

Winsted education board target of FOI complaint

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WINSTED — A Freedom of Information complaint was filed yesterday against the Board of Education for allegedly violating laws governing who is allowed to be present during executive sessions.

The complaint, filed by Charlene LaVoie, the community lawyer, asks the commission to investigate the incident to determine if a violation occurred.

According to LaVoie, Joy Rice, the school district's director of pupil personnel services, attended a Sept. 24 executive session.

"The Director's presence during this presentation was completely improper and clearly in violation," of the Freedom of Information Act, LaVoie wrote in her complaint.

The executive session was called to discuss complaints by Ruth Wheeler that her son's edu-

cational file contained incorrect information and he had been inappropriately punished by Mary P. Hinsdale School Principal Richard Conrad and fourth-grade teacher Andrew Wilkinson while a student at the school.

According to the laws governing executive sessions "only those invited by the agency to present testimony and opinion are allowed and their attendance shall be limited to the period for which their presence is necessary," LaVoie wrote in a letter to Thomas M. Condon, Board of Education chairman.

Because Rice was never asked by the board to offer any testimony or opinion, her attendance at the meeting was in violation of laws governing executive sessions, LaVoie said.

Rice's presence "tainted" the entire proceedings, LaVoie said. Instead of testifying on the issue, Rice took "copious notes" on the

proceedings. 10/28/91

"It astounds me that this situation occurred, especially since the Board attorney was present throughout the session," LaVoie wrote.

Thomas Sullivan, the board's attorney, and Condon could not be reached for comment yesterday. School Superintendent Robert W. Voight said he had "no comment" on LaVoie's complaint.

The complaint prolongs Wheeler's attempt to settle the case, which has been going on for two years. LaVoie began to represent Wheeler in July after Wheeler complained that the school board was intentionally ignoring her complaints.

Board members denied any intentional effort to ignore Wheeler and scheduled the executive session meeting in September to hear her complaint.

The outcome of that hearing has not been made public.