

City of Philadelphia



Council of the City of Philadelphia
Office of the Chief Clerk
Room 402, City Hall
Philadelphia

(Resolution No. 070360)

RESOLUTION

Proposing an amendment to the Philadelphia Home Rule Charter to create the Office of the Public School Family and Child Advocate, and providing for the submission of the amendment to the electors of Philadelphia.

WHEREAS, Under Section 6 of the First Class City Home Rule Act (53 P.S. §13106), an amendment to the Philadelphia Home Rule Charter may be proposed by a resolution of the Council of the City of Philadelphia adopted with the concurrence of two-thirds of its elected members; now therefore

RESOLVED, BY THE COUNCIL OF THE CITY OF PHILADELPHIA,

THAT the following amendment to the Philadelphia Home Rule Charter is hereby proposed and shall be submitted to the electors of the City on an election date designated by ordinance:

ARTICLE III – EXECUTIVE AND ADMINISTRATIVE BRANCH – ORGANIZATION

CHAPTER 1 OFFICERS, DEPARTMENTS, BOARDS, COMMISSIONS AND OTHER AGENCIES

Section 3-100. Executive and Administrative Officers, Departments, Boards, Commissions and Agencies Designated. The executive and administrative work of the City shall be performed by:

(a) The following elected or appointed officers:

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Public School Family and Child Advocate.

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CHAPTER 2 ELECTION OR APPOINTMENT

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Section 3-210. Public School Family and Child Advocate. The Mayor, with the advice and consent of a majority of all the members of the Council, shall appoint the Public School Family and Child Advocate.

* * *

CHAPTER 6 COMPENSATION

Section 3-600. The Mayor and Other Officers. Until the Council shall otherwise ordain, annual salaries shall be payable in equal semi-monthly installments as follows:

* * *

Public School Family and Child Advocate, \$100,000.

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ARTICLE IV EXECUTIVE AND ADMINISTRATIVE BRANCH POWERS AND DUTIES

The Mayor, The City Representative and
Departments, Boards and Commissions under the Mayor

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CHAPTER 14 PUBLIC SCHOOL FAMILY AND CHILD ADVOCATE

Section 4-1400. Powers and Duties. The Public School Family and Child Advocate shall have the power and its duty shall be to perform the following functions:

(a) *Act as an advocate for children in the public schools and their families with respect to all educational and related matters.*

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(b) *Advise and inform families as to their rights under federal, state and local law with respect to educational and related matters, including, but not limited to, rights under the federal “No Child Left Behind Act” and rights accruing to children identified as special needs or at risk children, and act as an advocate for children and their families in securing such rights.*

(c) *Appoint and fix the compensation of such employees as may be required for the proper conduct of the work of the office of the Public School Family and Child Advocate, including, but not limited to, assistant advocates. The number and compensation of such employees shall not be subject to the approval of any other officer.*

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ARTICLE VIII PROVISIONS OF GENERAL APPLICATION

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CHAPTER 4 EXECUTIVE AND ADMINISTRATIVE BRANCH

Section 8-400. Certain General Provisions to Apply to Certain Officers. All of the provisions of this charter which apply generally to department heads or departments, boards and commissions shall apply to the Mayor, the Managing Director, the Director of Finance, the City Treasurer, the City Representative, the Insurance Public Advocate, *the Public School Family and Child Advocate* and the Personnel Director and to their offices.

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CERTIFICATION: This is a true and correct copy of the original Resolution, Adopted by the Council of the City of Philadelphia on the fourteenth of June, 2007.

Anna C. Verna
PRESIDENT OF THE COUNCIL

Patricia Rafferty
CHIEF CLERK OF THE COUNCIL

Introduced by: Councilmember Campbell

Sponsored by: Councilmembers Campbell, Rizzo, Greenlee, Kenney, DiCicco, Kelly, Goode, Reynolds Brown, Council President Verna, Councilmembers Tasco, Blackwell, Ramos, Miller, Krajewski, Savage, Clarke and O'Neill