



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



October 8, 2025

VIA ELECTRONIC MAIL





**RE: Resolution of Complaint Concerning Smothers Elementary School
Local School Advisory Team's Compliance with the Open Meetings
Act
(#OOG-2024-0012)**


Dear 

On January 7, 2025, the Office of Open Government ("OOG") received your complaint (#OOG-2024-0012) ("Complaint"), which is detailed in an email chain sent to OOG on December 17, 2024, alleging that Smothers Elementary School Local School Advisory Team ("Smothers LSAT") nominated a chairperson to Smothers LSAT "outside of a regular LSAT meeting"¹ and cancelled one of its publicly noticed meetings without notice to the public of the cancellation.² In your clarification email to OOG on May 5, 2025, you describe the alleged nomination in issue as a self-appointment by the chairperson.³

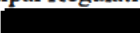
Pursuant to 3 DCMR § 10400 *et seq.*,⁴ I reviewed and assessed your Complaint and your clarifying information, provided on May 5, 2025.⁵ I also reviewed a District of Columbia Public School's ("DCPS") Attorney's responses to your Complaint, which incorporate a Washington Teachers' Union ("WTU") Field Representative's and the DCPS' Manager of Community Affairs and Engagement responses to your Complaint.⁶ Upon consideration of the aforementioned (detailed background below), the Smothers LSAT's alleged nomination or selection of a chairperson on October 3, 2024 (disputed date) does not violate the Open Meetings Act ("OMA") because the alleged nomination or selection process does not raise facts or circumstances covered in the OMA. This unique situation of Smothers' LSAT being reduced to one or two members is one that warrants further examination, but insufficient and conflicting information prevents such within the context of the OMA. The issue that falls within the OMA is the meeting notice.

¹ Email from  to Sharona Robinson (Manager, Community Affairs and Engagement, DCPS), and OOG on December 17, 2024; email from  to Director Niquelle Allen (OOG) on January 7, 2025, expresses that the preceding email is a complaint.

² Ibid.

³ Email from  to Attorney Advisor Joan Lelma (OOG), on May 5, 2025.

⁴ D.C. Municipal Regulations Section 3-10400 – Filing and Presentation of Complaints.

⁵ Email from  to Attorney Advisor Joan Lelma (OOG), on May 5, 2025.

⁶ Email from Attorney Eboni Govan (DCPS), on February 28, 2025, with attached response that incorporates statements from Janice Brown Parker, WTU's Field Representative and Sharona Robinson, DCPS' Manager of Community Affairs and Engagement.

Notwithstanding the LSAT reduced membership and the insufficiency of information, OOG advises that LSATs must provide notice of meetings in accordance with the OMA. The LSAT must create a record, as best as possible, of the selection of members, create a process in such a situation, and make it available to the public.

Concerning the conflicting and insufficient information on which to decide, your allegation of the anonymous voting for a chairperson that occurred on October 22, 2024, in your Complaint formed from the email chain⁷ and your clarification to the Complainant of self-appointment of a chairperson on October 3, 2024,⁸ do not accord. Further, your reference to communication concerning the issue that started in email from the chain that forms the Complaint, dated October 10, 2024, does not appear to exist. Also, OOG did not find any information from the staff's investigation to support your allegation. However, I have addressed the issue of the temporary selection of interim members to Smothers LSAT, as described by a DCPS attorney and corroborated by a WTU Field Representative and the implications under the OMA of a public body conducting public business outside of a properly convened and noticed public meeting. The latter touches and concerns your allegations.

Further, there is insufficient evidence to conclude that Smothers LSAT violated the OMA by not providing proper notice to the public of the cancellation of one of its meetings (allegedly scheduled for December 24, 2024). Smothers LSAT failed to publish meeting notices and failed to publish a schedule of its meetings as required by the OMA for school year 2024 to 2025. DCPS' attorney communicated that to the best of her knowledge, no information concerning a December 24, 2024, meeting exists. However, for the benefit of the parties, I have discussed the requirements under the OMA for cancellation of meetings by a public body.

