



**BOARD OF ETHICS AND GOVERNMENT ACCOUNTABILITY
GOVERNMENT OF THE DISTRICT OF COLUMBIA**



July 13, 2026

VIA ELECTRONIC MAIL



RE: Dismissal of Referred Complaint #OOG-2026-0012

Dear [REDACTED]:

This correspondence regards two complaints you submitted to the Board of Ethics and Government Accountability, Office of Government Ethics (“OGE”) on April 28, 2026, and May 11, 2026, respectively. OGE subsequently referred your complaints to the Office of Open Government (“OOG”) on May 19, 2026. Your April 28, 2026, complaint alleges that you were excluded from the March 30, 2026, meeting of Advisory Neighborhood Commission (ANC) 8A. Specifically, you allege that you were not allowed to ask questions and were refused a second on a motion that you introduced to honor teachers. You also allege that the Commission failed to provide adequate 48-hour notice for a meeting, failed to provide notice to each Commissioner, and authorized a \$2000 grant during the invalidated meeting. Your May 11, 2026, complaint alleges that ANC 8A engaged in retaliatory conduct and violated the spirit of the DC Code of Conduct. Specifically, you allege that the Commission’s refusal to consider a cost-free, ceremonial resolution for Teacher Appreciation Week on May 5, 2026, constituted a “petty grievance” weaponized as retaliation for your prior whistleblowing regarding the Commission’s alleged illegal meetings in March.

Your complaints concern ANC meetings. The Director of Open Government does not have jurisdiction over ANC meetings because those meetings are specifically excluded from the Open Meetings Act (“OMA”) (D.C. Official Code § 2-571 *et seq.*). I must dismiss the complaint, for the reasons stated below, because the OMA does not grant the Director of Open Government statutory authority to resolve the allegations in your complaints.

Dismissal Under the OMA

OOG’s legal staff reviewed the complaints and assigned the matter file number OOG-2026-0012. Pursuant to 3 DCMR § 10400 *et seq.*, upon the conclusion of its review, OOG’s legal staff recommended dismissal due to the threshold question of whether the Director of Open Government has jurisdiction over the public body referenced in the complaint not being met. D.C. Official Code § 2-574(3)(F) excludes ANCs from the definition of public bodies subject to the OMA. I only have statutory jurisdiction over a public body’s meetings when that entity is subject to the OMA and may dismiss a complaint that “does not raise issues within the Director’s authority under the Open

Meetings Act” pursuant to 3 DCMR § 10403.1(a). Thus, I am dismissing your complaint because it does not raise issues under my authority. I did not consider the merits of your complaint because the threshold question of jurisdiction was not met.

Laws Governing ANC Meetings

The Advisory Neighborhood Councils Act of 1975, effective October 10, 1975 (D.C. Law 1-21; D.C. Official Code § 1-309.01 *et seq.*), governs ANC meetings. ANC meetings are subject to their own open meetings laws pursuant to D.C. Official Code § 1-309.11, which provides:

(g) Each Commission, including each committee of a Commission, shall be subject to the open meetings provisions of § 1-207.42. No meeting may be closed to the public unless personnel or legal matters are discussed.

The law referenced above, D.C. Official Code § 1-207.42 is called the “Sunshine Act” and it provides a private right of action in D.C. Superior Court. Contact the Office of the Attorney General, Legal Counsel Division, if you require more information regarding the private right of action under the Sunshine Act.

I have provided a copy of your complaint to the Office of Advisory Neighborhood Commissions (OANC) Executive Director, Kent Boese. OANC may be able to provide additional guidance for resolving your complaint. Please note that OANC provides administrative support and guidance to ANCs but is not an adjudicative or enforcement agency.

If you have any questions or concerns about this dismissal, please contact me at niquelle.allen@dc.gov.

Sincerely,



Niquelle M. Allen, Esq.
Director of Open Government
Board of Ethics and Government Accountability

Enclosures (2)