

City of Philadelphia



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

(Resolution No. 150017)

RESOLUTION

Proposing an amendment to the Philadelphia Home Rule Charter to provide for the creation, appointment, powers and duties of a Commission on Universal Pre-Kindergarten and providing for the submission of the amendment to the electors of Philadelphia.

WHEREAS, Children who participate in two years of high quality pre-kindergarten demonstrate higher rates of academic achievement, high school graduation, college attendance and employment than their peers; and

WHEREAS, These children require less remediation, grade repetition, and special education, and are less inclined toward involvement with the juvenile justice system than their peers; and

WHEREAS, Every public dollar spent on high quality pre-kindergarten saves taxpayers \$7-\$16 in future costs; and

WHEREAS, Only one in three preschool-age children in Philadelphia currently has access to high quality pre-kindergarten, which reduces the achievement gap and encourages families with young children to stay in the City; and

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 (i) by a resolution of the Council of the City of Philadelphia adopted with the concurrence of two-thirds of its elected members or (ii) by a petition of no fewer than twenty thousand registered voters followed by a resolution of the Council of the City of Philadelphia adopted with the concurrence of a majority of its elected members; now, therefore, be it

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:

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ARTICLE III

EXECUTIVE AND ADMINISTRATIVE BRANCH – ORGANIZATION

CHAPTER 1

OFFICERS, DEPARTMENTS, BOARDS, COMMISSIONS AND OTHER AGENCIES

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§ 3-100. Executive and Administrative Officers, Departments, Boards, Commissions and Agencies Designated.

The executive and administrative work of the City shall be performed by:

* * *

(e) The following independent boards and commissions, which, except for the Board of Trustees of the Free Library of Philadelphia are hereby created:

* * *

Zoning Code Commission; [and]
Jobs Commission[.]; and
Commission on Universal Pre-Kindergarten.

* * *

CHAPTER 8 INDEPENDENT BOARDS AND COMMISSIONS

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§ 3-810. *Commission on Universal Pre-Kindergarten.*

(a) *The Commission on Universal Pre-Kindergarten shall be composed of seventeen members, selected as follows:*

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(1) *Five members appointed by the Mayor from constituencies that may include childcare providers, the business community, educators, education advocates, regional or national pre-kindergarten experts, and parents;*

(2) *Five members appointed by City Council from constituencies that may include childcare providers, the business community, educators, education advocates, regional or national pre-kindergarten experts, and parents;*

(3) *Two members appointed by City Council from among its members;*

(4) *Superintendent, School District of Philadelphia, or his or her designee;*

(5) *Director of Finance, or his or her designee;*

(6) *Director of Commerce, or his or her designee;*

(7) *The Welfare Commissioner, commonly known as Commissioner of Human Services, or his or her designee; and*

(8) *Deputy Secretary, Office of Child Development and Early Learning, Pennsylvania Department of Human Services, or his or her designee.*

(b) *All initial appointments to the Commission shall be made within twenty (20) days after the Commission is first created.*

(c) *Vacancies on the Commission shall be filled within thirty (30) days by the appointing authority who originally appointed the member whose seat has become vacant.*

ARTICLE IV

EXECUTIVE AND ADMINISTRATIVE BRANCH POWERS AND DUTIES

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CHAPTER 18

COMMISSION ON UNIVERSAL PRE-KINDERGARTEN

§ 4-1800. *Powers and Duties.*

(a) *Within thirty (30) days after its creation, the Commission on Universal Pre-Kindergarten shall convene its first meeting. Thereafter, the Commission shall meet no fewer than six times before March 31, 2016, at such times and at such places as*

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determined by the Commission. All meetings shall be open to the public, and the Commission shall receive public testimony during no fewer than two of these meetings.

(b) The Commission shall conduct a comprehensive analysis of early childhood education in Philadelphia and produce a feasible plan to move the City toward providing universal pre-kindergarten, including proposals for funding that would not reduce existing education funding. The Commission's ultimate goal shall be a universal pre-kindergarten program to provide high-quality, affordable, and accessible educational services to the City's three- and four-year-olds throughout the City. The Commission's work shall be guided by the principle that early childhood education has the potential to produce life-long learners who will become contributing citizens.

(c) The Commission shall invite the participation of any staff of the Mayor or of the Council, as well as utilize any available resources, including studies or reports. Subject to the availability of appropriations, the Commission also may retain such consultants as it deems appropriate, including (i) any organization or individual with recognized expertise in early childhood education or universal pre-kindergarten; and (ii) any organization or individual with recognized expertise in state or local tax policy, public funding, or revenue forecasting.

(d) All departments, boards, commissions and other City agencies shall cooperate fully with the Commission in the performance of its duties and responsibilities and shall provide any documents, data, analyses or other information relating to universal pre-kindergarten requested by the Commission, except documents the nondisclosure of which is legally privileged or which have been prepared for or by the Law Department for use in actions or proceedings in which the City is or may be a party. Upon the written request of a City agency, the Commission shall maintain the confidentiality of any documents, data, analyses or other related information to the extent legally permitted.

(e) By January 15, 2016, the Commission shall present a draft funding plan to the Mayor and Council for review and comment. Council shall enact a resolution providing comments on the draft funding plan to the Commission by March 15, 2016, which the Chief Clerk of Council shall transmit to the Commission. The Mayor also shall provide written comments no later than March 15, 2016. The Commission shall give due consideration to the comments of the Mayor and Council in drafting its final report.

(f) On or before April 15, 2016, unless Council by a resolution adopted by a two-thirds vote of all members of the Council approves an extension to last for no more than thirty (30) days, the Commission shall by a simple majority vote of all members of the Commission adopt a written final report proposing specific steps toward a universal pre-kindergarten program, including an administrative structure and a final funding proposal. The Commission may further propose state or federal legislation or other policy changes necessary or helpful to the establishment of universal pre-kindergarten in

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the City. The Commission shall provide copies of its report to each member of Council and to the Clerk of Council, and the Commission shall see to it that a copy is posted on the City's official Internet site.

(g) The Commission may include in its report any relevant legislative, administrative or policy recommendations it chooses, but at a minimum shall include in its report both of the following:

(1) One or more proposed Council bills to raise revenues sufficient to fund the program proposed by the Commission, with other reliable revenue sources, as available.

(2) Recommendations to the Mayor and Council for achieving a universal pre-kindergarten program, including a timeline and estimated costs.

§ 4-1801. Creation of Program.

(a) Council shall consider the Commission's report, and enact into law, reject or table the bill or bills proposed to it under § 4-1800(g)(1) by no later than the adoption of the annual operating budget ordinance for the ensuing fiscal year.

(b) If the Mayor determines that legislation proposed under § 4-1800(g)(1) or comparable legislation is not enacted, the Commission shall reconvene on an annual basis by no later than July 1, and the Commission, the Mayor and Council shall follow the schedule and requirements set out in §§ 4-1800(e), (f), (g), and 4-1801(a).

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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 twenty-sixth day of February, 2015.

Darrell L. Clarke
PRESIDENT OF THE COUNCIL

Michael A. Decker
CHIEF CLERK OF THE COUNCIL

Introduced by: Councilmember Blackwell

Sponsored by: Councilmembers Blackwell, Bass, Reynolds Brown, Neilson, Goode, Jones, Greenlee, Tasco, Oh, Kenney, Council President Clarke, Councilmembers Johnson, Quiñones Sánchez, Squilla and O'Neill