

FREEDOM OF INFORMATION COMMISSION
OF THE STATE OF CONNECTICUT

In the Matter of a Complaint by
Linda Labinski

FINAL DECISION

Complainant

Docket #FIC 85-153

against

December 11, 1985

Jack Keavany and the Hartford
Public Schools

Respondents

The above captioned matter was heard as a contested case on October 11, 1985 at which time the complainant and the respondents appeared, stipulated to certain facts and presented testimony, exhibits and argument on the complaint.

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

1. The respondent public school system is a public agency within the meaning of section 1-18a(a), G.S.

2. By letter dated June 7, 1985, the complainant requested a copy of her personnel file from the respondent school system.

3. By letter dated June 11, 1985, the respondent school system provided the complainant with information concerning complaints lodged against the complainant in her capacity as a substitute teacher.

4. By letter of complaint filed with the Commission on June 24, 1985, the complainant alleged that she had not been provided with access to the requested records.

5. On August 12, 1985, the respondent school system provided the complainant with some of the requested records. In correspondence received by the complainant on October 5 and 9, 1985, the complainant was provided with additional records.

6. The respondent school system claims that it has provided the complainant with copies of all records in her personnel file and that it will attempt to obtain from the City of Hartford records sought by the complainant which set forth the dates and corresponding places of her employment as a substitute teacher.

7. It is concluded that the respondent school system is required by §1-19b(2), G.S., to disclose to the complainant information contained in her personnel file.

8. It is also concluded that the respondent school system's letter of June 11, 1985 did not adequately comply with the complainant's letter of request of June 7, 1985.

9. It is therefore concluded that the respondent school system did not promptly provide the complainant with a copy of the requested records, in violation of §1-15, G.S.

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

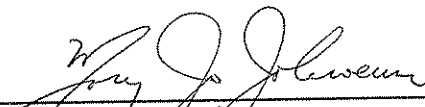
1. Henceforth, the respondent school system shall comply strictly with the provisions of §1-15, G.S.

2. The respondent school system shall forthwith conduct a diligent search of its records to determine whether it has provided the complainant with all records relating to her employment, including any records which set forth the dates and corresponding places of such employment.

3. Upon the conclusion of the search set forth in paragraph 2 of this order, the respondent school system shall forthwith provide the complainant with a copy of any records, not already provided her.

4. If, as a result of the search set forth in paragraph 2 of the order, no additional records are discovered, the respondent school system shall forthwith provide the complainant with a written statement, subscribed under oath by the person conducting the search or causing the search to be undertaken, setting forth the nature of the search and attesting to the fact that no further records have been discovered.

Approved by order of the Freedom of Information Commission at its regular meeting of December 11, 1985.



Mary Jo Jolicoeur
Clerk of the Commission