

FREEDOM OF INFORMATION COMMISSION  
OF THE STATE OF CONNECTICUT

In the Matter of a Complaint by  
David Rode,

Complainant

against

State Board of Registration for  
Professional Engineers and Land  
Surveyors,

Respondents

Final Decision

Docket #FIC79-98

November 14, 1979

The above captioned matter was scheduled for hearing at 9 a.m. on September 24, 1979 at which time complainant appeared and presented testimony. The respondent board did not appear.

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

1. The respondent is a public agency within the meaning of Sec. 1-18a (a), G.S.
2. By letter dated April 16, 1979 the complainant requested access to his graded exam for land surveyor taken on November 3 and 4, 1978.
3. By letter dated April 25, 1979 the State Board of Registration for Professional Engineers and Land Surveyors refused to allow the complainant to review the exam although the respondent board did supply the complainant with his grade.
4. Based on the testimony by the complainant it is clear that he was seeking access to an examination which had already been administered.
5. No evidence was presented that the materials were exempt from disclosure, although respondents claimed that such materials were exempt from disclosure under Sec. 1-19b(6).
6. It is found that the records are not exempt from disclosure.

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

1. The respondents board shall forthwith provide the complainant with access to the test questions, his answers and the examiners corrections which were requested in the complainant's letter of April 16, 1979.

Approved by Order of the Freedom of Information Commission  
at its regular meeting of November 14, 1979.

  
Leslie Ann McGuire  
Clerk of the Commission