Based on the OOG staff's review of Smothers Elementary School's ("SES") website on May 2, 2025, Smothers' LSAT is in violation of the Open Meetings Act for the following reasons. First, there were no meeting minutes or (information on access to) record of meetings published for the year 2024, as required by D.C. Official Code § 2-578(b). Second, a schedule of meetings was not provided, and third, there were no meeting notices provided for school year 2024 to 2025, in accordance with D.C. Official Code § 2-576(1). Further, OOG's staff takes notice that the preceding information has not been published on OOG's Central Meeting Calendar ("CMC"). However, the meeting minutes of January 9, 2025, and January 28, 2025, meetings are published on SES' website.

The Director of OOG is authorized pursuant to 3 DCMR § 10405.7 to request additional information from either the Public Body or the Complainant, to be provided within a reasonable time, and in no event less than five (5) business days from the date of the request for further information. As detailed below and based on the evidence provided, I find no OMA violation based on your allegations and must dismiss the Complaint pursuant to 3 DCMR § 10403.1(c). As previously mentioned, you declined to provide information germane to the resolution and

⁷ Email from [REDACTED] to Sharona Robinson (Manager, Community Affairs and Engagement, DCPS), and OOG on December 17, 2024; email from [REDACTED] to Director Niquelle Allen (OOG) on January 7, 2025, expresses that the preceding email is a complaint.

⁸ Email from [REDACTED] to Attorney Advisor Joan Lelma (OOG), on May 5, 2025.

evaluation of the Complaint, so my only available action is a dismissal. However, I find, based on the violations identified by OOG's staff and discussed below that Smothers LSAT is due for, and must retake OMA training, offered by OOG.

The Advisory Opinion sets forth the rationale for these findings. My analysis begins with the facts, then a discussion of the OMA's meeting procedures provisions, and an examination of the relevant portions of the LSAT Guidelines. I conclude with directives for compliance with the OMA and a discussion of my enforcement authority under the statute.

I. BACKGROUND

A. The Complaint

On January 7, 2025, you submitted the Complaint via email to the OOG, detailed in series of email messages sent to OOG on December 17, 2024. Your Complaint, in part, states:

I am sending this email because as a member of Smothers LSAT, I have serious concerns about how LSAT has not been a functioning one this year, due to several mistakes that had taken place beginning with the WTU not holding another election at the beginning of the year when elected members from May 2024 did not return... In September, I was informed by the Smother building representative because of how I felt in May, I was no longer on LSAT.

The building representative did not understand that you can't have a LSAT premeeting with only WTU members to focus on the interest of WTU members. I explained this could not occur and LSATs are not like SCAC and Personnel Committees, but it's about all stakeholders and all LAST members must be invited to the meeting with a notice to the community about the meeting. However, the meeting happened and 2 people who attended (the building representative and another teacher) selected among themselves the teacher will be chairperson. Again, I object to the selection of the chairperson because it is not an official meeting without specific people in the meeting.

At the first and only Smothers LSAT meeting, October 22, 2024, there was anonymous voting for LSAT chairperson, which again I objected expressing there is nothing anonymous about what happens in LSAT. The chairperson ended in a tie. So, there was no chairperson selected... Last, In mid-November 2024, it was determined by WTU that since new elections did not take happen to replace elected members that did not return; new elections would occur in December 2024. However, the November meeting will take place to dissolve the LSAT.

At this November 2024 meeting, I asked will the December date for LAST still remain the same and the Smothers building representatives said yes. After the election and I was elected to the LSAT, I reached out our build representative on 12/9/24 asking them to reach to the principal about December's LSAT because it

falls on Christmas Eve and to see they had availability the week of December 16, 2024. This would have given enough time to notify the community of the change. I sent another email December 16, 2024, and received the email below.

The most concerning matter is the cancellation of the December LSAT meeting and a nomination process for the LSAT chairperson taking place outside of a regular LSAT meeting. There was no reason as to why the LSAT meeting was cancelled and there was no notification to the public about this cancellation... Therefore, I am requesting DCPS assist Smothers with the creating of a functioning and address the concerns over the cancellation of the meeting.

I am emailing you about a complaint I submitted December 17, 2024... I look forward to your review of my complaint.⁹

The following is a summary of the District of Columbia Public School (“DCPS”) Attorney Advisor’s email response to the Complaint.

