EXECUTIVE ORDER NO. 04-07

COMMUNITY OVERSIGHT BOARD

WHEREAS, on May 31, 2007, the Child Welfare Review Panel issued a detailed report (the “Report”) containing recommendations for reforming the policies and procedures of the City of Philadelphia, Department of Human Services (“DHS”).

WHEREAS, on June 14, 2007, Mayor John F. Street signed Executive Order 03-07 creating a Community Oversight Board to assess DHS’s progress in implementing the reforms outlined in the Report.

WHEREAS, the reforms outlined in the Report are necessary to accomplish the City’s mission to protect the safety of its children.

WHEREAS, Mayor Michael A. Nutter wishes to re-affirm the importance of the Oversight Board and to ensure that the City receives the benefit of diverse local and national perspectives and expertise.

NOW, THEREFORE, I, Michael A. Nutter, by the power vested in me as Mayor of the City of Philadelphia, hereby terminate the existing Community Oversight Board and re-establish the Board as follows:

Section 1. Re-Establishment of the Community Oversight Board

A. The Community Oversight Board (the “Board”) shall consist of no more than 11 voting members, including two appointed by the Council President and the remaining appointed by the Mayor. Appointees shall be individuals from within and outside Philadelphia who are recognized for their child welfare expertise and/or represent critical stakeholder interests and none shall be employed by or affiliated with DHS.

B. The Commissioner of DHS and the Director of the Office of Behavioral Health shall serve as non-voting, ex officio members of the Board.

C. All members shall serve at the pleasure of the Mayor or Council President, respectively, for one year terms, and may be reappointed to any number of additional one year terms.

D. The Board shall be accountable solely to the Mayor, the Mayor’s Deputy Mayor for Health and Opportunity, and to the residents of the City of Philadelphia.
Section 2. Organization of Board

A. The Mayor shall appoint a chairperson of the Board. The Board may elect other officers as it deems necessary.

B. The Board shall, subject to the approval of the Administrative Board, adopt rules for its internal government consistent with the provisions of this order.

C. The Board shall meet regularly at such times and places as it may by rule designate, but no less often than four times per year.

D. Ex officio members shall not have the power to vote.

E. The Board shall have a budget that is funded through either the Mayor’s office or the Managing Director’s Office.

F. The Board may hire a limited staff and/or contract with consultants to assist with its duties. The Board shall not hire or contract with any person currently either employed by or a contractor of DHS.

Section 3. Duties of Board

The Board shall:

A. Monitor and assess (1) DHS’s progress in implementing the recommendations outlined in the Report, as well as any other reforms suggested by the Board, and (2) the effects of any reforms on DHS’s delivery of services and on the safety, permanency and well-being of Philadelphia’s children.

B. Assess whether additional reforms are necessary to increase DHS’s ability to keep children safe. In conducting such an assessment, the Board shall have the authority to review the circumstances surrounding any fatalities of children under DHS supervision or otherwise in contact with DHS.

C. At least twice a year, provide the Mayor and the public with a report outlining its findings. The report shall also include any recommendations that the Board has for improving DHS’s ability to provide services to the City’s children and families.

D. Perform such other duties that the Mayor determines should be conducted by the Board.
Section 4.  Other Provisions

A. All employees, officials, departments and other agencies of the Executive and Administrative Branch of the City are hereby directed to cooperate with the Board to the fullest extent permitted by law.

B. The Board and its staff shall have access to all DHS documents and files subject to the signing of appropriate confidentiality agreements.

C. The Board shall seek input and information from all sources deemed necessary and useful, including experts, DHS staff, City officials, DHS clients, and the public.

D. The Board’s proceedings and reports shall be open to the public to the full extent allowed by state and federal laws and regulations, while respecting the confidentiality of specific information pertaining to families within the DHS system.

E. Executive Order 3-07 is hereby superseded.

F. This Order shall take effect immediately.

Date: 1/24/08

Michael A. Nutter, Mayor
City of Philadelphia