

Educational Nominating Panel Convening Meeting
January 19, 2018, 10 a.m.
Mayor's Reception Room, 202 City Hall
Meeting Minutes

Members Present: Kendra Brooks, Bonnie Camarda, Pat Eiding, Dan Fitzpatrick, Jamie Gauthier, Peter Gonzales, Derren Mangum, Stephanie Naidoff, Ivy Olesh, Kimberly Pham, Wendell Pritchett, Sean Vereen, Barbara Moore Williams

1. Mr. Pritchett welcomed the other members and explained that the Mayor had asked him to chair the Panel pending adoption of Rules of Procedure and election of officers. He called the meeting of the Panel to order, noted the presence of a quorum, and had Panel members introduce themselves.

2. Mr. Pritchett asked for questions about the proposed Rules of Procedure for the Panel, which had been circulated and was available for members of the public. Ms. Gauthier moved for the adoption of the Rules of Procedure, and Ms. Brooks seconded the motion. The motion was adopted by unanimous vote.

3. Ms. Gauthier assumed temporary chairmanship of the meeting. Mr. Eiding moved that Mr. Pritchett be elected Chair of the Panel. Ms. Camarda seconded the motion, which was adopted unanimously. Mr. Pritchett thanked Panel members for their support and said he was honored to have the opportunity to work with all of them on this vitally important topic as they assist the Mayor in ensuring a smooth transition of the School District of Philadelphia to local governance.

4. Ms. Naidoff nominated Jamie Gauthier as Vice Chair of the Panel, to serve in place of the Chair when he is unavailable. Mr. Vereen seconded the motion, which was adopted unanimously.

5. Ms. Pham nominated Ms. Camarda as Secretary. Ms. Olesh seconded the nomination, which was adopted unanimously.

6. Mr. Pritchett noted that Panel members have busy professional and personal lives beyond this volunteer work, such that it made sense to enlist the help of the Mayor's Office to handle the Panel's administrative duties. He asked Christina Hernandez, the Mayor's Assistant Director of Legislation, whether she would be willing and able to serve as Assistant Secretary. Ms. Hernandez said she would do so.

7. Ms. Gauthier moved that the Chair be authorized to take the steps necessary for the Panel to comply with Section 12-207(d) of the Education Supplement to the Philadelphia Home Rule Charter, which requires the panel to invite business, civic, professional, labor, and other organizations, as well as individuals, situated or resident within the City to submit for consideration by the Panel the names of persons qualified to serve as members of the Board of Education. Mr. Mangum seconded the motion, which carried unanimously. Mr. Pritchett noted that the Mayor's Office of Education had already posted an application for the Board of Education on its website, and had issued a press release that again highlighted this application. He requested that the Mayor's Office of Education re-post the application with notice that applications will be submitted to the Panel, and that the Mayor's Office issue a press release announcing the Panel's invitation to submit names for the Panel's consideration through the existing website or by mail addressed to the Panel's attention.

8. Mr. Pritchett announced that because its work was to discuss the appointment of prospective School Board Directors, that work will be done in Executive Sessions of the Panel that will be held in the upcoming weeks. He stated that the Panel would reconvene within forty days to officially vote to recommend 27 individuals to the Mayor for his consideration and possible appointment.

9. Mr. Pritchett introduced Sozi Pedro Tulante, City Solicitor; Otis Hackney, Chief Education Officer; and Jim Engler, Deputy Mayor for Policy and Legislation, to provide the Panel with an overview of the legal requirements related to possible appointees to the Board of Education and the duties and qualities of Board of Education members. Copies of the presentations were given to each Panel member and made available to members of the public.

a. In response to Mr. Fitzpatrick's question whether people who contract with the City are eligible to serve on the Board of Education, Mr. Tulante replied that they would be eligible to serve, though paid City employees would be ineligible.

b. Concerning the desired qualities of members of the Board of Education, Mr. Pritchett highlighted the importance of a collaborative spirit and the ability to engage in debates with differing opinions.

c. The Board viewed preliminary results of a community survey undertaken by the Mayor's Office of Education. Mr. Gauthier asked why the top respondents were community members without children, and whether there was a way to get more parents to respond. Jane Slusser, the Mayor's Chief of Staff, replied that the School District had sent out emails and letters, and that the survey would remain open longer than originally contemplated, in order to get more responses.

d. Ms. Williams asked whether the survey was available in paper as well as online. Ms. Slusser said she would look into getting paper copies. She stressed the importance of the survey as an important way to get information about what the community wants. She asked that all Panel members promote the survey to more people through their own networks.

e. In response to a question of Mr. Vereen, Mr. Hackney stated that the Mayor's Office of Education was using all of its nonprofit partners and social media to publicize the survey, as well as the School District.

f. Ms. Camarda noted the importance of language access, and asked whether the survey was being translated for the many communities that don't speak English. Mr. Hackney replied that the survey had been translated into five different languages, and was being sent home to families that speak those languages.

g. Mr. Hackney told Ms. Brooks he would look into providing hard copies for Panel members to hand out. He told Mr. Mangum that the survey was accessible on mobile devices. He told Mr. Vereen that his office could segregate data to see what parents with children want versus all community members.