B. Summary of DCPS Attorney Advisor’s February 28, 2025, email response to the Complaint

The OOG provided Chairperson Jessica Kopas of Smothers LSAT and DCPS Attorney Eboni Govan with a redacted (for personal identifiable information) copy of the Complaint, thereby availing them of the opportunity to respond to the Complaint. Attorney Govan responded via email on February 28, 2025, and provided the following statements from Ms. Janice Brown Parker, WTU Representative and DCPS’ Manager of Community Affairs and Engagement, Ms. Sharona Robinson, concerning how the election was conducted to select the chairperson in January 2025, and the temporary selection of LSAT members in 2024. In addition, Attorney Govan informed OOG in her response that Smother’s Elementary School has a functioning LSAT and one was in place at the time of the complaint. Further, Attorney Govan states that “... the nominations for LSAT were conducted properly and with the support of the DCPS Manager of Community Affairs and Engagement (the DCPS employee with responsibility for LSAT oversight).”¹⁰

Partial Statement from Ms. Janice Brown Parker, WTU Field Representative

... In November 2024, Margaret Raji (WTU BR) informed me that the LSAT committee elected in May 2024 was reduced to one (Jessica Kopas) of the four elected members—two members transferred to a different school, and one

⁹ Email from [REDACTED] to Sharona Robinson (Manager, Community Affairs and Engagement, DCPS), and OOG on December 17, 2024; email from [REDACTED] to Director Niquelle Allen (OOG) on January 7, 2025, expresses that the preceding email is a complaint.

¹⁰ Email from Attorney Eboni Govan (DCPS), on February 28, 2025, with attached response that incorporates statements from Janice Brown Parker, WTU’s Field Representative and Sharona Robinson, DCPS’ Manager of Community Affairs and Engagement.

member (Mekra Mack) resigned from the committee. Ms. Raji requested teachers volunteer to join the team and called a meeting for any volunteers.

Three teachers and the building representative (BR) volunteered at that meeting. A community member also volunteered to serve as a community member. Jessica Kopas volunteered to serve as the chairperson of the LSAT. Historically, someone volunteered to serve as the chairperson at Smothers ES each year. They have never conducted an election for chairperson or secretary. After that meeting, Ms. Raji notified the teachers that there was still one additional seat available for a teacher team member. Another teacher volunteered to accept that fourth seat; however, Ms. Mekra Mack persuaded her to step down and let her assume the fourth seat. However, once Ms. Mack was informed that Ms. Kopas had already volunteered as chairperson; she complained that the process was not followed correctly. She insisted there be an election for chairperson.

Presumably, due to the team members' discontent with the bickering by a team member, a few volunteers stepped down. Hence, Ms. Raji requested support from the WTU office in conducting an official election for the WTU members of the LSAT. For the record, this request and support are not unique to Smothers ES. I've conducted elections at many of the schools I support. I have served as the field services specialist for Smothers ES since July 2018 and have conducted several WTU committee elections there for several years. Per WTU guidelines, a nomination meeting and an election were held five school days after the nomination meeting.

During the nomination process, I encouraged the teachers to recruit parents to serve as parent members of the LSAT. In the past, their LSAT lacked parent engagement. Through an extraordinary campaign, the teachers successfully recruited four parent volunteers and the PTO president. Smothers ES has a full LSAT with parents and teachers, a non-instructional team member, and a community volunteer for the first time in more than ten years.

On January 9, 2025, Smothers ES LSAT held its first meeting of the year and elected a chairperson; one of the parents volunteered to serve as secretary...¹¹

¹¹ Email from Attorney Eboni Govan (DCPS), on February 28, 2025, with attached response that incorporates statement from Janice Brown Parker, WTU's Field Representative.

Partial Statement from Ms. Sharona Robinson, DCPS Manager of Community Affairs and Engagement, concerning the January 9, 2025, LSAT meeting

As a note, Ms. Mack raised concerns during the meeting that non-LSAT members were present, and she worried they would attempt to cast a vote. In response to her request, the votes were sent to me via text, and they included the voter's name, role, vote for LSAT Chair.

LSAT Chair Nominees
Jessica Kopas – 6 votes
Mekra Mack – 3 votes¹²

Attorney Govan addresses the complainant's concern about WTU's support of Smother's LSAT by stating the following.

