

FREEDOM OF INFORMATION COMMISSION  
OF THE STATE OF CONNECTICUT

In the Matter of a Complaint by )  
Craig S. Bell, Edward W. Perry and ) Report of Hearing Officer  
John Bracket, Complainants )  
 ) Docket #FIC77-91  
 ) ~~June~~ <sup>May 27</sup>, 1977  
against )  
 )  
Town of Middlebury, Town of )  
Southbury, Regional School )  
District #15, and Chairman of )  
Regional School District #15, )  
Respondents )

The above captioned matter was heard as a contested case on May 20, 1977, at which time the complainants 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 of appeal filed with this Commission on May 4, 1977, the complainants alleged that the respondent school district held a meeting approximately one-half hour prior to its duly noticed public meeting on April 18, 1977.

3. By same letter, the complainants alleged that such earlier meeting occurred without public notice and involved discussion of a matter over which the respondent school district had jurisdiction, supervision and control, in violation of §1-21, G.S.

4. There are eight members of the respondent school district. A quorum consists of five members.

5. Prior to April 18, 1977, the superintendent of the respondent school district contacted four of its members asking that they be present at 6:30 p.m. on April 18, 1977, one-half hour prior to a meeting of the respondent school district scheduled to convene at 7:00 p.m., for purposes of explaining to them an item on the agenda of such meeting.

6. Two of the agency members so invited arrived late at 6:45 p.m.

7. Upon the entrance of the aforesaid two members, five agency members were gathered together in the same room, whereupon the fifth member, who was not invited to the session called by the superintendent, promptly excused himself from the room.

8. On two occasions thereafter, and prior to the formal convening of the aforesaid scheduled meeting, the same agency member opened the door of the room to advise those attending the aforesaid session that the scheduled meeting was about ready to get underway.

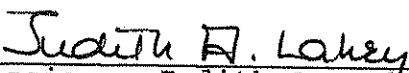
9. No decisions were made at the aforesaid session and the discussions therein were purely informational.

10. It is found that the session called by the superintendent prior to the convening of the scheduled meeting of April 18, 1977 did not itself constitute a meeting of a public agency within the meaning of §1-18a(b), G.S.

11. It is concluded that the provisions of P.A. 75-342, as codified in Chapter 3 of the General Statutes, concerning notice, minutes and record of votes, do not apply to such sessions.

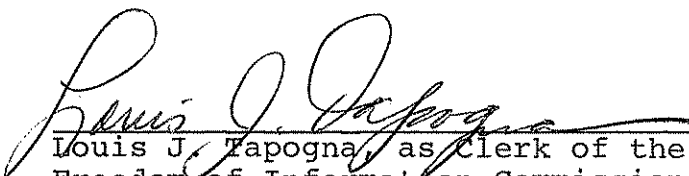
The following order by the Commission is hereby recommended on the basis of the record concerning the above captioned complaint:

1. The complaint is hereby dismissed.

  
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Commissioner Judith A. Lahey

as Hearing Officer

Approved by order of the Freedom of Information Commission on  
June 8, 1977.

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