August 18, 2025

VIA ELECTRONIC MAIL
[redacted]

RE: Resolution of Complaint Concerning Hope Community Public Charter School Board's Compliance with the Open Meetings Act (#OOG-2025-0024)

Dear [redacted]

On February 12, 2025, the Office of Open Government ("OOG") received your complaint #OOG-2025-0024 (the "Complaint") [which is a part of collective complaint (#OOG-2025-0003) (the "Collective Complaint")] alleging that Hope Community Public Charter School Board ("HC PCSB," or the "Board") has not published "dates for future meetings."[1]

This response only addresses your Complaint against Hope Community Public Charter School Board, since the Office of Open Government has responded to your (Collective) Complaint (#OOG-2025-0003), and as with complaint #OOG-2025-0024, OOG will respond to the remaining complaints under their assigned respective (sub)-complaint numbers.

As you are aware, the Office of Open Government has the statutory charge to ensure that public bodies adhere to the Open Meetings Act (the "OMA").[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] OOG reviewed and assessed the Complaint and the response from the former Chairperson of HC PCSB. (The Board relinquished its Charter at the end of School Year 2024-2025 and is not in operation). OOG also reviewed Hope Community Public Charter School's ("HC PCS," or the "school") website. I recognize that the allegation in your Complaint is moot but have decided to address the matter and issue this Advisory Opinion for the benefit of the stakeholders of active Boards of Trustees for Public Charter Schools, and should HC PCSB resume operation under a new Charter Agreement. I find that HC PCSB had violated the

[1] Email from [redacted] 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] 3 DCMR § 10400 – Filing and Presentation of Complaints.

OMA by not publishing a schedule of its meetings for School Year 2024-2025 on HC PCS' website. However, prior to relinquishing its Charter, the Board tried to correct the issue by virtue of the Chairperson's response to your Complaint.[6]

My analysis begins with the facts, followed by a discussion of the relevant section of the OMA. 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."[7] On February 12, 2025, you submitted the Collective Complaint (Complaints) via email to the OOG. Your Collective Complaint contains the Complaint against Hope Community Public Charter School as follows: "No dates for future meetings."[8]

The following is a summary of the then HC PCSB former Chairperson's email response to the Complaint.

B. Summary of the then HC PCSB February 21, 2025, email response to the Complaint.

To issue this response, OOG provided the former Chairperson of the then HC PCSB with a redacted (for personal identifiable information) copy of the Complaint, thereby availing HC PCSB of the opportunity to respond to the said Complaint. The former Chairperson responded via email on February 21, 2025, and stated that "… the website of the Hope Community Public Charter School has a full listing of board meetings for the current academic school year."[9] The former Chairperson provided a link to the Hope Community Public Charter School's ("HC PSC," or the "school") website and a separate link to the calendar (Google document), which was not on the HC PSC's website. The former Chairperson expressed a willingness to provide any additional information or answer any outstanding questions that OOG may have concerning the Complaint.

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[6] Email from (former) Chairperson Kerry Smith, (the then) Hope Community Public Charter School Board (HC PSCB) to Attorney Advisor Joan Lelma (OOG) on February 21, 2025.
[7] Email from [redacted] to Office of Open Government (OOG) on February 10, 2025.
[8] Email from [redacted] to Office of Open Government (OOG) on February 12, 2025.
[9] Email from (former) Chairperson Kerry Smith, (the then) Hope Community Public Charter School Board (HC PSCB) to Attorney Advisor Joan Lelma (OOG) on February 21, 2025.

I now move to discuss the Complaint, that HC PCSB has not published "dates for future meetings."[10] This is followed by a discussion of my enforcement authority under the OMA.

II. DISCUSSION

A. The OMA mandates that a public body must establish an annual schedule of its meetings, if feasible, and must update the schedule throughout the year.

Your allegation is that HC PCSB has not published "dates for future meetings." The OMA codified at D.C. Official Code § 2-576(1) states that "… A public body shall establish an annual schedule of its meetings, if feasible, and shall update the schedule throughout the year…" The former Chairperson of the then HC PCSB provided OOG's staff with a link to a copy of the Board's School Year 2024-2025 meeting schedule (Google document) as described in the preceding. However, OOG staff's investigation of HC PCS' website on May 30, 2025, revealed that the Board's schedule was not on HC PCS' website, and neither of the two links provided by the former Chairperson led to the Board's meeting schedule on the school's website.

I find that HC PCSB was in violation of the OMA for not having posted an annual schedule of its School Year 2024-2025 meetings, as required by the OMA. If the Board had not relinquished its charter, my directive to the Board prior to this Advisory Opinion would have been to publish the annual schedule of its meetings. That is, Google document accessible at a link that did not lead to the school's website does fulfill the requirements of the OMA. HC PCS violated the OMA because it failed to publish its annual schedule on its website. So, I would still have issued this Advisory Opinion in part.

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

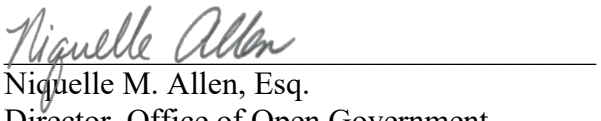
III. ENFORCEMENT AUTHORITY AND CONCLUSION

Based on the foregoing analysis, I find that HC PCSB violated the OMA by having not posted its meeting schedule for School Year 2024-2025, in accordance with the OMA. I am empowered to seek injunctive and declaratory relief when certain OMA violations have occurred.[11] However, since HC PCSB has relinquished its Charter and is no longer in operation, the allegation in your Complaint, to the extent of determining the appropriate relief and any directive for compliance and recommendation for training by the Board, is moot. My findings are limited specifically to the facts and circumstances of this Complaint. This concludes with my opinion on the matter.

Please contact OOG Attorney Advisor Joan Lelma with any questions and concerns regarding this matter.

[10] Email from [redacted] to Office of Open Government (OOG) on February 12, 2025.
[11] *See* D.C. Official Code § 2-579.

Sincerely,



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