... it well established the LSATs exist because in part of the WTU (see enclosed *DCPS LSAT Guidelines*, page 4) and it is common for WTU representation to exist among the LSATs. Ms. Raji, the Smothers WTU Building representative, is also a member of the LSAT. Furthermore, it is clear that Ms. Parker's efforts contributed significantly to the successful reestablishment of the Smothers LSAT. Her statement of events was confirmed by the DCPS Manager of Community Affairs and Engagement.¹³

Attorney Govan concludes her response to the Complaint by stating that "[t]he election for Chair was held during an LSAT meeting consistent with LSAT Guidelines."¹⁴ She expresses the resolve of DCPS to continue to support Smother's LSAT for the remainder of the academic year.

C. Summary of the Complainant's May 5, 2025, email response to the OOG's Request for Clarification

Based on OOG's review of the Complaint, the response provided on behalf of Smothers LSAT, and review of Smothers Elementary School's website, OOG's staff clarified certain information with you and Smothers LSAT's representative. In response to the OOG's email inquiry dated May 2, 2025, you provided the following response on May 5, 2025.

¹² Email from Attorney Eboni Govan (DCPS), on February 28, 2025, with attached response that incorporates statement from Sharona Robinson, DCPS' Manager of Community Affairs and Engagement.

¹³ Email from Attorney Eboni Govan (DCPS), on February 28, 2025, with attached response that incorporates statements from Janice Brown Parker, WTU's Field Representative and Sharona Robinson, DCPS' Manager of Community Affairs and Engagement.

¹⁴ Ibid.

The date the building representative and the other teacher (who appointment themselves) as the chairperson was 10/3/2024.

As you can see from the email communication beginning on 10/10/24 from Jessica Kopas, who appointment herself chairperson at the 10/3/24 meeting, about having a premeeting and my response.

These are some of my concerns as well as meetings being cancelled without notification or explanation to the public in December 2024.

Since January 2025, with Ms. Robinson's support, the LSAT is following the Open Meeting Act.¹⁵

The OOG's staff notes that you did not respond to OOG's clarification questions to the complainant sent on May 2, 2025. A member of the OOG's staff acknowledged your preceding response on May 5, 2025, indicating that one [of the four] questions was answered. The OOG has received no further responses from you. Furthermore, OOG's staff takes notice that the date when the alleged communication commenced (October 10, 2024) is not a part of the Complaint that alleges the nomination of a chairperson on October 22, 2024, and the alleged partial self-appointment of the chairperson on October 3, 2024, is absent from the email chain that forms the Complaint. The dates of the emails that form the Complaint are as follows: December 16, 2024; December 17, 2024; and January 7, 2025. The OOG's staff also notes that October 3, 2024, does not appear in the body of the emails. However, "October 22, 2024,"¹⁶ is in the email dated December 17, 2024, sent by you to DCPS' Manager of Community Affairs and Engagement and the OOG. The email states in part, "[a]t the first and only Smothers LSAT meeting, October 22, 2024, there was anonymous voting for LSAT chairperson ..."¹⁷

The preceding is inconsistent with your response to the OOG's inquiry on May 2, 2025, in which you state, "[a]s you can see from the email communication beginning on 10/10/24 from Jessica Kopas, who appoint[ed] herself chairperson at the 10/3/24 meeting, about having a premeeting and my response."¹⁸

I now provide DCPS' Attorney Govan's response on June 4, 2025, to the OOG's clarification email.

D. Summary of DCPS' Attorney Govan's June 4, 2025, email response to the OOG's Request for Clarification and a Complete Response to the Complaint

Based on the OOG's review of the Complaint, the response provided on behalf of Smothers LSAT, and review of Smothers Elementary School's website, OOG's staff clarified

¹⁵ Email from [REDACTED] to Attorney Advisor Joan Lelma (OOG), on May 5, 2025.

¹⁶ Email from [REDACTED] to Sharona Robinson (Manager, Community Affairs and Engagement, DCPS), and OOG on December 17, 2024.

¹⁷ Ibid.

