



ETHICS WEEK 2026

TRANSITIONING ETHICALLY

OCTOBER 13-16, 2026



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OPEN GOVERNMENT IS ETHICAL GOVERNMENT

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Why Open Government Belongs in Ethics Week

- Ethics asks whether government power is exercised properly; open government lets the public see how that power is exercised.
- Transparency supports accountability, informed participation, better decision-making, and public confidence.
- The Office of Open Government's (OOG) work sits beside ethics enforcement within BEGA: one side focuses on conduct; the other on openness and access.
- Presentation Today: who we are, what the law assigns us to do, what we accomplished in 2025–2026, and where we are headed.

A Brief History

From a new transparency office to a government-wide resource

2012–2018

- BEGA was established in 2012 as an independent accountability agency.
- The Open Government Office was created within BEGA to promote open governance, principally through the Open Meetings Act.
- BEGA began operations in FY2013; early OOG staffing was extremely lean.

2018–Today

- The 2018 BEGA Amendment Act clarified BEGA's structure and renamed the office the Office of Open Government.
- Niquelle M. Allen became Director in July 2018 and was reappointed in 2023.
- OOG has grown from a one-person legal operation into a multidisciplinary team serving agencies, public bodies, and residents.

What the Law Charges OOG to Do

Open Meetings Act

- Issue advisory opinions on OMA compliance.
- Provide OMA training to public bodies and staff.
- Issue rules implementing the OMA.
- Investigate complaints and monitor compliance.
- Bring suit in D.C. Superior Court to enforce the OMA when necessary.

D.C. FOIA

- Issue advisory opinions and provide implementation guidance.
- Train District FOIA Officers and provide agency-specific instruction.
- Train ANCs on FOIA and assist members of the public with the request process.
- Promote consistent, lawful application of FOIA across District government.

The OOG Team

A small office with a government-wide mission

- Niquelle M. Allen — Director of Open Government
- Louis L. Neal, Jr. — Chief Counsel
- Anthony J. Scerbo — Attorney Advisor
- Joan Lelma — Attorney Advisor
- Brandon W. Lewis — Trial Attorney
- Kimberly Brown — Paralegal Specialist
- Kevin Brown — IT Specialist
- Supported by BEGA's Administrative Division

How OOG Works Day to Day

Prevent & Educate

- Answer informal OMA and FOIA questions.
- Train before problems become violations.
- Monitor public meetings and required postings.
- Publish guidance, training materials, opinions, and public resources.

Review & Correct

- Receive and investigate OMA complaints.
- Issue formal advisory opinions.
- Identify compliance problems and seek corrective action.
- Track legal, legislative, and technology developments that affect public access.

2025–2026: Expanding the Training Mission

- Built a year-round training program rather than relying on one-time compliance instruction.
- Delivered OMA basics, practical “OMA Made Simple(r)” instruction, and broader historical/legal education on open meetings.
- Expanded targeted OMA training for DCPS Local School Advisory Teams and D.C. public charter school boards.
- Continued FOIA basics and advanced instruction on exemptions, redaction, process management, appeals, procurement, litigation, and emerging technology.
- Made many training materials and recordings publicly available through Open DC and OOG’s online channels.

2026 FOIA Summer Series

Training built around the problems FOIA Officers actually face:

- July 9 — What Agencies Get Wrong: D.C. FOIA Exemptions
- July 16 — FY26 D.C. FOIA Legislation and Litigation Update
- July 23 — Contracts, Procurement and D.C. FOIA
- July 30 — D.C. FOIA Appeals: Analysis & Insights
- August 7 — Electronic Records, Text Messages, and AI: Modern FOIA Challenges
- August 13 — Preparing for a FOIA Civil Case / Defensive Litigation (with OAG)

2025–2026: Compliance, Opinions & Monitoring

- OOG continued to respond to a significant volume of informal FOIA and OMA advice requests.
- Hundreds of public meetings were monitored, with corrective action pursued when agenda, notice, access, or other compliance issues arose.
- Formal OMA advisory opinions addressed real-world compliance disputes involving District public bodies, including education-related bodies.
- Monitoring increasingly functions as an early-warning system: the goal is not simply to identify violations, but to improve future compliance.
- OOG continued to serve as a neutral resource for government officials and members of the public navigating transparency questions.

