

Government of the District of Columbia



Office of Advisory Neighborhood Commissions
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MEMORANDUM

TO: Dawn Dickerson, Program Manager
FR: Denise Wiktor, General Counsel
DT: September 5, 2023, updated 10/3/2023
RE: ANC 4B grant to Whittier PTO

You requested an opinion on whether ANC 4B proposed grant to the PTO at Whittier Elementary for STEM supplies was a permissible use of ANC grant monies. It is not a permissible expenditure allowed for an ANC under the D.C. Code.

Whittier's website notes it is a rigorous school that focus is on STEM education. The boundaries of Whittier are almost the same as ANC 4B. 58% of the students at Whittier are inbound and the others come from outside the ANC/school boundaries. The OANC did not receive clarification as to how many of the kits were purchases and if they were available to all the students. It would have been helpful to know if these were one-time use kits or reusable.

At one time such grants were permissible meeting the public purpose requirement under the D.C. Official Code.¹ However, a change in the law in 2016 required that a "A public purpose shall be a purpose that benefits the community as a whole..."² The Office of Attorney General discussed the change related to public purpose in Seasoned Settlers and Grants Generally³ where it found that a grant that only "students of a specific age group at a specific school."⁴

This grant will not benefit the community as a whole and therefore is not a permissible use of ANC funds. Please remind the ANC that the use of funds not in accordance with the D.C. Code will affect the next quarter's fund allotment.

cc: Kent Boese, Executive Director

¹ See *Letter to Deborah K. Nichols* found at [Guidelines for Use of ANC Funds to Purchase School Supplies and Support School Activities \(dc.gov\)](#)

² D.C. Official Code § 1-309.13(l)(1)

³ See *Letter to Schanette Grant on Seasoned Settlers and Grants Generally* found at

<https://oag.dc.gov/sites/default/files/2022-04/Letter-to-OANC-Re-Seasoned-Settlers-Grant-and-Grants-Generally-.pdf>

⁴ Id. at p. 6.