

Freedom of Information Commission  
of the State of Connecticut

In the Matter of a Complaint by )  
Joanne McCarthy, Complainant ) Report of Hearing Officer  
against ) Docket #FIC 76-88  
City and Town of Bridgeport, Board ) June 25, 1976  
of Education of the City and Town of )  
Bridgeport and Superintendent of )  
Schools of the City and Town of )  
Bridgeport, )

Respondents)

The above captioned matter was heard as a contested case on June 16, 1976, at which time the complainant and the respondents appeared and presented testimony, exhibits and argument on the complaint.

After consideration of the entire record, the following facts are found:

1. The respondents are public agencies.
2. By memorandum dated April 27, 1976, Geraldine Johnson, Assistant Superintendent of Schools of Bridgeport, invited certain officials and parents to attend an "interaction meeting" on May 5, 1976 to discuss certain disciplinary problems at the Maplewood School. Specifically, the Maplewood School staff and administrators, the executive board of the Parent-Teacher Organization (PTO), parents who had expressed concern and board of education members were invited.
3. Of those persons invited, only 3 members of the 9 members of the respondent board of education attended. Also present were Mrs. Johnson, teachers, members of the school administration, members of the PTO and members of the public, invited and not. No member of the press was present at Mrs. Johnson's request.
4. No public notice and minutes of the meeting were published and no votes were taken.
5. By letter of complaint filed with this Commission on May 17, 1976, the complainant alleged that the aforesaid meeting violated P.A. 75-342 in that there was improper notice and that the public was improperly excluded therefrom.
6. It is found that the "interaction meeting" of May 5, 1976 was not a meeting of the respondent board of education but the responsibility of Assistant Superintendent Johnson.

7. The question then becomes whether this meeting was a meeting of a public agency within the meaning of §1(b) of P.A. 75-342.


8. While this meeting falls within the language of §1(b), it is clear that such meetings were not contemplated to be included in P.A. 75-342 by the General Assembly. It would defy reason to interpret the legislative intent as expressed in P.A. 75-342 to require public notice and conduct of meetings in every circumstance where a public official meets with other persons. To find otherwise would mean that each time a town official meets with another town official or members of the public to discuss matters within the jurisdiction of such town official, notice of special meeting would have to be published with the town clerk, minutes would have to be prepared and published, and, if applicable, a vote taken to go into executive session. Under this obligation, government could not function.

9. It is therefore concluded that the "interaction meeting" of May 5, 1976 was not a meeting within the meaning of P.A. 75-342 and consequently this Commission lacks jurisdiction to grant relief to the complainant.

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

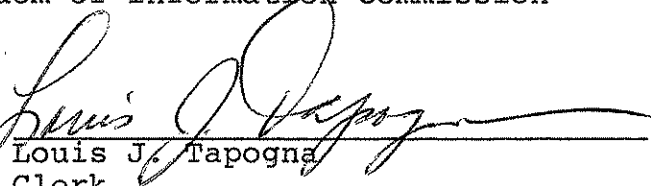
1. The complaint is hereby dismissed since this Commission lacks subject matter jurisdiction under P.A. 75-342.

2. While the meeting in question is found not to fall within the purview of P.A. 75-342, this decision is limited to the facts herein presented and shall not be construed as applying to other meetings called and conducted by these or other public agencies under circumstances different from those presented in this case.

  
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Commissioner Judith A. Lahey

as Hearing Officer

Approved by order of the Freedom of Information Commission  
on July 14, 1976.

  
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Louis J. Tapogna  
Clerk  
Freedom of Information Commission