A Signature Initiative: Education Public Bodies

Why focus here?

- LSATs and charter school boards make decisions close to families and communities.
- Membership changes regularly, creating recurring training needs.
- Meeting procedures can be unfamiliar to volunteer or part-time members.

What OOG built

- Dedicated attorney focus on education entities.
- Recurring, tailored virtual training series.
- Monitoring and guidance designed around the realities of school-related public bodies.
- Practical instruction on notice, agendas, closed sessions, minutes, and public access.

Modern Transparency: Records Do Not Live Only in File Cabinets

- Electronic records, text messages, Teams and other messaging platforms require FOIA Officers to think beyond traditional documents.
- Government business on personal devices can create public-records and retention questions.
- Artificial intelligence introduces new issues: prompts, outputs, underlying records, vendor systems, searchability, and preservation.
- OOG's 2026 training brought these issues into the core FOIA curriculum—because transparency law has to keep pace with how government actually works.

Policy & Legislative Priorities

- Preserve meaningful remote public access to meetings.
- Modernize D.C.'s transparency framework through a comprehensive review of FOIA and OMA.
- Strengthen OMA enforcement tools and clarify coverage where gaps remain.
- Explore a stronger FOIA ombudsman / dispute-resolution role and a more efficient appeals structure.
- Continue improving monitoring, audits, outreach, website resources, and public-facing guidance.

What Success Looks Like

For Government

- Officials know the rules before the meeting starts.
- FOIA Officers have practical tools to make defensible decisions.
- Agencies correct problems early.
- Transparency becomes part of operations—not an afterthought.

For the Public

- Meetings are findable and accessible.
- Records requests are understandable and fair.
- Decisions can be observed and scrutinized.
- Residents have greater reason to trust the process—even when they disagree with the outcome.

OUR NORTH STAR

**Open Government is not just about compliance.
It is about making accountability visible.**

Thank you • Questions & Discussion

Office of Open Government's Ethics Week 2026 Course Schedule

10:30 - 11:30am: DC Public Body Guide to the Open Meetings Act

This course provides instruction on the District of Columbia Open Meetings Act and is facilitated by Joan Lelma, OOG Attorney Advisor.

*****LUNCH BREAK – 11:30 – 1:00pm *****

1:00 - 2:00pm: Introduction to the DC Freedom of Information Act

This course is tailored for those who process requests for government records and is a discussion of the District of Columbia Freedom of Information Act facilitated by OOG Trial Attorney, Brandon Lewis.

2:15 - 3:00pm: Overview of Recent FOIA and OMA Advisory Opinions and Advice

This course is an overview of recent FOIA and OMA Advisory Opinions and Advice issued by the Office of Open Government, facilitated by Anthony J. Scerbo, OOG Attorney Advisor.

3:15 - 4:00pm: Recent Opinions from the Mayor's Office of Legal Counsel (MOLC)

This course is an overview of recent FOIA opinions issued by the MOLC facilitated by Shawn Nolan, Senior Attorney Advisor, MOLC.

Selected Sources

- D.C. Code §§ 1-1162.05b–.05c (Office of Open Government establishment and duties).
- Open DC — Office of Open Government: mission, functions, and current staff.
- Director Niquelle M. Allen, FY24/FY25 and FY25/FY26 Performance Oversight Testimony.
- Open DC — FY26 D.C. FOIA Officer Training / 2026 Summer Series.
- Open DC — 2025–2026 OMA and FOIA training materials, including LSAT and charter school board series.
- BEGA Best Practices Report (history and organizational structure).