



City of Philadelphia

City Council
Chief Clerk's Office
402 City Hall
Philadelphia, PA 19107

RESOLUTION NO. 220010

Introduced January 20, 2022

Councilmember Parker

Referred to the Committee on
Law and Government

RESOLUTION

Proposing an amendment to the Educational Supplement to the Philadelphia Home Rule Charter providing for the removal of gender-based references throughout the Educational Supplement; and providing for the submission of the amendment to the electors of Philadelphia.

WHEREAS, Under Article II, Section 7 of the First Class City Public Education Home Rule Act (53 P.S. §13207), amendments to the Educational Supplement to the Philadelphia Home Rule Charter may be made in accordance with the procedures set forth in the First Class City Home Rule Act, Section 6 of which (53 P.S. §13106) provides that Charter amendments 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; and

WHEREAS, City Council, by adoption of this resolution, proposes an amendment to the Educational Supplement to the Philadelphia Home Rule Charter relating to for the removal of gender-based references throughout the Educational Supplement; now, therefore, be it

RESOLVED, BY THE COUNCIL OF THE CITY OF PHILADELPHIA, That the following amendment to Article XII of the Educational Supplement 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:

Deletions in ~~Strikethrough~~
Additions in *Italic*

ARTICLE XII PUBLIC EDUCATION

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City of Philadelphia

RESOLUTION NO. 220010 continued

CHAPTER 2 THE BOARD OF EDUCATION

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§ 12-201. Members of the Board; Method of Selection.

There shall be nine members of the Board of Education who shall be appointed by the Mayor, with the advice and consent of a majority of all the members of the Council after public hearing, from lists of names submitted to ~~him~~ *the Mayor* by the Educational Nominating Panel, or, if enabling legislation is enacted by the General Assembly of the Commonwealth, elected on a non-partisan basis by the qualified voters of the city, all as more fully set forth in later sections of this Chapter. There shall also be a non-voting student advisory member of the Board of Education and alternate appointed by the Board from among the students enrolled in the Philadelphia public schools, whose selection and participation in meetings and other Board activities shall be subject to rules adopted by the Board.

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§ 12-207. The Educational Nominating Panel; Duties and Procedure.

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(c) If the General Assembly of the Commonwealth shall have previously enacted enabling legislation permitting members of the Board of Education to be elected on a non-partisan basis, not later than September fifteenth of the odd-numbered year in which the legislation was enacted or the ensuing odd-numbered year, the Mayor shall select nine names from either one or two lists of 27 names submitted by the Educational Nominating Panel according to the procedure set forth in subsection (b) and, subject to the advice and consent of Council, shall certify those nine names to the county board of elections as ~~his~~ *the Mayor's* nominations for members of the Board of Education. In certifying the names of ~~his~~ *the* nominees to the county board of elections the Mayor shall designate three of ~~his~~ *the Mayor's* nominees as candidates for terms of two years, three for terms of four years and three for terms of six years. The ballots or ballot labels shall not contain any party designation for any of the candidates nominated by the Mayor, and under each name there will be a space permitting the voter to write in the name of any other person. In every instance the Mayor's candidate will be elected if, but only if, ~~he~~ *the candidate* receives more votes than any other candidate whose name is written in. In every subsequent odd-numbered year, three members of the Board shall be nominated by the Mayor from names submitted to ~~him~~ *the Mayor* by the Educational Nominating Panel and elected in the same manner provided by this subsection, and whenever a vacancy occurs the procedure for filling it shall be similar whether the vacancy be filled at a special election proclaimed by the Mayor or at a municipal election.

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City of Philadelphia

RESOLUTION NO. 220010 continued

§ 12-208. Officers of the Board of Education; Their Duties.

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(b) The Superintendent of Schools shall attend all meetings of the Board, and may attend all meetings of any Board committees, except those concerned with ~~his~~ *the Superintendent's* own salary, benefits, or tenure. The Superintendent shall have the right to advise on any question or matter under consideration but shall have no right to vote.

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§ 12-209. Organization and Procedures.

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(b) The Board shall hold public meetings not less often than once every two months during the school year. All meetings of the Board shall be public except when the President, in ~~his~~ *the President's* discretion, or two-thirds of the members of the Board on a roll-call vote, shall order an executive session. The Board, the Mayor and City Council shall also meet publicly at least twice during the school year in City Council chambers to review and discuss the administration, management, operations and finances of the School District in order to develop and adopt plans to coordinate their activities for the improvement and benefit of public education in Philadelphia.

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§ 12-210. School Auditors.

(a) The Board of Education shall appoint the City Controller of the City as School Auditor for the purpose of conducting an annual post-audit of the finances of every department of the District, and of all persons handling the funds of the District, including the accounts of the receiver of school taxes, the Treasurer of the Board, school depositories, teachers' retirement funds, directors' association funds, sinking funds, and all other funds belonging to or controlled by the District. At the end of each fiscal year after conducting such audit the School Auditor shall certify to the Board that ~~he~~ *the School Auditor* has audited these accounts and report to the Board the result of such audit. A summary of the annual audit shall be published by the Board once a week for three successive weeks, beginning the first week after the audit has been furnished to the Board, in two newspapers of general circulation printed in the City. In addition to such publication, the Board shall make available to the public a reasonable number of copies of the complete audit report and shall, in its publication of the summary, state where copies may be obtained or inspected.

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City of Philadelphia

RESOLUTION NO. 220010 continued

CHAPTER 4 THE SUPERINTENDENT OF SCHOOLS; DUTIES AND POWERS

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§ 12-403. Budgetary Controls.

(a) All of the pre-audit functions and duties of the School Controller as prescribed by law shall be exercised by the Superintendent or ~~his~~ *the Superintendent's* designee. The Superintendent ~~shall~~, *shall* establish and maintain a system of accounts and expenditure controls in accordance with the budgets approved by the Board of Education and in accordance with law. The Superintendent shall as soon as is practicable after the end of each fiscal year, submit to the Board an annual financial statement for the District for the past year. Such statement shall include itemized data with respect to all assets of the District, school taxes and receipts, outstanding indebtedness and sinking funds, if any, and such other information relating to the finances of the District as the Board may deem necessary or proper.

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