

FREEDOM OF INFORMATION COMMISSION  
OF THE STATE OF CONNECTICUT

In the Matter of a Complaint by Eugene Csiki, Complainant	)	Report of Hearing Officer
	)	
against	)	Docket #FIC77-14
	)	
Town of Willington and Superintendent of Schools of the Town of Willington,	)	March /6 , 1977
Respondents	)	

The above captioned matter was heard as a contested case on February 15, 1977, 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 as defined in §1-18a(a), G.S.

2. By letter dated January 18, 1977, the complainant requested from the respondent superintendent the name and total dollar amount paid to each and every public school teacher and aide of the respondent town for fiscal year 1975-76.

3. By same letter, the complainant further requested the salary schedule by name designation of each and every teacher and aide of the respondent town for 1976-77 according to step and rating classification.

4. The complainant treated the respondent superintendent's failure to reply to the aforesaid request as of January 24, 1977, as a denial for purposes of this appeal, which appeal was filed with the Commission on January 24, 1977.

5. The complainant did receive the respondent superintendent's letter of reply on January 25, 1977, which reply was a partial denial as to the actual names of individual teachers and their salaries.

6. The respondent superintendent contended that the Commission is without jurisdiction to hear an appeal from the denial of a request for copy made pursuant to §1-15, G.S. under §1-21i, G.S.

7. It is found that the Commission has jurisdiction over an appeal from a denial of a request for copy made pursuant to §1-15, G.S., within the meaning of §1-21i, G.S. and §1-21j, G.S.

8. Next the respondent superintendent moved to dismiss the complainant's appeal on the ground that the complainant improperly brought his appeal under §1-21i, G.S. on January 24, 1977 rather than from the respondent superintendent's written denial, which denial was received by the complainant on January 25, 1977.

9. It is found that the complainant timely filed notice of appeal with this Commission within the meaning of §1-21i, G.S.

10. The respondent superintendent does not have in his files the step and rating classification for special education teachers and teacher's aides.

11. The respondent superintendent does not have in his files a document which identifies the step and rating classification by name of each teacher.

12. The salaries of all of the aforesaid teachers and aides are contained in their respective personnel files, which files are kept and maintained by the respondent superintendent at his regular office.

13. The aforesaid files are public records within the meaning of §1-18a(d), G.S. and §1-19, G.S.

14. The respondent superintendent contends that the disclosure of the requested documents is not required under §1-19(b)(1), G.S. in that they form a part of the personnel files of the employees concerned, the disclosure of which would constitute an invasion of privacy.

15. It is found that the disclosure of the salaries of these public employees is not an invasion of their personal privacy within the meaning of §1-19(b)(1), G.S.

16. The respondent superintendent next contends that the aforesaid requested records are records, reports and statements of strategy or negotiations with respect to collective bargaining within the meaning of §1-19(b)(8), G.S. and are therefore not required to be disclosed.

17. It is further found that the requested names and salaries are not records, reports and statements of strategy or negotiations with respect to collective bargaining within the meaning of §1-19(b)(8), G.S.

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

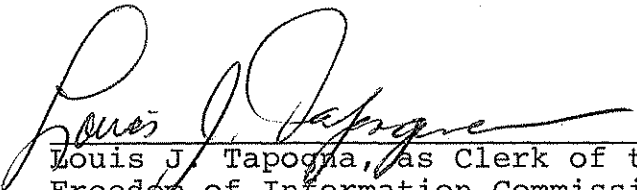
1. Subject to the limitations hereinafter provided, the respondent superintendent shall forthwith provide the complainant with copies of those documents which contain the salaries by name designation of each and every teacher and teacher's aide of the respondent board of education during the 1975-76 fiscal year.

2. To the extent that the records stating the salaries of the employees in question also contain additional information personal to such employees, such records shall not be disclosed to the complainant, but in lieu thereof, the respondents shall forthwith provide to the complainant a statement of the amount of the salaries of the specific employees named in paragraph 1 of this Order.

Approved by order of the Freedom of Information Commission on  
May 25, 1977.

  
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Helen M. Loy, Chairman  
Freedom of Information Commission

Approved by order of the Freedom of Information Commission on  
May 25, 1977.

  
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Louis J. Tapogna, as Clerk of the  
Freedom of Information Commission