



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



January 31, 2025

VIA ELECTRONIC MAIL



**RE: Local School Advisory Team for Calvin Coolidge Senior High School—
Compliance with the Open Meetings Act
(# OOG-2024-0001)**

Dear :

On February 22, 2024, the Office of Open Government (OOG) received your complaint alleging violations of the Open Meetings Act (OMA)¹ by Calvin Coolidge Senior High School's Local School Advisory Team ("Coolidge LSAT" or "the LSAT"), of which you are a member.

The OMA reiterates the District of Columbia government's (the "District") long-standing public policy that all persons are entitled to full and complete information regarding the affairs of government and the actions of those who represent them.² To support this policy, the OMA provisions "shall be construed broadly to maximize public access to meetings."³ In conformity with 3 DCMR § 10400 *et seq.*, I reviewed and assessed your complaint; OOG's correspondence with you and the LSAT's chairperson; supplemental materials from you and sent by third parties at your request; and the controlling law.

As analyzed below, I conclude the following. Though your complaint alleges violations of the OMA on February 21, 2024, you have not established that a February 21, 2024, meeting occurred. Even ignoring the February date discrepancy and construing your complaint generously, none of the evidence you adduced points directly to an OMA violation. Still, OOG's own investigation of your complaint did reveal an OMA violation, in that the LSAT is not providing the public with complete access to its meeting records. The Coolidge LSAT is due for, and must retake, OMA training offered by OOG.

¹ Title IV of Pub. L. 90-614, added by D.C. Law 18-350, effective Mar. 31, 2011 (D.C. Official Code § 2-571 *et seq.*).

² D.C. Official Code § 2-572.

³ D.C. Official Code § 2-573.

I. **BACKGROUND**

As a preliminary matter, I note that this is the second advisory opinion I have had to issue against the Coolidge LSAT.⁴ While an entire school-year has intervened, and the membership of the LSAT has changed, I caution the LSAT to ensure that new members receive prompt training, and that OMA-compliance remains a priority even during yearly transitions.

A. **Your complaint and third-party submissions**

Your complaint and your follow-up communications collectively allege that Coolidge LSAT (and/or certain members) violated the OMA on February 21, 2024. In particular, your complaint states that the LSAT:

“—Prohibit[ed] a positive school climate through respectful discourse
 “—Fail[ed] to . . . announce[an] election to parents, members, and student representatives
 “[—I]ntimidat[ed] teachers, students, and parents that [wished] to participate . . .
 “[—F]ail[ed] to disclose budget decisions, allocation of resources, and family engagement[]
 . . . [and]
 “[—]Illegally remov[ed] a parent from the LSAT committee”

An OOG attorney and its Paralegal Specialist conducted an intake interview with you on March 1, 2024. During that meeting, OOG’s staff asked you to clarify what you believed to be the defect in the *February 21, 2024*, meeting that was, again, the basis for your complaint. You stated that it was improperly closed. However, the evidence you have submitted to OOG equivocates on the date of the meeting(s) you are alleging to be in violation, and neither your evidence nor OOG’s independent review of the LSAT website⁵ ultimately revealed that a February 21, 2024, even occurred, let alone was improperly closed.

OOG staff continued its communication with you in further attempts to allow you to establish support for your complaint. On March 4, 2024, an OOG attorney asked you by e-mail to supply details that would establish any OMA violation as to any February meeting:

“Do I understand correctly that they had a closed meeting in February that they didn’t announce? If that’s what you’re saying, can you share more details about that? How many were in attendance, how did you know about it, and did anybody raise any concern about closing it down?”⁶

On March 5, 2024, you responded: “The closed meeting was announced February 20, 2024. There was no prior announcement that LSAT would be having a closed meeting. At the

⁴ open-dc.gov/sites/default/files/Coolidge%20LSAT%20Advisory%20Opinion%2011.14.2022.pdf (Nov. 14, 2022).

⁵ coolidgeshs.org/apps/pages/?type=d&uREC_ID=491880 (last visited Apr. 9, 2024).

