

EXECUTIVE ORDER NO. 7-10

CONSOLIDATING THE FUNCTIONS OF THE CHILD WELFARE ADVISORY BOARD INTO THE COMMUNITY OVERSIGHT BOARD

WHEREAS, on August 29, 1996, Mayor Edward G. Rendell issued Executive Order No. 4-96 reconstituting the Child Welfare Advisory Board (CWAB); and

WHEREAS, the Pennsylvania Department of Public Welfare by Regulation (55 Pa.Code §3130.21) requires the City to “appoint an advisory committee to review and make recommendations pertaining to the county’s children and youth social service program and the operation of the county agency,” provides that the membership of such committee “shall be representative of the county’s population in relation to race and sex, and further provides that the City “shall consult with the advisory committee on the development of the County Child and Youth Services Plan and Budget Estimate;” and

WHEREAS, CWAB currently consists of 20 members representative of the City’s population and with varying backgrounds; and

WHEREAS, on January 24, 2008, Mayor Michael A. Nutter reaffirmed the City’s commitment to the reform of the Philadelphia Department of Human Services (DHS) by issuing Executive Order No. 04-08, which re-established the DHS Community Oversight Board (COB) in order to assess and monitor DHS’ progress in implementing the reform recommendations outlined by the Child Welfare Review Panel (CWRP); and

WHEREAS, DHS currently meets with the COB every other month, participates in teleconferences between meetings, responds to requests for information from the COB, and prepares reports for every meeting; and

WHEREAS, the COB currently consists of 11 voting members and two *ex-officio* members, who are local and national experts in the field of child welfare and are representative of the City’s population;

NOW, THEREFORE, I, Michael A. Nutter, by the powers vested in me as Mayor of the City of Philadelphia, do hereby order as follows:

SECTION 1: ABOLISHMENT OF CWAB AND TRANSFER OF ITS REGULATORY FUNCTIONS TO THE COMMUNITY OVERSIGHT BOARD

A. The existing Child Welfare Advisory Board is hereby abolished, and its regulatory functions are transferred to the DHS Community Oversight Board, which shall:

1. Review and make recommendations pertaining to DHS’s Children and Youth programs and the operation of the Children and Youth Division at DHS;

2. Advise the DHS Commissioner, Deputy Commissioners and other DHS administrators on the development of the DHS Children and Youth Division Services Plan and Budget Estimate;

3. Make recommendations on matters referred by the DHS Children and Youth Division's administrators; and

4. Suggest policies for the Children and Youth Division's operation and development at the committee's own initiative.

SECTION 2. ORGANIZATION OF THE RECONSTITUTED COMMUNITY OVERSIGHT BOARD

A. Composition. The Community Oversight Board (the "Board") is hereby reconstituted and shall consist of no more than 15 voting members, including two appointed by the Council President and the remaining thirteen appointed by the Mayor. Appointees shall be individuals from within and outside Philadelphia, who are representative of the City's population in relation to race and sex, and who are recognized for their child welfare expertise or represent critical stakeholder interests. No Board member (other than *ex officio* members) shall be employed by or affiliated with DHS.

1. The Commissioner of DHS, the Director of the Department of Behavioral Health and Mental Retardation Services, and the DHS Medical Director shall serve as *ex-officio* members of the Board, without the power to vote.

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

3. 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 who is currently employed by or a contractor of DHS.

B. Terms and Internal Rules.

1. 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.

2. The Board shall meet regularly at such times and places as it may by rule designate, but shall meet at least four times per year.

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

SECTION 3. DUTIES OF THE BOARD

The Board shall:

- A. Monitor and assess (1) DHS's progress in implementing the recommendations outlined in the CWRP Report issued May 31, 2007, 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 on DHS's progress in implementing the recommendations outlined by the CWRP. 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 as the Mayor may determine 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 it deems necessary and useful, including experts, DHS staff, City officials, DHS clients, and the public.
- D. The Board shall have a budget that is funded through either the Mayor's office or the Managing Director's office.

SECTION 5. RECISSION OF PRIOR ORDERS.

A. Executive Order 4-96 is hereby rescinded.

B. Executive Order 4-08 is hereby rescinded.

This Order shall take effect immediately.

12/30/10

Date



Michael A. Nutter, Mayor