

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: ANC 7B
FR: Denise Wiktor, General Counsel
DT: 03/25/2026
RE: Ann Beers PTO grant application

The Office of Advisory Neighborhood Commissions (“OANC”) has received a copy of a grant request from the Ann Beers PTO regarding a grant for items for student use.

The applicant is requesting a grant amount of \$5,000.00 for classroom sensory support, teacher’s wishlist items that the school does not supply and Field Day supplies. There was not a detailed budget supplied.

I have reviewed the application sent to OANC and have found that the request is a **partially permissible and partially impermissible** expenditure of ANC monies, as outlined below. The microwave for the teachers’ breakroom would not be an allowable expense nor would the printer paper. The microwave does not significantly benefit the whole ANC and the ANC grant monies cannot duplicate things the District is already doing, or in this case have budgeted for and should be doing. I would recommend the PTO shift the monies they had planned to use for those things into one of the other permissible areas

Additionally, once a grant has been voted on by the ANC *the purpose of the grant cannot be changed without an additional vote by the ANC.*

Analysis

There are five prongs a grant must meet to be a permissible expense¹, and there is also a sixth requirement of the D.C. Official Code that limits the amount of a grant that can be spent on overhead². These are, respectively:

1. **Public Purpose:** ANC grants must be for “public purposes within the Commission area.”³ A public purpose is one “that includes a significant benefit for the community and is not done for

¹ See *Letter to Schanette Grant on Seasoned Settlers and Grants Generally*, April 14, 2022, found at <https://oag.dc.gov/sites/default/files/2022-04/Letter-to-OANC-Re-Seasoned-Settlers-Grant-and-Grants-Generally-.pdf>.

² D.C. Official Code 1-309.13(m)(2)(D) provides that “[n]o Commission shall provide a grant for which the grantee estimates that the overhead costs would exceed 15% of the entire grant amount.”

³ D.C. Official Code § 1-309.13(1)(1).

the primary purpose of benefitting a private entity.”⁴ This grant benefits the students who are residents of the ANC and will benefit future students in that most of the items will be able to be used again in the future. They hygiene items benefit the community as a whole in the prevention of the spread of illness.

2. **Local Benefit:** A grant must “benefit persons who work or reside in the Commission area.”⁵ This does not mean the grant may only benefit Commission residents; it simply means the grant’s benefits should be focused on those residents.⁶ In comparing the school boundary maps with the ANC boundary it appears that at least 80% of the school boundaries are within ANC 7B, it could be larger. Because most of the students will attend from ANC 7B there is a significant benefit to the ANC community.
3. **Proposed Project:** A grant must be for a proposed project.⁷ This is a discrete single event, with a proposed beginning date and end date. The ANC must vote on this before the date of the project which is April 2, May 5 and June 2026. Receipts for any expenses before the vote would be disallowed. I recognize that the PTO wanted to mark Autism Awareness Day, and the sensory supplies could be purchased after that date.
4. **Organization:** A grant must be to an “organization,” not an individual or a government entity,⁸ although the organization need not be incorporated⁹. Ann Beers PTO is an organization as defined by the Code for ANC grants.
5. **Non-Duplication:** A grant cannot duplicate any services offered by the District of Columbia government.¹⁰ This grant is not duplicative of any service or program provided by the District government.
6. **Overhead:** Overhead cannot exceed 15% of the grant amount.¹¹ None of the grant monies would be used here for overhead costs.

Conclusion

For the reasons stated above, this grant is a **permissible** expenditure of ANC funds.

⁴ *Id.*

⁵ D.C. Official Code § 1-309.13(m)(1).

⁶ See *Letter to Deborah K. Nichols*, Nov. 9, 2006, at 2, n.2, found at [Letter-to-Deborah-Nichols-Re-Whether-an-ANC-may-approve-a-grant-to-commission-plans-and-drawings-.pdf](#) (ANC 4C grant was permissible where the “[b]enefit to other ANCs would be incidental to the benefit conferred on ANC 4C residents,” because a grant’s benefits need not “be exclusive to the ANC that gives the grant funds”); see *Letter to Comm’r Fletcher*, Mar. 15, 2022, at 2, available at <https://oag.dc.gov/sites/default/files/2022-03/ANC-7E-Letter-to-Commissioner-Fletcher-RePublic-Purposes-Within-the-Commission-Area-.pdf> (making the same point with respect to the public-purpose requirement).

⁷ D.C. Official Code § 1-309.13(m)(2)(A).

⁸ D.C. Official Code § 1-309.13(m)(1); see also *Letter to Deborah K. Nichols*, Jan. 14, 2010, at 4, available at <https://oag.dc.gov/sites/default/files/2018-02/ANC-January-14-2010-Guidelines-for-Use-of-ANC-Funds.pdf>.

⁹ See *Letter to Deborah K. Nichols*, Aug. 4, 2000, at 3, available at <https://oag.dc.gov/sites/default/files/201802/ANC-August-4-2000-Grants-by-ANCs-Public-Purpose-and-Corporate-Status-of-Recipients.pdf> (“The plain meaning of the term ‘organization’ includes unincorporated associations”).

¹⁰ D.C. Official Code § 1-309.13(m)(1).

¹¹ D.C. Official Code § 1-309.13(m)(1)(2)(D).