⁶ Email from OOG to complainant, March 4, 2024.

beginning of our meeting scheduled February 20th, [2024] [Chairperson Gabriel] Vernon announced we would be voting to close the meeting.”⁷ On March 12, 2024, you added: “The occasion of that meeting was informed to us the day of the meeting. When the meeting started Ms. Vernon announced that we will be voting to have a closed meeting. No notification was given prior to that time.”⁸

OOG’s staff member followed up on March 12, 2024, requesting documentation concerning the meeting. You answered, “This is all I have.”⁹ It was a [T]eams meeting in which [Ms. Vernon] announced [a] vote to close the meeting. The votes are screen shot as well as Ms. Vernon saying Yes to close the meeting.” (Some capitalization omitted.)

On March 13, 2024, you offered to “have the parents and community members email [OOG] directly that have been denied access to the public meetings.” OOG’s staff member answered that that would be helpful. Later that day, OOG received four e-mails of supplemental evidence from you and/or directly from others. The supplemental e-mails consisted of the following statements:

Tiffani Nichole Johnson (Advisory Neighborhood Commissioner)

Commissioner Johnson wrote about several general objections concerning the discourse in Coolidge LSAT meetings but did not allege any OMA-violative conduct, and provided no information concerning the February 2, 2024, meeting, the subject of your complaint. At most, she alludes to a “disrespectful email” sometime around February 21, 2024. She provided the following:

I was asked to join the LSAT by Principal Bright as I was working with her to reactivate the school’s parent-teacher association, renamed the Home School and Community Association. While attending these meetings, I witnessed clear animosity and a level of disrespect by Principal Bright and the LSAT chair against other LSAT members. This continued across meetings and in emails and caused inefficiency as requests for information germane to the discussion were dismissed and ignored

On February 21st, after yet another disrespectful email from the Chair, I voiced my opinion regarding this animosity in an email to the LSAT members. The distribution list included a student representative of the LSAT whom the committee voted to include in closed discussion meetings regarding staffing. . . . My email was met immediately with animosity from yet another LSAT member stating that I was “unprofessional” in stating my opinion and that it should have been shared “privately”. . . . I resigned from the LSAT

The following day, I was asked by another LSAT member to continue as I “was needed”. Based on that appreciation and request, I rescinded my

⁷ Email response to OOG from complainant, March 5, 2024.

⁸ Follow-up email to OOG from complainant, March 12, 2024.

⁹ See fig. 1, *infra*.

resignation and was again met with more animosity. I was called “unprofessional”, and “disrespectful” and that there was discomfort by one LSAT member in my return to the committee.”¹⁰

Melody Hession-Sigmon

Ms. Hession-Sigmon did not mention any defect in the meeting that was the subject of your complaint. Also, it did not appear that she was even referring to the Coolidge LSAT. Her remarks concerned “the Home, School, and Community Association” which, as Commissioner Johnson explained (above), was the school’s parent-teacher association. Ms. Hession-Sigmon implied that she was able to attend at least some of a February meeting, but her actual objection centered on the accessibility of a March 7 meeting not discussed in your complaint: “At the February meeting, plans began around creating a . . . tutoring opportunity I attempted to attend the . . . meeting in the evening on March 7th, and I brought a community member Neither of us were able to get into the meeting. . . . I sent [a] follow-up email to Principal Bright and Superintendent Martin. I have yet to hear a response.”¹¹

Samantha Brown

Ms. Brown did not allege that she had witnessed any misconduct surrounding a meeting; instead, it appears from her February 22, 2024, e-mail that she was only reacting to the experiences of others, and not with respect to any February meeting of the LSAT:

“I was notified about the mistreatment of parents and . . . LSAT members

. . . [C]urrently, some members are using intimidation tactics to encourage parents to disengage or even resign. These tactics include making inaccurate statements about LSAT members, expressing inaccurate LSAT policies, not properly notifying parents of elections, illegally removing a parent from the LSAT and communicating disrespectfully. . . .”¹²

However, Ms. Brown did generally mention *inadequate notice of the contents of meetings, including elections*. While her e-mail does not point to a specific example, the absence of a planned

¹⁰ Email from ANC Commissioner Johnson to OOG, March 13, 2024.

¹¹ Email from Melody Hession-Sigmon to OOG, March 13, 2024.

¹² Email from Samantha Brown to OOG, March 13, 2024.

agenda would be an OMA violation.¹³ I discuss the adequacy of notice further in the Analysis section below.



