



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



March 30, 2026

VIA ELECTRONIC MAIL



**RE: Resolution of Complaint Concerning Creative Minds International
Public Charter School Board's Compliance with the Open Meetings
Act (#OOG-2025-0014)**


Dear :

On February 12, 2025, the Office of Open Government (“OOG”) received your complaint (#OOG-2025-0014) (“Complaint”) alleging that Creative Minds International Public Charter School Board (“Creative Minds PCSB”, or the “Board”) does not publish the location and times of its 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 Creative Minds International Public Charter School’s (“Creative Minds PCS” or the “PCS”) and District of Columbia Public Charter School’s (“DC PCS”) websites, and Creative Minds PCSB Chief Operating Officer’s response to the Complaint.

Upon consideration of the aforementioned (detailed background below), and the investigation results, I find that Creative Minds PCSB has not violated the OMA, because at the times OOG conducted its investigation, the Board’s complete meeting notices for upcoming meetings were posted on the PCS’ website. Furthermore, the Board has since March 2025 stated the location of its in person meetings on the Board’s designated webpage of the PCS’ website and in the meeting notices linked to the webpage, instead of assuming the public knows that the

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.

location of its in person meetings is at the PCS. As such, I must dismiss this matter pursuant to 3 DCMR §10403.1(b) and 3 DCMR §10403.1(f), respectively, because the action of (alleged) unpublished times of the Board’s meetings does not violate the OMA, and the unstated location of the Board’s meetings is moot. 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 Creative Minds International Public Charter School Board, as follows: “No posted information on where or when meetings are.”⁷

The following is a summary of Creative Minds PCSB Chief Operating Officer’s email response to the Complaint.

B. Summary of Creative Minds PCSB Chief Operating Officer’s February 20, 2025, email response to the Complaint

OOG provided the (then) chairman of Creative Minds PCSB with a redacted (for personal identifiable information) copy of the Complaint, thereby availing him of the opportunity to respond to the said Complaint. The Board’s Chief Operating Officer Craig Bednarovsky responded; his response to the allegations in the Complaint via email on February 20, 2025, in part, is as follows:

Information on the dates and times of our board meetings is, and has always been, posted to our website. You can find the information on this page. The meetings are also included on our calendar.

Regarding the location while a reasonable person could likely deduce that “in person” meetings occur at our school location we will, however, modify the language to make that explicitly clear.⁸

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 Chief Operating Officer, Creative Minds PCS to Attorney Advisor Joan Lelma (OOG), on February 20, 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 and location of the meetings.

II. DISCUSSION

A. The OMA requires that a public body provides notice (which includes date, time, location, and draft agenda) 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,⁹ unless specifically and legally exempted,¹⁰ are presumed to be open to the public, and the public must receive advanced notice of the date, time, location and draft agenda.¹¹ 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.

You state in your Complaint that there is “[n]o posted information on where or when meetings are” held by Creative Minds PCSB.¹² OOG’s staff conducted a review of Creative Minds PCS’ website in March 2025 and January and March 2026, and no OMA violations were identified. However, OOG notes from the attached February 10, 2025, Board’s meeting minutes, that no members of the public were present at the corresponding meeting. While this in and of itself is not conclusive proof that a full meeting notice was not published, the following of the Chief Operating Officer’s response to the Complaint demonstrates that a full meeting notice was not published for the February 2025 meeting. “Regarding the location while a reasonable person could likely deduce that ‘in person’ meetings occur at our school location we will, however, modify the language to make that explicitly clear.”¹³ Creative Minds PCSB has since published the location of its meetings in two places on the PCS’ website, on the Board’s designated webpage and in the meeting notices attached on the said webpage. The following information was posted on the PCS’ website on the Board’s designated webpage in March 2025 and remains to date.

The board’s overall objective is to conduct school business in a transparent manner; many board documents, including financial statements, are available for viewing online. Creative Minds International is required to hold open board meetings, per the DC Open Meetings Act... Board meetings typically occur from 6:00 p.m. to 7:30 p.m. and are held either via video conference or in the Creative

⁹ D.C. Official Code § 2-574(1).

¹⁰ D.C. Official Code § 2-575(b).

¹¹ D.C. Official Code § 2-576(5).

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

¹³ Email from Chief Operating Officer, Creative Minds PCS to Attorney Advisor Joan Lelma (OOG), on February 20, 2025.

Minds Main Hall on the first floor. They are open to the public, and we share information with our community the week before each meeting... Meetings may be in person or virtual. The format will be conveyed when the meeting is officially announced.¹⁴

OOG acknowledges that the preceding statement does not constitute the publishing of the Board's complete meeting notices in accordance with the OMA. However, based on OOG's investigation since March 2025, Creative Minds PCSB publishes complete meeting notices (with the location and time) forty-eight (48) hours or two (2) business days before its meetings. OOG also acknowledges that the Board's assumption prior to receiving the Complaint, that members of the public would know that "in person meetings" are held at the school, instead of stating the location of its meetings as required by the OMA, constituted a violation of the statute.¹⁵ However, for the purposes of this Advisory Opinion, Creative Minds PCSB is not in violation of the OMA. Pursuant to 3 DCMR § 10403.1(f), the allegation that the Board does not publish the location of its meeting is moot, and therefore dismissible because Creative Minds PCSB has ceased violating the OMA soon after receiving the Complaint.¹⁶

Concerning the time of the Board's meetings, the statement on the PCS' website that "meetings typically occur from 6:00 p.m. to 7:30 p.m.," does not fulfill the OMA's notice requirement. However, it provides the public with useful time-line information before the meeting notices are published. Furthermore, OOG's investigation reveals that Creative Minds PCSB has consistently provided the times of its meetings in accordance with the OMA.¹⁷

Based on the preceding, Creative Minds PCSB has not violated the OMA with regards to the times of its meetings as you alleged, and its violation concerning meeting location is moot. However, I advise that the Board posts its annual schedule (with no other school events) on the PCS' webpage designated for the Board's information. Creative Minds PCS' general calendar has the dates and times of the Board's scheduled meetings, which is helpful for publication of the Board's meetings. However, the Board's scheduled meetings on the PCS' general calendar do not constitute "an annual schedule" of the Board's meetings as required by the OMA. The statute contemplates a document with the dates, and if available, the times of the Board's meetings alone, and not of various school and community activities.¹⁸ Furthermore, for accessibility purposes, I recommend that Creative Minds PCSB's annual schedule of meetings is posted on the webpage (tab) designated for the Board's information and not on a separate page or tab.

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

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

¹⁵ D.C. Official Code § 2-576.

¹⁶ 3 DCMR § 10403.1(f) ("The Director [of Open Government] may dismiss a complaint on one or more of the following grounds: ... (f) The complaint becomes moot due to action taken by the Public Body").

¹⁷ D.C. Official Code § 2-576.

¹⁸ D.C. Official Code § 2-576(1).

III. CONCLUSION

The facts alleged in the Complaint concerning times of meetings do not amount to a violation of the OMA, and that which concerns the location of meetings, is moot. 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, in part, and where there was a violation, it has become moot. 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 second 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 April 8, 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

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]”) . . . “(f) The complaint becomes moot due to action taken by the Public Body”).

²¹ See 3 DCMR § 10403.2.

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