¹⁸ Email from [REDACTED] to Attorney Advisor Joan Lelma (OOG), on May 5, 2025.

certain information with Smothers LSAT's representative and provided further opportunity for a complete response to the Complaint. In response to the OOG's email inquiry dated May 2, 2025, Attorney Govan provided the following response on June 4, 2025, with two attached documents: (1) an email chain with correspondences among Smothers LSAT members (including the Complainant and DCPS' Manager of Community Affairs and Engagement) concerning the January 9, 2025 and January 28, 2025, meetings, and (2) a copy of the January 9, 2025 meeting minutes.¹⁹ Attorney Govan states in her email response as follows: "... The meeting minutes are included as an attachment to one of the emails. There is no agenda but it discussed within the email communications. There is no meeting recording to provide because the LSAT didn't take steps to permanently maintain the recording."²⁰

The OOG's staff notes that Smother's LSAT representative did not address the Complainant's allegation concerning cancellation of a Smothers LSAT meeting that was scheduled for December 24, 2025 (Christmas Eve) in her June 4, 2025, response. However, upon further inquiry, Attorney Govan provided the following response to the OOG with an attached email from a Washington Teachers' Union Field Representative's to the DCPS' Manager of Community Affairs and Engagement concerning the support the WTU's provided to WTU members at Smothers Elementary School in electing the LSAT members, at some time after November 2024.²¹

Attorney Govan states as follows:

Currently, I do not have any documentation to provide regarding a 12/24 meeting or the rescheduling of a 12/24 meeting. I have not seen anything referencing a meeting on that date other than the complaint itself.

I attach one additional email from the WTU Field Services Representative supporting the Smothers LSAT. This email is consistent with other communications regarding the date of the first LSAT meeting being held in January.²²

Since the facts and opposing information from you and Smothers LSAT's representatives have occupied a large portion of this advisory opinion, the relevant parts of the above-mentioned email are not provided here. Further, a copy of the partial statement of the WTU Field Representative under sub-heading B of the preceding is a copy of the omitted email.²³

¹⁹ Email from Attorney Eboni Govan (DCPS) to Attorney Advisor Joan Lelma (OOG), on June 4, 2025, with attached email chain of correspondences among Smothers LSAT members, and Smother's January 9, 2025, meeting minutes.

²⁰ Email from Attorney Eboni Govan (DCPS) to Attorney Advisor Joan Lelma (OOG), on June 4, 2025.

²¹ Email from Attorney Eboni Govan (DCPS) to Attorney Advisor Joan Lelma (OOG), on June 18, 2025, with attached email from Janice Brown Parker, WTU's Field Representative to Sharona Robinson, DCPS' Manager of Community Affairs and Engagement, dated January 13, 2025.

²² Email from Attorney Eboni Govan (DCPS) to Attorney Advisor Joan Lelma (OOG), on June 18, 2025.

²³ Email from Attorney Eboni Govan (DCPS), on February 28, 2025, with attached response that incorporates statement from Janice Brown Parker, WTU's Field Representative.

I now move to discuss the Complaint, commencing with the alleged cancellation of a Smothers LSAT meeting that you state was scheduled for December 24, 2024 (Christmas Eve), then an examination of the LSAT Guidelines with the alleged nomination on October 22, 2024, and self-appointment of an LSAT chairperson on October 3, 2024, in contemplation, followed by an examination of Smothers LSAT's adherence to the Open meetings, Notice of meetings, and Recording of meetings provisions of the Open Meetings Act. The Opinion concludes with directives for Smothers LSAT compliance with the OMA.

II. DISCUSSION

A. The OMA obligates a public body to provide cancellation notice of its cancelled meetings, and to do so, except in the case of an emergency, as soon as possible, but within 48 hours or 2 business days of the scheduled meeting, whichever is greater.

The Open Meetings Act applies to public body meetings where there is a “gathering of a quorum of the members of a public body, including hearings and roundtables, whether formal or informal, regular, special, or emergency, at which the members consider, conduct, or advise on public business” (D.C. Official Code § 2-574(1)). The term “public body” means “any government council, including the Council of the District of Columbia, board, commission, or similar entity, including a board of directors of an instrumentality, a board which supervises or controls an agency, the board of trustees of a public charter school, or an advisory body that takes official action by the vote of its members convened for such purpose.”²⁴ The OMA also applies when a public body attempts to meet as a quorum to conduct public business.

Notwithstanding cancellation of a public body's meeting, the scheduling of the meeting is an attempt to conduct public business. Further, a meeting cancellation is a change in schedule, which the Open Meetings Act addresses. D.C. Official Code § 2-576(1) states as follows: “Notice shall be provided when meetings are scheduled and when the schedule is changed. A public body shall establish an annual schedule of its meetings, if feasible, and shall update the schedule throughout the year. A public body shall attempt to provide notice as early as possible, but not less than 48 hours or 2 business days, whichever is greater, before a meeting.” The OOG requires that a public body provides notice to the public of its cancelled meetings by placing “Cancelled” on the meeting notices. Deletion of the meeting notice for which the meeting has been cancelled does not fulfill the notice requirement under the OMA.

