



OFFICE OF JUVENILE AFFAIRS

June

**BOARD OF DIRECTORS
MEETING MINUTES**

June 18, 2010

BOARD MEMBERS

Present: Deanna Hartley-Kelso
George W. Lindley
Gary A. Taylor
Linda Ware Toure
T. Hastings Siegfried

Absent: Donnie Nero
Edward L. Smith

Special Guest: Janice Smith

PRESENT FROM THE OFFICE OF JUVENILE AFFAIRS

Gary Bolin, Don Bray, Dorothy Brown, Gene Christian, Paula Christiansen, Kevin Clagg, Jeff Gifford, Donna Glandon, Dennis Gober, Elana Grissom, Stephen Grissom, JLynn Hartman, Wayne Johnson, Linda McLennan, Len Morris, Cathy Olberding, Kim Sardis, Elizabeth Stewart, Shantha Varahan

OTHERS PRESENT

Perry Adams, Lisa Bradley, Stella Church, J. Brent Clarke, Steve Hagar, Pat Hall, Anthony Kibble, David Ligon, Luke Martin, Justin Martino, Dr. Ken Rose

CALL TO ORDER

Vice-Chairman T. Hastings Siegfried called the June 2010 Board Meeting of the OJA Board of Directors to order at 10:05 a.m. at the Office of Juvenile Affairs Employee Development Center, 3815 N. Santa Fe, Suite 170, Oklahoma City, OK 73118.

STATEMENT OF COMPLIANCE WITH THE OPEN MEETING ACT

Ms. Linda McLennan, Board Secretary, confirmed that the Board of Juvenile Affairs is in compliance with the Open Meeting Act.

INTRODUCTION OF GUESTS

Ms. Stella Church representing Secretary Howard Hendrick, Anthony Kibble from OCCY, David Ligon from the House of Representatives, Justin Martino from eCapitol, and three persons representing the town of Clinton; Perry Adams, Luke Martin and J. Brent Clark. Additional guests will be introduced as they make presentations before the Board today.

PRESENTATION BY DR. KEN ROSE, SOUTHWESTERN OKLAHOMA UNIVERSITY, OF THE NEWLY RENOVATED BUTLER SCHOOL FOR USE AS A LEVEL E TRANSITION GROUP HOME.

Director Christian said OJA asked Dr. Rose to help develop the program for the first Level E Transition Home. Dr. Rose has been able to develop this program and the home is in the process of being opened. Dr. Rose is the Dean, College of Professional and Graduate Studies, Adjudicated Programs Manager at Southwestern Oklahoma State University Weatherford, OK 73096

Dr. Rose gave books to each Board Member with pictures and treatment plans for the Butler Home.

The Butler Skills Development Center is designed to provide a sixteen-bed residential "Level E" facility for young men ages fourteen to eighteen years of age who are adjudicated in need to supervision delinquent or youthful offender. The evidenced based curriculum and therapy will provide programming intended to develop highly skilled professional welders with the ability to step into a welder's job and be successful in society. Tangential programs of study will also support a highly involved evidenced based, transitional educational and therapeutic program, which will assist juveniles with their entry into the program, their success in the program and their successful reintegration into society.

A facility has been developed at Butler, OK. The former Butler Public Schools site has been transformed into a beautiful complex consisting of dorm rooms, cafeteria, classrooms, conference rooms, therapists offices, welding center and recreational areas. It is rural in nature and provides the isolation necessary for exposures and focusing on pertinent issues of a therapeutic nature. The program is evidenced and outcomes based and is embedded with university type exposures to elevate the residents' academic and emotional intelligence quotient (IQ). Emotional and academic IQ has been identified as a predicting quality and evidenced based measure of success for residents in programs such as this.

The grant is heavily supplemented by Southwestern Oklahoma State University (SWOSU, its faculty, resources, dollars and expertise. Southwestern Oklahoma State University is dedicated to providing oversight, guidance, direction and insurance of effectiveness and efficiency in the operation of this program as a part of its university mission.

