

**EXECUTIVE ORDER NO. 1-18**

**CHILD WELFARE 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**, 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**, on December 30, 2010, Mayor Nutter issued Executive Order No. 7-10, abolishing the Child Welfare Advisory Board and transferring its regulatory functions to the Community Oversight Board; and

**WHEREAS**, the COB has met regularly and has monitored DHS’s progress in implementing the recommendations of the CWRP Report of May 31, 2007, and other reforms suggested by the Board, and the effects of these reforms on DHS’s delivery of services and on the safety and well-being of Philadelphia’s children; and

**WHEREAS**, the recommendations of the CWRP having now been largely implemented, it is appropriate that the COB expand the scope and direction of its vision and services to focus on monitoring the progress of DHS’s community-based service delivery model, known as Improving Outcomes for Children (“IOC”); and

**WHEREAS**, at my direction, the Office of the Deputy Managing Director for Health and Human Services engaged an independent, non-profit, technical assistance organization to evaluate the implementation and effectiveness of IOC, and to recommend improvements to DHS policies and procedures; and

**WHEREAS**, the report highlighted the need systemwide to improve relationships with parents and families, retain quality staff to work directly with families, and ensure that outside systems partnering with DHS are supporting Philadelphia children who are at-risk; and

**WHEREAS**, the Commonwealth of Pennsylvania requires an advisory body for DHS to review its strategic planning and budgetary documents prior to their submission to the Commonwealth; and

**WHEREAS**, while the COB has fulfilled its mandate, an ongoing oversight body nevertheless remains necessary to enable the City to receive the benefit of diverse local and national perspectives and expertise in ensuring the safety, permanency, and well-being of all Philadelphia children;

**NOW, THEREFORE**, I, James F. Kenney, by the powers vested in me as Mayor of the City of Philadelphia, do hereby order as follows:

## **SECTION 1: ORGANIZATION OF THE CHILD WELFARE OVERSIGHT BOARD**

### **A. Composition.**

1. The Community Oversight Board is hereby reconstituted as the Child Welfare Oversight Board (the "Board") and shall consist of up to 20 voting members, appointed by the Mayor. Overall membership shall reflect the diversity of the City's population, emphasize child welfare expertise, and represent a variety of backgrounds including, but not limited to, social work, academia, physical and behavioral health, and law.

2. The Commissioner of DHS, the Director of the Office of Behavioral Health and Intellectual disAbility Services, and the Managing Director (or their designees) shall serve as *ex-officio* members of the Board, without the power to vote. Other than these *ex-officio* members, no Board member shall be employed by or affiliated with DHS.

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

### **B. Terms and Internal Rules.**

1. All members shall serve for one year terms and may be reappointed to any number of additional one year terms.

2. The Board shall meet quarterly, at such times and places as it may designate.

## **SECTION 2. DUTIES OF THE BOARD**

The Board shall:

A. Review and assess (1) DHS's progress in implementing the Improving Outcomes for Children model and other reform initiatives; (2) DHS's progress in implementing the recommendations outlined in the Report, as well as any other reforms suggested by the Board; and (3) the effects of any reforms on DHS's delivery of services and on the safety, permanency and well-being of Philadelphia's children.

B. Provide advice to DHS on the development of its Needs Based Plan and Budget.

C. In conducting its assessments, the Board shall have the authority to examine and review all records, documents, and other evidence surrounding any fatalities or near fatalities of children under DHS supervision or otherwise in contact with DHS, to the extent permissible by law.

D. At least annually, provide the Mayor, City Council, and the public with a report outlining its findings on DHS's progress in Improving Outcomes for Children, and in otherwise delivering essential services. 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.

### **SECTION 3. COOPERATION AND SUPPORT FOR THE BOARD**

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. DHS and its contractors shall provide the Board and its staff, consultants, or other agents with prompt access to all documents, files, records, or other material as well as personal access to speak to DHS or contractor personnel relevant to the Board's duties, subject to compliance with applicable law.

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.

### **SECTION 4. RECISSION OF PRIOR ORDER**

Executive Order No. 7-10 is hereby rescinded.

### **SECTION 5. EFFECTIVE DATE**

This Order shall take effect immediately.

5/10/18

Date

James F. Kenney  
James F. Kenney, Mayor

City of Philadelphia  
Law Department

## Memorandum

**TO:** Cynthia Figueroa, Commissioner, Department of Human Services  
**FROM:** Martha Johnston, Senior Attorney/MJ  
**DATE:** May 8, 2018  
**SUBJECT:** Proposed Executive Order Re: Child Welfare Oversight Board

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You have submitted for review a proposed Executive Order entitled:

### **CHILD WELFARE OVERSIGHT BOARD**

This proposed Executive Order, a copy of which is attached hereto, is in proper form and there is no legal objection to its issuance by the Mayor. In accordance with customary practice, we have not been requested to review any factual premises upon which this Executive Order may be based.

Cc: Jessica Shapiro, First Deputy Commissioner, DHS