

FREEDOM OF INFORMATION COMMISSION
OF THE STATE OF CONNECTICUT

In the Matter of a Complaint by
John J. Kolega,

Complainant

Report of Hearing Officer

against

Docket #FIC78-185

State of Connecticut; and the
Dean and Director of the
College of Agriculture and
Natural Resources of the
University of Connecticut,
Respondents

November 21, 1978

The above captioned matter was heard as a contested case on November 7, 1978, 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 respondent dean is a public agency as defined by §1-18a(a), G.S.
2. On September 19, 1978, the complainant sought from the respondent dean a copy of a certain negative recommendation regarding the complainant written pursuant to the University of Connecticut's Procedures Regarding Tenure, Promotion and Reappointment (PTPR).
3. The complainant filed a letter of complaint with this Commission on September 27, 1978 asking for a hearing on such matter.
4. At hearing, the complainant stated that he believes that the requested record does not, and never did, exist.
5. The requested record, if it does exist, would be in the complainant's PTPR file kept by the University of Connecticut.
6. The respondents have made and will continue to make the complainant's PTPR file available to him and will produce photocopies of any documents contained therein upon request.
7. The complainant refuses to look into his PTPR file but is only seeking a written admission from the respondents that a written negative evaluation was never produced.
8. It is found that the complainant has not been denied the right to inspect or copy public records, as provided by the Freedom of Information Act.

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

1. The complaint is dismissed.

Judith Lahey

Commissioner Judith Lahey
as Hearing Officer

Approved by order of the Freedom of Information Commission on December 13, 1978.

Mitchell W. Pearlman

Mitchell W. Pearlman
Acting Clerk of the Commission