

**GOVERNMENT OF THE DISTRICT OF COLUMBIA  
EXECUTIVE OFFICE OF THE MAYOR  
MAYOR'S OFFICE OF LEGAL COUNSEL  
Freedom of Information Act Appeal: 2020-104**

August 3, 2020

VIA ELECTRONIC MAIL

Ms. Valerie Jablow

RE: FOIA Appeal 2020-104

Dear Ms. Jablow:

This letter responds to the administrative appeal you submitted to the Mayor under the District of Columbia Freedom of Information Act, D.C. Code § 2-537 (“DC FOIA”). In your appeal, you assert that the D.C. Public Charter School Board (“DC PCSB”) failed to properly respond to your FOIA request.

On November 8, 2019, you submitted a FOIA request to DC PCSB’s FOIA Officer for the leases held by two charter schools. On November 26, 2019, DC PCSB responded to your FOIA request, providing you with one of the two leases you requested. On February 3, 2020, you filed an appeal with this Office challenging the response. You indicated in your appeal that the DC PCSB should have obtained the lease for the second school because of all the activities that were in place for the school opening for the 2020-2021 school year. On February 3, 2020, DC PCSB responded to your appeal.<sup>1</sup> DC PCSB stated that it did not have the lease for the second school at that time because the school would not open until the Fall of 2020.

As to your appeal, DC PCSB stated that you were not taking issue with the search that was conducted or the representation that the agency did not have the second lease. Rather, DC PCSB argued that you were critical of the DC PCSB policy decision on when to collect certain documents from the public charter schools. We agree with DC PCSB that the issue central to your appeal was DC PCSB’s policy on when the charter school leases are collected and that the issue cannot be addressed through FOIA. For this reason, we conclude that DC PCSB properly handled your FOIA request.

This constitutes the final decision of this Office with regard to your appeal. If you are dissatisfied with this decision, you may commence a civil action against the District of Columbia government in the Superior Court of the District of Columbia in accordance with D.C. Code § 2-537.

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<sup>1</sup> A copy of DC PCSB’s response to your FOIA appeal is attached to this decision.

Respectfully,

Mayor's Office of Legal Counsel

cc: Daniel Quandt, FOIA Officer  
DC PCSB (via email)