POSSIBLE APPOINTMENT OF TWO BOARD MEMBERS TO SERVE ON THE OJA EVALUATION COMMITTEE REGARDING THE REQUEST FOR PROPOSALS FOR THE CONSTRUCTION AND OPERATION OF A NEW JUVENILE FACILITY, EITHER EDUCATION, SECURE OR COMBINATION THEREOF.

Co-chairman Hastings Siegfried appointed Judge George Lindley and Dr. Donnie Nero to serve on the OJA Evaluation Committee.

RECOGNITION OF GARY A. TAYLOR FOR HIS TENURE AS PRESIDENT OF THE BOARD OF DIRECTORS FOR CALENDAR YEAR 2009.

Mr. Christian thanked Mr. Taylor for his service to the Board and for his dedication to service for the youth of Oklahoma. Mr. Christian said that even though at times there were differences of opinions; the reality of the matter is what is best for the youth being served. Mr. Christian presented Mr. Taylor with a silver engraved clock.

RECOGNITION OF DR. LINDA WARE TOURE FOR HER SERVICE TO OJA AS A MEMBER OF THE BOARD OF DIRECTORS.

Mr. Christian recognized Dr. Ware for her service to the Board. Dr. Ware's career is in education and her input has been valued and respected. Dr. Ware was presented a nameplate with the OJA seal and her name printed on it with her 8 x 10 framed picture from the Board of Directors wall of presence.

INTRODUCTION OF NEWLY APPOINTED BOARD MEMBER MS. JANICE SMITH FROM CLINTON. MS. SMITH WILL REPLACE DR. TOURE BEGINNING AT THE JULY BOARD MEETING.

Mr. Christian introduced Ms. Janice Smith who has been in education for 20 years. She has served as a classroom teacher, school counselor (both elementary and secondary), elementary principal, and as the director of alternative education. She graduated from Southwestern Oklahoma State University with a masters in education.

Ms. Smith has been married to Dennis for 35 years. He is the District Attorney for District 2. Together they have four grown children: Christy, Lonnie, Lance, and Cylie, and five grandchildren. Ms. Smith is a member of Xi Alpha Bea sorority where she has served as president and vice president. She is also a member of PERO FR chapter and a member of the First Christian Church in Clinton.

PUBLIC COMMENTS

There were no Public Comments.

EXECUTIVE DIRECTOR'S REPORT

Mr. Christian presented. A schedule of the Director's Activities since the last Board Meeting is in the Books for each Board Member. The Director stated he would like to spend his time discussing the FY2011 Budget Work Program.

FY 2010 Appropriation Base

FY 10 Original Appropriation	\$112,388,578
Total Cuts	(8,226,743)
FY 10 Appropriations Adjusted Base	\$104,161,835

Programs Ended in FY 10

- Thunderbird Academy
- One Level E Group Home
- Sac and Fax Sanctions Detention
- Gang Intervention and Social Advocacy Services
- Home Bound
- Two Specialized Community Homes

FY 2011 Budget Scenario Summary

Additional Cuts	
FY 10 Appropriations Adjusted Base	\$104,161,835
5% Cut	(5,208,092)
10% cut	(10,416,184)
15% cut	(15,624,275)

Proposed Program Eliminations for FY11

- Attendant Care
- Graduated Sanctions

Close Multi Systemic Treatment Except for the match

Additional Rate Reductions for FY11

- Level E and D Group Homes
- Specialized Community Homes
- Therapeutic Foster Care
- Secure Detention
- Community Based Youth Services