Finally, your own follow-up e-mail of March 13, 2024,¹⁴ included an e-mailed announcement of a February 15, 2024, meeting (there is no indication that the announcement was posted anywhere as an OMA-compliant notice)¹⁵.

B. Chairperson Vernon’s response

To confirm whether the LSAT was maintaining its meeting records off-line, on March 1, 2024, an OOG staff member wrote to Chairperson Vernon to seek inspection of meeting records:¹⁶

“I am interested in reviewing a few sets of notices and minutes of meetings of the LSAT for Calvin Coolidge High School.

Is it possible to send the following to this e-mail:

- Notice (including agenda) and minutes of the LSAT’s June 2023 meeting(s)
- Notice (including agenda) and minutes of the LSAT’s November 2023 meeting(s)
- Notice (including agenda) and minutes of the LSAT’s February 2024 meeting(s)

(Or, if it is more convenient, such as if they are only on paper, I’m happy to visit in-person.)”¹⁷

¹³ See D.C. Official Code § 2-576(5) (section 406(5) of the OMA (“Each meeting notice shall include the date, time, location, and planned agenda to be covered at the meeting.”)).

¹⁴ Follow-up email from complainant to OOG, March 13, 2024.

¹⁵ See D.C. Official Code § 2-576(1) (section 406(1) of the OMA (“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. Except for emergency meetings, a public body shall provide notice as early as possible, but not less than 48 hours or 2 business days, whichever is greater, before a meeting.”)).

¹⁶ Anybody, inside or outside of District Government, is entitled to request inspection of records of meetings of public bodies. This process is enabled under the OMA—independently from the District’s Freedom of Information Act (D.C. FOIA)—and does not require a formal “FOIA request.” See *generally id.* § 2-578(b) (section 408(b) of the OMA (except for records of closed sessions, requiring that “(1) [a] copy of the minutes of a meeting shall be made available for public inspection as soon as practicable, but no later than 3 business days after the meeting” and “(2) [a] copy of the full record . . . shall be made available for public inspection as soon as practicable, but no later than 7 business days after the meeting”)).

¹⁷ Email from OOG to Chair Vernon on March 1, 2024.

Chairperson Vernon responded on the LSAT’s behalf, but did not send or make available any meeting records. Instead, she wrote: “I wasn’t a[]part of LSAT in June 2023. And the other meeting notes [(sic)] and meeting recordings can be found on the Coolidge website under LSAT.”¹⁸ Unfortunately, the website’s listing was inadequate as a response to OOG’s request. The website includes only selective contents of prior meetings.

Below, I will set out my analysis and conclusions.

II. ANALYSIS

A. **Your evidence does not establish an OMA violation.**

1. *You have not shown that a February 21, 2024, meeting, the basis of your complaint, even occurred, let alone that it was closed improperly.*

Fundamentally, your allegations turn on a February 21, 2024, meeting of the Coolidge LSAT. However, your evidence does not establish that any such meeting took place, was scheduled, nor was proposed to take place. At most, even after multiple queries about a February 21, 2024, meeting, the evidence you submitted to OOG shows a February 20 meeting, but only through an out-of-context screenshot¹⁹ that only shows members voting on the closure of the meeting, which is not an OMA violation *per se*.²⁰

I realize that the OMA requires, “if feasible,” that the intention to close even a portion of a public body’s meeting must be announced in the notice, “as early as possible, but not less than 48 hours or 2 business days”²¹ before the meeting. You alleged that you did not receive more than same days’ notice of closure of the February 20 meeting. Still, because I cannot resolve on this limited record whether earlier notice was “possible,” and because your evidence only established that a vote for closure took place, not that it was improper, again, voting for closure is a measure of *compliance* under the OMA, not a violation.

Of course, the proper procedures for closure will be covered during the mandatory OMA training as discussed below, so you and your fellow members of the LSAT will be able to operate with a fuller understanding in future meetings.

2. *The OMA does not guarantee “respectful discourse.”*

The OMA regulates the public’s access to public body meetings. It does not regulate the substance of the debate, discussion, or deliberation within meetings. Your concerns about the decorum of the Coolidge LSAT, or its individual members, are outside of the scope of the OMA.

¹⁸ Email response from Chair Vernon to OOG, .

¹⁹ See fig. 1, *infra*.

