

**GRIEVANCE AGAINST KING NEIGHBORHOOD ASSOCIATION (KNA)
WITH REGARDS TO VIOLATIONS OF OPEN MEETINGS REQUIREMENTS
Brought by Margaret O'Hartigan, KNA At-Large Representative Position 2
November 24, 2015**

This grievance is made in compliance with King Neighborhood Association Bylaws ARTICLE X Sections A and B, and Office of Neighborhood Involvement Standards SECTION VII, Subsection C sub-subsections 1 and 3.

This grievance is in response to the repeated and on-going violation by KNA of ONI Standards SECTION VIII Subsection A mandating that neighborhood associations "Conduct their affairs in meetings open to and with adequate notice to the public" as well as Subsections C and D.

Background

In September 2015 I filed three (3) grievances against King Neighborhood Association. By e-mail to me dated October 20, KNA Chair Nick LaRue wrote: "The grievance committee has met. Attached is our responses to the three grievances. The grievance committee considers these matters closed." On November 18, 2015, KNA Co-Chair Eileen Kennedy informed me via e-mail regarding a separate matter that "I have...a 5th grievance to finalize with the grievance committee."

By KNA officials' own admissions, then, there is ample evidence that a KNA grievance committee exists, is meeting, and making decisions.

However, despite my filing the above-referenced grievances, KNA never appointed a grievance committee in open meeting of the Board; no grievance committee has ever met in open meeting to consider or otherwise "finalize" recommendations regarding my grievances; and neither grievance committee nor membership of such a committee is listed at the KNA website (the website does list committees and members for land use and outreach, among other topics). No KNA Board meeting minutes – or agenda – refer to my September grievances, or grievance committee membership appointments or recommendations. Finally, the KNA Board never held a public meeting to vote with regards to decisions pertaining to my grievances.

Analysis

ONI Standards governing Open Meetings and Public Records specifically state in SECTION VIII Subsection C that "Members of a...board, or committee, as established by the governing bylaws, shall make all decisions and conduct all deliberations toward a decision at a meeting open to the public at which a quorum is in attendance." And while Subsection D sub-subsection 2 allows neighborhood associations to close meetings or parts of meetings to public attendance when in executive session (particularly consideration of grievances pursuant to clause f), sub-subsection 3 specifically requires that "Voting to render a decision, including a decision on matters considered in executive session, must be done in a meeting open to public attendance." Therefore, any decisions made by the KNA Board or recommendations by a grievance committee with regards to my September grievances were made in violation of ONI's open meeting requirements.

Harm

The harm done to me personally by the KNA's violations of open meeting requirements should be self-evident: I've been denied the due process spelled out in KNA Bylaws and ONI Standards governing the grievance procedure. In addition, I have been harmed – as have all members – by KNA's failure to comply with open meeting requirements that are designed to assure that deliberations and decisions are made in the public eye. Finally, as a Board member, I have been denied my right – spelled out in the KNA Bylaws governing ARTICLE VIII Section A – to participate in the establishment of committees.

Margaret O'Hartigan

November 24, 2015