

Freedom of Information Commission
of the State of Connecticut

In the Matter of a Complaint by)
Joseph C. Lazzaro, Complainant) Report of Hearing Officers
against) Docket #FIC75-15
)
Darien Board of Education,) December 10, 1975
)
Catherine M. Wemett and)
Dr. Joseph B. Porter,)
Respondents)

Connecticut Education Association,)
Intervenor)

The above-captioned matter was heard as a contested case on December 3, 1975, at which the complainant, respondents and intervenor appeared and presented testimony, exhibits and argument on the complaint.

After consideration of the evidence the following facts are found:

1. The respondent is a public agency as it is the Board of Education of the Town of Darien. All other respondents named are the employees, servants or agents of the public agency.
2. On October 28, 1975, complainant requested Form ED 004 of respondent. This document sets forth the salary, social security number, age, and sex of each teacher in Darien.
3. Respondent has tendered to complainant a list by coded reference, and not by name, of each teacher's salary. Respondent resists giving the name, social security number, age, and sex of each teacher as this would be disruptive of the town's merit system.


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

1. The tender of the town satisfies the requirements of P.A. 75-342. To furnish more information would supply data from personnel files that would be violative of the rights of privacy of the teachers.

2. Connecticut General Statutes 10-226 requires the filing with the Commissioner of Education of the information requested by the complainant. Whether Department of Education files which contain this information should be a matter of public record is not before the Commission at this time.

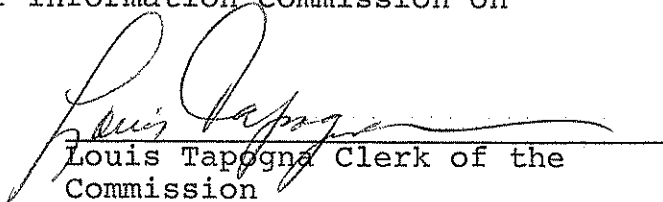


Commissioner Herbert Brucker
as Hearing Officer



Henry S. Cohn, Esq.
Hearing Officer

Approved by the Freedom of Information Commission on
December 17, 1975.



Louis Tapogna Clerk of the
Commission