

FREEDOM OF INFORMATION COMMISSION
OF THE STATE OF CONNECTICUT

In the Matter of a Complaint by) Joseph A. Walsh, Patricia J. Walsh) and Nancy L. Turlish,) Complainants)	Report of Hearing Officer Docket #FIC77-85 June 13, 1977
against)	
Town of Seymour, Superintendent) of Schools of the Town of) Seymour and Board of Education) of the Town of Seymour,) Respondents)	

The above captioned matter was consolidated for hearing with In the Matter of a Complaint by Patricia J. Walsh, Joseph A. Walsh, Nancy L. Turlish against Town of Seymour and Superintendent of Schools of the Town of Seymour, docket #FIC77-94, 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 June 2, 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. On April 7, 1977, the complainants requested from the respondent superintendent a certified copy of the superintendent's employment contract with the respondent board.

3. On April 13, 1977, such request was denied.

4. The complainants filed the present appeal on April 25, 1977, alleging that such denial constituted a violation of their rights under the Freedom of Information Act.

5. The requested contract contains a provision requiring, as a condition of employment, that the respondent superintendent undergo certain medical examinations.

6. The aforesaid provision further states that the respondent board shall receive the results of such medical examinations. The complainants are not seeking such results.

7. The contract provision in issue does not identify a particular medical condition of the respondent superintendent.

8. The respondents contend on the basis of the above that disclosure of the requested contract is not required as constituting a personnel or medical file the disclosure of which would constitute an invasion of privacy under §1-19(b)(1), G.S.

9. It is found that disclosure of the requested contract would not constitute an invasion of the personal privacy of the respondent superintendent.

10. Such document is further found to be a public record within the meaning of §1-18a(d), G.S.

11. It is concluded that the failure of the respondents to provide the complainants with a certified copy of such record as requested constituted a violation of their rights under §1-15, G.S.

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

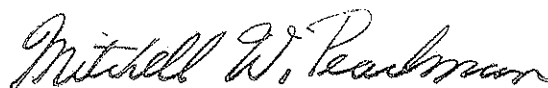
1. The respondents shall forthwith provide the complainants with a certified copy of the requested contract as required by §1-15, G.S.



Commissioner Donald W. Friedman

Approved by order of the Freedom of Information Commission on June 22, 1977.

as Hearing Officer



Mitchell W. Pearlman as Acting
Clerk of the Commission