Beds	Fund	Beginning Rate	Rate after 5% Cut	Rate after 10% Cut	Rate after 15% Cut	Rate after 20% Cut
Level E						
N/A	19101	72.81	69.17	65.53	61.89	58.25
N/A	41000	63.29	63.29	63.29	63.29	63.29
N/A	Total	136.10	132.46	128.82	125.18	121.54
Secure Detention						
79	19101	83.73	79.54	75.36	71.17	66.98
55	19101	94.07	89.37	84.66	79.96	75.26
26	19101	101.24	96.18	91.12	86.05	80.99
25	19101	104.08	98.88	93.67	88.47	83.26
18	19101	105.02	99.77	94.52	89.27	84.02
14	19101	106.90	101.56	96.21	90.87	85.52
12	19101	110.66	105.13	99.59	94.06	88.53
10	19101	121.95	115.85	109.76	103.66	97.56
8	19101	146.82	139.48	132.14	124.80	117.46
6	19101	153.88	146.19	138.49	130.80	123.10

Note: Beginning Rate for FY2011 is the ending FY2010 rate which is 92.5 % of the Ending FY2009 Rate

FY-11 CBYS 5% Budget Cuts

■Emergency Shelter Programs

- 1 Shelter Closed
- 6 Shelters will reduce available beds.
- 4 Shelters will reduce staffing patterns by eliminating at least 1 shelter position.
- 7 Shelters will reduce staff hours raising safety concerns.

■Community Based Counseling Programs

- 11 programs will eliminate at least 1 staff that provides school prevention and counseling services and/or home based counseling services.
- 12 programs will reduce staff that provide school prevention and counseling services.

■First Time Offender Programs

- 40 programs will reduce the number of classes provided.

■CARS (counseling and rehab services) for OJA Clients

- 2 programs will be eliminated.
- 9 programs will eliminate at least 1 staff.

■ **Other (Youth Services Staff and Providers)**

- Staff furloughs will continue and expand
- Staff benefits will be reduced
- Support services will be reduced or eliminated

Additional cuts for 10% and 15% Cuts were shown to the Board members.

OJA FY-2010 Furloughs:

Staff who make less than \$2,000 a month have suffered 4 days of furlough as of March 31, 2010 which has the effect of an annualized pay cut of a.7%.

Staff who make more than \$2,000 a month have suffered 9 days of furlough as of March 31, 2010 which has the effect of an annualized cut of 3.5%.

Additional Administrative Reductions for FY-11

OJA will require additional extraordinary cuts in personnel that could include:
Furlough day(s) or Reduction-In-Force.

As of April 2010, OJA had nine furlough days in FY 10. For FY 11, OJA will be required to furlough an additional fourteen days for FY 11. (Maximum allowed is 23 days).

OJA has been authorized to provide a second voluntary buy-out effective June 30, 2010.

OJA has adopted a Reduction-In-force Plan and will abolish many positions by June 30, 2010. Most of these positions are at the Rader Facility in Sand Springs.

OJA Agency-Wide Staffing Trends:

27% reduction in staff agency wide as of June 30, 2010

State Office Staffing Trends”

18% reduction in staff for state office and support services as of June 30, 2010.

Institutional Services Staffing Trends:

33% reduction in Institutional Staff as of June 30, 2010. Most based upon reduction in beds at the Rader facility.

Juvenile Services/Field Staffing Trends:

18% reduction in Field Staff as of June 30, 2010

REPORTS

FINANCE COMMITTEE

The Finance Committee met this morning prior to the regular Board Meeting. Judge Lindley turned the financial report over to Ms. Shantha Varahan.

FINANCIAL REPORT

Ms. Shantha Varahan presented the Financial Reports for the Month ending May 31, 2010.

FY-10 Budget Projections – As of May 31, 2010

Description	Totals
FY-2010 Budget Work Program as of 05/31/10	\$118,845,073
Year-to-Date Expenditures	(98,665,487)
Encumbrances	(12,900,226)
Balance as of 05/31/10	7,279,360
Less: Remaining Payroll Costs (Estimated)	(4,200,000)

Less: Remaining Travel Budget	(291,155)
Less: Restricted Funds	(1,113,570)
Less: Adjustments	(1,500,000)
Balance Available (Deficit)	174,635

FY-10 Budget to Actual for Payroll as of May 31, 2010

	State Office	Residential Services	JSU	Totals
YTD BWP	5,388,530	24,408,552	15,496,140	45,293,222
YTD Exp	5,262,968	23,614,751	15,600,540	44,478,259
YTD Vary	125,562	793,801	-104,400	814,963
% Var	2.33%	3.25%	-0.67%	1.80%

State Office includes OJJDP, JABG, IT, Field Office, Carl Albert Interns and High Risk Transportation.

