

**GOVERNMENT OF THE DISTRICT OF COLUMBIA
EXECUTIVE OFFICE OF THE MAYOR
OFFICE OF THE GENERAL COUNSEL TO THE MAYOR**

Freedom of Information Act Appeal: 2011-52

July 29, 2011

Fritz Mulhauser, Esq.

Dear Mr. Mulhauser:

This letter responds to your administrative appeal to the Mayor under the District of Columbia Freedom of Information Act, D.C. Official Code § 2-537(a)(2001) (the “DC FOIA”), dated July 2, 2011 (the “Appeal”). You (“Appellant”) assert that the District of Columbia Public Schools (“DCPS”) improperly withheld records in response to your request for information under DC FOIA dated May 9, 2011 (the “FOIA Request”) by failing to respond to the FOIA Request.

Appellant’s FOIA Request sought from DCPS records related to its students and teachers who are lesbian, gay, bisexual, and transgender (“LGBT”) in the following categories:

1. Guidance to DCPS teachers on discussing their private family life.
2. Guidance to principals or other managers on dealing with LGBT staff, including teachers’ discussions with students.
3. Information provided to parents concerning LGBT teachers.

By letter dated May 16, 2011, DCPS extended the 15-day response period by 10 days, as permitted by DC FOIA. The Appeal alleges that DCPS has made no further response and improperly withheld records by failing to respond the FOIA Request.

In its response, dated July 28, 2011, DCPS stated that it responded to the FOIA Request on July 21, 2011 and that Appellant had agreed to withdraw the Appeal. It attached a copy of the letter of Appellant to the Mayor, dated July 26, 2011, withdrawing the Appeal, which letter this office has not received as of this date.

Based on the foregoing, the Appeal is moot and it is hereby dismissed.

Sincerely,

Donald S. Kaufman
Deputy General Counsel

cc: Donna Whitman Russell, Esq.