

City of Philadelphia



Philadelphia, February 28, 2002

CERTIFICATION: This is to certify that Bill No. 010666, was presented to the Mayor on the fourteenth day of February, 2002, and was not returned to the Council with his signature at a meeting held February 28, 2002 (being more than ten days after it has been presented to him).

THEREFORE, Pursuant to the provisions of Section 2-202 of the Philadelphia Home Rule Charter, the ordinance becomes effective as if the Mayor had approved it.

A handwritten signature in cursive script, appearing to read "Marie B. Hauser".

Marie B. Hauser
Chief Clerk of the City Council

(Bill No. 010666)

AN ORDINANCE

Providing that no agreement, memorandum of understanding or other commitment for the private administration, management or operation of any school within the School District of Philadelphia which will require the appropriation of City funds, the imposition of taxes by the City of Philadelphia, or the authorization by City Council of the levying of taxes on behalf of the School District of Philadelphia, or its successors or assigns, shall be entered into or be of any force or effect without the approval of the parents of students at that school, and without the approval of the Council of the City of Philadelphia, under certain terms and conditions.

THE COUNCIL OF THE CITY OF PHILADELPHIA HEREBY ORDAINS:

SECTION 1. No agreement, memorandum of understanding, contract or other commitment ("Contract") for the private administration, management or operation of any

City of Philadelphia

BILL NO. 010666 continued

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school within the School District of Philadelphia, including, but not limited to, any Contract relating to the administration, management or operation of a Charter School, a Community Partnership School, or any school to be managed or operated by an Educational Management Organization or a Provider or Lead Provider school management entity, (i) which will require the appropriation of City funds, the imposition of taxes by the City of Philadelphia, or the authorization by City Council of the levying of taxes on behalf of the School District of Philadelphia, or its successors or assigns, or (ii) for which any payment will be made, in whole or in part, from appropriated City funds, taxes imposed by the City, or taxes levied on behalf of the School District of Philadelphia pursuant to authorization of Council, shall be entered into or be of any force or effect unless there is compliance with the following:

(a) At least seventy-five percent (75%) of the parents of the school age children registered at the school must approve such privatization by the June 30 that occurs prior to the start of the first school year for which the privatization is proposed;

(b) Such approval by parents shall be given at a vote conducted under the auspices of a parent council, a home and school association, or at a meeting convened by the principal of the school, provided that all parents shall be given at least 15 days notice of the meeting at which such vote will be conducted;

(c) At least forty-five (45) days prior to the conducting of the vote by parents, the entity which is proposed to contract for the private administration, management or operation of the school shall provide each parent with a detailed plan for the administration, operation and management of the school, and the proposed course of education to be conducted.

(d) A list of schools for which the parents have approved privatization shall be provided to Council, and Council must approve by resolution each school for which privatization is proposed.

(e) Such Contract shall provide that if at any time at least seventy-five percent (75%) of the parents of the school age children registered at the school vote against the continuation of services to be provided under such contract, then such contract shall terminate effective: (i) at the start of the next school year, if such vote is taken on or before June 30 of any calendar year; or (ii) at the start of the school year that begins during the next calendar year, if such vote is taken after June 30 of any calendar year. Such vote must be conducted under the auspices of a parent council, a home and school association, or at a meeting convened by the principal of the school, provided that all parents shall be given at least 15 days notice of the meeting at which such vote will be conducted.