10. Mr. Pritchett introduced Ellen Kaplan, Chief Integrity Officer; and Maya Nayak, General Counsel to the Board of Ethics, to provide the Panel with an overview of possible ethics and conflict of interest issues. Copies of the presentations were given to each Panel member and made available to members of the public.

11. Ms. Nayak stated that the Ethics Board was reviewing the Educational Supplement to the Home Rule Charter in order to determine ethics requirements for the Panel and, potentially, the Board of Education, and would be providing an advisory opinion in the coming week. She invited all Panel members to approach the Ethics Board with questions anytime. Noting that her quick presentation did not replace ethics training, she highlighted several things Panel members cannot do, or must do:

- a. A Panel member cannot:
 1. disclose city information for financial gain
 2. engage in political activity while on duty, or use city resources to do it
 3. accept gifts of value from certain individuals
 4. make decisions regarding individuals where the Panel member has a conflict of interest
- b. A Panel member must:
 1. recuse, and write a letter describing the conflict, if a conflict of interest exists
 2. fill out the City and (likely) the State financial disclosure form
 3. have annual ethics training

12. In response to questions from Ms. Naidoff, Ms. Nayak advised that political activity restrictions applied while Panel members were acting in their official capacity, and that it might be possible to file both State and City financial disclosure forms in the same electronic filing.

13. Ms. Kaplan summarized Mayoral Executive Order 10-16 as follows: no gifts from prohibited sources, no cash gifts, and if you get one report it. She told Ms. Naidoff that her friends could pick up her dinner tab unless they were seeking a position on the Board. She further explained that invitations are gifts, and so would be prohibited if from someone who wanted a seat on the Board, though not if associated only with a Panel member's other work. To Ms. Gauthier's question about what to do if she didn't know that a Panel member was interested in serving on the Board when making an invitation, Ms. Kaplan replied that she should decline the lunch offer and stop the conversation if that turned out to be the case. Ms. Kaplan said she was happy to answer any questions concerning specific invitations, and to help guide Panel members through the financial disclosure forms.

14. Mr. Pritchett introduced Ms. Slusser and Ms. Hernandez to provide an overview of the Nominating Panel timeline and process. Again, copies of the presentation were given to each Panel member and made available to members of the public.

15. Concerning the recruitment of potential Board of Education candidates:

- a. Ms. Slusser told Ms. Williams that it was OK to scan a paper application and send it to her email address.
- b. Ms. Gauthier asked whether the Panel's goal should be just to get as many applications as possible, or what represented a robust process. Ms. Slusser replied that more than 100 online submissions had been received and that she anticipated 200 or perhaps even several hundred.
- c. Mr. Eiding asked whether Panel members should bring in others' applications if they wanted to recommend them, or just have everybody who is interested fill out an application. Ms. Slusser

advised that Panel members make sure that person had applied, and then make the member's recommendations known to the other members later in the process.

d. Ms. Camarda asked whether recruiting information could be given to communities that already have meetings set up in the coming weeks. Ms. Slusser invited Panel members to distribute information at such meetings, and also noted that the Chief Education Officer would be attending informational meetings throughout the City.

e. Ms. Gauthier asked for any "stellar examples of local school boards" for the Panel to use. Ms. Slusser deferred to the Education Office.

f. Mr. Vereen asked about the history of how many people had applied in the past and what the process was. Ms. Slusser said that not a lot of documentation had been found but that she could ask Law whether that was available in archive documents.

g. Ms. Williams asked whether the Panel must review all 300 applications, if that was how many the Panel received. Ms. Slusser said yes, the Mayor wanted the Panel to look at all of them.

h. Mr. Mangum asked for available information on how names are received (nomination versus application), or how many times one person has been nominated. Ms. Slusser said the Mayor's Office could work on a system to make that information available and could generally do any research or provide information that the Panel requests.

i. A member of the public stated that it was unfair if Panel members could nominate people they know. Ms. Slusser said it was up to the Panel how they want to handle that, but that the idea that the Panel is empowered to recruit candidates is specifically laid out in the Charter provisions.

j. Mr. Eiding asked whether a box on the application indicates that someone from the Panel is recommending that candidate. There is no such box, though the nominating form says who is making the nomination. A short discussion about recommendations by Panel members ensued.

k. Ms. Gauthier stated that it was fine for Panel members to recommend people that they knew because any candidate would still need to get the approval of the majority of the Panel. The Panel members engaged in a short discussion of possible recusal standards and Mr. Pritchett noted that the Panel would welcome any guidance that could be provided by the Administration.

l. Ms. Gauthier asked whether there were examples of any stellar local school boards for the Panel to use for comparison. Ms. Slusser responded that she would defer to the Education Office to provide that information.

16. Mr. Pritchett reminded members and the public that the Panel would reconvene publicly to vote to submit its list of potential candidates to the Mayor. He further stated that any and all interested candidates should submit their application or nomination form as soon as possible.

17. Mr. Pritchett adjourned the meeting at 11:46 a.m.

Christina Hernandez, Assistant Secretary