

FREEDOM OF INFORMATION COMMISSION
OF THE STATE OF CONNECTICUT

In the Matter of a Complaint by Robert F. McGran, Complainant)	Report of Hearing Officer
)	
against)	Docket #FIC77-134
)	
Board of Education of the City and Town of Danbury,)	August 5, 1977
Respondents)	
)	

The above captioned matter was consolidated for hearing with In the Matter of a Complaint by Robert F. Palanzo against Board of Education of the City and Town of Danbury, docket #FIC77-133, both matters having raised substantially the same basic facts and questions of law.

The parties hereto agreed that the exhibits and written testimony presented at the hearing herein are to be considered a part of the record of both appeals.

Both matters were heard on July 22, 1977 and August 4, 1977, at which time the complainant and the respondent board appeared and presented testimony, exhibits and argument on the complaint.

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

1. The respondent board is a public agency within the meaning of §1-18a(a), G.S.

2. By letter of complaint filed with this Commission on July 5, 1977, the complainant alleged that the respondent board held a meeting in executive session on June 22, 1977, wherein the complainant's employment status was discussed without first notifying him of such discussion, in violation of the Freedom of Information Act.

3. A quorum of the respondent board did meet in executive session on June 22, 1977.

4. However, the complainant's employment status was not discussed at any time by any person present in such executive session.

5. It therefore cannot be concluded that the respondent board was required under §1-18a(e)(1), G.S. to give personal notice to the complainant of its meeting in executive session on June 22, 1977 for purposes of affording him the opportunity of requiring that discussion be held at an open meeting.

6. It is found that the complainant was not wrongfully denied his right to attend a meeting of a public agency within the meaning of §1-21, G.S.

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.

Judith Lahey

Commissioner Judith Lahey

as Hearing Officer

Approved by order of the Freedom of Information Commission on August 24, 1977.

Charlene G. Arnold

Charlene G. Arnold
Clerk of the Commission