

PARENTS PREVAIL IN FREEDOM OF INFORMATION ACT CASE AGAINST LOUDOUN SCHOOLS

WhitbeckBennett Attorney Kevin McCandlish and Joshua Hetzler of the Founding Freedoms Law Center represent Plaintiffs.

WASHINGTON, DC, UNITED STATES, May 2, 2022 /EINPresswire.com/ -- The Loudoun County School Board violated Virginia's Freedom of Information Act

(FOIA) in 2021 a Loudoun County Circuit Court Judge ruled Friday, April 29, 2022 (Loudoun County Circuit Court - CL22-65). Specifically, Judge James Plowman ruled that the School Board violated Virginia law when it ended public comment and cleared public attendees from the premise and thereafter continued to conduct official business. The meeting, which occurred on June 22, 2021, previously gained national attention due to the controversial policies discussed at the meeting and the impassioned public comments by parents and citizens in response.

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*Kevin McCandlish, Attorney,
WhitbeckBennett*



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Kevin McCandlish of WhitbeckBennett PLLC and Joshua Hetzler of the Founding Freedoms Law Center litigated the case on behalf of Plaintiffs Megan Clegg, Megan Rafalski, and Adam Rafalski, all of whom are parents in Loudoun County with children in the Loudoun County Public [Schools](#). The Court found no exigent circumstances or exceptions applied to mitigate the School Board's violation of the Freedom of Information Act at the meeting and that

shutting down of public comment and attendance at the meeting violated Virginia's FOIA statute.

On June 22, 2021, Ms. Clegg was signed up to speak during the public comment section of the School Board meeting with her daughter, but she was denied that opportunity when the School Board walked off the dais, not returning until hours after public attendees were told to leave the

premises. Mr. and Mrs. Rafalski were signed up to speak during the public comments section of subsequent School Board meetings, at which the School Board modified its public comments procedure. The Plaintiff's petition sought, among other things, a determination that the Loudoun County School Board had violated Virginia's FOIA statute on June 22, 2021, and at subsequent meetings. The Court found that due to its ruling the School Board had violated the public meeting requirement of Virginia's FOIA statute, the Plaintiffs had substantially prevailed, and were entitled to an award of attorneys' fees.

Lead attorney on the case Kevin McCandlish stated, "[w]e are pleased with the Circuit Court's decision and applaud our clients for their determination in seeing this case through." He went on to say, "[t]his lawsuit was about ensuring Loudoun County parents have the opportunity to be present when decisions affecting their children and families are made by their local government."

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