



## The Charlotte-Mecklenburg Board of Education

### Press Release

June 9, 2023

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#### **Judge rules in favor of CMS regarding Title IX Task Force**

*The Board of Education is not required to pay attorney's fees*

The Charlotte-Mecklenburg Board of Education (Board) complied with the state's open meetings law when the Superintendent's Title IX Task Force held closed meetings, according to a Superior Court Judge's ruling. As a result of the judge's order, the district will not be required to pay WBTV's legal bills as requested by WBTV and Gray Media Group, its parent company.

After repeated demands to attend meetings of the Superintendent's Title IX Task Force, WBTV News filed a lawsuit seeking an injunction to grant the public access to these meetings, which was denied by Judge Eric Levinson. It was only after Judge Levinson forecasted that WBTV would not be able to establish the Task Force as a public body, that WBTV amended the lawsuit to include claims of isolated incidents where the Board allegedly violated the open meetings law.

Judge Poovey recognized that these isolated incidents "were unintentional and partially caused by the COVID-19 pandemic." This finding stemmed from the Board, and all elected bodies, transitioning from exclusive in-person meetings to virtual meetings during this time. The Board followed guidance issued by the UNC School of Government and Executive Orders issued by Governor Cooper.

The ruling supported the position of the Board, which had maintained the Title IX Task Force created by Superintendent Earnest Winston was not a public body and therefore not required to meet publicly. WBTV sought to have the Board pay WBTV's legal fees per their claim, a request unequivocally denied by Poovey.

The decision closes out a case that has been pending for almost two years.

"We are very pleased that Judge Poovey recognized that we acted in good faith" said Elyse Dashew, Chair of the Board of Education. "The crux of this lawsuit was about the Title IX Task Force."

Charlotte-Mecklenburg Schools is the 17<sup>th</sup> largest school district in the nation with 141,219 students. Located in the largest city in North Carolina, CMS has 181 schools and more than 18,000 employees.

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