



ADVISORY NEIGHBORHOOD COMMISSION 3E

**TENLEYTOWN AMERICAN UNIVERSITY PARK
FRIENDSHIP HEIGHTS**

c/o Lisner Home 5425 Western Avenue, NW Washington, DC 20015

RESOLUTION IN SUPPORT OF JANNEY ELEMNTARY SCHOOL

REQUESTING PUBLIC RECORDS RELATED TO THE JANNEY MODERNIZATION AND EXPANSION PROJECT

WHEREAS, Janney Elementary School (Janney) is presently in (what appears to be) the final phases of allocating funds, getting approval, design, and completion of the Janney modernization and expansion project; and

WHEREAS, Janney sits on land that is approximately 140,000 square feet (3.3 acres) of space (inclusive of the school); and

WHEREAS, Janney's enrollment is presently 535 students, and expected to grow; and

WHEREAS, Janney has less land than its four nearest neighbor public elementary schools (Murch, Horace Mann, Key, and Stoddert), but has more students than each of these schools (see appendix, item 1 which illustrates the comparative pressures on the schools indicated); and

WHEREAS, Janney was built on a much larger lot, but land transfers to serve the needs of other constituencies significantly shrunk this lot (please see appendix items 2 and 3); and

WHEREAS, the design of the addition does not maximize the available outdoor play space; and

WHEREAS, a School Improvement Team (SIT) comprised of community members, Janney parents, teachers, the Principle, and ANC commissioners was organized pursuant to DC Public School policy to help advise and inform the design/project team (representatives of OPEFM, the architects, and builders), advocate for the betterment of the Janney project, and communicate the details and process to the community; and

WHEREAS, the SIT has worked with the design/project team (including representatives of OPEFM) for upwards of two years, meeting at minimum on a monthly basis, in order to ensure the best project and outcome possible; and

WHEREAS Allen Lew, the Director of OPEFM at the time, former Mayor Fenty, Councilmember Cheh, and current Mayor Gray, have each recognized that action needed to be taken to maximize Janney’s outdoor play space; and

WHEREAS, the solution that was reached was to replace Janney’s surface parking with an underground garage, and to rededicate the saved space to use by children instead of cars; and

WHEREAS, said solution was recognized as being good policy, and promised to this community by Mayor Gray, Councilmember Cheh, former Mayor Fenty, and Director Lew; and

WHEREAS, OPEFM and others indicated that the funding for construction of the underground garage would be covered by a \$5.4 million supplemental appropriation; and

WHEREAS, even while it became clear that DC faced significant budget shortfalls, OPEFM and others repeatedly reassured the SIT and the community at large that this funding would be available given its importance; and

WHEREAS, OPEFM recently announced that it had decided to shrink the size of the underground garage and to substitute some playspace with a limited amount of surface parking; and

WHEREAS, OPEFM has given conflicting and otherwise unsatisfactory explanations as to why it made this decision,

WHEREAS, ANC 3E believes that the public interest is served generally – and particularly in this instance – by transparency in District decision making, and

WHEREAS, the availability of funding for this project was recently called into question by government representatives; and

WHEREAS, Councilmember Cheh has just recently indicated that a substantial portion of the funding has been secured—in no small part due to her office’s efforts—for the undergrounding of parking and play space above; and

WHEREAS, Mayor Gray has verbally committed to said funding; and

WHEREAS, we appreciate their assistance, and

WHEREAS, it is “[t]he public policy of the District of Columbia [that] all persons are entitled to full and complete information regarding the affairs of government and the official acts of those who represent them as public officials and employees” See DC Code § 2-531and,

WHEREAS, DC law separately provides that “[e]ach Commission shall have access to District government officials and to all District government official documents and public data pursuant to § 2-531 et seq. that are material to the exercise of its development of recommendations to the District”, and documents and data related to Janney’s modernization are plainly material to ANC 3E’s development of recommendations to the District

WHEREAS, Mayor Gray issued a “Transparency and Open Government Policy” shortly after taking office in which he directs District officials to “actively encourage that records exempt from mandatory disclosure be made available as a matter of discretion when disclosure is not prohibited by law or harmful to the public interest[;]” and

WHEREAS, no reason exists to believe that release of documents connected with Janney’s modernization would be contrary to the public interest, much less prohibited by law; and

WHEREAS, the Tenleytown and Friendship Heights communities have a strong interest in seeing, evaluating, commenting on, and discussing plans created through their taxes to develop their neighborhood public elementary school;

THEREFORE BE IT RESOLVED that ANC 3E respectfully ask the Mayor to direct all agencies and offices that may have documents related to Janney’s modernization and expansion, and any possible development that might impact or use land that is currently Janney’s, to promptly produce such documents, reports, and feasibility studies to ANC 3E upon request, in electronic form to the extent available.

THEREFORE BE IT FURTHER RESOLVED that Commissioner Serebin will be tasked with specifying areas of priority interest in a transmittal letter and will also be available on an ongoing basis to assist agencies in complying with the request.

The resolution was introduced by Commissioners Bender, Serebin, and Quinn, and passed unanimously by a vote of 5-0 at a properly noticed meeting held on February 10, 2011, at which a quorum was present.

Jonathan Bender, Chair, ANC 3E