

Statement of the Connecticut Council on Freedom of Information on Proposed House Bill 5900, An Act Requiring More Transparency in Education

Monday, February 11, 2014

Senator Musto, Representative Jutila and members of the Government Administration and Elections Committee:

I am Claude Albert, legislative chair of the Connecticut Council on Freedom of Information. We support HB 5900, An Act Requiring More Transparency in Education.

CCFOI is an organization that has been committed to furthering government transparency and accountability for more than half a century. As you might imagine, it is a welcome – and unusual – pleasure to testify on a bill with the words “more transparency” in its title.

CCFOI has long been concerned over the outsourcing of public functions to private or quasi-public agencies without assuring the transparency that allows the public to determine if it is being well served. Explicitly making non-profits that do public work subject to the Freedom of Information Act would be a most welcome and proper addition.

The State Education Resources Center certainly should fit anybody’s definition of a public agency. It was created by the legislature; it is primarily funded by the state Department of Education; it is housed in a state office building; and it deals on behalf of the education department with issues of vital public concern. According to its website and the laws that created it, SERC provides training and professional development, technical materials, research and evaluation, and other supports for quality education in Connecticut. The center also can support programs and activities concerning early childhood education, the federal No Child Left Behind Act, and the closing of the academic achievement gap between socio-economic subgroups. These are clearly public concerns of the first order.

And it appears that the public has every right to insist on transparency at SERC. According to a Connecticut Post article last April, SERC awarded, without competitive bidding, contracts that paid more than a quarter of a million dollars to two consultants working on education reform. The Post quoted Education Commissioner Stefan Pryor as saying he believed SERC, as a nonprofit, did not have to adhere to state bidding procedures or requests for proposals. We understand that proposals have since been made to close the bidding loophole and restructure SERC, but it is clear that, whatever their structure, all agencies doing the public’s work should be subject to the Freedom of Information Act.