

Government of the District of Columbia



Office of Advisory Neighborhood Commissions
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MEMORANDUM

TO: Dawn Dickerson, Program Analyst
FR: Denise Wiktor, General Counsel
DT: 2/7/2024
RE: 4A Shepherd Park PTO Outdoor Learning

You asked me to review the Shepherd Park PTO grant request for a fence for an outdoor learning area at Shepherd Park Elementary. This is a permissible use of ANC monies as it does not duplicate D.C. government services in this circumstance.

ANC 4A approved the grant in its September 2022 minutes and a check was re-issued on May 9, 2023, to the Shepherd Park PTO for \$3,000.00. Since then, the PTO has submitted grant reports. I reviewed the grant application and accompanying paperwork. In addition, I contacted the Shepherd Park PTO and asked exactly what kind of outdoor space this would be and if DCPS provided similar services. The PTO replied that DCPS paid for the design of the outdoor spaces but the funding for construction and implementation was left to the PTO's. Several other schools are also in the process of or have provided these spaces. The PTO envisions funding learning stations which could include the fractions table, weather station and water table and other amenities that teacher polling indicates. The fence is needed to secure the space for the safety of the youngest learners.

ANCs are prohibited from giving grants where "[t]he services provided by the grantee organization must not be duplicative of any that are already performed by the District government." D.C. Official Code § 1-309.13(m)(1) These areas learning areas appear different from the outdoor play spaces DCPS and DGS build at schools. While fencing is something that DGS/DCPS would provide at a public school it would not be provided in this instance as the outdoor learning area would not be built by DCPS/DGS since it is not part of the school's regular or normal operations. The outdoor learning space and the fence surrounding it are amenities beyond what DCPS or DGS would provide and for that reason are not duplicative.