

FREEDOM OF INFORMATION COMMISSION
OF THE STATE OF CONNECTICUT

In the Matter of a Complaint by
Connecticut State Federation of
Teachers and Lionel E. Williams,
Complainants

Report of Hearing Officer

against

Docket #FIC78-150

City and Town of Bridgeport;
Board of Education of the City
and Town of Bridgeport; Super-
intendent of Schools of the
Board of Education of the City
and Town of Bridgeport; and
Director of Business of the City
and Town of Bridgeport,
Respondents

November / , 1978

The above captioned matter was heard as a contested case on October 16, 1978 at which time the complainants and the respondents appeared, stipulated to certain facts, and presented testimony 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. On July 7, 1978, the complainants requested from the respondent superintendent the names and addresses of all Bridgeport teachers.
3. On July 18, 1978, the complainants received a letter from the respondent director referencing earlier communications in which the respondent board gave to the complainants the names and school addresses of the teachers.
4. From such reply, the complainants appealed to the Commission by letter filed herewith on July 28, 1978.
5. The only question to be decided by this Commission is whether or not the residential addresses of the teachers of the respondent city fall within some exemption to disclosure.
6. The respondents contend that such data is exempt from disclosure under §1-19(b)(2), G.S. as constituting personnel or medical files and similar files the disclosure of which would constitute an invasion of personal privacy.

7. Such records are maintained apart from the personnel files of the teachers in question. For example, the respondent director was recently asked to provide the Court with the names and addresses of Bridgeport teachers in an action brought before the Court concerning the alleged illegality of a school strike involving such teachers. The respondent director retained in his files a duplicate of the master list provided to the Court.

8. Furthermore, the respondents did not prove that disclosure of any such records would constitute an invasion of personal privacy.

9. Disclosure of a residential address does not constitute an invasion of personal privacy as a matter of law.

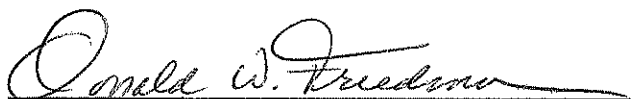
10. The burden of proving that a record falls within an exemption to disclosure is upon the public agency claiming the same.

11. It is concluded that such records do not constitute personnel or medical files and similar files the disclosure of which would constitute an invasion of personal privacy as provided by §1-19(b)(2), G.S.

12. It is further concluded that such records are public records as defined by §1-18a(d) and §1-19, G.S.

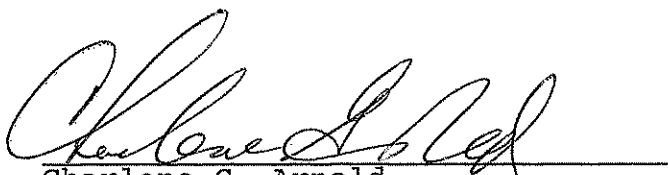
The following order by the Commission is hereby recommended on the basis of the record concerning the above captioned complaint:

1. The respondents shall, within five business days after mailing of the Notice of Final Decision hereof, provide the complainant with the names and residential addresses of all Bridgeport teachers.


Commissioner Donald Friedman

as Hearing Officer

Approved by order of the Freedom of Information Commission on November 29, 1978.


Charlene G. Arnold
Clerk of the Commission