

FREEDOM OF INFORMATION COMMISSION
OF THE STATE OF CONNECTICUT

In the Matter of a Complaint by
Ronald F. Armstrong,
Complainant

Report of Hearing Officer

against

Docket #FIC78-214

City and Town of Hartford; Board
of Education of the City and
Town of Hartford; and the Admin-
istrator for Personnel and Labor
Relations for the Board of Educa-
tion of the City and Town of
Hartford,

March 27 , 1979

Respondents

The above captioned matter was heard as a contested case on December 6, 1978 at which time the complainant and 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 by §1-18a(a), G.S.

2. By letter dated October 19, 1978, the complainant requested certain information relating to job interviews conducted by the respondents for the job of Assistant Manager of Food Services for the Hartford Schools. Many candidates, including the complainant, were interviewed for the job.

3. At the time of hearing, the complainant had received all of the requested information held by the respondents with the exception of the following:

a. the names and scores of, and comments on, the interviewed candidates given by each interviewer identified by name;

b. material such as personal resumes which were provided to the interviewers by each such candidate.

4. The respondents contend that such records, except those records which relate to the complainant alone, are exempt from mandatory disclosure as "personnel or medical files or similar files the disclosure of which would constitute an invasion of personal privacy" as provided by §1-19(b)(2), G.S.

5. The professional resume of the successful applicant for the job of Assistant Manager of Food Services is a record which relates to the conduct of the public's business and therefore disclosure of such does not constitute an invasion of personal privacy under §1-19(b)(2), G.S.

6. Personally identifiable portions of resumes, and similar materials, submitted by the unsuccessful applicants for such job, fall within the scope of the exception provided under §1-19(b)(2), G.S.

7. Similarly, the identities of the unsuccessful candidates, as contained on the scoring sheets of the interviewers, are exempt from disclosure under §1-19(b)(2), G.S.

8. However, work experience unrelated to the names of employers or professional degrees unrelated to schools, as contained in resumes or similar material, are not personally identifiable and therefore fall outside the protection of §1-19(b)(2), G.S. In this regard, degrees and professional background were factors considered by the respondents in their selection of job applicants.

9. Those portions of scoring sheets which contain the comments and scores of the interviewers are also public records as matters relating to the conduct of the public's business. The written comments of interviewers, identified by name, relate to the hiring and administrative practices of the respondents.

10. It is therefore found that the information described in paragraphs 5, 8 and 9 hereinabove constitute public records as defined by §1-18a(d), 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 provide the complainant, within one week of the date of issuance of Final Decision hereof, all of the information described in paragraphs 5, 8 and 9 of the Findings hereinabove.

2. The exempted information described in paragraphs 6 and 7 of the Findings above, contained in the requested records, may be masked out or deleted at the time of the respondents' compliance with this order of disclosure.

Judith A Lahey

Commissioner Judith Lahey

as Hearing Officer

Approved by order of the Freedom of Information Commission on April 11, 1979.

Leslie Ann McGuire
Leslie Ann McGuire
Acting Clerk of the Commission