FREEDOM OF INFORMATION COMMISSION OF THE STATE OF CONNECTICUT

In the Matter of a Complaint Charles Galian, Complainant)	
one for the first of the first)	Final Decision
against		
)	Docket #FJC78-89
State of Connecticut; and the		
State Board of Registration for)	September 13, 1978
Professional Engineers and Land		
Surveyors of the State of)	
Connecticut, Respondents		
)	

The above captioned matter was heard as a contested case on July 19, 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 respondents are public agencies within the meaning of §1-18a(a), G.S.
- 2. By letter dated April 4, 1978 the complainant requested copies of questions on the land surveyor examination and his answers to those questions, the examiners' corrections, and his grade.
- 3. By letter dated April 26, 1978 the State Board of Registration for Professional Engineers and Land Surveyors refused to give him copies of the exam, the examiners' corrections, and his answers, although the respondent board did supply the complainant with his grade.
- 4. The respondent board claimed the materials which it did not disclose were exempt from disclosure under §1-19(b)(6), G.S.
- 5. The respondent board failed to prove that the complainant's test would be used again.
 - 6. There was no scoring key.
- 7. The written answers of the complainant were corrected by written comments of the examiners.
- 8. The respondent has permitted the complainant to see the exam, his own answers and the examiner's corrections.

- 9. It is concluded that the requested records are not exempt from disclosure under §1-19(b)(6), G.S.
- 10. It is found that even if the records were exempt from disclosure the respondent in effect waived the exemption to disclosure set forth at §1-19(b)(6), G.S.

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

1. The respondent board shall forthwith provide the complainant with copies of his test questions, his answers and the examiners' corrections which were requested in the complainant's April 4, 1978 letter.

Approved by order of the Freedom of Information Commission on

September 13, 1978.

Chartene G. Arnold

Clerk of the Commission.