General Revolving Fund Status – as of May 31, 2010

General Revolving Fund	Budget to Date	Receipts	In Transit	Variance
SSI and SSA	214,500	378,799	0	164,299
Income from Rent	6,600	10,520	1,115	5,035
School Lunch Program	462,000	446,276	19,290	3,566
Inter-Agency Reimbursements	7,150	6,061	1,329	240
Reimbursements – Non-Federal	33,000	53,459	0	20,459
Sales of Documents & Merchandise	13,750	11,906	920	(942)
Other Receipts	49,500	47,581	11,377	9,458
Parental Responsibility-Child Support	293,333	205,946	18,511	(68,876)
Total Revolving Funds	\$1,079,833	\$1,160,548	\$52,524	\$133,239

Title XIX and Title IV-E Revenue as of May 31, 2010

FFP Revolving Fund	Projected Annual Revenue	Projected YTD Revenue	Actual Revenue	In Transit	Variance
TCM	3,000,000	2,880,000	2,676,672	58,369	(144,959)
RBMS	5,157,715	4,944,075	5,000,348	10,527	66,800
Admin	200,000	192,000	161,673	47,171	16,844
Total IV-E	245,000	126,154	99,855	32,950	(93,349)
Total	\$8,602,715	\$8,242,229	\$7,938,548	\$149,017	(\$154,664)

Agency Special Funds
 As of May 31, 2010

<u>701 Trust Fund</u> -	\$418,068
<u>702 Canteen Funds</u> -	27,774
<u>703 Donation Funds</u> -	569
<u>704 Victim Restitution Fund</u> -	11,296

Sole Source

Vendor	Date	Cost	Requestor	Division/Purpose
No Sole Source Contracts since last Board Meeting				

Emergency Purchases

Date	Location	Description	Repair Cost
No Emergency Purchases since last Board Meeting			

LEGISLATIVE REPORT

Ms. JLynn Hartman, Legislative Liaison, reported.

2010 – Second Session of the Oklahoma 52nd Legislature

Deadlines		
√	12/11/2009	Bill Request Deadline
√	1/14/2010	Bill Introduction Deadline
√	2/01/2010	Session Begins 12:00 p.m.
√	2/18/2010	SBs Reported from Senate Committees Deadline
√	2/25/2010	HBs Reported from House Committees Deadline
√	3/11/2010	Third Reading in House of Origin Deadline
√	4/01/2010	HBs Reported from Senate Committees Deadline
√	4/08/2010	SBs Reported from House Committee Deadline
√	4/22/2010	Third Reading in Opposite House of Origin Deadline
√	5/28/2010	Sine Die Adjournment, no later than 5:00 p.m.

Senate Bills

SB1486 – by Johnson (Mike) and Myers of the Senate & Miller and Martin (Scott) of the House. Appropriations; directs OJA to initiate three separate request for proposals. The bill stipulates that OJA is to initiate separate requests for proposals for the construction of a facility to house juveniles that replaces a facility with capacity in excess of 125 available beds, for the razing of property, and for management and operation of the facility. The bill also authorizes the Board of Juvenile Affairs to enter into a lease-

purchase agreement for the construction or acquisition of such facility, to enter into a contract for the razing, and to enter into a contract for the management and operation of such facility.

Senate 30-6, House 69-23, Emergency failed in the House 63-25.

Signed by the Governor: June 10, 2010. Effective date: August 27, 2010.