Concerning your allegation of Smothers LSAT's cancellation of its meeting that was scheduled for December 24, 2024 (Christmas Eve), I find the evidence to be inconclusive on which to decide whether Smothers LSAT violated the OMA by not providing notice to the public of the cancellation of one of its meetings that was allegedly scheduled for December 24, 2024. Smothers LSAT has not published meeting notices and a schedule of its meetings as required by the OMA and DCPS' attorney communicates that to the best of her knowledge, no information concerning

²⁴ D.C. Official Code § 2-574(3).

a December 24, 2024, meeting exists. However, for the benefit of the parties, I have discussed in the preceding the requirements under the OMA for cancellation of meetings by a public body.

Next, I will examine the Local School Advisory Team Guidelines (School Year 2021-2022) and discuss the alleged nomination of an LSAT chairperson on October 22, 2024, and self-appointment on October 3, 2024, as such relates to the Open Meetings Act and the LSAT Guidelines.

B. The OMA requires that a public body adheres to all the provisions of the statute when the body conducts public business, which includes voting.

The definition of a meeting in the OMA covers what constitutes public business under the statute. D.C. Official Code § 2-574(1)(A) defines a meeting as “... any gathering of a quorum of the members of a public body, including hearings and roundtables, whether formal or informal, regular, special, or emergency, at which the members consider, conduct, or advise on public business, including gathering information, taking testimony, discussing, deliberating, recommending, and voting, regardless of whether held in person, by telephone, electronically, or by other means of communication.” Further, the OMA requires that all votes taken at a public body’s meeting must be recorded.²⁵

Based on the preceding, voting for a chairperson at an LSAT meeting constitutes public business. However, your concern is that allegedly “a nomination process for the LSAT chairperson t[ook] place outside of a regular LSAT meeting.”²⁶ By virtue of the OMA, a public body must not conduct public business outside of a properly constituted and convened public body meeting.²⁷ The information provided by you and representatives of Smothers LSAT shows that the LSAT found itself in an unusual situation having one and two LSAT members at certain times in 2024.²⁸ According to the LSAT Guidelines, the maximum number of members of an LSAT is fifteen and the principal may allow one additional member with the consensus of the LSAT members where such addition is deemed necessary for proper representation²⁹

Notwithstanding the intent of the OMA for the public to have access to public bodies’ information if not excluded by one or more of the exceptions to open session,³⁰ the LSAT Guidelines of how members of the LSATs are selected³¹ and the usual situation of Smothers LSAT would require the OOG to consider all factors bearing on the situation, while holding in mind the following statement of policy in the OMA. “... [A]ll persons are entitled to full and

²⁵ D.C. Official Code § 2-577(a)(3).

²⁶ Email from [REDACTED] to Sharona Robinson (Manager, Community Affairs and Engagement, DCPS), and OOG on December 17, 2024.

²⁷ D.C. Official Code § 2-576(1).

²⁸ Email from Attorney Eboni Govan (DCPS), on February 28, 2025, with attached response that incorporates statement from Janice Brown Parker, WTU’s Field Representative (November 2024, one member).

²⁹ <https://dcps.dc.gov/sites/default/files/dc/sites/dcps/publication/attachments/LSATGuidelines-SY19-20.pdf> (p. 6 of 2019-2020 copy).

³⁰ D.C. Official Code § 2-575.

³¹ <https://dcps.dc.gov/sites/default/files/dc/sites/dcps/publication/attachments/LSATGuidelines-SY19-20.pdf> (p. 6-8 of 2019-2020 copy).

complete information regarding the affairs of government and the actions of those who represent them.”³² However, the OOG refrains from considering this matter extensively for reasons presented under Section C, Part I of this opinion and reiterated in the following.

