FREEDOM OF INFORMATION COMMISSION
OF THE STATE OF CONNECTICUT

In the Matter of a Complaint by George A. Zurles, Complainant	)	Report of Hearing Officer
against	)	Docket #FIC77-217
State of Connecticut; and the Board of Trustees for the State Technical Colleges for the State of Connecticut, Respondents	)	February 27, 1978

The above captioned matter was heard as a contested case on December 8, 1977 at which time the complainant 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 by §1-18a(a), G.S.

2. The complainant asked for minutes and the record of votes from the respondent board's November 9, 1977 meeting on November 15, 1977 and again on November 16, 1977 at 10 a.m.

3. On November 15 after the complainant asked to speak with someone in authority he was told that the minutes and record of votes would not be available until next week.

4. On November 16 complainant was told by the person who answered the respondent board's telephone that she did not know when the record of votes and minutes would be available.

5. It is concluded that the respondent board violated §1-21, G.S., by failing to make the record of votes available within forty-eight hours, and by failing to provide minutes within seven days of its meeting on November 9, 1977.

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

1. Henceforth the respondent board shall make its record of votes available within forty-eight hours of the meeting to which they refer, and its minutes of meetings available within seven days of the meeting to which they refer, as required by §1-21, G.S.

2. The executive director of the respondent board wrote the Commission on November 29, 1977. He stated in the letter that the minutes requested by the complainant were ready before 4 p.m. on November 16. He stated also that the respondent board would not appear: "The Board of Trustees considers the case closed, and the need for our appearance at the December 8, 1977 hearing unnecessary." Since the respondent board did not appeal, there was no evidence before the Commission to rebut the sworn testimony of the complainant and the Commission's order can be based upon only that evidence which is properly presented at hearing.

Donald W. Friedman

Commissioner Donald W. Friedman

as Hearing Officer

Approved by order of the Freedom of Information Commission on March 8, 1978.

Charlene G. Arnold
Clerk of the Commission