SB1771 – by Anderson of the Senate and Johnson (Dennis) of the House

- States legislative intent for youthful offenders shall not remain in the custody or under the supervision of OJA beyond the maximum age of 18 years and 5 months.
- Modified language related to runaway or absent without leave (AWOLS) from staff secure or non-secure custody.
- Exempts any individual providing services in a state facility or to children in state custody from the prohibition that no person may practice or hold himself or herself out as being able to practice therapeutic recreation or provide therapeutic recreation services in this state unless the person is licensed under the Therapeutic Recreation Practice Act. Emergency.

Senate 42-0, House 95-0. Signed by the Governor: June 8, 2010. Effective Date: June 8, 2010

SB1830 – by Crain of the Senate and Nelson of the House.

Requires DHS to immediately make a referral to an appropriate law enforcement agency for the purpose of conducting a possible criminal investigation when DHS determines that the alleged abuse or neglect involves a child in the custody of OJA while at a secure juvenile facility. Exempts DHS from responsibility for further investigation once the referral is made. Modifies provisions related to the OJA advocate defender, in cooperation of misconduct by persons responsible for a child that is in the custody of OJA and placed in an OJA secure juvenile facility. Requires the advocate defender to monitor the system to ensure appropriate reporting to DHS of allegations of abuse and neglect of children in OJA custody and facilities. Emergency.

Senate 39-2, House 92-0. Signed by the Governor: June 8, 2010. Effective Date: July 1, 2010

SB19281 – by Newberry of the Senate and Jordan of the House.

Clarified language related to escapes by juveniles and youthful offenders who are in juvenile detention facilities, while escorted by a transportation officer, or while permitted to be on an authorized pass or work program outside the facility. Defines escapes and reduces the maximum penalty from not more than seven years to be not more than three years. Emergency.

Senate 39-2, House 92-0. Signed by the Governor: June 8, 2010. Effective Date: July 1, 2010

SB1936 – by Corn of the Senate and Peters of the House.

Authorizes certain sale of OJA real estate in Talihina, LeFlore County. Emergency.

Senate 78-12, House 47-0. Signed by the Governor: June 8, 2010. Effective Date: July 1, 2010.

House Bills

HB2729 – by Rousselot et al of the House and Garrison of the Senate.

Juvenile Justice: authorizes the Board of Juvenile Affairs to promulgate rules for the use of chemical agents and electroshock weapons in secure facilities operated by or through contract with OJA. Use shall be minimal and shall be prohibited, except as specifically provided for in the rules promulgated by the Board of Juvenile Affairs.

House 83-3, Senate 42-2. Signed by the Governor: April 16, 2010. Effective Date: Nov. 1, 2010.

HB2753 – by Denney et al of the House and Coffee et al of the Senate.

Authorizing OJA to apply for one charter school between July 1 2010 and July 1, 2016. Allows for the State Department of Education to sponsor OJA for an application for a charter school for the purpose of providing education services to youth in the custody or supervision of OJA. Such charter school shall have a physical location where an OJA facility for youth is located and shall limit admission to youth that are in the custody or supervision of OJA.

House 67-28, Senate 36-11. Signed by the Governor: May 28, 2010. Effective Date: November 1, 2010.

HJR1065 – by Peters and Billy of the House and Anderson et al of the Senate

Establishes the Oklahoma Juvenile Justice Reform Committee to study Oklahoma's juvenile justice system and to report with recommendations to revising, reclassify, update, reform and recodify the Oklahoma Juvenile code and any other statutes pertaining to juveniles. The final report with recommendations and a summary shall be submitted to the Legislature by December 1, 2011. Each of the 20 members of the Committee shall serve until December 31, 2011, when the Committee shall cease to function. Emergency.

House 96-0, Senate 41-0. Signed by the Governor: April 19, 2010. Effective Date: April 19, 2010.

Completed copies of all the above referenced bills had been placed in the Board Members binder books. She also informed the members that she would be sending additional information through e-mail. She will send a word document that will be hyperlinked, giving the members the Enrolled version of the bills. She will also be sending bills pertaining to OJA that were approved by the Governor this session.

