## FREEDOM OF INFORMATION COMMISSION OF THE STATE OF CONNECTICUT

In the Matter of a Complaint by	)
James L. Lathrop, Sr., and	Report of Hearing Officer
Margaret L. Lathrop,	)
Complainants	Docket #FIC77-117
against	July 27, 1977
Town of Bozrah and Board of	
Education of the Town of Bozrah, Respondents	)
	)

The above captioned matter was heard as a contested case on July 1, 1977, at which time the complainants and 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. By letter of complaint filed with this Commission on June 15, 1977, the complainants alleged that on June 9, 1977 the respondent board held a meeting at which the public was excluded, in violation of the Freedom of Information Act.
- 3. There are five members of the respondent board. Three members of the board constitute a quorum.
- 4. A quorum of the respondent board was present briefly in the office of the school superintendent shortly before the board convened, at 7:30 p.m., its scheduled public meeting in the school cafeteria.
- 5. The complainants were specifically excluded from the room during such gathering.
- 6. However, no business of the respondent board was discussed by the board members therein.
- 7. It is therefore found that the aforesaid gathering of the respondent board did not constitute a meeting of a public agency within the meaning of \$1-18a(b), G.S.

8. It is therefore concluded that the complainants were not denied any right conferred under Chapter 3 of the General Statutes.

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.
- 2. While the gathering in question is found not to be a meeting of a public agency as defined in \$1-18a(b), G.S., this decision is strictly limited to the facts herein presented and should not be interpreted, nor shall not be construed, as applying to a similar gathering under circumstances different from thos presented in this case.
- 3. The Commission cautions the respondents in the future to avoid such gatherings as the one here in question, because they offer opportunity for concealment of any business that may be conducted there, and therefore may mislead the general public.

Helen M. Loy

Chairman

Approved by order of the Freedom of Information Commission on July 27, 1977.

Charlene G. Arnold

Clerk of the Commission