²⁰ Cf. D.C. Official Code § 2-575(b)–(d) (section 405(b)–(d) of the OMA (requirements for closure of meetings)).

²¹ D.C. Official Code § 2-576(1).

Public bodies are responsible for maintaining their own civility. If members are concerned about questions of order, the Coolidge LSAT *may* wish to consult a parliamentary authority such as *Robert’s Rules of Order*,²² but OOG cannot intercede to impose order or civility within your organization. It is the responsibility of a deliberative body’s own membership—not the chair unilaterally, and not OOG—to decide on and enforce its own standards of conduct.

3. *The evidence you have offered does not establish that an election took place.*

As a general matter, a public body must pre-announce the items of business to be covered in each meeting.²³ Your intuition that the OMA requires the LSAT to announce its internal elections is reasonable—though OOG has not opined on the *level* of specificity required in the “planned agenda” required by the OMA, the election of a group’s members is fundamental enough to its operation, and to the public’s expectation of notice, that at least the *fact* of an election should be pre-announced as part of the “planned agenda.”

Still, your evidence does not establish that *an election took place at all*, let alone an election not announced in compliance with the OMA. At most, in the transcript of the LSAT’s November 29, 2023 meeting, Chairperson Vernon mentions the *possibility* of an election. She stated: “We need to make sure that we have the information out three weeks in advance in case we get to say we get a whole bunch of people that just want to be involved in LSAT so that we can actually hold a an [*sic*] election and get the parents, and we only get 4 parents involved then that is, that’s the cap anyway. So we don’t necessarily have to have an election if that’s the case, but we do have to notify and before the next meeting we need to conduct an election of the parents so that we can have a quorum as we know.” Nowhere in that text (nor in your other communications) is the actual occurrence of an election established, let alone one that was not announced in a meeting notice.

Therefore, I must find that your allegation that the LSAT “[f]ail[ed] to . . . announce[an] election” is meritless.

4. *The OMA does not prescribe who should serve on a public body, or who must be given the opportunity to do so.*

Your complaint generally mentions the “[i]ntimidat[i]on of” would-be members (or candidates for membership) of the LSAT, but does not establish (nor did you mention in the follow-up interviews) that anybody was excluded from witnessing the contents of any meeting, which is what would constitute an OMA violation in this context.²⁴ Though you believe that the

²² *E.g.*, 3 D.C.M.R. § 10408.1. *Robert’s Rules of Order Newly Revised* (12th ed.) covers decorum in section 43 and the disciplining of members and guests in section 61.

²³ *See* D.C. Official Code § 2-576(5) (section 406(5) of the OMA (“Each meeting notice shall include the . . . planned agenda to be covered at the meeting.”)).

²⁴ *See generally id.* § 2-575(a) (section 405(a) of the OMA (“Except as provided in subsection (b) of this section[concerning closure], a meeting shall be open to the public. A meeting shall be deemed open to the public if: (1) The public is permitted to be physically present; (2) The news media . . . is permitted to be physically present; (3) The meeting is televised; or (4) The public body takes steps reasonably calculated to allow the public to view or hear the

principal “[i]llegally remov[ed] a parent” (i.e., not a *physical* expulsion, but a removal from the membership roster), the OMA does not provide you with a remedy. Another entity such as the school’s administration, or the LSAT itself, might be able to investigate whether the school’s, or the LSAT’s, internal rules were breached, but I cannot take any action on internal rules of candidacy and selection.

5. *Your claim about the Coolidge LSAT’s withholding of information is unsubstantiated.*

You allege that the Coolidge LSAT “fail[ed] to disclose budget decisions, allocation of resources, and family engagement.” I am unclear what this is referring to, and none of the rest of your communications clarify this point. The OMA does require that “the full record,” including any transcript or recording, of each meeting be available for inspection,²⁵ but, if your position is that the LSAT took actions without making “the full record” available, despite our multiple contacts with you, you have not demonstrated that there are any records that the LSAT or any of its members have withheld. Without a showing of your actual request to inspect meeting records, and the LSAT’s or a member’s refusal to produce record(s), your claim is without support, and I find no evidence of an OMA violation.

Nevertheless, as discussed next, the Coolidge LSAT is due for OMA training, and OOG’s investigation of your complaint indirectly revealed at least two original discoveries of OMA violations.

