



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



June 14, 2024

**VIA ELECTRONIC MAIL**



**RE: Question Regarding the Public's Ability to Attend a Public Body's Meeting In-Person**

Dear ,

Thank you for contacting the Office of Open Government (OOG) with a question regarding the Open Meetings Act (D.C. Official Code § 2-571 *et seq.*). Your inquiry concerns a special meeting of the D.C. Public Charter School Board (DCPCSB) that occurred on June 10, 2024. You inquired as follows:

Is it a violation if the Public Charter School Board calls a meeting "virtual" so that the online way the public can join is virtual but it is clear that the Board members and staff were in-person? No meeting announcement included the address and location of the meeting so that we can see everything that is happening and be in the room where it happened. Their Special Meeting tonight is described as virtual: <https://dcpcsb.org/special-meeting-june-2024>

The action you described above is not a violation of the Open Meetings Act (OMA) because the public was permitted to attend the meeting virtually and meeting participants presented information to the DCPCSB via videoconference.

While public bodies that are subject to the OMA are required to hold meetings that are open to the public, there is no requirement that public bodies must permit the public to attend these meetings in-person in all circumstances. This is the case even if the public body itself is meeting in-person. A public body's meeting is open to the public under the OMA, if it "[t]akes steps reasonably calculated to allow the public to view or hear the meeting while the meeting is taking place, or, if doing so is not technologically feasible, as soon thereafter as reasonably practicable" (D.C. Official Code § 575(a)(4)). Providing a link for the public to view the meeting on virtual platform meets this criterion.

With respect to the meeting notice, the DCPCSB's special meeting notice indicated that the meeting was virtual and provided a Zoom link for the public to participate in and view the meeting, which complies with the OMA's notice provisions (D.C. Official Code § 576). From my review of the meeting recording, at least one meeting participant appeared via videoconference (Zoom), so the DCPCSB was only required to provide notice of the virtual location. However, if there were no individuals participating in the meeting via videoconference, the DCPCSB would be required under the OMA to note the physical address of the meeting on the meeting notice.

Please contact me or OOG staff ([open.govoffice@dc.gov](mailto:open.govoffice@dc.gov)) if you want to discuss this matter further.

Sincerely,



---

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