Certain parts of your Complaint³³ are inconsistent with your response to the OOG’s inquiry on May 2, 2025, in which you state, “[a]s you can see from the email communication beginning on 10/10/24 from Jessica Kopas, who appoint[ed] herself chairperson at the 10/3/24 meeting about having a premeeting and my response.”³⁴

The OOG’s staff takes notice based on its investigation that the date when the alleged communication commenced (October 10, 2024), is not a part of the Complaint that alleges the nomination of a chairperson on October 22, 2024, and the alleged partial self-appointment of the chairperson on October 3, 2024, is absent from the email chain that forms the Complaint. The dates of the emails that form the Complaint are as follows: December 16, 2024; December 17, 2024; and January 7, 2025. The OOG’s staff also notes that October 3, 2024, does not appear in the body of the emails. However, “October 22, 2024,”³⁵ is in the email dated December 17, 2024, sent by you to DCPS’ Manager of Community Affairs and Engagement and the OOG. The email states in part, “[a]t the first and only Smothers LSAT meeting, October 22, 2024, there was anonymous voting for LSAT chairperson ...”³⁶

Furthermore, the date and description of the actions taken to have a functioning LSAT at Smothers differ as between you and Smothers’ LSAT representatives, save and except the January 9, 2025 date, which you and the LSAT representatives agree that an LSAT meeting was properly convened. Information on point from Janice Brown Parker, WTU Field Representative, does not reference a meeting in October 2024, but speaks to the efforts of the WTU to assist with establishing an LSAT in November 2024. The relevant portion of Ms. Brown Parker’s statement is as follows.

... In November 2024, Margaret Raji (WTU BR) informed me that the LSAT committee elected in May 2024 was reduced to one (Jessica Kopas) of the four elected members—two members transferred to a different school, and one member (Mekra Mack) resigned from the committee. Ms. Raji requested teachers volunteer to join the team and called a meeting for any volunteers.³⁷

³² D.C. Official Code § 2-572.

³³ Email from [REDACTED] to Sharona Robinson (Manager, Community Affairs and Engagement, DCPS), and OOG on December 17, 2024.

³⁴ Email from [REDACTED] to Attorney Advisor Joan Lelma (OOG), on May 5, 2025.

³⁵ Email from [REDACTED] to Sharona Robinson (Manager, Community Affairs and Engagement, DCPS), and OOG on December 17, 2024.

³⁶ Ibid.

³⁷ Email from Attorney Eboni Govan (DCPS), on February 28, 2025, with attached response that incorporates statement from Janice Brown Parker, WTU’s Field Representative.

Notwithstanding the unique situation in which a Local School Advisory Team might find itself, as was the case with Smothers LSAT, with one or two of the four LSAT members remaining, and the way in which LSAT members are selected as per the Guidelines, OOG requires pursuant to the OMA that notice be given to the public of the selection of LSAT members since this amounts to conducting public business. The OOG notes that the LSAT Guidelines requires likewise as provided in the below. In addition, as per the Guidelines, until an election takes place, an interim member may be appointed by the interim member's group. For a clear understanding of this structure and allowance, the composition of an LSAT as per the Guidelines is provided below.

In the event of a vacancy of a team member position, the constituents of that member shall conduct an election to fill the vacancy as soon as possible while still ensuring proper notice is given to the school community. For example, if there is a parent vacancy, the parent organization will hold an election for a new parent member. If there is a teacher vacancy, the teachers will hold an election for a new teacher member. Until an election takes place, an interim teacher team member may be appointed by the WTU building rep or WTU President. Until an election takes place, an interim parent team member may be appointed by the leader of the local school parent organization. Notification of any vacancy shall be provided in writing to the DCPS Office of Engagement and Partnerships and the WTU.³⁸

Each Local School Advisory Team will have the following members representing their constituencies:

- 1 WTU Building Representative or designee
- 4 Teachers, elected by the ET-15 and EG-09 teachers
- 4 Parents/guardians *who have a student enrolled in the school*, elected by the parents
- 1 Parent Group Leader (of PTA, PTO, PTSA, HSA, or other such group) or designee *who has a student enrolled in the school*
- 1 Non-Instructional Local School Staff Member, elected by non-instructional school staff
- 1 Student (recommended in high schools, and optional at other levels)
- 1 Community Member who is a resident of the local school's boundary, works within the school's boundary, or is a member of one of the school's official partner organizations (optional)

.... If there is consensus among

³⁸ <https://dcps.dc.gov/sites/default/files/dc/sites/dcps/publication/attachments/LSATGuidelines-SY19-20.pdf> (p. 8 of 2019-2020 copy).

members of the Local School Advisory Team and the principal agrees that an additional member(s) is essential to ensure proper representation, they are encouraged to additional members to the team.³⁹

I am not opining on the alleged self-appointment and nomination of a chairperson outside of an LSAT meeting at this time since as explained in the preceding, the information you have provided and that gathered from OOG's staff investigation is insufficient to decide concerning the same. Further, the OOG does not see fit to engage further in hypotheticals in this instance. However, the OOG advises that all interim or otherwise selection of members to Smothers LSAT are properly noticed and the outcome published in accordance with the OMA.

