

District of Columbia Government
Advisory Neighborhood Commission 6A
Box 75115
Washington, DC 20013



March 14, 2007

Attorney General Linda Singer
Office of the Attorney General
Government of the District of Columbia
1350 Pennsylvania Avenue NW
Suite 407
Washington, DC 20004

Re: Sunshine laws regarding the Public Charter School Board

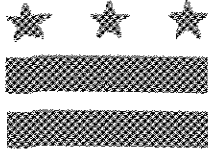
Attorney General Singer:

At our regularly scheduled meeting on March 8, 2007, and with a quorum present, we voted unanimously to request your assistance to determine if:

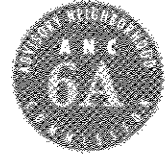
- (1) If there are legal requirements under DC law that require the Public Charter School Board (PCSB) to conduct open proceedings, hearings, and meetings, and to make available for public inspection the files and records of the PCSB?
- (2) Whether the City's ANCs are entitled to the standard DC Government 30-day notice requirements of hearings, meetings, decisions and pending actions on matters that affect their ANC?
- (3) Whether documents and communications of PCSB are available without charge to ANCs or, at the very least, subject to FOIA?
- (4) Whether the communications, written and electronic, between members of the Board, the officers and/or the staff are subject to FOIA?
- (5) Whether the communications, written and electronic, between members of the Board, the officers and/or the staff and the staff of the schools under its jurisdiction are available without charge to ANCs or, at the very least, subject to FOIA?

Background:

On February 26, 2007, a representative of Advisory Neighborhood Commission 6A, Commissioner Nicholas Alberti, attempted to present a letter/resolution formally adopted by our Commission to the PCSB. The Commissioner also declared his intention to read a letter, addressed to the Board, from Councilmember Tommy Wells. He was denied the right to speak, even though the ANC's resolution addressed a matter under consideration at that meeting - whether AppleTree Early Learning Public Charter School should be granted an enrollment increase.



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The Board Chairman, Thomas Nida, announced that this was not a public hearing, and that no one would be heard. He also stated that there was a requirement to give one week's notice of an intention to speak. There is no mention of this requirement on the website or in any document sent to us by the PCSB over the past two years. The agenda was posted no more than three business days before the hearing. Consequently the decision on AppleTree's request was made with no public comment or participation. The entire process was opaque to public view and without public input.

The Board's website displays no notice of any required pre-arrangement to address the Board. The website asks simply those participants: "...confirm their attendance with board staff by calling 202/328-2660 at least one business day before the scheduled meeting." The Board's offices are located behind locked exterior doors with no external display board to indicate meeting time, place or subject.

Mr. Nida also stated that, if we desired to speak in the future, we must give one week's notice, submit a summary of what we want to say, and the Board would decide whether or not they want to hear what we have to say.

In close, the ANC is the official voice of the neighborhood; we had formally voted, at a posted public meeting, and with a quorum present, to urge our views on this matter to the PCSB. We were denied. Citizen groups from our neighborhood were also denied the right to participate.

Your swiftest possible response would be appreciated.

On behalf of the Commission,

Joseph Fengler
Chair, Advisory Neighborhood Commission 6A

Cc: Councilmember Wells
Councilmember Cheh