B. Although your complaint lacks merit on its face, OOG’s independent investigation reveals that the Coolidge LSAT would benefit from, and is due for, Open Meetings Act training.

In order to investigate your complaint, OOG staff used a procedure that the OMA affords to any member of the public—inspection, on-demand, of “the full record” of a public-body meeting, which includes “documents provided to the [public body] and discussed during the public portion of a meeting”; the notice including the agenda; and the minutes, transcript, and/or recording captured by the public body.²⁶

Chairperson Vernon’s response to OOG staff²⁷ demonstrates that the Coolidge LSAT is out of compliance with the recordkeeping requirement; it is not adequately prepared or configured to retain records (including from prior school-years) and produce them on request. When asked for minutes and recordings of recent meetings, Chairperson Vernon responded that the public can find “meeting notes” and meeting recordings on the LSAT’s website, but this was incorrect. To the extent that any records do exist, they are incomplete. As last visited on January 31, 2025, the LSAT section

meeting while the meeting is taking place, or, if doing so is not technologically feasible, as soon thereafter as reasonably practicable.”).

²⁵ See *id.* § 2-578(b)(2) (section 408(b)(2) of the OMA).

²⁶ Part I.B, *supra*.

²⁷ See *id.*; Director of Open Government, Advisory Opinion re: Housing Production Trust Fund Board at 2, 3 & n.12 (Dec. 12, 2013).

of Coolidge High School’s website²⁸ included links to *older* meeting notices, from the 2020–2021 and 2022–2023 school years, several of which were non-working. Records from meetings during the 2021–2022 school year are not available at all, and the “LSAT 2023–2024” page contains only a few scattered documents: (1) “LSAT Flyer,” which does not relate to specific meetings; (2) a transcript of the November 29, 2023 meeting; (3) the notice for the February 15, 2024 meeting (complete in terms of OMA elements, except that it is missing the required regulatory statement²⁹); (4) a transcript of the February 15, 2024, meeting; and (5) the “Local School Advisory Team Guidelines” issued by the District of Columbia Public Schools’ Office of Communications and Engagement.

Accordingly, because OOG was unable to retrieve comprehensive meeting records, from either the LSAT’s website or on request, I conclude that the LSAT is out of compliance with the OMA’s requirement to maintain records of its meetings and make them available to the public.

C. The OMA and its regulations require annual training.

Independent of whether or not any public body has actually committed any OMA violations, each member of a public body, and its Administrative Point of Contact if not a member, must complete training on “their responsibilities under” the OMA.³⁰

III. CONCLUSION AND COMPLIANCE DIRECTIVES

A. Conclusion

Your complaint, perhaps unintentionally, identified February 21, 2024, as the date of the alleged violation(s). However, multiple batches of putative evidence from you and the third-party supporters who wrote to OOG on your behalf failed to support the existence of a February 21, 2024, meeting. You did bring OOG’s attention to an apparent February 20, 2024, meeting and/or iPhone exchange that did seem to involve members taking a vote, but you did not show any context around that vote so as to establish that any aspect of that vote contravened the OMA.

Even construing your complaint to include LSAT activity beyond February 21, 2024, your OMA complaint and supplementary evidence did not establish an OMA violation. You have not shown that an election took place without notice, nor that the LSAT withheld any meeting records from you. Moreover, OOG does not regulate the internal decorum of public bodies. Neither the OMA nor its regulations prohibit insensitive tone, preferential treatment of certain candidates, and other behavior that you might find indecorous but falls short of actually restricting any member of the public’s access to a meeting. Of course, that limitation on the scope of the OMA does not prevent *a member* from taking internal steps to improve the conduct of the body’s own meetings, such as by

²⁸ coolidgeshs.org/apps/pages/?type=d&uREC_ID=491880&pREC_ID=943227.

²⁹ See 3 DCMR § 10409.2. This is reference to the required notation, “This meeting is governed by the Open Meetings Act. Please address any questions or complaints arising under this meeting to the Office of Open Government at opengovoffice@dc.gov.”