III. CONCLUSION AND COMPLIANCE DIRECTIVE

A. Conclusion

I find that based on the Office of Open Government's own investigation, Smothers Elementary School Local School Advisory Team has violated the Open Meetings Act, by not doing the following: publishing meeting minutes or (information on access to) record of meetings for the year 2024, as required by D.C. Official Code § 2-578(b); publishing a schedule of its meetings for school year 2024 to 2025; and providing meeting notices for school year 2024 to 2025, in accordance with D.C. Official Code § 2-576(1). The OOG' staff takes notice that the preceding information has not been published on OOG's Central Meeting Calendar ("CMC").

Respecting your Complaint, I find that Smothers LSAT has not violated the OMA, because there is insufficient information on which to decide whether a (cancelled) meeting was scheduled for December 24, 2024, and whether there was a self-appointment of a chairperson on October 3, 2024, and nomination of a chairperson to Smother's LSAT outside of a properly convened LSAT meeting on October 22, 2024. Even though there is insufficient evidence, respecting your complaint, to conclude Smothers LSAT violated the OMA, it is clear that the LSAT is not functioning properly. Smothers LSAT's adherence to the Open meetings, Notice of meetings (including cancellation), and Recording of meetings provisions of the Open Meetings Act appears to be lacking despite clear facts to support a finding of a violation. The preceding analysis of those provisions will be beneficial to Smothers' LSAT for future compliance and to the readers of this Advisory Opinion.

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.⁴⁰ Attached is a copy of your Complaint.⁴¹

³⁹ <https://dcps.dc.gov/sites/default/files/dc/sites/dcps/publication/attachments/LSATGuidelines-SY19-20.pdf> (p. 8 of 2019-2020 copy).

⁴⁰ 3 D.C.M.R. § 10403.1 ("The Director [of Open Government] may dismiss a complaint on one or more of the following grounds: . . . (c) The Complainant declined to provide information, the Director reasonably believe necessary to evaluate the Complaint.

⁴¹ See 3 DCMR § 10403.2.

B. Compliance Directive – Training Required

I am empowered to seek injunctive or declaratory relief when certain OMA violations have occurred.⁴² No such relief is required in this matter; however, I am issuing the following directive to the Smothers Elementary School Local School Advisory Team to ensure future OMA compliance. Smothers LSAT must immediately ensure its current meeting guidelines conform to the Open meetings (D.C. Official Code § 2-575) and Notice of meeting provisions (D.C. Official Code § 2-576). In addition, Smothers LSAT must adhere to D.C. Official Code § 2-578, by recording open and closed sessions of all the LSAT's meetings and making a copy of its draft meeting minutes publicly available within three business days of the meetings, and a copy of the record (any recording with full transcript) no later than seven business days.

In like manner to all District's public bodies subject to the OMA, Smothers LSAT must fulfill the OMA's training requirements. I find that Smothers Elementary School Local School Advisory Team is due for, and must retake, OMA training offered by OOG. The Office of Open Government has an ongoing OMA training series for Local School Advisory Teams. The training schedule has been revised based on information provided by the DCPS' Manager of Community Affairs and Engagement. The training invites for March and May 14, 2025, training sessions were dispatched to the chairpersons of the LSATs approximately one and two weeks, respectively, before the scheduled training sessions. Smothers LSAT did not attend the training sessions.

Since Smothers LSAT members have not attended any of the trainings in this year's series and remain in violation of the Open Meetings Act, Smothers LSAT must contact Attorney Advisor Joan Lelma at joan.lelma@dc.gov to schedule a training session for its members. The LSAT members must complete OMA training within sixty (60) days of receipt of this Advisory Opinion.

Sincerely,



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

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⁴² See D.C. Official Code § 2-579.