

Government of the District of Columbia



Office of Advisory Neighborhood Commissions
1350 Pennsylvania Avenue, NW
Suite 11
Washington, DC 20004
(202) 727-9945

MEMORANDUM

TO: Allison Brook, Chair ANC 4B
FR: Denise Wiktor, General Counsel
DT: October 30, 2023
RE: Ida B. Wells PTO Grant

A grant application was submitted to the OANC through the main email on October 19, 2023. It was not forwarded to the General Counsel until October 27, 2023, though the ANC forwarded it on October 24, 2023. I apologize for the delay in my response. The proposed grant is for the Ida B. Wells PTO. The grant application contains both appropriate and inappropriate expenditures for an ANC grant as outlined below. The grant also presents insufficient information as to the nature of some of the proposed expenditures.

The grant requests monies for “ingredients for the cooking cluster.” The application also states that it is for student projects for the spring though the PTO is unsure of what these projects are but that the projects are focused on community service, wellness, or social justice. Past projects have included community beautification projects and mentoring/coaching elementary students. The budget outlines expenditures for art supplies, books, microphones for podcast clusters, photographer host fee and photo studio light kits.

The budget does not match the stated purposes of the grant. It should be noted that to the extent the “ingredients” for the cooking cluster are food or edible ingredients that portion of the grant would be an impermissible use of ANC grant monies for food¹. Portions of the stated purposed of this grant may be a permissible use of grant funds such as the community service projects if they were to happen. There are items in the budget do not appear to be a permissible use under the D.C. Official Code. The budget outlines supplies and books for students and what appears to be a fee for someone teaching the photography workshops. These would not be permissible uses of ANC grant funds.

D.C. Official Code requires that grant have a public purpose and states that “[a] public purpose shall be a purpose that benefits the community as a whole...”² A Commission may approve grants only to organizations that are public in nature and benefit persons who reside or work within the Commission area.

¹ See: [ANC-July-7-2017-Expending-Grant-Funds-for-Food-and-Entertainment-at-Block-Parties.pdf \(dc.gov\)](#)

² D.C. Official Code § 1-309.13(l)(1)

At one time such grants for school supplies were permissible meeting the public purpose requirement under the D.C. Official Code.³ However, a change in the law in 2016 required that “a public purpose shall be a purpose that benefits the community as a whole...”⁴ The Office of Attorney General discussed the change related to public purpose in [Seasoned Settlers Grant and Grants Generally](#) where it found that a grant that only benefitted “students of a specific age group at a specific school”⁵ was insufficient to meet the public purpose test.

The non-food supplies are a mix of durable and not durable or reusable supplies. The art supplies would service a small number of students until they are dissipated. The microphones and studio lights appear to be intended for repeated use by successive students. The books are unclear in whether the individual student would keep them, or the books would be reused for successive students. The disposable or onetime use supplies would serve too limited a population to be an appropriate use of ANC grant money. The studio lights and microphones would be an appropriate use since they would be available for successive students as would the books if they were available for future classes.

The photographer host fee is not an appropriate use of ANC grant funds both in that it serves a very limited number of persons in the ANC, and it could possibly be considered duplicative since it is funding essentially a teaching position in a publicly funded school.⁶

Finally, the spring student projects may or may not be appropriate uses of the ANC money, however, more information is needed to be able to review those uses.

cc: Kent Boese, Executive Director

³ See *Letter to Deborah K. Nichols* found at [Guidelines for Use of ANC Funds to Purchase School Supplies and Support School Activities \(dc.gov\)](#)

⁴ D.C. Official Code § 1-309.13(l)(1)

⁵ See Letter to the OANC regarding Seasoned Settlers and Grants Generally found at: [Letter-to-OANC-Re-Seasoned-Settlers-Grant-and-Grants-Generally-.pdf \(dc.gov\)](#) at p. 6.

⁶ D.C. Official Code § 1-309.13(m)(1)