



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



April 28, 2026

VIA ELECTRONIC MAIL



RE: Resolution of Complaint Concerning Capital City Public Charter School Board's Compliance with the Open Meetings Act (#OOG-2025-0009)


Dear :

On February 12, 2025, the Office of Open Government (“OOG”) received your complaint (#OOG-2025-0009) (“Complaint”) alleging that Capital City Public Charter School Board (“Capital City PCSB”, or the “Board”) publishes the times of its meetings and weblinks days before the meetings.¹

As you are aware, the Office of Open Government has the statutory charge to ensure that public bodies adhere to the Open Meetings Act.² The OMA reiterates the District of Columbia’s long-standing public policy that “all persons are entitled to full and complete information regarding the affairs of [the] government and the actions of those who represent them.”³ To support this policy, the OMA requires that its provisions be construed broadly to increase public access to public bodies’ meetings.⁴

Pursuant to 3 DCMR § 10400 *et seq.*,⁵ I reviewed and assessed your Complaint. OOG’s legal staff also reviewed Capital City Public Charter School’s (“Capital City PCS” or the “PCS”) and District of Columbia Public Charter School’s (“DC PCS”) websites, and the Capital City PCSB Chairperson’s response to the Complaint.

Upon consideration of the aforementioned (detailed background below), and the investigation results, I find that Capital City PCSB has not violated the OMA, because at the times OOG conducted its research, based on the Board’s annual schedule of meetings, no issues were identified with the Notice of meetings requirements. As such, I must dismiss this matter pursuant to 3 DCMR §10403.1(b) because the action complained of does not violate the OMA. Although,

¹ Email from  to Office of Open Government (OOG), on February 12, 2025.

² D.C. Official Code § 2-571, *et seq.*

³ D.C. Official Code § 2-572.

⁴ D.C. Official Code § 2-573.

⁵ D.C. Municipal Regulations Section 3-10400 – Filing and Presentation of Complaints.

I recommend that, if possible, Capital City PCSB provides access to its virtual meetings without a requirement of prior registration to access the meetings. The justification for the dismissal follows.

My analysis begins with the facts, then a discussion of the OMA's Notice of meetings provisions. I will conclude with a discussion of my enforcement authority under the OMA.

I. BACKGROUND

A. The Complaint

On February 10, 2025, you sent an email to OOG concerning alleged OMA violations by eleven Boards of Trustees, followed by an email inquiry about whether to submit separate complaints against forty-seven Boards of Trustees in alleged violation of the OMA or a detailed report of the total violations. In response to your question, OOG suggested that you "submit one complaint that collectively captures the 47 (or more) charters with [] a detailed report of the total, elaborating the potential problems with each."⁶ On February 12, 2025, you submitted the Collective Complaint (Complaints) via email to OOG. Your Collective Complaint contains the Complaint against Capital City Public Charter School Board, as follows: "Times with links for meetings are posted only days before."⁷

The following is a summary of Capital City PCSB Chairperson's email response to the Complaint.

B. Summary of Capital City PCSB Chairperson's February 19, 2025, email response to the Complaint

OOG provided the chairman of Capital City PCSB with a redacted (for personal identifiable information) copy of the Complaint, thereby availing the chairman of the opportunity to respond to the said Complaint. The Board's Chairman Hiram Puig-Lugo, response to the allegations in the Complaint via email on February 19, 2025, in part, is as follows: "Our board meetings are listed on our website www.ccpcs.org. Our public comment policy appears below."⁸

Chairman Puig-Lugo requested clarification concerning the request in his response on February 19, 2025, to which a member of OOG's staff provided an explanation.⁹ OOG has received no further communication from the Chairman concerning the Complaint. Notwithstanding, the information gathered during OOG's investigation was sufficient to support my decision on this matter.

⁶ Email from [REDACTED] to Office of Open Government (OOG), on February 10, 2025; Email from Director Niquelle Allen (OOG) to [REDACTED], on February 12, 2025.

⁷ Email from [REDACTED] to Office of Open Government (OOG), on February 12, 2025.

⁸ Email from Chairman Hiram Puig-Lugo, Capital City PCSB to Attorney Advisor Joan Lelma (OOG), on February 19, 2025.

⁹ Email from Attorney Advisor Joan Lelma (OOG) to Chairman Hiram Puig-Lugo, Capital City PCSB, on February 19, 2025.

I, now move to discuss the Notice of meetings provision concerning publication of the Board's meeting notices in full, to include the times of and access (weblinks) to the meetings.

