally, in Comm’r of Dep’t of Emergency Servs. & Pub. Prot. v. Freedom of Info. Comm’n, No. HHBCV186047741, 2020 WL 5540637, at *3 (Conn. Super. Ct. July 2, 2020), the court explained that a public agency should consider its obligation 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.”

44. The respondents testified, and it is found, that the complainant’s request had “fallen off the radar.” It is found that between March 18, 2025, and February 4, 2026, the respondents had only provided the complaint with a copy of the summary to the complainant; sent two internal emails in an attempt to locate responsive documents; and performed no searches until their meeting with the complainant on February 4, 2026, as already described in paragraph 11, above.

45. Based on the foregoing, it is found that the respondents failed to provide the complainant with copies of responsive records “quickly” and without “undue delay.”

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

47. Although the complainant did not request a civil penalty in this matter, and the Commission, likewise, declines to consider a civil penalty in this matter on its own, the respondents are cautioned that a similar response to future records requests, as that which occurred in this matter, may necessitate the consideration of a civil penalty.

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

1. Within thirty (30) days of the date of the Notice of Final Decision in this matter, the respondents shall conduct a thorough and diligent search for the records described in paragraph 2 of the findings, above. The respondents shall provide any responsive records to the complainant unredacted and free of charge. If after conducting a thorough and diligent search, the respondents do not locate any additional records, they shall submit to the Commission, with a copy to the complainant, an affidavit sworn to or attested by the person with the requisite knowledge indicating that no additional records were located, and detailing the search for such records.

2. Within thirty (30) days of the date of the Notice of Final Decision in this matter, the respondents shall provide to the complainant, free of charge, the unredacted records, or portions thereof, identified in paragraphs 24 and 32 of the findings above.

3. Forthwith, the respondents shall arrange for an FOI Act training session to be conducted by the staff of the Commission. The respondents shall forthwith contact the Commission to schedule such training session.

4. Henceforth, the respondents shall strictly comply with the promptness and disclosure requirements 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 13, 2026.

/S/ Jennifer M. Mayo

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:

GINA TYLER, 325 Chesterfield Road, East Lyme, CT 06333

EXECUTIVE DIRECTOR, STATE OF CONNECTICUT, CONNECTICUT TECHNICAL EDUCATION AND CAREER SYSTEM; AND STATE OF CONNECTICUT, CONNECTICUT TECHNICAL EDUCATION AND CAREER SYSTEM, c/o Attorney Kelly E. LaCluyze, CTECS Staff Attorney, 39 Woodland Street, Hartford, CT 06105

/S/ Jennifer M. Mayo
Jennifer M. Mayo
Acting Clerk of the Commission