An additional document will be sent which will include all of the Bills and Joint Resolutions approved by the Governor this session. Information will include constitutional amendments, vetoed bills and overridden bills. The bills will be identified as Appropriation bills, bills of interest, or bills pertaining to OJA, as well as if it had an Emergency and the Effective Date.

ACTION ITEMS

DISCUSSION AND/OR POSSIBLE ACTION TO APPROVE THE MINUTES OF THE MARCH 26, 2010 BOARD OF DIRECTORS MEETING.

MOTION BY GARY A. TAYLOR WITH SECOND BY GEORGE W. LINDLEY TO APPROVE THE MINUTES OF THE MARCH 26, 2010 BOARD OF DIRECTORS MEETING AS PRESENTED.

MOTION PASSED

Voting Aye: Deanna Hartley-Kelso
George Lindley
Gary A. Taylor
Linda Ware Toure

Abstain: T. Hastings Siegfried

DISCUSSION AND/OR POSSIBLE ACTION TO APPROVE THE MINUTES OF THE APRIL 16, 2010 BOARD OF DIRECTORS MEETING.

MOTION BY GEORGE W. LINDLEY WITH SECOND BY LINDA WARE TOURE TO APPROVE THE MINUTES OF THE APRIL 16, 2010 BOARD OF DIRECTORS MEETING AS PRESENTED.

MOTION PASSED

Voting Aye: Deanna Hartley-Kelso
George Lindley
Gary A. Taylor
Linda Ware Toure
T. Hastings Siegfried

DISCUSSION AND/OR POSSIBLE ACTION TO CONFIRM THE DATE AND LOCATION FOR THE BOARD OF DIRECTORS RETREAT TO BE HELD DURING SEPTEMBER, 2010.

Members checked calendars and it was discussed in great length. The Board expressed a preference to hold a 2-day Retreat rather than holding a very long one-day as in the past. The dates of Thursday and Friday, September 9th and 10th, 2010 were selected by members present.

No formal vote was taken.

Dorothy Brown, Assistant Attorney General, gave advice to the Board Members before voting to convene into Executive Session.

Item XIII. (B) is to be discussed in Executive Session due to the confidential nature of communications between the Board and its attorneys concerning pending investigation and litigation. To discuss such in open session would seriously impair the ability of the Board to handle the pending litigation in the public's best interest.

VOTE TO CONVENE INTO EXECUTIVE SESSION

MOTION BY GARY TAYLOR WITH SECOND BY DEANNA HARTLEY-KELSO TO CONVENE INTO EXECUTIVE SESSION.

MOTION PASSED

Voting Aye: Deanna Hartley-Kelso
George Lindley
Gary A. Taylor
Linda Ware Toure
T. Hastings Siegfried

VOTE TO RETURN TO OPEN SESSION

MOTION BY GEORGE LINDLEY WITH SECOND BY LINDA WARE TOURE TO RETURN TO OPEN SESSION.

MOTION PASSED

Voting Aye: Deanna Hartley-Kelso
George Lindley
Gary A. Taylor
Linda Ware Toure
T. Hastings Siegfried

POSSIBLE VOTE ON ITEMS FROM EXECUTIVE SESSION.

There were no items requiring a vote.

NEW BUSINESS

There was no new business to discuss.

ADJOURN

MOTION BY GEORGE LINDLEY WITH SECOND BY LINDA WARE TOURE TO ADJOURN THE BOARD OF DIRECTORS MEETING.

MOTION PASSED

Voting Aye: Deanna Hartley-Kelso
Donnie Nero
Gary A. Taylor

T. Hastings Siegfried
Edward L. Smith

The meeting was adjourned at 12:03 p.m.

Minutes approved in regular session on the 6th day of August, 2010.

Edward L. Smith

Edward L. Smith, Chairman

PREPARED BY:

Linda McLennan

Linda McLennan
Board of the Directors Secretary