II. DISCUSSION

A. **The OMA requires that a public body provides notice as soon as possible of its scheduled meeting and when the schedule is changed, but not less than forty-eight (48) hours or two (2) business days before its meeting, whichever is greater, except for emergency meetings.**

All meetings properly constituted to conduct public business as defined under the OMA,¹⁰ unless specifically and legally exempt,¹¹ are presumed to be open to the public, and the public must receive advanced notice of the date, time, location and draft agenda.¹² Pursuant to D.C. Official Code § 2-576(1), the public must be given notice as soon as possible of a scheduled meeting and when the schedule is changed, but not less than forty-eight (48) hours or two (2) business days before its meeting, whichever is greater, except for emergency meetings. If one of the requirements of the notice is absent (date, time, location, and draft agenda) pursuant to D.C. Official Code § 2-576(5), a proper meeting notice has not been provided. Also, evident from D.C. Official Code § 2-576(1), if a complete meeting notice (with the date, time, location, and draft agenda) is published outside of the required period, the public body has violated the OMA.

You state in your Complaint that the “[t]imes with links for meetings are posted only days before” each respective meeting.¹³ OOG’s staff conducted a review of Capital City PCS’ website in March 2025 and February and March 2026, and even though the research dates were more than forty-eight (48) hours or two (2) business days before each of the upcoming meetings, no violation was identified. Further, the following information regarding access to the Board’s meetings is on Capital City PCS’ website. “To register for the meeting, please click on the meeting agenda below and register using the Webinar Registration Link. Meeting agendas will be posted at least 48 hours before the scheduled meeting.”¹⁴ OOG acknowledges that the preceding statement does not equate to the posting of the Board’s complete meeting notices in a timely manner. However, the OMA requires that a public body’s meeting notice be posted at least forty-eight (48) hours or two (2) business days before a scheduled meeting, whichever is greater. It follows that if Capital City PCSB publishes its full meeting notices (with times and weblinks) “only days before”¹⁵ each of its scheduled meetings, the Board has complied with the OMA.¹⁶

Based on the preceding, Capital City PCSB has not violated the OMA by providing access (weblinks) to and times of its meetings as you alleged. However, I recommend that, if possible, the Board provides access to its virtual meetings without a requirement of prior

¹⁰ D.C. Official Code § 2-574(1).

¹¹ D.C. Official Code § 2-575(b).

¹² D.C. Official Code § 2-576(5).

¹³ Email from ██████████ to Office of Open Government (OOG), on February 12, 2025.

¹⁴ See <https://ccpcs.org/about/board-of-trustees/>.

¹⁵ Email from ██████████ to Office of Open Government (OOG), on February 12, 2025.

¹⁶ D.C. Official Code § 2-576(1).

registration to access the meetings. I issued an Advisory Opinion (#OOG-2025-0057) which addresses this issue. I stated in relevant part as follows: “While a requirement to send an email (or register online) is not *per se* a violation of the OMA, the requirement to do either by a date certain in advance of the meeting is not in keeping with the language or spirit of District policy.”¹⁷ I take notice that the requirement on Capital City PCS’ website does not have a date certain for registration; however, in keeping with the OMA requirement that “[r]easonable arrangements are made to accommodate the public’s right to attend the meeting,” the Board must endeavor to dispense with the registration requirement to attend its meetings.¹⁸

Next, I will discuss my enforcement authority under the OMA and conclude.

III. **ENFORCEMENT AUTHORITY AND CONCLUSION**

The facts alleged in the Complaint do not amount to a violation of the OMA. I am only empowered to seek injunctive and declaratory relief when certain OMA violations have occurred.¹⁹ Your Complaint does not establish a violation of the OMA, and as such, I am dismissing it for the reasons stated herein, and under the OOG’s regulations.²⁰ Attached is a copy of your Complaint.²¹

The Office of Open Government’s 2026 OMA training schedule for Boards of Trustees for DC public charter schools is published, and the training invites for the first training were sent to Boards’ chairpersons and members.²² The invites for all the trainings will be dispatched likewise; that is, two weeks before each scheduled training session, with a reminder closer to the respective sessions. Per the training schedule, the next session will be on June 10, 2026. Public body chairpersons and members must attend at least one of OOG’s OMA training sessions annually. The staff of public bodies are encouraged to attend the trainings.

If you have any questions or concerns, contact OOG Attorney Joan Lelma at joan.lelma@dc.gov.

Sincerely,



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

¹⁷ See https://www.open-dc.gov/sites/default/files/Shining%20Stars%20Montessori%20Academy%20AO_OOG-2025-0057_FINAL_Redacted.pdf.

¹⁸ D.C. Official Code § 2-577(a)(1).

¹⁹ See D.C. Official Code § 2-579.

²⁰ 3 D.C.M.R. § 10403.1 (“The Director [of Open Government] may dismiss a complaint on one or more of the following grounds: . . . (b) The action complained of does not violate the [OMA].”)

²¹ See 3 DCMR § 10403.2.

²² See <https://www.open-dc.gov/news/2026-oma-trainings-boards-trustees-dc-public-charter-schools>.