³⁰ See D.C. Official Code § 2-580(2) (section 410(2) of the OMA); 3 D.C.M.R. § 10410.1(b), .2.

reforming the LSAT’s own bylaws, standing orders or other procedural rules. If public bodies seek guidance or training on parliamentary procedure, they may request it from OOG.³¹

However, OOG’s inability to obtain the full record of meetings, either on request or from the LSAT website, does establish an OMA violation under section 408(b) of the OMA—“Copies of records shall be made available for public inspection.”³²

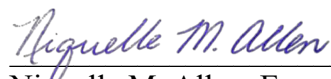
B. Compliance Directive—Training Required

The Coolidge LSAT, as with all public bodies under the OMA, is subject to the OMA’s training requirement. Chairperson Vernon appears willing to take a training session and learn or reinforce her knowledge of the OMA, which OOG appreciates: “I will likely need your support in the future as I want to do everything by the book.”

OOG’s training coordinator, Attorney Advisor Anthony J Scerbo, will contact the LSAT to arrange a training session for all of its members.

Thank you, and you and all other members of the Coolidge LSAT are encouraged to contact me with any questions.

Sincerely,

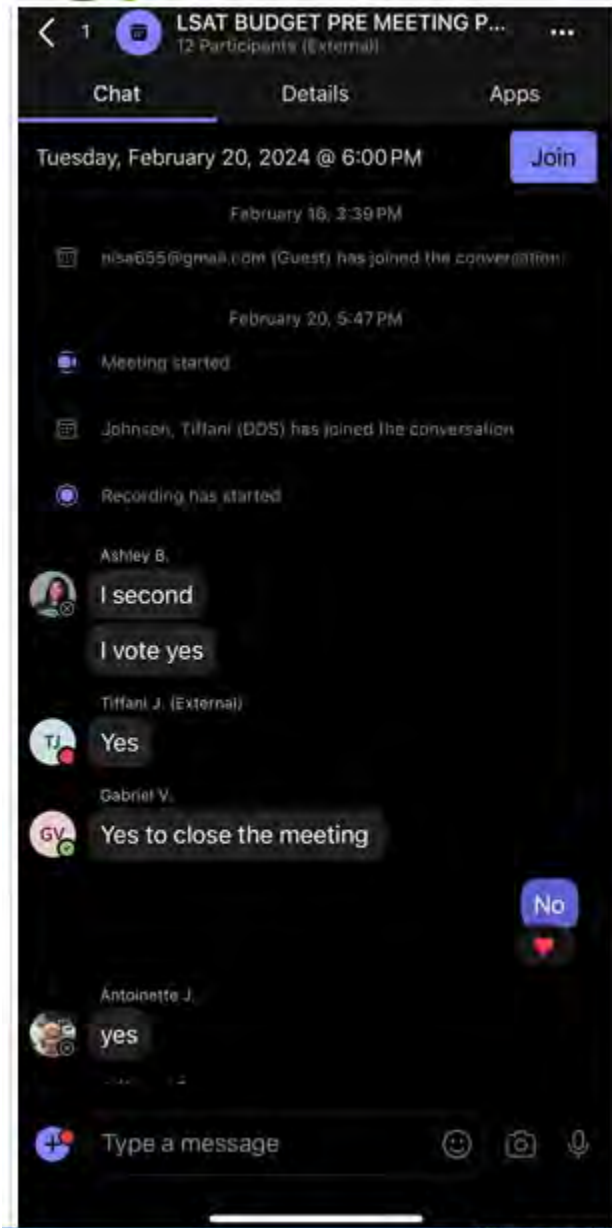


Niquelle M. Allen, Esq.
Director of Open Government
Board of Ethics and Government Accountability

³¹ 3 DCMR 10408.2.

³² D.C. Official Code § 2-578(b).

Fig. 1:



(Image description: A screenshot from a digital chat (“12 Participants” indicated). Text shows a meeting underway for “Tuesday, February 20, 2024 @ 6:00 PM”. The participants’ chat reads:
“February 20, 5:47 PM
“Meeting started
“Johnson, Tiffani (DDS) has joined the conversation
“Recording has started
Ashley B.
I second
I vote yes
Tiffani J. (External)
Yes
Gabriel V.
Yes to close the meeting
Antoinette J.
yes

Ashley B.:

“I second

“I vote yes

Tiffani J.:

“Yes

Gabriel V.:

“Yes to close the meeting

(Comment by possessor of the phone:)

“No

(one “heart”-response received)

Antoinette J.:

“yes”

(Input box and functional icons at bottom and top))